

**PUBLIC MEETING MINUTES**

July 23, 2018

**KENNETH E. KROBERGER, PRESIDENT**  
**Finance/Personnel/Administration**

1. Call to order.

The July 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	Township Manager
Alex J. Kaker	Assistant Township Manager
David W. Duffy	Police Chief
Russ Benner	Township Engineer
David Onorato	Township Solicitor

2. Pledge of Allegiance

3. Motion to approve the Minutes of the Workshop Meeting held June 19, 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. Santi, seconded by Mr. Duffy, the Minutes of the June 19, 2018 Workshop Meeting were approved as presented.

4. Motion to approve the Minutes of the Public Meeting held June 25, 2018

Mr. Kroberger also noted that the Public Meeting Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Duffy seconded by Mrs. Hull, the Minutes of the June 25, 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 Mrs. Hull, seconded by Mrs. McNaney, the Departmental Reports were approved as submitted.

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

Daren Gross, 115 Hancock Place. Mrs. Gross said fireworks were set off in her neighborhood on six (6) nights during the week of July 4th and again last Saturday night. She spoke with several residents on Grannery who were upset about the fireworks. She called 911 to complain about fireworks at Gwynedd Club (Donavan Ct.). She cited the PA law that allows consumers to purchase and use fireworks. The state restrictions include; fireworks cannot be ignited and discharged on public or private property without permission of the owner, they cannot be discharged from a motor vehicle or building, they cannot be discharged within 150' of an occupied structure and they cannot be discharged while the person is under the influence of alcohol or any other substance. She said a police officer arrived and the man setting off the fireworks was drinking beer. The police officer told her that he can tell him about the 150' limit and about the beer drinking but the Township has no ordinances considering fireworks. She said the officer was unsure as to who is responsible for enforcing fireworks. She wants to know who she should call about getting fireworks enforced. She requested that the PA rules be published in our newsletter, website and wants an ordinance in the Township about fireworks. Mr. Kroberger said this is something we have to look at. Chief Duffy added we had eleven (11) calls between July 1st and today about fireworks and the police are the ones to call. He said we will cite those who continue to set them off after a warning has been issued. He said we have to follow the state law and an ordinance will not supersede state regulations and added that we do have a noise ordinance in the books that we can enforce.

Lee Gable, Ivy Lane. He is concerned about the Wheaton basin and wants to know if we have a plan. He said the basin is a mess. Mr. Kroberger said this was presented at the Workshop Meeting that Mr. Gable attended last week about the plan for that basin. We will have another resident's meeting about the Wheaton basin before moving forward with the plan. Mr. Gable said the residents are against using the open space for basins. He added he reached out to Henry Stroud who is with the Montgomery County Open Space Program about how we can handle the runoff without destroying the open space. Mr. Kroberger assured him that right now we are only going to repair the existing basin and if we ever decide to do additional work on the basins, that we will have input from the residents before moving forward. Mr. Duffy said we need to get the results of the Wheaton basin repair first, then we can reassess to see if any additional work is needed in that area. A discussion ensued regarding open space that belongs to Lansdale Borough.

Dennis Cinelli, 34 Elbow Ln. He said the creek runs through his back yard and is concerned about the Sweetbriar Basin which the Township has mislabeled as the Wheaton basin. He said it is dangerous there as the berm has washed out, there are numerous sinkholes and it is overgrown. He added that nothing has been done there in years. Mr. Cinelli noted that the only work he has seen done on the basin was recent mowing on the upper twenty feet. He urged the Commissioners and engineers to go out after a significant storm to see the damage. He said there is infiltration and ponding. He is concerned that any work done with elevations to install a berm will flood his yard. He said the residents are vehemently opposed to the basins, but they will work with the Township and understands there is a mandate to remove sediment. He said the berm can be rebuilt easily in the Sweet Briar basin and would alleviate tons of sediment. Mr. Kroberger thanked him for his comments.

7. Recognition of John Cosentino for 5 years of service to the Township

Mr. Kroberger said each month we recognize employees that have reached certain milestones in the Township. Mr. Cosentino is being recognized for his five (5) years of service. He is on vacation and unable to attend.

8. Motion to approve the HVAC Preventive Maintenance Contract from Postler & Jaeckle in the amount of \$6,690 for the PW Garages, TAC, Community Center and WWTP

Mr. Kroberger said this is in addition to the contract for the Administration Building. He said there are 22 pieces of equipment in these buildings that this contract will cover.

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

9. Motion to approve a Letter in Opposition of Senate Bill 653, the Consolidated Collection of PA Local Service Tax

Mr. Kroberger said this bill will consolidate the collection of taxes by the state. Our Finance Director Dave Brill said we currently receive weekly deposits of the taxes collected and this bill will delay the timely receipt of the money. He also noted a possible drop in customer access and support.

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

Mr. Santi noted this opposition is consistent with the State Association of Townships.

### **JAMES A. SANTI, VICE PRESIDENT**

#### **Public Safety**

10. Motion to approve Resolution 20-2018, the 2017 Montco Hazard Mitigation Plan

Mr. Santi explained the County develops a mitigation plan annually and area municipalities adopt that plan as the official plan for consistency. Mr. Santi read a portion of the Mitigation Plan. Mr. Lapinski added that this Resolution is necessary in order to be eligible for disaster relief if ever needed.

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

11. Police Department Personnel Matter

Mr. Santi said this is a separation/settlement agreement with Sergeant Scott Clark who is leaving the department.

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

12. Motion to provide a conditional offer of employment to Evan Meoli for the position of police officer. This is conditioned on Mr. Meoli passing both a psychological examination and a medical examination. If those are passed, an administrative swearing in can be scheduled by the Chief of Police with a formal swearing in ceremony to be held on August 27<sup>th</sup>

Mr. Santi wished Mr. Meoli the best in his new position of police officer. He added that Mr. Meoli is a resident of Upper Gwynedd and graduated with a bachelor's degree in Criminal Justice. He is also a graduate of the Montgomery County Police Academy and comes from a family of police officers. Mr. Santi added that the Civil Service Commission said Mr. Meoli exceeded their expectations. Chief Duffy said he led the pack of the applicants that applied for the position.

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

Mr. Meoli was invited to shake hands with the Commissioners as they offered their congratulations.

13. Motion to approve the promotion of Charles Staub to the rank of Sergeant, as per the results of Civil Service testing. An administrative swearing in can be conducted by the Chief of Police with a formal swearing in ceremony to be held on August 27<sup>th</sup>

Mr. Staub is a 22-year veteran of the force. Mr. Santi said he has served in numerous roles including Officer in Charge, Field Training Officer, Fleet Manager, Lead Range Instructor and North Penn Tactical Team member. He has attended numerous specialized police training classes and police leadership courses. Chief Duffy added that Officer Staub earned this promotion in a very competitive process.

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

Mr. Staub was invited to shake hands with the Board as they offered their congratulations.

### **THOMAS A. DUFFY**

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

14. Motion to approve the 2018 Carnival Parking Agreement with Merck

Mr. Duffy said this is the standard agreement that Merck offers us parking in their lot across the street from the Parkside Complex.

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

15. Motion to approve the GIS & Geospatial Database Services Proposal

Mr. Duffy said we collect a lot of data about everything that goes on in the Township regarding roads, sewer, traffic lights, etc. He added in the last few years we have been doing a very intensive collection on our wastewater facility with a specialized piece of equipment that was purchased. Mr. Duffy said this proposal will take this information database to the next step. Mr. Benner said this is the next phase in organizing the data we have collected and put it in the proper format to facilitate the data collection and usage. Mr. Duffy said this data will be able to be used by all the Township departments including the fire department.

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

**DENISE M. HULL**

**Zoning/Planning/Code Enforcement**

- 16. Motion to approve Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on Building 29 for Water Tank Removal & Installation Program (Sundays, August 5 & 12, 2018)

Mrs. Hull said the next 4 waiver requests are for ongoing work at Merck.

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

- 17. Motion to approve Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on Building 56 for Roof Replacement Project. (Saturdays & Sundays in August)

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

- 18. Motion to approve Merck & Co. waiver request from Chapter 124-5 to operate a vacuum excavation truck and other noise creating equipment on Building 56 Roof Replacement Project (Saturdays & Sundays in August)

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

- 19. Motion to approve Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on Building 38 for Roof Replacement Project. (Saturdays & Sundays in August)

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

- 20. Motion to authorize David Onorato to appear at the July 24, 2018 ZHB meeting on behalf of the Township

Mrs. Hull noted there are two (2) applications (LoPiccolo and Colorcon) before the Zoning Hearing Board that we would like Mr. Onorato to be present for at the meeting on July 24, 2018.

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

**LIZ K. MCNANEY**

**Wastewater Treatment**

- 21. Motion to approve Ordinance 2018-007 – Declaration of taking to acquire an easement to install a sanitary sewer line (Adv. 7/3/18)

Mrs. McNaney explained this property is along Moyer Boulevard and West Point Pike.

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

22. Motion to approve Ordinance 2018-008 – Declaration of taking to acquire a temporary construction easement to install a sanitary sewer line (Adv. 7/3/18)

Mrs. McNaney said this is the same parcel as above.

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

23. Motion to approve the easement agreement with North Wales Water Authority

Mrs. McNaney explained, this is a parcel of land in the Township and this easement will help with cleaning up the property. Mr. Lapinski said we need a formal easement in order to service the area.

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

24. Motion to approve the easement agreement with North Wales Borough

Mrs. McNaney noted this is the same parcel as above as some is owned by the NWWA and the rest by the Borough of North Wales.

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

25. Motion to approve payment #1 to Insituform for the Meadowbrook Rd. CIPP & Saddle Line Project in the amount of \$44,743.56

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

## **OTHER BUSINESS**

26. Approval of the July 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. McNaney, the General Fund bills were approved.

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

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

27. Call for Adjournment.

Mrs. McNaney asked the Department Heads to provide a report. Mrs. McNaney gave Mr. Kaker's report. She said there is one more Summer Breeze concert on August 3<sup>rd</sup>, there were over 200 campers at the Night Sky Campout on July 6, the Pickleball lights have been installed, the tennis courts were repaired, and summer camps are going through the month of August.

Chief Duffy said we held our 1<sup>st</sup> Junior Police Academy in conjunction with other municipalities this past Saturday and National Night Out will be held on August 7<sup>th</sup>.

Mr. Lapinski said the Hometown Heroes are up and they look sharp at the Parkside complex. He added, the 2018 road program will begin on Monday in Sugar Valley.

Mr. Kroberger announced the Board will be going into Executive Session for legal issues.

There being no further business, upon motion by Mrs. Hull, seconded by Mr. Santi the meeting was adjourned at 8:18 pm.

Respectfully Submitted

Alex J. Kaker  
Assistant Secretary

**Approved August 27, 2018**

/djf