

**PUBLIC MEETING MINUTES**

December 19, 2016

**KENNETH E. KROBERGER, PRESIDENT**

**Finance/Personnel/Administration**

1. Call to order.

The December 19, 2016, Public Meeting of the Board of Commissioners was called to order at 7:30 PM by President of the Board, Kenneth E. Kroberger. The following individuals were in attendance.

Kenneth E. Kroberger	President
M. Clare Edelmayer	Vice President
James A. Santi	Commissioner
Thomas A. Duffy	Commissioner
Steven C. Sands	Commissioner
Leonard T. Perrone	Township Manager
Michael J. Lapinski	Assistant Township Manager
David Brill	Finance Director
David W. Duffy	Police Chief
Russ Benner	Township Engineer
Richard Watt	Township Solicitor

2. Motion to approve the Minutes of the Public Meeting held November 21, 2016

Mr. Kroberger noted that the Public Meeting Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Santi, seconded by Mr. Duffy, the Minutes of the November 21, 2016, Public Meeting were approved as presented.

3. Motion to approve the Minutes of the Special Budget Meeting held November 2, 2016

Hearing no questions or comments, upon motion of Mrs. Edelmayer, seconded by Mr. Sands, the Minutes of the November 2, 2016, Special Budget Meeting were approved as presented.

4. Motion to approve the Minutes of the Special Budget Meeting held November 10, 2016

Hearing no questions or comments, upon motion of Mr. Duffy, seconded by Mr. Santi, the Minutes of the November 10, 2016, Special Budget Meeting were approved as presented.

5. Motion to approve the Department Reports filed by Township Staff.

Mr. Kroberger asked for comments or questions. Hearing none, upon motion of Mrs. Edelmayer, seconded by Mr. Sands, the Departmental Reports were approved as submitted.

6. Presentation of public comments and concerns (limit of five minutes per individual).

There were none. Mr. Robert Wilkinson had a question regarding the budget, but will ask his questions when the budget is discussed.

7. Recognition of Steve Heloskie for thirty (30) years of service to the Township. (in Attendance)

Mr. Kroberger asked Mr. Heloskie to come up for a congratulatory handshake with the Board of Commissioners, Mr. Perrone, Mr. Lapinski, Mr. Watt and Mr. Benner. He was thanked for his service to the Township. A picture was taken with Mr. Heloskie and Mr. Duffy (Chairman for Wastewater Treatment). Mr. Kroberger noted that each month we have the privilege of recognizing people that hit certain milestones at the Township.

8. Motion to Approve the 2017 Township Meeting & Holiday Schedule

Hearing no questions or comments, upon motion by Mrs. Edelmayer, seconded by Mr. Santi, the motion was unanimously approved.

9. Motion to Approve Ordinance No. 2016-016, the Tax Rate for 2017

Mr. Kroberger read the Ordinance aloud. The tax rate for general purposes will be 1.874 mills for each dollar of assessed valuation. Mr. Kroberger noted that there is no increase in taxes for the General Fund. He went on to say the fire tax will be .139 mills for each dollar of assessed valuation resulting in an average increase of \$4.79 per property per year. The Street Lighting remains the same as well as the Fire Hydrant tax.

Mr. Kroberger asked if anyone had any questions.

Question from Robert Wilkinson 325 Britt Road – Regarding the sewer diversion project, there is an expense of \$1,000,000.00. Has the estimate of the total cost been published? Has the cost savings been published? When will the cost savings begin to accrue? Has a financial model been created for this project and is it available to the general public and if so, how?

Several Board Members replied yes, the financial model has been created. Mr. Kroberger said we will have final numbers once the 537 plan is approved. The plan has been published and is under review til the end of January and if no other things come in then we will have the final numbers for the project. Mr. Perrone added (we will have) final budget numbers. The 537 is with the DEP. Mr. Kroberger and Mr. Duffy said we have a pretty good idea of the costs.

Mr. Perrone said the Township had a study done 3 years ago by Hazan and Sawyer. That study revealed what it would cost for us to stay with UGTMA vs what it would cost if we separated from UGTMA and brought that flow to our plant. He went on to say that the difference in money is substantial and the ratio is 2-1 (approximately \$50M to \$60M) if we stayed with UGTMA or (approximately \$25M) if we made the separation. This point was made before in the past and has been talked about quite a few times.

Mr. Kroberger further explained that the study revealed how much work was needed at the Towamencin Plant to bring it up to speed and to bring it near the quality of the plant that we have in UGT. There was a lot of infrastructure work that had to be done in the piping systems to eliminate problems that occur with the collection system that takes flow from Upper Gwynedd into Towamencin. Mr. Kroberger added, when we took all that information and put it together, and then looked at what it (construction and cost) would be instead of fixing the piping / collection system in Towamencin, which was to build 2 pump stations and re-route that piping back to our plant, which is quite capable of handling the additional flow, the cost savings is significant. He added that the people from the Wissahickon (Watershed) are thoroughly happy with the fact that there is going to be additional flow going into the Wissahickon.

Mr. Duffy said the year to year costs of diversion should almost be a wash and the break-even is almost immediate of diverting the flow back to our plant rather than continue with UGTMA. The real revenue is when the bonds are paid off and then it is all cash at that point in time.

Mr. Wilkinson noted a \$1M charge in this year's budget and asked what it is for.

Mr. Perrone stated the charge is for engineering. Mr. Kroberger added that we received approximately \$7.1M when we left Towamencin. Mr. Duffy and Mr. Perrone said it was from our money that was held by UGTMA and from equity in the plant.

Mr. Perrone told Mr. Wilkinson the Hazan-Sawyer study is available and he can request information through Right to Know.

Mr. Wilkinson questioned fines from DEP in this budget or the previous budget. Mr. Duffy stated that we don't predict fines, so there is nothing in 2017 (budget). Mr. Wilkinson asked if have any fines coming up and Mr. Duffy and Mr. Kroberger answered no.

Mr. Kroberger added that we are going to eliminate the possibility of fines tremendously with the diversion. Mr. Duffy said one of the main reasons for doing the project is to eliminate the potential for fines because if we don't redo the infrastructure we have, in transportation to that plant and that plant itself, that's where those fines came from. Mr. Duffy added that we don't anticipate any fines in the next budget period.

Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mr. Sands, the motion was unanimously approved.

#### 10. Motion to Approve Ordinance No. 2016-017, Budget Appropriations for 2017

Mr. Kroberger stated this is a motion authorizing the expenditures for 2017. Mr. Kroberger read the revenue and expenditures of each line item.

For the General Fund, the revenue and expenses is \$12,564,303.00, for Liquid Fuels, revenue and expenditures, \$520,000.00, for the Upper Collection Sewer System revenue and expenditures, \$3,107,170.00, for the Wastewater Treatment Plant revenue and expenditures is \$4,252,756.00 which for the total budget is \$20,444,229.00.

Mr. Kroberger asked for any questions or comments. Hearing none, upon motion by Mr. Santi, seconded by Mr. Duffy, the motion was unanimously approved.

#### 11. Motion to Approve Ordinance No. 2016-18, Increased Sewer Rates for 2017

This is an ordinance amending sections 155-29.12 and 155-29.13 to increase the sewer rental rates in the amount of \$37.00 per year per residential property. The new amount for the year will be \$407.00 and is payable in two equal semi-annual installments. Mr. Kroberger add that the increase has nothing to do with the diversion project and is to take care of the present infrastructure and other aspects of the system.

Hearing no questions or comments, upon motion by Mr. Duffy seconded by Mrs. Edelmayer, the motion was unanimously approved.

#### 12. Motion to Approve the Ratification of a Settlement Agreement regarding an assessment appeal by PNC Bank. Settlement yields a refund of \$747.00

Mr. Kroberger said the settlement yields a refund of \$747.00 to PNC. This appeal is from a five-year period and is in conjunction with the Township, the School District and the County.

Hearing no questions or comments, upon motion by Mrs. Edelmayer, seconded by Mr. Santi, the motion was unanimously approved.

Liz McNaney (in the audience) interrupted Mr. Kroberger at this time and said she and Mr. Wilkinson did find something in the current budget about fines and penalties for \$10,000. Mr. Brill said that line item is for contingencies (in the event we have any fines) which we currently have no fines pending. Mr. Wilkinson questioned why we would contingent a fine. Mr. Kroberger explained that the fines are for SSO's (Sewer System Overflows). If we have a situation where we get an enormous amount of rain, and we get an overflow in one of the manholes, UGT reports the overflow to DEP, and in turn, DEP fines the Township. The Township then goes to arbitration with DEP and discusses the reasons that caused the overflow. DEP sends these fines out to all municipalities. The diversion plan should minimize the fines. One of the reasons we are doing what we're doing is so we are not taking money and throwing it to DEP and are putting that money into the infrastructure of the Township. We currently have no fines and the item in the budget is a placeholder because it could happen.

Mrs. Edelmayer said we have an aggressive I/I Committee that meets every 2 – 3 months. The Committee is composed of myself, Mr. Duffy, staff, and sewer people. We go over projects and we are currently looking at our pipes to see where the cracks are and what we need to do to fix our system as well as residents who may have old sewer systems. Mrs. Edelmayer went on to say, in Mr. Wilkinson's neighborhood, 167 homes had sewer lateral repairs. Mr. Duffy added that the manhole which it (the piped) flowed to, was a continual source for fines. The Township spent about \$1M on that line. Mr. Duffy added that the last fine we had was a summation from fine for the past 3 or 4 years. Mrs. Edelmayer added that the Committee has been going through section by section, doing readings, rain flow and looking at where the system is leaking, and working on our system as well as the resident's.

Mr. Duffy said in the budget under revenue, there is a line item of \$100,000.00 and said that is to reserve money to continue to do capital projects and to eliminate issues.

Mrs. Edelmayer said our plant is state of the art, and with our aggressive system, we are trying to bring our SSO's to a very low amount. Mr. Kroberger added that I/I is an ongoing process.

#### 13. Motion to Authorize the Advertisement of Ordinance No. XXX, Adopting a new code book

Mr. Kroberger said this has been in the process for approximately 18 months. This is the recodification of our code book.

Mr. Kroberger asked for any questions or comments, hearing none, upon motion by Mr. Duffy, seconded by Mr. Sands, the motion was unanimously approved.

#### 14. Motion to Approve the Reappointments for 2017

Mr. Kroberger read the reappointments and their term length – (see attached)

Hearing no questions or comments, upon motion by Mr. Santi, seconded by Mr. Duffy, the motion was unanimously approved.

Mr. Kroberger thanked all for their effort in putting together the budget. Len Perrone, Mike Lapinski, Dave Brill and thanked all department heads and staff. He thanked each Board member for the work they have done and for the time they have put in throughout the year, from Clare, who takes care of Parks & Rec, Public Works, and the I/I, to Mr. Santi for his work on the Zoning/Planning and Code Inspections with Van Rieker in Code Enforcement, for Mr. Duffy for the Wastewater, I/I and everything that he has helped us with throughout the year, and also to our new guy, Mr. Sands, who is responsible for Public Safety and deals with the Police Dept., Fire Co., Fire Marshal and our Emergency Management people. Mr. Kroberger thanked all the staff as well.

15. Presentation of a check for \$45,000.00 to UGT for TMDL support by Nancy Bednarik of Merck

Mr. Kroberger read the Press Release prior to the presentation (see attached).

Mr. Kroberger said this partnership was similar to the TIP project with Merck, when we did the road projects throughout the Township over a course of 20 years. He said he anticipates this project to be of similar duration as we move forward in implementing the strategies. The partnership with Merck was done to meet our MS4 obligations, but also to work with someone that has and can provide a lot of the engineering support and help our engineer with everything that's going to be required to do the work in the Township.

Mr. Kroberger said Merck was kind enough to give a contribution to the work at the Pennbrook Water Quality Basins in the amount of \$45,000.00

Ms. Bednarik thanked the Township for the partnership because Merck has a large footprint in Upper Gwynedd Township and I think us joining together for storm water management is the right thing. She went on to say that being at the headwaters of the Wissahickon and what we do here (at Merck) affects everyone downstream, is very key to the partnership. This partnership began at the end of 2016, but Merck would like to contribute this \$45,000.00 to the work that has already been done by the Township. Nancy Bednarik of Merck presented the check to the Township.

A picture was taken capturing this special moment. In the picture – Len Perrone, Ken Kroberger, Mike Lapinski, Clare Edelmayer, Russ Benner and Greg Landis and Nancy Bednarik both from Merck. Everyone thanked Nancy and Greg for the contribution.

Mr. Perrone said this contribution is going to the Pennbrook Water Quality basins and will be added to the grant money already received from the state. Two-thirds of the project was funded by grants.

## **M. CLARE EDELMAYER, VICE PRESIDENT**

### **Public Works/Parks/Recreation**

16. Motion to Approve the Contract with Cedarbrook Country Club for the UGT Annual Golf Outing

Mrs. Edelmayer recognized the date for the Golf Outing as Monday, June 5, 2017. She said there are usually over 100 golfers participating with proceeds benefitting the Parks and Rec programming.

Hearing no questions or comments, upon motion by Mrs. Edelmayer, seconded by Mr. Santi, the motion was unanimously approved.

Mrs. Edelmayer personally thanked Nancy Bednarik and Merck for the contribution and is excited and looking forward to working on this committee to improve our stormwater.

## **JAMES A. SANTI**

### **Zoning/Planning**

17. Motion to Approve Ordinance 2016-019, Amending various sections of Chapter 195 of the Zoning Code.

This is a catchall ordinance that amends such things as flag lots, heights of fences, rear and side yards, etc.

Hearing no questions or comments, upon motion by Mr. Santi, seconded by Mrs. Edelmayer, the motion was unanimously approved.

18. Motion to Approve ZHB No. 16-13, LoPiccolo Appeal – Termination of Parking and Access Covenant

In 2004, a parking agreement was in place at the LoPiccolo restaurant (which later burned down) at S. Broad St. and the business across the street (currently a pizza place). The two properties have been separated in their entirety and are now stand alone so this is nothing more than a termination the parking agreement, which now they each provide their own parking.

Hearing no questions or comments, upon motion by Mr. Santi, seconded by Mr. Sands, the motion was unanimously approved.

**STEVEN C. SANDS**  
**Public Safety**

**THOMAS A. DUFFY**  
**Wastewater Treatment**

19. Motion to Authorize the Advertisement of Ordinance No. XXX, Changing the name of Upper Gwynedd-Towamencin Municipal Authority to Towamencin Municipal Authority. The Ordinance also changes several discharge limits mandated by the PADEP.

Mr. Perrone said a number will be assigned to the ordinance as it gets closer to adoption. Mr. Duffy said the ordinance changes the name from UGTMA to TMA which comes from the divestiture of that plant. It also changes some of the discharge limits so it matches the rest of Towamencin's PADEP permit.

Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mrs. Edelmayer, the motion was unanimously approved.

**OTHER BUSINESS**

20. Approval of the November, 2016 bills.

Mr. Kroberger noted that the Board had received a copy of the General fund bills. Hearing no questions, upon motion by Mr. Sands, seconded by Mr. Duffy, the General Fund bills were approved. Mrs. Edelmayer abstained from approving the Zoning Solicitor's bill.

Mr. Kroberger said the next item is Wastewater and asked for questions or comments. Hearing none, upon motion by Mrs. Edelmayer, seconded by Mr. Duffy, the Board unanimously approved the Sewer Fund bills.

Mr. Kroberger advised that the Board was also being asked to approve invoices from all other funds. Upon motion by Mr. Duffy, seconded by Mr. Santi, the Board unanimously approved these invoices as well.

Mr. Kroberger advised that there were several invoices that had been prepaid due to timing. Upon motion by Mrs. Edelmayer, seconded by Mr. Sands, the Board unanimously approved the pre-paid invoices.

21. Call for Adjournment.

Mrs. Edelmayer wished everyone Happy Holidays.

There being no further business, upon motion by Mr. Santi, seconded by Mr. Duffy, the meeting was adjourned 8:18 PM.

Respectfully Submitted,

Leonard T. Perrone  
Secretary

**Approved January 23, 2017**

/djl