

PUBLIC MEETING MINUTES

April 23, 2018

KENNETH E. KROBERGER, PRESIDENT
Finance/Personnel/Administration

1. Call to order.

The April 23, 2018, 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
James A. Santi	Vice President
Thomas A. Duffy	Commissioner
Denise M. Hull	Commissioner
Liz K. McNaney	Commissioner
Michael J. Lapinski	Acting Township Manager
David Brill	Finance Director
David W. Duffy	Police Chief
Monica Wall	Township Engineer
David Onorato	Township Solicitor

2. Pledge of Allegiance

Mr. Kroberger announced that we will now be reciting the Pledge of Allegiance prior to the Public Meetings.

3. Motion to approve the Minutes of the Workshop Meeting held March 22, 2018

Mr. Kroberger noted that everyone received copies of the Workshop Meeting Minutes with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Duffy, seconded by Mr. Santi, the Minutes of the March 22, 2018 Workshop Meeting were approved as presented.

4. Motion to approve the Minutes of the Public Meeting held March 26, 2018

Mr. Kroberger noted that the Public Meeting Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mrs. Hull, seconded by Mr. Santi, the Minutes of the March 26, 2018 Public 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 Mr. Santi, seconded by Mr. Duffy, the Departmental Reports were approved as submitted.

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

Glen Johnson of 325 Newbury Court. Mr. Johnson said he wants an update on the baseball lights. He added that six (6) homes of the twenty-five (25) homes are lit up dramatically with the baseball lights. Mr. Johnson said he's been before the Board several times, but the issue still isn't resolved. Mr. Lapinski will reach out to the contractor and developer to get an update and will get back to Mr. Johnson. A discussion ensued regarding the light agreement with the developer. Questions regarding the agreement could not be answered as no one has the agreement at the meeting but will be reviewed by Mr. Onorato and Township staff. Mr. Johnson wants the Board to resolve the light issue now. He wants the Township to front the money and then get reimbursed by the developer. Mrs. McNaney went to his house last year and agreed with Mr. Johnson that the lights were very bright. Mr. Lapinski said the developer is working with Brendan Stanton on a price. Mr. Santi suggested that if the funds are sufficient to cover the cost (per the agreement), then the Township should fund the project and get it done now, then the funds get reimbursed back to the Township per the agreement. Mr. Kroberger and Mr. Santi said we will try to get this resolved as quickly as possible

Mike Felmuth of 112 Cardinal Way. He received a flyer regarding the proposed Wawa and asked if the numbers included in the flyer are accurate. Mr. Kroberger said yes and there will be a response letter issued addressing that issue and why those expenses were necessary.

7. Motion to authorize the expenditure of the 2018 PSATC Annual Commissioners Conference of \$995.00 per Township Official from June 21-24, 2017 at the Skytop Lodge, Skytop, PA

Mr. Kroberger said this is a conference for all first-class townships. He said there are two Commissioners interested in attending the conference, Mrs. Hull and Mrs. McNaney. Mr. Kroberger added it is a good experience with worthwhile education and interaction with other commissioners and supervisors.

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

8. Motion to approve the Back-Stair Walkway Awning Proposal in the amount of \$9750

Mr. Kroberger explained that we have a lot of problems with rain and snow on the back walkway and it is a safety issue. The awning will remedy these problems.

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

JAMES A. SANTI, VICE PRESIDENT
Public Safety

THOMAS A. DUFFY
Public Works/Parks/Recreation

9. Motion to approve the Equipment Rental Bid 1-year term Contract Award to Floyd Hersh in the amount of \$232,728 for various Stormwater Projects.

Mr. Duffy explained this is for basic construction equipment with labor to complete stormwater management projects. We received 3 bids. This is a base bid and we will only pay for what we use.

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

10. Motion to authorize the purchase of a Ford F350 Pickup Truck for Parks & Rec / MS-4 usage

Mr. Duffy said this is for a brand new 2019 Truck that will be replacing a 1988 pick-up truck. The cost of the truck is \$36,060 and will be purchased through Co-Stars.

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

11. Motion to approve the hiring of a Part-time Public Works employee to fill a recent vacancy.

Mr. Duffy said our Part-time Public Works employee transferred to a Full-time position at the Wastewater Treatment Plant.

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

DENISE M. HULL

Zoning/Planning/Code Enforcement

12. Motion to approve Resolution No. 13-2018, Preliminary Plan Subdivision and Land Development Approval for Gwynedd Ridge (Martin Tract)

Marc Jonas, attorney with Eastburn and Gray, representing Pulte. He said we are here tonight seeking preliminary plan approval This is a buy right plan under R2 with PSR option for 27 lots. No zoning relief was required for this plan. Mr. Jonas added, the Upper Gwynedd Planning Commission recommended approval of the plan. He noted two particular features of the plan. The 2nd cul de sac was not part of the original design and noted the Township ordinance says to have thru streets where practicable but based on conversations with Township staff and consideration of concerns from residents, the developer redesigned the plan with two (2) cul de sacs and an emergency access onto Green Street. Pulte also offered a walking trail to the park in Lansdale. Mr. Jonas said there are some waivers for the Board to consider tonight. There was a revised resolution following the Workshop meeting. He noted that the Pulte team is here to answer any questions or to discuss the waivers. Mrs. Hull asked for an explanation of the letter that was received today. Mr. Jonas said there was a discussion at the Workshop meeting (which he did not attend) regarding sidewalks. He noted the sidewalk location on the internal road which is a private road, is on one (1) side only and a walking trail to the park in Lansdale. There is a sidewalk connection from Oxford Circle to the trail and sidewalks proposed along Green Street. Mr. Jonas said the developer feels that a sidewalk on one side of the road is sufficient for a private, internal road. He added the Townships' SALDO says sidewalks shall be provided where required except where in the opinion of the Board of Commissioners they are not necessary for public safety and convenience.

Tim Woodrow of Woodrow and Associates, Civil Engineer for the project. He said he attended the Workshop Meeting. He said there were two (2) points of potential concern. The first point of concern is the extension of

sidewalk along Allentown Road and the second is sidewalks on both sides of these private, internal streets. Mr. Woodrow said they didn't see much connectivity between Oxford Circle and Green Street on Allentown Road. He suggested, in lieu of the sidewalks along Allentown Road, to work in a walking trail to provide some connection from Allentown Road to Oxford Circle as a compromise. He also addressed the internal sidewalks issue. Mr. Woodrow said that because of the no thru traffic nature, to minimize impervious surface and to reduce maintenance, that sidewalk on one (1) side of the street is sufficient.

Sandy Koza of McMahon Associates. She said when they looked at the internal sidewalks, there are only two lots on Road B that don't have the sidewalks and just the south side of Road A where there aren't sidewalks. She added these are both low volume roadways where there isn't much vehicle / pedestrian conflict.

Mr. Santi asked what the plan is for mailboxes. He said he is concerned with mail trucks running over grass if there isn't curbing. Mr. Woodrow said they would like mailboxes at each driveway, but that will be up to the Post Office and said both sides of the roads are fully curbed with Belgian Block. Mrs. Hull said the compromise with the walking trail is fantastic said the other Commissioners agree. She remains concerned with having sidewalk on only one (1) side of the road. Mrs. Hull stated that sidewalks are a safety feature and they make us feel safe. She said that those with young children will want the sidewalks to walk and play. She understands that it won't have the traffic flow of a busy street but there will still be some traffic with twenty-seven (27) houses. Mrs. Hull feels that the maintenance and upkeep of the sidewalk is not that much of a problem or hardship for the homeowners. She went on to say that she feels it is more of a hardship to stop the construction of the sidewalks halfway and would be sorely lacking for the development. Mr. Kroberger said the compromise is a great addition.

James Mullin of Pulte Homes. He said he has found in his experience, the 2nd sidewalk is usually unused. There are expenses involved with snow removal and replacement to the HOA. Mrs. McNaney asked what other developments in the area only have sidewalk on one side? Mr. Mullin said the Reserve at Gwynedd, but Mr. Santi said there are sidewalks on both sides of the street. Mr. Kroberger said he's only had to replace two (2) sections of his sidewalk in thirty-seven (37) years and agrees with Commissioner Hull.

Waivers. Applicant is requesting the following waivers from the provisions of the Subdivision and Land Development Ordinance:

- A. Section 162-11D(2). Applicant is requesting a waiver from this section that requires top or toe of any slope to be located a minimum of five feet (5') from a property line.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver A was granted.

- B. Section 162-11D(8). Applicant is requesting a waiver from this section that requires the basin floor to be graded at a two percent (2%) slope. The basin areas as proposed are designed as primary BMP devices to promote groundwater recharge spread out through the entire basin floor area as shown in detail on the Plans.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the above waiver B was granted.

- C. Section 162-11D(10). Applicant is requesting a waiver from this section that requires the basin spillways to be concrete pavers or gabions. Applicant is proposing to use turf reinforcement matting as may be approved by the Township Engineer.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver C was granted.

- D. Section 162-11D(12). Applicant is requesting a waiver from this section that requires basin outlets to have anti-seep collars as to rain garden "C" only.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver D was granted.

- E. Section 162-12B(1). Applicant is requesting a waiver from this section that requires a minimum pipe diameter of eighteen inches (18"). Applicant is proposing a twelve-inch (12") diameter pipe.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver E was granted.

- F. Section 162-12B(13). Applicant is requesting a waiver from this section that requires a minimum cover of eighteen inches (18") in several locations.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the above waiver F was granted.

- G. Section 168-20D(1)(c)[2]. Applicant is requesting a waiver from this section that requires a maximum cul-de-sac length of five hundred feet (500') whereas Road "A" has a length of 1,093.93 feet to the center of the bulb. This request is a result of Township staff direction.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the above waiver G was granted.

- H. Section 168-20D(2)(a). Applicant is requesting a waiver from this section that requires a residential street to have a thirty-foot (30') pavement width whereas the proposed pavement width is twenty-eight feet (28').

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver H was granted.

- I. Section 168-22B. Applicant is requesting a waiver from this section that requires the proposed curbing be concrete. Applicant is proposing concrete curbs at the entrance and Belgian block curbing within the remaining portion of the roads as shown on the Plans. The proposed roads will not be dedicated to the Township.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the above waiver I was granted.

- J. Section 168-23. Applicant is requesting a waiver of sidewalk along Allentown Road between Oxford Circle and traveling east along the Brower property frontage toward the Green Street intersection.

Mr. Onorato said we will grant the motion with the following condition - in lieu thereof, the applicant will install a walking path at a location to be determined in coordination with the Township Engineer.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver J was granted.

- K. Section 168-23. Applicant is requesting a waiver of requiring sidewalks on both sides of the proposed residential streets. The plan provides for sidewalk along one side of each street.

Mrs. Hull made a motion to deny this waiver. Hearing no questions or comments, seconded by Mrs. McNaney, the above waiver K was denied.

- L. Section 168-20D(2). Applicant is requesting a waiver from the strict compliance with the terms of the ordinance where it is in conflict with the intersection designed laid out by the

traffic design consultant. Applicant has been working with PennDOT and the PennDOT Traffic Engineer with regard to the improvements to Allentown Road.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver L was granted.

- M. Section 168-22B. Applicant is requesting a waiver of curbs along certain sections of the frontage of Allentown Road.

Mr. Kroberger said the location is east from Oxford Circle and down toward Green Street.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver M was granted.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the motion to approve Resolution No. 13-2018 was unanimously approved.

- 13. Motion to approve Resolution No. 14-2018, Act 537 Plan revision for new land development – Gwynedd Ridge

Mrs. Hull said this is relative to sewer hook-ups.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the motion to approve Resolution No. 14-2018 was unanimously approved.

- 14. Motion to approve Resolution No. 15-2018. Preliminary/Final Plan Subdivision and Land Development Approval for the Enclave at Gwynwood Farm

Mrs. Hull said this property is located at 609 W. Prospect Avenue and there are some waivers to discuss.

David Caracausa, applicant of 601 W. Prospect Avenue. Mr. Caracausa said the tract size is approximately 6.25 acres and he is proposing a 4-lot subdivision with a common driveway servicing two (2) homes. The landscaping and road frontage will be themed the same as his property at Gwynwood Farm. This will be serviced with public water and sewer.

Waivers. Applicant is requesting the following waivers from the provisions of the Subdivision and Land Development Ordinance:

- A. Section 168-13B. Applicant is requesting a waiver from this section to permit preliminary/final plan approval.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver was granted.

- B. Section 168-19A(4). Applicant is requesting a waiver from this section that requires that the depth of residential lots shall not be less than one nor more than three times their widths.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the above waiver was granted.

- C. Section 168-21O. Applicant is requesting a waiver from this section that requires driveways to be no closer than six feet (6') to the property line.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver was granted.

- D. Section 168-20D(2)(a). Applicant is requesting a waiver from this section which requires a residential street have a minimum of fifty-four-foot (54') right-of-way, thirty-foot (30') pavement width and four-foot (4') sidewalk and curb.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver was granted.

- E. Section 168-20D(2)(c). Applicant is requesting a waiver from this section that requires the existing paved portion of the road to be extended to the required curb line.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the above waiver was granted.

- F. Section 168-23A. Applicant is requesting a waiver from the requirement to install sidewalks.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the above waiver was granted.

- G. Section 168-21P. Applicant is requesting a waiver to allow shared driveways.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the above waiver was granted.

Mr. Lapinski said he provided Mr. Caracausa with a copy of the Resolution, but he would like an exception to Condition L on page 3 of 6, which reads, applicant shall pay the Township \$1680 per dwelling unit in lieu of park and open space land. Mr. Caracausa is requesting that because there was an existing home that has since been demolished, that he only be required to pay for three (3) dwelling units instead of four (4).

Mr. Onorato said the existing dwelling was demolished and you are now developing four (4) units. Mr. Santi said we need a legal opinion. Mr. Caracausa has agreed to pay for the four (4) dwelling units and the legal opinion is not necessary.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the motion to approve Resolution No. 15-2018 was unanimously approved.

- 15. Motion to approve the advertisement of Ordinance No. 2018-002 – LED sign amendments

Mrs. Hull said the next five (5) items are for advertisements and there will be public hearings for each of these on May 29, 2018 at the next Board of Commissioners Public Meeting.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the motion to approve Ordinance No. 2018-002 was unanimously approved.

- 16. Motion to approve the advertisement of Ordinance No 2018-003 – R2 rezoning of PECO Corridor in West Point from LI and R2 to R2

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy the motion to approve Ordinance No. 2018-003 was unanimously approved.

17. Motion to authorize the advertisement of Ordinance No. 2018-004 the C-Commercial Zone Text Amendment

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi the motion to approve Ordinance No. 2018-004 was unanimously approved.

18. Motion to authorize the advertisement of the revised Conditional Use Application Hearing for Cottage Avenue.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mrs. McNaney the motion was unanimously approved.

19. Motion to authorize the advertisement of Ordinance No. 2018-005, the Newbury II Zoning Map Amendment Hearing

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

LIZ K. MCNANEY

Wastewater Treatment

20. Motion to approve Resolution No. 12-2018 – establishing a fee for the operation of the Township's Pre-Treatment Program during calendar year 2017

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

21. Motion to approve the State Proposal for the WWTP Security Improvement Project in the amount of \$43,354.

Mrs. McNaney said this project came in under budget for the security system. She added that we are one of the only Wastewater Treatment Plants in the area without a security system and feels it is important that we do have one in place because of its location in the Township. She also noted many points of entry that are a security issue. Mr. Lapinski said this is a State contract and not a proposal. We are contracting with a private installation firm that has a contract with the State.

Hearing no questions or comments, upon motion by Mrs. McNaney, seconded by Mrs. Hull the motion was unanimously approved.

OTHER BUSINESS

22. Approval of the April 2018 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 Mrs. Hull, the General Fund bills were approved.

Mr. Kroberger said the next item are the Sewer Bills and asked for questions or comments. Hearing none, upon motion by Mrs. Hull, seconded by Mr. Santi, 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 which include the VEBA and Pension. Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mrs. McNaney, the Board unanimously approved these invoices as well.

Mr. Kroberger advised that there were several invoices that had been prepaid due to timing. Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mrs. Hull, the Board unanimously approved the pre-paid invoices.

23. Call for Adjournment.

Greg Landis questioned why Resolution 12-2018 was for the year 2017. Mr. Onorato explained that the pre-treatment fees look back and take the expenses from the previous year.

There being no further business, upon motion by Mr. Santi, seconded by Mr. Duffy the meeting was adjourned at 8:30 pm.

Respectfully Submitted

Michael J. Lapinski
Secretary

/djl

Approved May 29, 2018