

**MINUTES OF PUBLIC MEETING**

June 22, 2015

**KENNETH E. KROBERGER, PRESIDENT**  
**Finance/Personnel/Administration****1. CALL TO ORDER.**

The June 22, 2015, 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
Eugene P. Ziemba	Commissioner
Thomas A. Duffy	Commissioner
Leonard T. Perrone	Township Manager
Michael J. Lapinski	Assistant Township Manager
David Brill	Finance Director
David Poirier	Deputy Police Chief
David C. Onorato	Township Solicitor
Russ Benner	Township Engineer

**2. MOTION TO APPROVE THE MINUTES OF THE PUBLIC MEETING HELD ON APRIL 27, 2015.**

Mr. Kroberger noted that the Minutes of the Public Meeting were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Ziemba, seconded by Mr. Santi, the Minutes of April 27, 2015, Public Meeting were unanimously approved.

**3. MOTION TO APPROVE THE MINUTES OF THE WORKSHOP MEETING HELD ON MAY 12, 2015.**

Mr. Kroberger noted that the Workshop Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Duffy, seconded by Mrs. Edelmayer, the Minutes of the May 12, 2015, Workshop Meeting were approved as presented.

**4. MOTION TO APPROVE THE DEPARTMENTAL REPORTS FILED BY TOWNSHIP STAFF.**

Mr. Kroberger noted that the Departmental Reports were sent with the Agenda and asked for comments or questions. Hearing none, upon motion of Mr. Duffy, seconded by Mr. Santi, the Departmental Reports were approved as submitted.

**5. PRESENTATION OF PUBLIC COMMENTS AND CONCERNS (LIMIT OF FIVE MINUTES PER INDIVIDUAL).**

There were none.

**6. RECOGNITION OF KRISTA M. CARACAUSA FOR FIVE (5) YEARS OF SERVICE TO THE TOWNSHIP.**

Mr. Kroberger stated that it is always a pleasure recognizing employees as they reach five year increment milestones of employment with the Township. He reported that last Friday the Township held an Employee Luncheon to honor employees who were recognized over the past year. He stated in 2014, the Township recognized 12 employees whose cumulative years of employment totaled 260 years of service to the Township.

Mr. Kroberger stated that tonight he is happy to thank Krista Caracausa for her five years of service to the Township. Mr. Perrone stated, "It is a pleasure having Krista working for us, and every day I realize how important she is to me and to the staff. Thank you Krista."

## **M. CLARE EDELMAYER, VICE PRESIDENT**

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

#### **Not on the Agenda:**

Mrs. Edelmayer extended a thank you to everyone who attended the June 6, 2015, 20<sup>th</sup> Anniversary Celebration of our Park Sci Playground. She reported there was an estimated 300 people in attendance including people who were involved in building the playground 20 years ago. There was food and entertainment, and it was a wonderful day thanks to both Alex Kaker the Township's new Parks and Recreation Director and Emily Croke the Township's new part-time Program Coordinator who did a fabulous job arranging the event.

**7. A MOTION TO ACCEPT A \$300,000 GRANT FROM NATIONAL FISH AND WILDLIFE FOUNDATION SUBJECT TO THE REVIEW AND EXECUTION OF A GRANT AGREEMENT.**

Mrs. Edelmayer read Item No. 7 above, and explained that this grant is for various stormwater projects relative to the MS-4 Program. Mrs. Edelmayer motioned to accept the \$300,000 Grant from the National Fish and Wildlife Foundation subject to the review and execution of a Grant Agreement. Seconded by Mr. Ziemba, this motion was approved.

**8. MOTION TO AWARD THE 2015 DRY MILLING BID TO P.K. MOYER & SONS, INC. IN THE AMOUNT OF \$66,325.**

Mrs. Edelmayer stated the 2015 Dry Milling Bid was re-bid and P.K. Moyer & Sons, Inc. was the lowest bidder at \$66,325. Mrs. Edelmayer motioned to award the 2015 Dry Milling Bid to P.K. Moyer & Sons, Inc. Seconded by Mr. Duffy, this Bid was awarded.

**9. MOTION TO AWARD THE 2015 EQUIPMENT RENTAL FOR CONRAD AVENUE (MS4) PROJECT BID TO P.K. MOYER & SONS, INC. IN THE AMOUNT OF \$19,976.**

Mrs. Edelmayer stated the 2015 Equipment Rental for Conrad Avenue (MS4) Project Bid was re-bid and P.K. Moyer & Sons, Inc. was the lowest bidder at \$19,976. Mrs. Edelmayer motioned to award this Bid to P.K. Moyer & Sons, Inc. Seconded by Mr. Ziemba, this Bid was awarded.

**10. MOTION TO APPROVE RESOLUTION 12-2015 IN SUPPORT OF CLEANING PENNSYLVANIA'S STREAMS AND RIVERS.**

Mrs. Edelmayer reported that the Township will be adopting a Resolution in support of cleaning Pennsylvania's streams and rivers. She read part of the document, "Upper Gwynedd Township wishes to encourage and support a greater investment of resources to clean Pennsylvania's rivers and streams before irreversible damage occurs to the places we live, work and raise our families. Clean water provides for greater health, stronger communities and thriving economics within our region."

Mrs. Edelmayer motioned to approve Resolution 12-2015 in support of cleaning Pennsylvania's streams and rivers. Seconded by Mr. Santi, this Resolution was approved.

- 11. MOTION TO APPROVE RESOLUTION NO. 13-2015 REQUESTING A WATERSHED RESTORATION AND PROTECTION PROGRAM (WRPP) GRANT OF \$300,000 FROM THE COMMONWEALTH FINANCING AUTHORITY TO BE USED FOR THE INSTALLATION OF THREE STORMWATER WATER-QUALITY BASINS WITHIN THE HEADWATERS OF THE WISSAHICKON CREEK. (ACT 13 – FOR TWO BASINS LOCATED AT NORTH PENN SCHOOL DISTRICT PENNBROOK MIDDLE SCHOOL AND AT THE INTERSECTION OF NORTH WALES ROAD AND HANCOCK ROAD ON TOWNSHIP PROPERTY)**

Mrs. Edelmayer reported Item No. 11 is a Resolution related to a grant for three stormwater basins (MS4 projects) at Pennbrook Middle School. She motioned to approve Resolution No. 13-2015 requesting a Watershed Restoration and Protection Program (WRPP) Grant of \$300,000 from the Commonwealth financing Authority to be used for the installation of three stormwater water-quality basins within the headwaters of the Wissahickon creek. (Act 13 – for two basins located at North Penn School District Pennbrook Middle School and at the intersection of North Wales Road and Hancock Road on Township property) Seconded by Mr. Ziemba, this Resolution was adopted.

- 12. MOTION TO APPROVE THE INTERNATIONAL FIREWORKS AGREEMENT IN THE AMOUNT OF \$10,750 FOR THE FIREWORKS DISPLAYS ON SEPTEMBER 11 AND 12, 2015, DURING THE TOWNSHIP'S ANNUAL CARNIVAL.**

Mrs. Edelmayer announced the Township's Carnival will be held September 10<sup>th</sup> through the 13<sup>th</sup> with Fireworks on Friday and Saturday nights. She motioned to approve the International Fireworks Agreement in the amount of \$10,750 for the fireworks displays on September 11 and 12, 2015, during the Township's annual Carnival. Seconded by Mr. Duffy, this Agreement was approved.

## **JAMES A. SANTI**

### **Zoning/Planning**

- 13. MOTION TO APPROVE THE FOLLOWING DEFERRALS ON 624 SUMNEYTOWN PIKE (ROBINSON TRUST) AS FOLLOWS:**

Mr. Joseph Mina introduced himself and stated that he is an Engineer with Fore Site Land Services, Inc. representing the Applicant. He stated that 624 Sumneytown Pike is a minor subdivision. He reported it is an existing property of 55,100+ square feet which will be divided into two lots. Lot No. 1 will front Sumneytown Pike will be 24,200+ square feet. Lot No. 2 is a flag lot in the rear 30,900+ square feet. He noted the details are on the Plan in the Commissioner's packet. He stated that he has approval from the Planning Commission and the Township's Engineer. Mr. Mina reported that he is requesting three Waiver deferrals for the street, sidewalk, curb, and road re-widening. He noted the existing building is under renovations and to add an addition to the rear of the property, and it was subject to a zoning variance which was granted in April for a minor difference from the side yard 4.3 feet encroachment.

Mr. Santi asked whether or not anybody had any questions in regard to 624 Sumneytown Pike. There were none.

Mr. Santi stated there are three deferrals that are being requested. He noted typically the Township grants waivers, but since this is on Sumneytown Pike (which is controlled by the County), the Township will grant deferrals. He explained that none of these modifications need to take place until or if the County requires them or if the Township decides to install sidewalks. Mrs. Santi read the following deferrals:

- A. Section 168-20.D(2)(a), which states that the minimum street requirements for a feeder street are a 90-foot right-of-way, a 62-foot pavement width, 5-foot wide sidewalk and curb.

- B. Section 168-20.D(2)(c), which states that where the subdivision fronts on an existing street, the existing paved portion shall be extending to the required curb line.
- C. SLDO Section 168-23.A, which stated that 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.

Mr. Santi noted that sidewalks in this neighborhood would be "standalone."  
There are no sidewalks on either side of the street.

Mr. Santi motioned to grant the deferrals A, B, and C as presented above. Seconded by Mrs. Edelmayer, the deferrals were granted.

**14. MOTION TO APPROVE A MINOR SUBDIVISION ON 624 SUMNEYTOWN PIKE (ROBINSON TRUST) WITH CONDITIONS.**

Mr. Santi read the following conditions:

1. That Land Development/Subdivision and Escrow Agreements be signed, per the following Township Code Sections 168-51, 168-47B, 168-11B-2 (a) & (b), and 168-14A.
2. That final linens and papers be submitted to the Township for signature and recording at the County Court House. There shall be two (2) linens and six (6) papers submitted. This is per Township Code Section 168-13M.
3. That the applicant pay the Township \$1,560.00 per dwelling unit in lieu of park and open space land, per Township Code Section 168-34.B(4).
4. That prior to the development of Lot 2, a Road Occupancy permit must be obtained from Montgomery County for the proposed driveway since Sumneytown Pike is a County Road. This is per the following sections of the Township Code: 164-13 and 168-13E-3.
5. That prior to the development of Lot 2, Utility Construction Permits must be obtained from Montgomery County for utility connections that will occur within the right-of-way of Sumneytown Pike since Sumneytown Pike is a County Road.
6. That prior to the development of Lot 2, a stormwater management and grading plan must be submitted to the Township for review and approval. The proposed grading, roof drains and sump pumps (if applicable) cannot adversely affect or direct runoff onto any of the adjacent and/or abutting properties.
7. That prior to the development of Lot 2, if any of the stormwater management facilities will be located within Sumneytown Pike and/or tie into existing facilities within Sumneytown Pike, a Utility Construction Permit must be obtained from Montgomery County.
8. That prior to the development of Lot 2, sanitary sewer permits shall be submitted to and approved by the Upper Gwynedd Sewer Department. This is per Township Code Sections 168-26 and 168-48B.
9. That water service will be provided by the North Wales Water Authority and signed agreements are submitted to the Township prior to the development of Lot 2 per the following Township Code Sections 168-27 and 168-48C.
10. That all driveways for the single family detached dwellings shall be at least six feet (6') from the property line, per Township Code Section 168-21"O".
11. That a lamppost will be provided at each home between the front door and the driveway,

or wherever else designated by the Board, per the Township Code Section 168-48G and 168-31. This condition applies to both Lots 1 and 2.

12. That prior to the development of Lot 2 a soil erosion and sedimentation control plan is provided to and approved by the Township.
13. That a screening buffer consisting of (3) Norway Spruce trees (planting height of 9 feet) and (2) American Holly Trees (planting height of 6 feet) be installed in a double row, 5 feet apart, 8 feet on center between the proposed building addition on Lot 1 and the property N/F owned by David & Lorraine Ciccarone (Block 34 Unit 006). This buffer shall be in place and approved by the Township Zoning Officer as a condition of sale or occupancy of the dwelling on Lot 1, whichever comes first, but in no event greater than 6 months from the date of approval of the addition by the Zoning Hearing Board. The date of the ZHB approval is April 28, 2015.
14. That an escrow be provided for the screening buffer referenced above in an amount to be determined by the Township Zoning Office.
15. That prior to the development of Lot 2 a pre-construction meeting between Township representatives and the developer is held.
16. That prior to the development of Lot 2 the developer contact the cable TV company to coordinate installation of conduit under roads and other structures, per Section 168-28 of the Township Code.
17. That all monies relating to the professional review or other fees be paid to the Township prior to the recording of the final plans.

He noted the developer must accept these conditions or the Plan is denied. The acceptance will be required within ten (10) days of receipt of the approval letter from Township Staff.

There was a question in regard to providing the Township with a digital copy of the Plan. Attorney Onorato suggested making this an additional condition.

Mr. Mina noted that the landscape buffer has been installed so he would like the wording changed in the escrow. Mr. Lapinski stated that Mr. Rieker inspected the landscape today, and it did meet with his approval. Mr. Santi agreed to remove the escrow as a condition.

Mr. Santi asked for any questions or comments. Mr. Mina stated all conditions are acceptable as discussed.

Mr. Santi motioned to approve a minor subdivision on 624 Sumneytown Pike (Robinson Trust) with conditions, as amended. Seconded by Mr. Ziembra, this subdivision was approved.

**15. MOTION TO APPROVE RESOLUTION NO. 14-2015 A RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT LOCATED AT 624 SOUTH SUMNEYTOWN PIKE (ROBINSON TRUST) SEWAGE FACILITIES PLANNING MODULE FOR PADEP.**

Mr. Santi motioned to approve Resolution No. 14-2015 a Resolution for Plan Revision for New Land Development located at 624 South Sumneytown Pike (Robinson Trust) Sewage Facilities Planning Module for PADEP. Seconded by Mr. Duffy, this Resolution was approved.

- 16. MOTION TO APPROVE A WAIVER TO PERMIT THE USE OF BELGIAN BLOCK CURBING IN THE PRIVATE ROAD IN THE PRESERVE AT GWYNEDD (SAMANTHA COURT) WITH THE CONDITION THAT THE ROADWAY, STORMWATER BASIN, AND PORTIONS OF THE STORMWATER COLLECTION SYSTEM WILL NOT BE DEDICATED TO THE TOWNSHIP.**

Mr. Santi stated that the Preserve at Gwynedd (AKA as Samantha Court) is the property adjacent to the BP Station at Broad Street and Sumneytown Pike. He read a letter from Lenape Valley Engineering dated June 4, 2015, from Jason T. Smeland requesting a waiver for the use of Belgian Block curbing in the development. The letter stated, "It should be noted that Samantha Court is now proposed to be a private road, which will be owned and maintained by the Homeowner's Association." Mr. Santi questioned whether or not there was a representative to speak on behalf of the Applicant. There was no one present. Mr. Santi made comment that he wanted the work very carefully inspected since there have been problems with Belgian Block in other developments.

Mr. Santi motioned to approve a waiver to permit the use of Belgian Block curbing in the private road in the Preserve at Gwynedd conditioned upon the developer changing the Plan to reflect that Samantha Court is now a private road (not a public road). Seconded by Mrs. Edelmayer, this waiver was approved with conditions.

- 17. MOTION TO APPROVE A WAIVER FROM LAND DEVELOPMENT APPLICATION REQUIREMENTS FOR RAPUNZEL'S SALON AND SPA LOCATED AT 1961 WEST POINT PIKE.**

Mr. Santi stated that Rapunzel's Salon and Spa is currently located in Lansdale, and they are moving to 1961 West Point Pike. He reported they are doing a very minor building expansion of about 2,000 square feet, and they are not losing any parking spaces. Mr. Rieker has reviewed the plan, and there is no reason that this addition should require a Land Development Application. Mr. Kroberger noted that it has also been reviewed by the Township Engineer, and it does not require any additional stormwater management. Mr. Santi asked if anyone had any questions. There were none.

Mr. Santi motioned to approve a waiver from Land Development Application requirements for Rapunzel's Salon and Spa located at 1961 West Point Pike. Seconded by Mr. Duffy, this waiver was approved.

## **EUGENE P. ZIEMBA**

### **Public Safety**

- 18. MOTION TO APPROVE THE 3<sup>RD</sup> ANNUAL FRIEDREICH'S ATAXIA CHARITY BIKE RIDE SCHEDULED FOR OCTOBER 11, 2015. THERE WILL BE TWO ROUTES LEAVING MONTGOMERY COUNTY COMMUNITY COLLEGE AT 8:00 AM AND 9:00 AM. THE RIDE IS CAPPED AT 800 PARTICIPANTS.**

Mr. Ziemba stated the Police Department reviews all bike and race routes before the Board approves them. He motioned to approve the 3<sup>rd</sup> annual Friedreich's Ataxia Charity Bike Ride scheduled for October 11, 2015. There will be two routes leaving Montgomery County Community College at 8:00 am and 9:00 am. The ride is capped at 800 participants. Seconded by Mrs. Edelmayer, the event was approved.

## **THOMAS A. DUFFY**

### **Wastewater Treatment**

- 19. MOTION TO APPROVE KISTLER POLE BUILDING CO., INC.'S DESIGN PROPOSAL FOR A GARAGE AT THE WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$2,800. (IF KISTLER IS THE LOWEST BIDDER AND RECEIVES THE AWARD, THEY WILL CREDIT THE TOWNSHIP THE COST OF THE DESIGN PROPOSAL.)**

Mr. Duffy motioned to approve Kistler Pole Building Co., Inc.'s Design Proposal for a garage at the Wastewater Treatment Plant in the amount of \$2,800. Seconded by Mr. Santi, this Proposal was approved.

- 20. MOTION TO APPROVE RESOLUTION 15-2015 DECLARING THE TOWNSHIP'S INTENT TO REIMBURSE ITSELF FROM THE PROCEEDS OF DEBT TO BE ISSUED FOR THE WASTEWATER IMPROVEMENT PROJECT (WIP) FOR THE PRIOR EXPENDITURES MADE FOR THE WIP PROJECT.**

Mr. Duffy explained that Wastewater Improvement Program is actually the Township's Diversion Project which is taking the flow from the Towamencin Municipal Authority (formerly UGTMA). Resolution 15-2015 basically means that the Township is already spending money on the WIP Project and has not approved the debt yet to do the transfer, but once the debt is approved then the Township will reimburse itself for money that was already spent.

Mr. Duffy motioned to approve Resolution 15-2015 declaring the Township's intent to reimburse itself from the proceeds of debt to be issued for the Wastewater Improvement Project (WIP) for the prior expenditures made for the WIP Project. Seconded by Mr. Santi, this Resolution was adopted.

- 21. MOTION TO APPROVE P JL REALTY ADVISORS, INC. PROPOSAL FOR REAL ESTATE SERVICES (APPRAISAL REPORTS) FOR THE WIP PROJECT.**

Mr. Duffy reported that the Township needs to do some real estate proposals in regard to the WIP Project. He motioned to approve P JL Realty Advisors, Inc. Proposal for real estate services (Appraisal Reports) for the WIP Project in the amount of \$5,000. Seconded by Mrs. Edelmayer, this Proposal was approved.

- 22. MOTION TO AWARD THE UGTMA SECTION MANHOLE REPAIRS BID TO WEXCON, INC. IN THE AMOUNT OF \$185,200. THIS AMOUNT INCLUDES A \$20,000 ALLOWANCE.**

Mr. Duffy reported the Township is making some manhole repairs on the western portions of the Township. He noted "UGTMA" is only being used as a reference point for the area in which the work is being done. He motioned to award the UGTMA Section Manhole Repairs Bid to Wexcon, Inc. In the amount of \$185,200. This amount includes a \$20,000 allowance. Seconded by Mr. Ziembra, this bid was awarded.

- 23. MOTION TO AUTHORIZE THE PREPARATION AND ADVERTISING OF A CURED-IN-PLACE (CIPP) SPOT REPAIRS IN GWYNEDD GARDENS BID.**

Mr. Duffy stated Gwynedd Gardens is between Hancock Road and Route 63 east of North Wales Road. He reported the Township did televising in the area and found a lot of pipes that need work. Mr. Duffy motioned to authorize the preparation and advertising of a Cured-in-Place (CIPP) Spot Repairs in Gwynedd Gardens Bid. Seconded by Mr. Santi, this motion was approved.

## OTHER BUSINESS

### 24. APPROVAL OF THE JUNE, 2015, 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. Santi, the General Fund bills for June were approved. Mrs. Edelmayer abstained from approving the Zoning Solicitor's bill.

Mr. Kroberger advised that the Board had also received a copy of the bills form the Sewer Fund and asked for questions or comments. Hearing none, upon motion by Mr. Duffy, seconded by Mr. Ziemba, 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 Mr. Santi, seconded by Mr. Duffy, the Board unanimously approved these invoices as well.

Mr. Kroberger advised that there were a number of invoices that had been prepaid. Upon motion by Mrs. Edelmayer, seconded by Mr. Ziemba, the Board unanimously approved the pre-paid invoices.

### 25. CALL FOR ADJOURNMENT TO EXECUTIVE SESSION.

There being no further business, upon motion by Mr. Duffy, seconded by Mr. Ziemba, the meeting was adjourned to Executive Session at 8:10 PM.

Respectfully Submitted,

Leonard T. Perrone  
Secretary

/kmc

**Approved July 27, 2015**