

WORKSHOP MINUTES

July 18, 2017

* Items are scheduled to be voted on at the July 24, 2017, Public Meeting.

The July 18, 2017, Workshop Meeting was called to order at 7:00 P.M. In attendance:

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

CONSULTANTS

PLANNING/ZONING

1. Report by E. Van Rieker (Updates):

Reported by Van Rieker, Township Zoning Officer

- Newbury Phase II

Mr. Rieker reported they are in the Preliminary Final Phase of land development and are waiting for a decision from the ZHB regarding dimensional variances.

- Enclave at Gwynwood Farm

This is a four-lot subdivision by Dave Caracausa (Old Church Rd. & W. Prospect). It is ongoing as there are some design issues. There are some details with driveways and access that still need to be resolved. This has been continued until September.

- Martin Tract

This is a 27 lot R2 subdivision. They are working out all the details (traffic, stormwater). Final plans should be filed within 10 days. They will be in front of the Planning Commission in September. They will be adding a 4th leg to the signal on Allentown Rd. & Oxford Circle. We will get a review letter from Andy Heinrich.

- ZHB # 17-12. 513 South Sumneytown Pike, Variance to permit in-law suite addition outside existing footprint;

This is a residential application. They will sign a covenant with the Township to remove the kitchen facilities (from the addition).

- ZHB # 17-13. Hartford Properties, LLC, Variance to permit canopy in front of principal building;

This is the Retail sites/Giant property. They are back in based on an interpretation or zoning review by Ken Amey, Assistant Zoning Officer. Mr. Amey found that they needed to return for a variance for the canopy. The canopy was adjudicated by the ZHB as accessory use.

- Zoning Text Amendment - New Definition of Family and Dwelling Unit;

This amendment is in draft form. It has been processed through to the Montgomery County Planning Commission. It will likely be an agenda item for the Planning Commission in August.

This Text Amendment is in response to ever evolving court cases that tell municipalities of certain categories of family are protected regardless of how you define it. We want a definition in our Ordinance that we know is defensible, relative to the definition of family. This text amendment gets away from being related by blood and marriage and into functioning as a single housekeeping unit.

- Zoning Text Amendment - Medical Marijuana, permit retail use in C-Commercial, subject to regulations of State Act and permit growing use in the I-Industrial District

The legislature has established medical marijuana as an authorized use, subject to a myriad of criteria for both the dispensaries and the grower. The State allocates the permitting, where they should go, isolation distances. The legislature has authorized its use in the Commonwealth. The Township should define where we think they are to be allowed (Commercial District as a retail use) subject to the legislatures criteria. The growing of the medical marijuana is not to be permitted outdoors and we have defined the location as the I-Industrial District. This medical marijuana is applied topically or taken orally, it is not smoked. The State has recently announced where the dispensaries can be located and has authorized a certain number of growers and dispensaries. The State has taken a very conservative approach. There are currently no pending applications for a dispensary in Upper Gwynedd Township. This Text Amendment has been submitted to the Montgomery County Planning Commission for review.

ENGINEERING

2. Report by T&M Associates (Updates)

Reported by Russ Benner, Township Engineer

- Pennbrook Basins Status

Mr. Benner will meet with the contractor on Thursday to discuss the punch list items. The Conservation District is OK with restoring the inflow into the Basins. We still have to file a notice of termination of the permit. There are still a few final grading issues to make sure there is no ponding. The plugs have been installed and we will monitor the growth of the plugs as well as any other seed.

- GIS Pilot Study / Trimble Training

The project is going fine, Dan the intern is doing a good job. We are scheduled for ten (10) weeks of data collection.

- TMDL Implementation Plan Status

We will file our NOI (Notice of Intent) for the new permit cycle in September. We will file under an individual permit.

- Conrad Avenue Streambank Restoration Project

This project is on hold until PECO moves a guide wire. PECO should be there on Friday. The project should be completed in two (2) weeks. Much of the fill will go in the existing channel.

- Crest Rd. Streambank Restoration Project

Willard Troxel needs to schedule the work when Public Works has time.

- Providence Reserve – Township Completion

Mr. Lapinski said we found an inexpensive way to install the driveway lights. It will cost approximately \$2000.00.

3. **Merck & Co. renewal application to PADEP for 2 emergency generators:** 30-day comment period - 1180 Church Rd., Lansdale, PA
Discussion

Mr. Perrone reported that these permit applications are advertised in Pennsylvania Bulletin and are now in a 30-day comment period. This is regulated by DEP.

- * 4. **Motion to adopt Resolution relative to the Provco Pinegood Wawa Land Development Plan:**
708 Sumneytown Pike / 1610 West Point Pike

Mr. Perrone said this Resolution will be on agenda for next week.

- * 5. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on B34 and B28 for roof replacement projects. Consecutive Sundays in August and September 2017.

Mr. Perrone noted that we received three (3) additional waivers for crane work. All work is done on Saturdays with Sunday work as a backup.

- * 6. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on B78/78A for Coping Stone projects. Consecutive Sundays in August 2017.

- * 7. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on B38 PnP Renovation Project. August 20, 27, and September 3, 2017

- * 8. **Gwynedd Chase (a.k.a. Dion Tract):** Deed of Dedication for Sanitary Sewer Lines
Approval

Mr. Perrone said this is on Morris Rd. Mr. Lapinski added that we are taking dedication of Sanitary Sewer Lines. Those lines have been tested and approved by the Township Inspector.

- * 9. **Gwynedd Chase (a.k.a. Dion Tract):** Release of Performance Bond and enter into a Maintenance Agreement
Approval

This is the Maintenance Agreement on the Sewer Lines at Gwynedd Chase.

- * 9A. **Stormwater Best Management Practices Operations & Maintenance Agreement**
Approval

Mr. Perrone noted that this relates to the Anglesey Development on Swedesford Rd. and Rt. 202 (Wagner Ct.). This document should have been signed a long time ago and we discovered it was not signed so we are just trying to clean it up.

FINANCE/PERSONNEL/ADMINISTRATION

- * 10. **Commendation of Dr. Allan Xu** (presentation at Public Meeting on 7/24/17)
(top of agenda for public meeting)

Chief Duffy said we are happy to recognize someone who has been very generous to the Police Department with a donation of \$50,000.00. Ray Royds led the investigation into the financial fraud on Dr. Xu and did all the leg work. He determined what occurred and that it occurred over state lines so the FBI was notified. By the time the FBI got the case, they determined it was just about wrapped up so they made the arrest because they have greater penalties. Once the arrest was made, Dr. Xu's money was restored.

- * 11. **Recognition of John Brinkmann for 20 years of service to the Township**
(Public Meeting)

- * 12. **Upper Gwynedd Community Association (UGCA):** Appointment of five (5) Board members
Appointments

Mr. Perrone said this is a reminder that we still have the issue of recruitment for volunteers to be on the committee. We need to appoint two (2) Commissioners, one (1) from Parks & Rec and two (2) at large. May possibly be on the agenda for the Public Meeting.

- * 13. **Revised Parental Leave Policy**
Approval

Mr. Perrone noted that we revised the Township non-uniform personnel manual last year and we decided after the handbook was revised to add a parental leave policy. Ryan Cassidy reviewed the document.

PUBLIC WORKS/PARKS/RECREATION

- * 14. **Ordinance No. 2017-006:** Comcast Cable Franchise Agreement – Advertised 7/7/17
Approval

Mr. Perrone said this is a renewal of our agreement with Comcast. No cost is added to the public unless Comcast raises their fees. We will have a public hearing at the Public Meeting prior to adoption of Ordinance 2017-006. This agreement was drawn up by Dan Cohen, the telecommunications attorney of the Cohen Law Group, and is in conjunction with the Southeastern Pennsylvania Consortium of Municipalities.

- * 15. **Nor-Gwyn Baseball waiver request for lights curfew:** July 11 – 16, 2017 (Bux-Mont Tournament)
Ratification

Mr. Perrone said they missed the deadline in getting this waiver request to us in June so this needs to be ratified for the record.

A resident said the lights were not on after 11 pm during the tournament. However, prior to the tournament, the lights were on after 11 pm on five or six occasions. He feels that were doing post game maintenance after 11 pm.

- * 16. **Nor-Gwyn Baseball waiver request for lights curfew:** August 7 – 14 and August 16 (Perky League)
Approval

Mr. Perrone stated this is the adult hard ball league. Typically, we give them a waiver for the lights and ask them to communicate with the homeowners at Newbury and on Hancock that this is happening. No use of the microphone is allowed after 10 pm.

- 17. **Proposed Community Center**
Status Update

Mr. Perrone said the Board authorized additional survey work, but it has not been completed yet. They did do some traffic counting to see how the traffic flows through the complex.

- * 18. **Parks & Recreation Advisory Board:** Two Vacancies
Status Report

Mrs. Edelmayer stated that three (3) excellent community members were interviewed and we decided on two (2). This will be on the agenda for Monday night.

- * 19. **CFA Multimodal Grant Application:** West Point Pike
Approval

Mr. Perrone noted that we have made various attempts for multimodal grants. This application is for the sidewalks in West Point Village. Mr. Benner said there is a common denominator to the various projects that get funded during a cycle.

- * 20. **2017 Carnival Parking Agreement with Merck:**
Approval

Mr. Perrone said this is an annual agreement with Merck for Parking during the Carnival which will be held September 7, 8, 9, 10, 2017.

- * 21. **Authorization to Advertise for a PT Laborer:** Public Works Department:
Approval

Mr. Perrone said the 2017 budget includes the addition of a part-time laborer in the Public Works Department. We have been without this position for quite some time. We are looking for a multi-talented person to work for Willard Troxel in the Public Works Department and to do general maintenance in the Administration Building.

- * 21A. **Resolution 07-2017 - Permission to dispose of property less than \$1000.00:** Backhoe Approval

Mr. Perrone said this resolution allows staff to dispose of equipment that is less than \$1000.00 (subject to an appraisal of property). Mr. Onorato said the first-class township code says that staff can dispose of equipment that is less than \$1000.00 if the Commissioners have adopted a process that allows that to happen.

PUBLIC SAFETY

22. **Montgomery County Fire Service Delivery System:** Study by County Discussion

The County is doing a study on the fire services throughout the County.

- * 23. **5th Annual Ataxia Charity Bike Ride:** Sunday, October 15, 2017 at 8:00 am Approval

Mr. Perrone announced the race.

- * 24. **2017 Wissahickon Watershed 5 Mile Race:** Saturday, November 4, 2017 at 9:00 am Approval

Mr. Perrone announced the race.

WASTEWATER TREATMENT

25. **Mill Run Sanitary Sewer Main:** Status Report

Mr. Santi said there will be a meeting on July 19, 2017. Mike Currie will present the costs.

- * 25A. **Tapping & Connection Fee Agreement:** Between Foulkeways and UGT Approval

Mr. Perrone and Mr. Lapinski said Foulkeways is going to be expanding by thirty (30) beds in their nursing facility and will need an additional ten (10) EDU's

26. **TMA Capital Projects Fund – Vouchers for Review:**
- A. Uninvest Bank and Trust Co.
Upper Gwynedd Towamencin Municipal (Statement Period 6/01/17 – 7/02/17)
Current Balance: \$280,011.60

 - B. Bursich Associates (5/14/17 – 6/17/17)
Engineering Fees: \$2966.82

 - C. KRI Project – Payment #1 to Joao & Bradley
\$103,513.19 (UGT)

Mr. Perrone said the Kriebel Road Interceptor Project is now under construction and this is the first invoice for that project.

Mr. Perrone announced that he will not be in attendance at the August 15, 2017 Workshop Meeting.

The Workshop Meeting was adjourned at 7:45 pm to Executive Session for legal and personnel.

Respectfully Submitted,

Leonard T. Perrone
Secretary

Approved August 28, 2017

/djl