

WORKSHOP MINUTES

May 16, 2018

* Items are scheduled to be voted on at the May 29, 2018, Public Meeting.

The May 16, 2018, Workshop Meeting was called to order at 7:00 P.M. In attendance:

Kenneth E. Kroberger	President
James A. Santi	Vice-President
Denise M. Hull	Commissioner
Liz K. McNaney	Commissioner
Michael J. Lapinski	Acting Township Manager
David Brill	Finance Director
David W. Duffy	Police Chief
David C. Onorato	Township Solicitor
Russ Benner	Township Engineer

Mr. Onorato introduced Tony Ciuca a new colleague in his firm.

CONSULTANTS

PLANNING/ZONING/CODE ENFORCEMENT

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

As reported by Van Rieker

- Sumneytown Pike Overlay District – draft underway, review by PRC
This is a traffic management and infill district plan. The draft will be tweaked at the next Plan Review Committee meeting.
- 209 Morris Rd. (2 lot subdivision) – scheduled for Planning Commission on 6/6/18
This is a 2-lot subdivision that is pending resubmission and will be considered at the June Planning Commission Meeting.
- Newbury Phase I Punchlist (PRDC Letter)
Mr. Lapinski said the contractor is mobilized and committed to completing the punchlist. Glen Johnson marked out the location for the fence installation. Mr. Lapinski spoke with David Perlman, the developer, regarding the lights. He entered into an agreement with Nor-Gwyn Baseball that BSI Electrical Contractors is contracted to do the lights for \$30,000. The contractor is open to completing the lights this season. We need a coordinator to contact for scheduling the lighting modifications at the ball field.
- 857 Twinlyn Drive – Cunningham – Proposal for installation of fence within utility easements.
Mr. Rieker said this permits, under certain circumstances and under a restriction to remove and disclose a fence in a utility easement.
Mr. Onorato updated the Board and said the Pillar Agreement was submitted and signed by the homeowner, who agreed to keep fence 3’ off the sanitary sewer and storm sewer lines. The fence will not at any time cross over the sewer lines and will be removed (if needed) at the homeowner’s expense. The homeowner will provide a design of the fence. If the house

is sold, the fence will be removed. This is now ready for Board approval and will be added to the Public Meeting agenda for Monday, May 29, 2018.

- ZHB #18-3 – 398 Langberg Lane – deck and patio in rear yard
The applicant has an awkward configuration of the lot and needs a variance.

2. **Code Enforcement Activity Report**

Mr. Lapinski said this will be included in the Workshop Packet to keep you informed of any code enforcement action by Dan Quimby. Mr. Rieker said code enforcement fines are administered by the District Justice.

* 3. **Authorization to Advertise the Revised Ordinance No. 2018-002:** LED sign amendments Approval

Mr. Rieker reported the Ordinance was revised to include 50% of the sign may be LED instead of 30%. This was re-reviewed by the Township Planning Commission and the Montgomery County Planning Commission and both have approved the new increase of LED to 50%. This will be up for approval at the June Public Meeting.

* 4. **Ordinance No. 2018-003:** PECO Parcel # 56-00-09538-00-9 Zoning Map Amendment Hearing at Public Meeting

Mr. Rieker said the property has been posted. The PECO property is presently split zoned between R2/LI and this Ordinance changes the zoning to only be R2. Letters to residents have been sent.

* 5. **Ordinance No. 2018-004:** C-Commercial District Text Amendment Hearing at Public Meeting

Mr. Rieker stated we received comments from both Planning Commissions. This permits mixed uses in the Commercial District, it reassembles and assigns a number of uses by conditional use, changes the parking ratio and changes the criteria to consider a conditional use. We will be adding conditional uses in the Sumneytown Pike Overlay District, so the language will be consistent when an applicant files for a conditional use plan.

* 6. **Ordinance No. 2018-005:** Newbury II Zoning Map Amendment Hearing at Public Meeting

Mr. Rieker said this is to have the property line amended so it is coterminous with the zoning and not split-zoned.

* 7. **Conditional Use Hearing:** Cottage Avenue Amended Conditional Use Hearing at Public Meeting

Mr. Rieker reported this is an amended Conditional Use to remove the sound wall requirement because the zoning use has changed. It will be replaced with a lower wall and berm. The property has been posted.

Mr. Lapinski said we need the revised plan for an exhibit prior to the hearing at the Public Meeting on May 29, 2018.

8. **Comprehensive Plan:** Proposal from Montgomery County Planning Commission Discussion

Mr. Rieker stated we need to update the 2004 Comprehensive Plan. Several Upper Gwynedd representatives met with Eric Jarrell from the Montgomery County Planning Commission to hear about what they can do for us for our Comprehensive Plan update. Mr. Jarrell prepared a 3-year proposal for the project.

Mr. Lapinski added it is a 50-50 cost split with the County. The Committee members were pleased with the presentation from the County. Mrs. Hull said she was impressed with the North Wales Plan and how it was presented from the County. Mr. Lapinski said other municipalities that have used the County for their Comprehensive Plans have been very pleased with the work. This will be an action item for the May 29, 2018 Public Meeting.

- * 9. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building B38 and B38A to lift chilled water piping and support steel onto the roof. Sundays, June 3, 10, 17 and 24, 2018
Approval

This is for ongoing roof work at Merck.

- * 10. **Merck & Co. waiver request from Chapter 113-1 & 124-5:** After hours crane work on Building 56 for roof replacement. Sundays, July 7, 14, 21, 28, August 4, 11, 18 and 25, 2018
Approval

ENGINEERING

11. **Report by T&M Associates (Updates)**

As reported by Russ Benner

- Ivy / Grannery MS-4 Project – Update

As a result of the resident's meeting, Mr. Benner, Mr. Kaker and Greg Rishel of T&M did a field visit of the Pennbrook Basins, the Wheaton Basin and Ivy/Granny. At the Wheaton basin, there is a breach. A pipe is rotted out from the bottom and needs to be repaired. The outlet structure needs to be repaired and the berm needs to be fixed (needs anti-seep collars, trench, etc.). This would be a good job for Floyd Hersh who we have a contract with to complete some stormwater projects. Mr. Benner said, the thought process is to do a water quality repair and put Ivy/Grannery on hold until the two (2) smaller facilities are fixed. Mr. Benner contacted the National Fish and Wildlife Federation (NFWF) and said our grant application can be amended to include these facilities but would have to be reviewed by NFWF. The County has a 2040 Program that has grant money available. Mr. Lapinski said this process will take time to design and we have to make sure we get MS-4 credit for the projects. Mr. Benner said we have to update our yearly report to DEP. Our current goal is to reduce sediment by 250 tons over five (5) years. We have to look closely at these projects to see that they meet the criteria for sediment reduction. Mr. Benner said the proposed basins at Ivy/Grannery are much different than the Pennbrook Basins in that they are lawn basins where water infiltrates down in the ground to a drainage system. He said this type of basin will reduce sediment equal to a naturalized basin like the ones at Pennbrook. Mr. Benner said he met with the resident at 249 Hancock Road who is upset with the drainage on her property. All the water flows to her property and inundates her yard and sidewalk

before exiting out her driveway. There is no storm sewer system on Grannery but there is on Hancock. Mr. Benner said we may be able to extend that pipe up (storm sewer under drain) and add depressed curb to take her ground water away. Mrs. McNaney asked what the time frame is to which Mr. Benner replied, we should have a sketch done in the next thirty (30) – forty-five (45) days.

Mrs. Hull presented a book from an Ivy/Grannery resident who wants to see rain gardens in the area. Mr. Benner said rain gardens are meant for a much smaller scale (2-3 houses). He said there is a stormwater system at Ivy/Grannery and it discharges into the creek through a thirty-six-inch (36") pipe. It would be very difficult to take that size pipe into a rain garden. The purpose of the raingarden is to take up water through the plants and allow it to infiltrate at the same time. Mr. Benner added, the infiltration basin we proposed is a larger "rain garden", in that it functions the same way without all the extensive plantings. He emphasized that we are mandated to remove 250 tons of sediment during this permit cycle. Mr. Benner said, you can't compare the basins at Pennbrook with the proposed basins at Ivy/Grannery, they aren't the same. We need to do a better job to convey that to the residents and we can show additional pictures, so residents can see the proposed basins are much different than the Pennbrook Basins. The Pennbrook Basins are flood mitigation with water quality and the Ivy/Grannery basins are proposed to be only water quality. There will be one to two feet (1-2') berms that will hold a maximum of one foot (1') of water. These have an underground drain system (fail safe system). They are not meant to hold water.

Mr. Benner said the boardwalk basin at Pennbrook was completed first and the vegetation is established. Basin 3 was completed last and is the youngest. It still has issues with establishing vegetation. He added, it is very difficult to seed the bottoms of the basins. We need to plug the muddy area of Basin 3. Mr. Lapinski said we plugged the micro pool in Basin 3. Mr. Benner said the rainy weather has been a problem. He added, the basins were designed to have micro pools. Residents were told there would not be a pond, but they were designed to have water. There was further discussion regarding trash at the Pennbrook basins. Mr. Kaker said trash should be removed one (1) time a week at the basins during the summer and every ten (10) days after summer (weather permitting). Mr. Benner said we talked about managing the cattails in the basins as they are an invasive species.

Mrs. Hull asked about mosquitoes with the micro pools. Mr. Benner replied it is a natural environment and we will have to keep an eye on it. The County sprays the basins for mosquito control.

Mrs. McNaney said the resident at 44 Ivy has been contacted by the Montgomery County Conservation District regarding the downed tree. Mr. Lapinski said the Conservation District can help us with best practices and maintenance of the streambanks. Mr. Benner said we have a maintenance bond with the Contractor Horst for the maintenance of the Pennbrook Basins

- Pennbrook Basins Status – Update
See above

- GIS Map Development – Update

Mr. Benner said two offers have been made to interns but both have been turned down.

- Crest Rd. Streambank Restoration Project – Additional plantings in Spring 2018

Mr. Troxel has to put in some additional plugs and can address the issues at the resident's property that is downstream.

- Swedesford Rd. SEPTA Bridge Inspection – Status

Mr. Benner reported we are currently waiting on the scheduling of inspectors for this project.

- West Prospect Avenue Bridge

This is part of an ongoing 2-year bridge program. The State categorize repairs that need to be done on the bridges. PennDOT established a coding system for the deck of the bridge, the guardrail, safety measures, pavement, etc. Anything that is coded 5 and above is ok, but anything coded 4 and below have to be addressed.

- Sumneytown Pike Bridge

Mr. Benner said there is rusting on steel beams that was identified. He is getting a cost estimate on the repair, so we can get this on the budget for 2019. There is a program that we may qualify for funding. This was coded a 4 which is structurally inadequate.

- Sumneytown Pike Bio-Swale Project – Status

This project has been completed.

- Environmental Stewardship and Watershed Protection Projects – Completion

Mr. Lapinski reported that out of the three (3) grants we received for the Pennbrook Basins, and the Zacharias Creek Project, we were reimbursed for two (2) of the projects. The State also applauded our efforts to restore and protect the watersheds.

A discussion ensued regarding a follow-up meeting for the Ivy/Grannery residents and invite a wider area of residents to see an updated presentation of the proposed basins. This meeting can be held at the middle school.

FINANCE/PERSONNEL/ADMINISTRATION

- * 12. **Recognition of Mike Lapinski for 5 years of service to the Township**
Will Attend Public Meeting

13. **Communications Initiatives**
Update

Mr. Lapinski said we have a committee formed to include; Mrs. Hull, Mrs. McNaney, Ken Weirman, Mr. Lapinski, Pat McGee and Mr. Kaker. Mr. Lapinski will set up a meeting after Memorial Day. We will invite Sal back from Virtual Towns and Schools.

Mrs. McNaney said Montgomery Township posts their complete agenda packet along with Board actions. Mr. Kroberger said he is ok with putting the complete packet online for residents to view.

Mr. Onorato said what Montgomery Township does is very unusual and would take staff hours to prepare. He will check into information that may need to be redacted such as resident's names, etc.

Mr. Lapinski will bring recommendations to the Board on how to proceed.

14. **State gerrymandering - local support for Resolution**
Discussion

Mr. Lapinski said this is from Fair Districts PA. Currently, there is a Senator that is blocking the proposed Resolution. We will continue to follow this issue.

PUBLIC SAFETY

- * 15. **Authorization to advertise Ordinance 2018-006: Volunteer Fire Company & VMSC Tax Relief Plan**
Approval

Mr. Lapinski had a conversation with Rich Vetri from VMSC who had questions about how the Fire Company point system works. Mr. Lapinski will speak with Mr. Onorato regarding those questions. The VMSC is run by volunteers but the active members are mostly paid employees with a few that are volunteers.

- * 16. **Speed Limit Recommendation:** Hancock Road between E. Prospect and Dekalb Pike
Approval

Chief Duffy said the speed limit was reviewed on Hancock Rd. four (4) years ago and it reduced to 25 MPH to accommodate school traffic. Now, the pedestrian traffic is different and today's traffic study revealed the traffic can travel safely at 45 MPH. There aren't any speed related accidents in that area and he wants to be fair in the enforcement of the area. Chief Duffy is recommending a change of the speed limit to 40 MPH. Mr. Kroberger said if you up the speed limit, people will go even faster. Mr. Santi said he disagrees with Chief Duffy and the speed limit should not be increased. A discussion ensued regarding the traffic and speed limit on the road. Mr. Santi then suggested raising the speed limit to 35 MPH. Mr. Onorato will prepare a proposed Ordinance with the suggested speed limit increase. This will be an action item at the Public Meeting on May 29, 2018 as an authorization to advertise the proposed Ordinance.

PUBLIC WORKS/PARKS/RECREATION

17. **Summer Projects Activity Update**

Mr. Lapinski reported that Public Works will be changing inlet heads, manhole covers and risers in certain neighborhoods. Many roads will also be paved and striped this summer as well as some hot sealing completed on some curbs. Various MS-4 projects will be underway.

18. **Background Checks**
Discussion

Mr. Kaker summarized his packet memo. He said there is frustration from the coaches at having to update their background checks every year. Other municipalities and the State require a background check every five (5) years. Upper Gwynedd Township requires a background check yearly to include a local police check, sign an affidavit stating they have never been convicted of certain crimes, a state police check, a state child abuse clearance, and FBI fingerprinting. The fingerprinting can only be done in Norristown or Fort Washington with limited availability. Mr. Kaker said the current coaches are frustrated and many are threatening to leave. Mr.

Santi asked what the coaches want. Mr. Kaker replied, they want it done every five (5) years. Mr. Kroberger said we are very cautious of those working with children in this Township. A discussion ensued regarding how often the pool does their checks. Mrs. McNaney noted that she has been with Nor-Gwyn Baseball for ten (10) years and has never been fingerprinted. She will bring this up at their next meeting. Mrs. Hull said yearly checks seem tedious. She added that the North Penn School District follows the state guideline for background checks. Mr. Kroberger recommended three (3) years for the FBI and every year for everything else. Chief Duffy said we can do local checks every year. Contracted people are checked through the state every five (5) years and the paperwork is sent to us by the state. Upper Gwynedd Township covers the cost for the background checks. Mr. Kaker said Upper Gwynedd Township has seventy (70) coaches. Mr. Santi suggested every year for the background checks and every three (3) for the FBI fingerprinting. Mr. Kroberger will get Commissioner Duffy's opinion, then Mr. Onorato can prepare a Resolution amending the policy change for vote at the next Public Meeting.

- * 19. **Resolution 16-2018:** A "piggyback" contract arrangement with Whitpain Township regarding microsurfacing Township roads.

Mr. Lapinski said we have an annual micro surfacing program for roads that are within a 3 – 5-year window to be resurfaced and add that layer of microsurfacing to extend the life of the road. Whitpain Township gets a unit price and we piggyback with them as part of the County Consortium. Mr. Lapinski added, that sometimes the microsurfacing is controversial, so we will send an educational flyer out to residents prior to the microsurfacing. Mr. Onorato said we need to add the unit price from Whitpain Township to the Resolution.

WASTEWATER TREATMENT

- * 20. **Authorization to advertise the Bid for the Wastewater Treatment Plant Expansion Project:**
Approval

Mr. Lapinski stated this is necessary for any future projects the Township engages in.

- * 21. **Authorization to advertise Ordinance 2018-007:** Declaration of taking for the purpose of acquiring an easement for the installation of sanitary sewer lines
Approval

Mr. Lapinski said this is related to sanitary sewer expansion project. He met with the resident and she agreed to grant the easement (temporary and permanent) but she has been non-responsive in signing the documents. This will allow the Township to execute eminent domain.

- * 22. **Authorization to advertise Ordinance 2018-008:** Declaration of taking for the purpose of acquiring a temporary construction easement for the installation of a sanitary sewer line
Approval

See number 21

- * 23. **Authorization to advertise the position of Maintenance/Electrical Mechanic:** WWTP
Approval

Mr. Lapinski said we are looking to begin filling positions at the Wastewater Treatment Plant in anticipation of some employees impending retirement. This is for a maintenance/electrical mechanic that can be mentored by Jim Petherbridge, a highly skilled employee at the WWTP.

24. **TMA Capital Projects Fund – Vouchers for Review:**
- A. Univest Bank and Trust Co.
Upper Gwynedd Towamencin Municipal (4/1/18 – 4/30/18)
Current Balance: \$1000.00 (minimum required)

 - B. Bursich Associates (4/1/18 – 4/30/18)
Engineering Fees: \$ No invoice submitted

There has been no action since last summer on this project.

The Workshop Meeting was adjourned at 8:50 pm to Executive Session for personnel.

Respectfully Submitted,

Michael J. Lapinski
Acting Secretary

Approved June 25, 2018

/djl