

MINUTES OF PUBLIC MEETING

October 26, 2015

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

The October 26, 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. Ziembra	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

2. MOTION TO APPROVE THE MINUTES OF THE WORKSHOP MEETING HELD ON SEPTEMBER 15, 2015.

Mr. Kroberger noted that the Workshop Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Santi, seconded by Mr. Duffy, the Minutes of the September 15, 2015, Workshop Meeting were approved as presented.

3. MOTION TO APPROVE THE MINUTES OF THE PUBLIC MEETING HELD ON SEPTEMBER 28, 2015.

Mr. Kroberger announced that the approval of the Minutes of September 28, 2015, Public Meeting will be deferred until next month.

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 Mrs. Edelmayer, seconded by Mr. Ziembra, 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 KAREN BUZBY FOR TEN (10) YEARS OF SERVICE TO THE TOWNSHIP. (ATTENDING)

Mr. Kroberger stated that the Board recognizes employees for their years of service to the Township. He noted that this is done in increments of five years, and tonight the Board wants to recognize Karen Buzby for 10 years of service to the Township in the Finance Department. Mr. Brill stated that Mrs. Buzby is an outstanding employee, and she makes his day-to-day job much easier. Mr. Kroberger invited Mrs. Buzby to come forward for a congratulatory handshake with the Board.

7. RECOGNITION OF LORI HAMMELL FOR FIFTEEN (15) YEARS OF SERVICE TO THE TOWNSHIP.

Mr. Kroberger stated that the Board is also recognizing Lori Hammell who works in the Public Works Department for 15 years of service to the Township. He said it is always a pleasure to recognize dedicated employees like Ms. Hammell. Mrs. Edelmayer stated that Ms. Hammell does a great job working on the Parks and Recreation duties.

8. MOTION TO APPROVE RESOLUTION 19-2015 AUTHORIZING THE DISTRIBUTION OF STATE AID FOR THE UNIFORM AND NON-UNIFORM PENSION PLANS FOR 2016.

Mr. Kroberger reported that Resolution 19-2015 authorizes the distribution of State Aid for the Uniform and Non-Uniform Pension Plans for 2016. He reminded that last month the Board reported the Minimum Municipal Obligation (MMO). He reported the 2016 State Aid Distribution for the Police Pension Plan is in the amount of \$220,000, and for the Non-Uniform Pension Plan is in the amount of \$74,062.61.

Mr. Duffy motioned to approve Resolution No. 19-2015 authorizing the distribution of State Aid for 2016. Seconded by Mrs. Edelmayer, this motion was approved.

9. MOTION TO APPROVE THE ENGAGEMENT OF COHEN LAW GROUP TO CONDUCT AN AUDIT ON THE FRANCHISE FEES PAID TO THE TOWNSHIP BY COMCAST AND TO RENEGOTIATE OUR FRANCHISE AGREEMENT WITH COMCAST AT A COST OF \$14,220.00.

Mr. Kroberger read Item No. 9 above. He noted the last time this was audited was 15 years ago, and it needs to be renegotiated. Mr. Santi motioned to approve the engagement of Cohen Law Group to conduct an audit on the Franchise Fees paid to the Township by Comcast and to renegotiate the Franchise Agreement with Comcast at a cost of \$14,220.00. Seconded by Mr. Ziembra, this motion was approved.

M. CLARE EDELMAYER, VICE PRESIDENT

Public Works/Parks/Recreation

10. REPORT ON STATUS OF WEST POINT STREETScape PROJECT BY MIKE LAPINSKI ASSISTANT TOWNSHIP MANAGER.

Mrs. Edelmayer reported that she attended a seminar today called Walk Montco and they talked about different areas of the County to improve where people walk by enhancing the sidewalks. She noted that the Township is in jive with the County with the West Point Streetscape Project, and she would like to do even more in the future.

Mr. Lapinski reported that the West Point Streetscape Project is substantially complete. He stated the street lights will be delivered at the end of this week, and hopefully they will begin to install them next week. He stated there is a meeting with the Contractor tomorrow to review the final site Punch List that Mr. Benner's staff developed. Mr. Lapinski thanked Mr. Benner and his inspector Mr. Grigoruk who did an excellent job and was on site full-time making sure that the Contractor followed all the specifications. He also did a thorough job creating a Punch List to finish up some of the areas that need attention. Mr. Lapinski reported that the detour was removed the week of October 12, 2015, so the road has been open for the last two weeks. Mr. Lapinski thanked the residents in the area and neighborhood for their patience and cooperation. Mr. Kroberger noted it is his understanding that the light fixtures are ready but the poles are backordered. Mr. Lapinski stated the delivery date is October 28th to Carr and Duff Electrical Construction Company. Then they will have to schedule the installation, wiring, and working with PECO for energization.

Mrs. Edelmayer noted that at the seminar today it was noted that doing these types of projects can bring new business to the area. Mr. Lapinski reported that the Winery has submitted an application for outdoor

seating. Mr. Perrone noted that some of the properties are going through transitional ownership, and there are some beautiful Victorian properties along the Pike. Mr. Perrone thanked Mr. Lapinski for doing a tremendous job tracking the project.

11. MOTION TO AUTHORIZE THE ADVERTISING OF THE DRAFT TMDL DESIGN DETAILS RE-SUBMISSION TO PA DEP.

Mrs. Edelmayer read Item No. 11 above. She explained that this is in regard to ground water, bioretention basins, creek restorations, creating wetlands and other projects that the Township will be doing to reduce sediment. She reported that the Township previously submitted a plan to PA DEP, but now the Township is re-submitting a new Draft TMDL Design. She stated that it will be authorized for advertising and made available for residents to review. Attorney Onorato stated there has to be a period of public comments after the plan is made available for review. He noted the plan will be available here at the Township Building for review and comments can be submitted in writing. The comments and answers will then be submitted to PA DEP as part of the Township's submission. Mrs. Edelmayer motioned to authorize the advertising of the Draft TMDL Design Details re-submission to PA DEP. Seconded by Mr. Duffy, this motion was approved.

Attorney Onorato stated the Public Hearing will be on November 19, 2015. Mr. Perrone noted that the advertisement will be run on Friday.

12. MOTION TO AWARD THE EQUIPMENT RENTAL WINTER SNOW REMOVAL (SNOW PLOW BID) TO HORGAN BROTHERS, INC. IN THE AMOUNT OF:

Description	Unit Of Measure	Quantity	Horgan Brothers, Inc.
5-Ton Dump with Plow Operator	\$160/Hr.	10	1,600.00
10-Ton Dump with Plow Operator	\$175/Hr.	10	1,750.00
15-Ton Dump with Plow Operator	\$185/Hr.	10	1,850.00
Rubber-Tire Loader with Operator, 1 Cubic Yard Minimum	\$195/Hr.	10	<u>1,950.00</u>
TOTAL			\$7,150.00

Mrs. Edelmayer read Item No. 12 above and noted the hourly rates for each piece of equipment. Mrs. Edelmayer motioned to award the equipment rental winter snow removal bid to Horgan Brothers, Inc. in the amount read per hour. Seconded by Mr. Ziemba, this bid was awarded.

13. MOTION TO APPROVE PENNDOT'S WINTER TRAFFIC SERVICES AGREEMENT EXHIBIT "A" FOR 2015-2016 IN THE AMOUNT OF \$21,698.63.

Mrs. Edelmayer stated that PennDOT offered the Township two options for reimbursement for maintaining the State roads during the winter season this year. Mr. Perrone noted that one was a "Cost and Maintenance" basis and the other was a "Fixed Fee" type Agreement. He stated that the Township was more comfortable with the "Fixed Fee" type Agreement, and he noted that the Township receives the funds regardless of the amount of snow that falls. Mrs. Edelmayer motioned to approve PennDOT's Winter Traffic Services Agreement Exhibit "A: for 2015-2016 in the amount of \$21,698.63. Seconded by Mr. Santi, this Agreement was approved.

14. MOTION TO APPROVE THE COUNTY SNOW AND ICE AGREEMENT FOR 2015-2016, 2016-2017, AND 2017-2018 IN THE AMOUNT OF \$12,760.00.

Mrs. Edelmayer stated the County Snow and Ice Agreement also needs to be approved. She noted this is on West Point Pike from Morris Road to Sumneytown Pike, on Broad Street from the Lansdale Borough line to Sumneytown Pike, and on Sumneytown Pike from Valley Forge Road to Broad Street and from North Wales Borough line to Swedesford Road. Mrs. Edelmayer motioned to approve the County Snow and Ice Agreement for 2015-2016, 2016-2017, and 2017-2018 in the amount of \$12,760. Seconded by Mr. Ziemba, this Agreement was approved.

15. MOTION TO RATIFY MONTGOMERY COUNTY'S REQUEST FOR A WAIVER FROM CHAPTER 124-5 RELATED TO THE PAVING OF SUMNEYTOWN PIKE FROM SWEDESFORD ROAD TO THE NORTH WALES BOROUGH LINE.

Mrs. Edelmayer reported that the County notified the Township one day in advance of paving Sumneytown Pike from Swedesford Road to the North Wales Borough line. She noted that they wanted to do the work between 7:00 PM and 6:00 AM, but that required a Waiver from the Township. This Waiver needed to be approved before the Public Meeting so tonight the Board will ratify this Waiver. Mr. Perrone noted that the Township received no complaints in regard to this work.

Mrs. Edelmayer motioned to ratify Montgomery County's request for a Waiver from Chapter 124-5 related to the paving of Sumneytown Pike from Swedesford Road to the North Wales Borough line. Seconded by Mr. Duffy, this Waiver was ratified.

16. MOTION TO APPROVE SCOTT CONTRACTING, INC.'S APPLICATION FOR PAYMENT NO. 4 IN THE AMOUNT OF \$69,045.22 FOR THE WEST POINT STREETScape PROJECT.

Mrs. Edelmayer reported that Scott Contracting, Inc.'s Application for Payment No. 4 in the amount of \$69,045.02 needs to be approved. She noted the total contract was \$489,999.75, including this payment the Township will have paid them \$294,242.09 and the balance including retainage is \$195,757.66. Mrs. Edelmayer motioned to approve Application for Payment No. 4. Seconded by Mr. Ziembra, this payment was approved.

Mr. Perrone noted that the Township will submit a reimbursement request to PennDOT as soon as possible.

JAMES A. SANTI
Zoning/Planning

17. MOTION TO AUTHORIZE THE ADVERTISING OF AN AMENDMENT TO ZONING ORDINANCE NO. 2015-10. AN ORDINANCE AMENDING CHAPTER 195, SECTION 195-20B OF THE UPPER GWYNEDD TOWNSHIP CODE OF ORDINANCES, BY ADDING A NEW SUBSECTION (3) THEREOF WHICH ADDS MEDICAL OR DENTAL OFFICES FOR THE EXAMINATION OF PERSONS ON A NON-EMERGENCY, OUT-PATIENT BASIS BY APPOINTMENT TO USES PERMITTED IN THE OC-OFFICE CENTER DISTRICT.

Mr. Santi stated that Ordinance No. 2015-10 needs to be approved to allow medical or dental offices to move into office center districts. He noted that this will help fill some available office spaces in the community. Attorney Onorato noted that the Montgomery County Planning Commission has reviewed the Ordinance and is in support of it.

Mr. Santi motioned to authorize the advertising of an amendment to Zoning Ordinance No. 2015-10. An Ordinance amending Chapter 195, Section 195-20B of the Upper Gwynedd Township Code of Ordinances, by adding a new subsection (3) thereof which adds medical or dental offices for the examination of persons on a non-emergency, out-patient basis by appointment to uses permitted in the OC-Office Center District. Seconded by Mrs. Edelmayer, this Ordinance was approved.

- 18. MOTION TO APPROVE ORDINANCE NO. 2015-009. AN ORDINANCE AMENDING SECTION 195-25 OF THE UPPER GWYNEDD TOWNSHIP CODE OF ORDINANCES TO ADD PARKS CONSISTING OF THE PRESERVATION OF ENVIRONMENTALLY SENSITIVE OPEN SPACE AS A PERMITTED USE WITHIN THE LI-LIMITED INDUSTRIAL DISTRICT. THE PUBLIC HEARING WAS HELD ON SEPTEMBER 28, 2015, AND THE TOWNSHIP RECEIVED THE MONTGOMERY COUNTY PLANNING COMMISSION REVIEW LETTER DATED SEPTEMBER 29, 2015.**

Mr. Santi reminded that the Township held a Public Hearing on Ordinance 2015-009 last month but the Board could not approve the Ordinance because they were waiting for the review letter from the Montgomery County Planning Commission (MCPC). He stated that MCPC's only comment was they would like to see even more active recreational use. Mr. Santi noted that the Township already has parks with large recreational facilities.

Mr. Santi motioned to approve Ordinance No. 2015-009. An Ordinance amending Section 195-25 of the Upper Gwynedd Township Code of Ordinances to add parks consisting of the preservation of environmentally sensitive Open Space as a permitted use within the LI-Limited Industrial District. Seconded by Mr. Ziemba, this Ordinance was approved.

- 19. MOTION TO APPROVE MERCK & CO., INC.'S REQUEST FOR A WAIVER FROM CHAPTER 113-1 FOR SUNDAY HOURS CRANE WORK NOVEMBER 8, 15, 22, AND 29, 2015, AS A BACKUP TO THE SATURDAY DATES DUE TO THE ANTICIPATION OF WEATHER IMPACTS. THE WORK IS TO LIFT ROOFING MATERIALS, EQUIPMENT AND TOOLS TO THE ROOF OF B38. THIS WORK WILL ALLOW FOR NEW ROOFING MATERIAL DURING MONDAY THROUGH FRIDAY NORMAL WORKING HOURS.**

Mr. Greg Landis, a Merck Representative, stated that B38 is the largest building at Merck and it is in the middle of the facility. Mr. Kroberger stated that crane work Waivers have never been a problem in the past. Mr. Santi motioned to approve Merck & Co., Inc.'s request for a Waiver from Chapter 113-1 for Sunday hours crane work November 8, 15, 22, and 29, 2015, as a backup to the Saturday dates due to the anticipation of weather impacts. The work is to lift roofing materials, equipment and tools to the roof of B38. This work will allow for new roofing material during Monday through Friday normal working hours.

EUGENE P. ZIEMBA

Public Safety

- 20. MOTION TO AUTHORIZE THE PREPARATION AND ADVERTISING OF AN ORDINANCE TO REMOVE PROHIBITION OF RIGHT TURN ONTO WEBER ROAD FROM SOUTHBOUND SANDYS LANE BETWEEN 3:00 PM AND 6:00 PM EXCEPT SCHOOL BUSES, AND MARLYNS LANE NORTHBOUND FROM HANCOCK ROAD DO NOT ENTER BETWEEN 7:00 AM AND 9:00 AM EXCEPT SCHOOL BUSES.**

Mr. Santi noted that in 2008 traffic calming bumps were installed in the Gwynedd Gardens neighborhood at the request of the residents living in the neighborhood, and now by majority vote the same residents have requested that they be removed.

Mr. Ziemba motioned to authorize the preparation and advertising of an Ordinance to remove prohibition of right turn onto Weber Road from southbound Sandys Lane between 3:00 PM and 6:00 PM except school buses, and Marlyns Lane northbound from Hancock Road do not enter between 7:00 AM and 9:00 AM except school buses. Seconded by Mr. Duffy, this motion was approved.

21. MOTION TO AUTHORIZE THE PREPARATION AND ADVERTISING OF AN ORDINANCE FOR EMERGENCY RADIOS AND THE EXECUTION OF OTHER DOCUMENTS RELATED TO THE COUNTY'S BULK PURCHASING PROGRAM AND FINANCING PLAN.

Mr. Ziemba stated the County is going to finance the purchase of the radios for five years with no interest. Mr. Perrone noted it is a debt just without interest. Mr. Kroberger clarified this is for the Police Department, the Fire Company, and Emergency Management Services (EMS). Mr. Perrone answered, "Yes, except that EMS which is Jeff Tomczak, Brian Sarver and Willard Troxel will be paid for by the County."

Mr. Ziemba motioned to authorize the preparation and advertising of an Ordinance for emergency radios and the execution of other documents related to the County's Bulk Purchasing Program and Financing Plan. Seconded by Mrs. Edelmayer, this motion was approved.

22. MOTION TO APPROVE THE WISSAHICKON WATERSHED GREEN RIBBON 5 MILE TRAIL RACE SCHEDULED TO BE HELD ON NOVEMBER 7, 2015, 9:00 TO 10:30 AM. THIS IS A CHARITY EVENT TO RAISE MONEY AND AWARENESS FOR OPEN SPACE PRESERVATION. THE RACE BEGINS AND ENDS ON PARKSIDE PLACE, CONTINUES ONTO THE GREEN RIBBON TRAIL, CROSSES NORTH WALES ROAD ONTO SWEDES FORD ROAD ACROSS THE BRIDGE NEXT TO THE EVANS MUMBAUER MILL AND THEN PROCEEDS UP EVERGREEN DRIVE BEFORE RETURNING TO PARKSIDE PLACE. THERE MAY BE A BRIEF ROAD CLOSING OF SWEDES FORD ROAD AT THE BRIDGE AND NORTH WALES ROAD AS RUNNERS CROSS. (THERE HAS BEEN NO NEED TO STOP TRAFFIC IN THE PAST.) RACE DIRECTORS WILL NOTIFY RESIDENTS ALONG THE COURSE. THE POLICE DEPARTMENT WILL COORDINATE WITH THE PUBLIC WORKS DEPARTMENT FOR ANY NEEDED CONES, BARRICADES, OR LAWN SIGNS.

Mr. Ziemba read Item No. 22 above and motioned to approve the Wissahickon Watershed Green Ribbon 5 Mile Trail Race on November 7, 2015, 9:00 to 10:30 AM. Seconded by Mrs. Edelmayer, this race was approved.

THOMAS A. DUFFY

Wastewater Treatment

23. ANNOUNCEMENT: THE TOWNSHIP WILL BE HOSTING THE 2015 EASTERN PENNSYLVANIA WATER POLLUTION CONTROL OPERATORS ASSOCIATION, INC. TRADE SHOW ON NOVEMBER 20, 2015, AT THE TOWNSHIP'S WASTEWATER TREATMENT PLANT. UPPER GWYNEDD WAS SELECTED TO HOST THIS EVENT DUE TO THE INNOVATIVE TECHNOLOGY THAT HAS BEEN ADDED TO THE FACILITY IN RECENT YEARS.

Mr. Duffy read Item No. 23 above. Mr. Kroberger stated that the reason the Township's Treatment was chosen to host this event was due to the advancement of the facility. He reported this is due to the employees at the Plant and also to Mr. Duffy who has been instrumental in upgrading the facility to state-of-the-art (i.e. BioMag and Ultra Violet Disinfection).

24. MOTION TO APPROVE WEXCON, INC. APPLICATION FOR PAYMENT NO. 1 IN THE AMOUNT OF \$162,260.00 FOR THE UGTMA MANHOLE REPAIRS PROJECT.

Mr. Duffy reported that the Township purchased a hole saw and has been replacing manholes to keep the ground water from entering the sewer system. Mr. Duffy motioned to approve Wexcon, Inc. Application for Payment No. 1 in the amount of \$162,260.00 for the UGTMA Manhole Repairs Project. Seconded by Mr. Santi, this payment was approved.

25. MOTION TO APPROVE C & T ASSOCIATES, INC. APPLICATION FOR PAYMENT NO. 5 AND FINAL IN THE AMOUNT OF \$21,732.12 FOR THE EFFLUENT SCREEN REPLACEMENT PROJECT.

Mr. Duffy noted that the Effluent Screen goes in front of the Ultra Violet System to keep the lights clean. Mr. Duffy motioned to approve C & T Associates, Inc. Application for Payment No. 5 and Final in the amount of \$21,732.12 for the Effluent Screen Replacement Project. Seconded by Mrs. Edelmayer, this payment was approved.

26. MOTION TO AUTHORIZE THE PREPARATION AND ADVERTISING OF THE DELPAC 1525 POLYALUMINUM CHLORIDE FORMULATION BID TO REMOVE PHOSPHORUS AT THE WASTEWATER TREATMENT PLANT.

Mr. Duffy motioned to authorize the preparation and advertising of the DelPAC 1525 Polyaluminum Chloride Formulation Bid to remove phosphorus at the Wastewater Treatment Plant. Seconded by Mr. Ziembra, this motion was approved.

27. MOTION TO AUTHORIZE THE PREPARATION AND ADVERTISING OF THE DENSE SODA ASH BID WHICH IS USED TO NUTURALIZE ALKALINITY AT THE WASTEWATER TREATMENT PLANT.

Mr. Duffy motioned to authorize the preparation and advertising of the Dense Soda Ash Bid which is used to nuturalize alkalinity at the Wastewater Treatment Plant. Seconded by Mrs. Edelmayer, this motion was approved.

OTHER BUSINESS

28. APPROVAL OF THE OCTOBER, 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. Ziembra, the General Fund bills for October 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 Mrs. Edelmayer, 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. Ziembra, 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. Santi, the Board unanimously approved the pre-paid invoices.

29. CALL FOR ADJOURNMENT TO EXECUTIVE SESSION.

There being no further business, upon motion by Mr. Santi, seconded by Mrs. Edelmayer, the meeting was adjourned to Executive Session at 8:09 PM.

Respectfully Submitted,

Leonard T. Perrone
Secretary

/kmc

Approved December 21, 2015