

PUBLIC MEETING MINUTES

January 23, 2017

KENNETH E. KROBERGER, PRESIDENT

Finance/Personnel/Administration

1. Call to order.

The January 23, 2017, 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
David C. Onorato	Township Solicitor

Mr. Kroberger suspended the Public Meeting and opened the Public Hearing.

2. Public Hearing

The purpose of this hearing is to hear comment concerning an ordinance to approve, adopt and enact an ordinance codification and revision of the ordinances of the Township of Upper Gwynedd, County of Montgomery, Commonwealth of Pennsylvania; providing for the continuation of previous provisions; repealing and saving from repeal certain ordinances not included therein; adopting certain changes made to previously adopted ordinances; and providing for the proper maintenance of the code; and to provide penalties for the violation of the code or chapters thereof

Brief explanation of the Ordinance by Dave Onorato, Township Solicitor

Exhibits:

T1: Legal Advertisement published on January 6 and 13, 2017.

T2: Ordinance No. 2017-001.

Mr. Kroberger read the purpose of the hearing (see above). He noted that we are not changing any of the ordinances, just filing them in a codification book. The Township entered two exhibits, a legal advertisement published on January 6 and 13, 2017 and Ordinance No 2017-001.

Mr. Onorato said the Board adopts ordinances in simple ordinance form. This process takes all the ordinances and puts them in one code book and one document. This process occurs every one to two years. As part of the continuation of the hearing, we are waiting for reviews from the Montgomery County Planning Commission and the Upper Gwynedd Township Planning Commission because there are amendments to the zoning code and sub-division and land development code. We will continue the hearing until February 27, 2017 and the letters and comments from the Planning Commissions will

become public record and the Board can vote. Mr. Onorato noted that because of the continuance, the hearing will not be advertised again as we are giving public notice tonight.

3. Motion to continue the hearing to the February 27, 2017 Public Meeting of the Board of Commissioners

Mr. Kroberger asked if the Board or the Public had any questions. He also asked if anyone from the Public would like to speak in favor of the Ordinance, hearing none, he then asked if anyone in the audience had any opposition to this action. Hearing none, upon motion of Mr. Kroberger, seconded by Mr. Santi, the motion to continue the hearing to February 27, 2017 was approved.

Mr. Kroberger then reopened the Public Meeting

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4. Motion to approve the Minutes of the Workshop Meeting held December 13, 2016

Mr. Kroberger noted that the Workshop Meeting Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Duffy, seconded by Mr. Sands, the Minutes of the December 13, 2016, Workshop Meeting were approved as presented.

5. Motion to approve the Minutes of the Public Meeting held December 19, 2016

Mr. Kroberger noted that the Public Meeting Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mrs. Edelmayer, seconded by Mr. Santi, the Minutes of the December 19, 2016, Public Meeting were approved as presented.

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

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

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

There were none.

8. Recognition of Cameron Barrett for a Citizen Commendation by Chief David Duffy. (in Attendance)

Mr. Kroberger said this Citizen Commendation is for Cameron Barrett and introduced Chief David Duffy for the presentation. Chief Duffy said this citizen went above and beyond by helping the police department during a very serious incident on January 15, 2017. The Chief said the incident was handled by Sgt. Brinkman's squad and he recognized Sgt. Brinkman and each member of the squad for handling a major crash and a felony arrest. He proceeded to read the entire commendation to the audience and Board. To summarize, Mr. Barrett witnessed a major traffic accident in Upper Gwynedd Township. He observed one of the drivers leaving the scene by forcibly gaining entry into a car that a family of four had just stopped at the scene to offer their help. Mr. Barrett then followed the offending vehicle into Lansdale Borough and called 911 requesting assistance. Mr. Barrett also witnessed the offender abandoning the vehicle and fleeing on foot. He then chased after the offender on foot throughout the borough and continued observing the offender until police arrived. Due to Barrett's courageous actions, the offender was apprehended, arrested and charged with a number of offenses. Mr. Barrett is pursuing a career in law enforcement. The audience offered a round of applause and members of the Board and staff shook his hand and congratulated him.

9. Recognition of Zach Blanchard for obtaining the rank of Eagle Scout by Alex Kaker. (in Attendance)

Mr. Kroberger acknowledged Zach Blanchard and Matt Krise who have excelled in their efforts within the Boy Scouts. He introduced Alex Kaker, Director of Parks & Recreation who did the presentation. He acknowledged both of them for their accomplishment of Eagle Scout as well as what they did for the Township as part of their Eagle Scout project. Matt Krise worked with the Nor Gwyn Pool doing landscaping and other improvements. Zach Blanchard put together and built a lending library which has been used often. Mr. Kaker thanked them both and presented them with a certificate of acknowledgement. Mr. Blanchard and Mr. Krise shook hands with the Board and staff as they offered their congratulations.

Mr. Kroberger said it is no easy task reaching the rank of Eagle Scout and congratulated them again on their accomplishment.

10. Recognition of Matt Krise for obtaining the rank of Eagle Scout by Alex Kaker. (in Attendance)

See above

11. Recognition of John Bogert for obtaining the rank of Eagle Scout by Alex Kaker. (in Attendance)

Not in attendance

12. Motion to Appoint Kathryn Carlson to the Planning Commission

Mr. Santi said we had a number of applicants and a lot of good candidates to fill the vacancies. He introduced both Kathryn Carlson and Scott Bachman to the Board and the audience. Mr. Santi said Ms. Carlson is moving from the Parks & Recreation Board to the Planning Commission but has been on the Planning Commission in the past. He thanked them both for volunteering. He conveyed to them that there is up to \$500.00 available to attend any County Planning Commission sessions that may help them understand more about planning commissions. Their terms will expire on December 31, 2020.

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

Both appointees shook the hands of the Board as they offered their congratulations. Mr. Kroberger recognized the work of the approximately 60 Township volunteers that serve on our Boards and Commissions.

13. Motion to Appoint Scott Bachman to the Planning Commission

See above.

14. Motion to Approve the North Penn School District Assessment Appeal Settlement for the CVS property for tax years 2012 -2016 resulting in additional tax monies to UGT in the amount of \$16,699.00.

Hearing no questions or comments, upon motion by Mr. Santi, seconded by Mrs. Edelmayer, the motion was approved as presented. The Township Solicitor will sign the agreement on behalf of the Township.

M. CLARE EDELMAYER, VICE PRESIDENT
Public Works/Parks/Recreation

15. Motion to Approve the Pickleball Court Bid Award to Top-a-Court for \$147,500.00. It was determined that the lowest bid by Sportsedge was not a responsible bidder.

Mrs. Edelmayer said this was bid last spring and the bids came in too high. She said 8 bids came in and one was rejected because it did not meet specifications. The bid award goes to Top-a-Court for \$147,500.00

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

Mr. Perrone conveyed that one full size tennis court yields four pickleball courts and should pickleball be a fad, this court can easily be converted to the tennis court.

16. Motion to Authorize the Advertisement of the bid for a Vehicle Mounted Line Painting Machine

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

17. Motion to Authorize the Advertisement of the bid for a 1-Ton Dump Truck via COSTARS

The motion is worded incorrectly. This is to authorize the purchase of a 1-ton dump truck via COSTARS.

Mr. Perrone explained that COSTARS is a state-wide bid platform that the Commonwealth provides, which allows us to purchase a number of things including vehicles that the Commonwealth has already bid on and we can purchase at that bid price which is basically piggybacking.

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

18. Motion to Approve Payment #3 to Horst Excavating for the Pennbrook Quality Water Basins in the amount of \$196,196.23

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

19. Motion to Approve Payment #4 to Horst Excavating for the Pennbrook Quality Water Basins in the amount of \$88,585.43

This brings the total of \$692,000.00 being paid to Horst with \$105,000.00 in retainage.

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

Mr. Perrone reported that Mr. Brill, Director of Finance will be submitting the grant application reimbursements.

JAMES A. SANTI
Zoning/Planning

20. Motion to Approve Resolution No. 02-2017, the Merck, Upper Gwynedd, Parking Lot Expansion

Mr. Santi read portions of the resolution which includes the construction of 150 new parking spaces and a rain garden for storm water management adjacent to the existing Merck office building which is the office building directly across where we are currently. He also read each of the waivers and deferrals. Review letters were issued by the Township Engineer, Upper Gwynedd Planning Commission, and the Montgomery County Planning Commission. This is a temporary parking lot utilizing space that was to be used for a building expansion.

There are 2 waivers to this Resolution.

- A. Section 168-13.B – a waiver from the requirement to file plans one at a time; no subsequent plan shall be filed until a decision on the preceding plan has been reached.

Hearing no questions or comments, upon motion by Mr. Santi and seconded by Mr. Sands. Waiver A was approved.

- B. Section 168-22 – waiver to allow a 6” curb reveal instead of an 8” curb reveal

Hearing no questions or comments, upon motion by Mr. Santi and seconded by Mr. Duffy, Waiver B was approved.

There are 5 deferrals for 5 years from the date of construction of the parking lot expansion

- A. Section 168-21.L(1)(c) – requires poured in place concrete curbs around islands defining aisles and parking stalls.

Hearing no questions or comments, upon motion by Mr. Santi and seconded by Mrs. Edelmayer, Deferral A was approved.

- B. Section 168-21.L – requires a landscaped area equivalent to one parking stall for every nine stalls

Hearing no questions or comments, upon motion by Mr. Santi and seconded by Mr. Sands, Deferral B was approved.

- C. Section 168-21-L – requires landscaped islands be provided along both sides of the end of each parking aisle and adjacent to each entrance and exit.

Hearing no questions or comments, upon motion by Mr. Santi and seconded by Mr. Duffy, Deferral C was approved.

- D. Section 195-9.0(5)(a) - requires at least one tree for every five parking spaces and single bays

Hearing no questions or comments, upon motion by Mr. Santi and seconded by Mrs. Edelmayer, Deferral D was approved.

- E. Section 195-9.0(5)(c) – requires the perimeter of all parking facilities to be landscaped in order to visually buffer the motor vehicles

Hearing no questions or comments, upon motion by Mr. Santi and seconded by Mr. Sands, Deferral E was approved.

Mr. Greg Landis had a question concerning Section 3 D and he requested that this section dealing with escrow be removed from the Resolution.

Mr. Santi made motion to remove section 3D from the conditions of land development approval, consistent with what we have done in the past. It was seconded by Mrs. Edelmayer. Hearing no questions or comments, the motion to remove section 3D was approved.

Mr. Onorato said the Resolution will get cleaned up removing section 3D, but the Board can approve it tonight.

Mr. Kroberger asked for questions or comments. The motion to approve Resolution 02-2017, was made by Mr. Santi and seconded by Mr. Sands, the motion was unanimously approved.

STEVEN C. SANDS

Public Safety

21. Motion to Approve the temporary suspension of parking prohibition at Dickerson Road on Friday, February 10, 2017 between 8:00 am and 5:00 pm.

Mr. Sands explained that Spirit Gymnastics is holding their annual Dalmatian Classic. They are requesting that parking be allowed on Dickerson Road.

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

THOMAS A. DUFFY

Wastewater Treatment

22. Motion to Approve Resolution No. 01-2017, the Upper Gwynedd Township 2016 Act 537 Plan

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

23. Motion to Approve Ordinance No. 2017-002. Changing the name of Upper Gwynedd Towamencin Municipal Authority to Towamencin Municipal Authority. The Ordinance also changes several discharge limits mandated by the PADEP

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

24. Motion to Approve the Advertisement for the hiring of an Operator/Laborer for the Waste Water Treatment Plant

Mr. Duffy noted that this is the restructuring of staff at the Wastewater Treatment Plant.

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

25. Motion to Approve the Advertisement for the hiring of a Deputy Chief Operator for the Waste Water Treatment Plant

Mr. Duffy said this hire will give us more licensed operators.

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

26. Motion to Approve Payment #1 to Wexcon, Inc. for the Swedesford Road I/I Project in the amount of \$80,750.00

This is for Phase II part of the project. Total contract is for \$87,000.00.

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

27. Motion to Authorize the Advertisement of the bid for Sludge Hauling. The current 2-year contract expires on April 30, 2017.

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

OTHER BUSINESS

28. Approval of the January, 2017 bills.

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

Mr. Kroberger said the next item is the Sewer fund and asked for questions or comments. Hearing none, upon motion by Mr. Duffy, seconded by Mrs. Edelmayer, 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 Mrs. Edelmayer, seconded by Mr. Sands, 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. Duffy, the Board unanimously approved the pre-paid invoices.

Question by Mrs. Edelmayer – on page 13 of 16. It has PA DEP professional fees of \$50.00 and says Township Christmas party. Mr. Perrone said it may have been miscoded. Dave Brill will look into it.

29. Call for Adjournment.

There being no further business, upon motion by Mr. Sands, seconded by Mr. Santi, the meeting was adjourned at 8:12 PM to Executive Session.

Respectfully Submitted,

Leonard T. Perrone
Secretary

/djl

Approved February 27, 2017