

MINUTES OF PUBLIC MEETING

April 27, 2015

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

The April 27, 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
Michael J. Lapinski	Assistant Township Manager
David Brill	Finance Director
David W. Duffy	Police Chief
Kathy Thomas	Township Solicitor
Greg Duncan	Township Engineer

Mr. Kroberger closed the Public Meeting and opened the Public Hearing.

2. Public Hearing

The purpose of this hearing is to hear comment concerning an Ordinance amending and expanding provisions and requirements for the FP Flood Plain District set forth in Chapter 195, Article V, Section 195-24 of the Upper Gwynedd Township Code.

Exhibits:

- T1: Letter from Drew Shaw the Environmental Planning Section Chief from Montgomery County Planning Commission dated November 6, 2014, stating we have reviewed the proposed amendments to the Township's Zoning Ordinance in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as requested on October 1, 2014, (MCPC No. 14-0204-001). The Upper Gwynedd Township FP Floodplain District has also been reviewed by planning commission staff for compliance with FEMA requirements under the FEMA Map Modernization Program. This letter contains our comments and suggestions for the draft Ordinance.
- T2: Email correspondence from Drew Shaw the Environmental Planning Section Chief from Montgomery County Planning Commission dated January 12, 2015, stating I have reviewed the changes to the Upper Gwynedd Township draft Floodplain Ordinance that you sent in November and the Ordinance appears to comply with FEMA requirements.
- T3: Proof of Publication (Legal Advertisement) in The Reporter of April 10th and 17th 2015.
- T4: Ordinance No: 2015-002 amending and expanding provisions and requirements for the FP Flood Plain District set forth in Chapter 195, Article V, Section 195-24 of the Upper Gwynedd Township Code.

Mr. Santi read Item No. 2 above and Exhibits T1 through T4 entering them into the record. He noted that this Ordinance is 26 pages long so he asked Greg Duncan the Township Engineer to give a brief presentation to the audience.

Brief explanation of the Floodplain Ordinance by Township Engineer Greg Duncan:

Mr. Duncan stated in response to federal requirements by FEMA, the Township has updated Section 195-24 of its Zoning Ordinance specifically to comply with two federal provisions. First, suggested provisions meeting the minimum requirements of the National Flood Insurance Program and the Pennsylvania Floodplain Management Act dated August 2013 issued by the Pennsylvania Department of Community and Economic Development. Second, comments were incorporated from a FEMA Community Assistance Visit (CAV Report) dated November 26, 2013, which was performed to determine by FEMA if the Township meets the minimum criteria for a participating community in the Flood Insurance Program. Mr. Duncan explained that the Floodplain Ordinance has been reviewed by the Montgomery County Planning Commission, and it is ready to be approved for adoption by Upper Gwynedd Township.

Mr. Santi asked if the Board had any questions. There were none. Mr. Santi asked if there were any public comments either for or against approval of the Ordinance. Hearing none, Mr. Santi motioned to close the hearing. Seconded by Mr. Duffy, the hearing was closed.

Mr. Kroberger reopened the Public Meeting

3. MOTION TO APPROVE THE MINUTES OF THE WORKSHOP MEETING HELD ON MARCH 17, 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 March 17, 2015, Workshop Meeting were approved as presented.

4. MOTION TO APPROVE THE MINUTES OF THE PUBLIC MEETING HELD ON MARCH 23, 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 Mrs. Edelmayer, seconded by Mr. Santi, the Minutes of March 23, 2015, Public Meeting were unanimously approved.

5. MOTION TO APPROVE THE MINUTES OF THE SPECIAL PUBLIC MEETING HELD ON APRIL 9, 2015.

Mr. Kroberger noted that the Minutes of the Special 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 9, 2015, Special Public Meeting were also approved.

6. 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. Ziemba, the Departmental Reports were approved as submitted.

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

Liz McNaney introduced herself and stated that she lives on Airy Street in West Point.

Ms. McNaney asked the Board to describe the roadway projects in the Township. Mr. Lapinski explained the Milling and Overlay process. Mr. Duffy noted it is also called wear coat, and Mrs. Edelmayer noted this is done on roads that still have a good foundation underneath. Mr. Kroberger explained the Recycling Process and stated it is basically a rebuild of the road. He reported that Microsurfacing is done on relatively good roads. It is a thin layer of topcoat that protects the road until it needs to be milled or recycled.

Ms. McNaney questioned whether or not the Township still mails out its Newsletter. Mr. Duffy answered three times per year. Ms. McNaney reported that she has never received one in her Post Office Box (311).

Ms. McNaney asked whether or not the Board knew what is going into the former Pied Pieper Restaurant. Mr. Lapinski reported the owners are refurbishing, closing off the side porch to make an interior enclosure, and they plan to reopen as a diner in June or July.

Ms. McNaney asked the Board if they know anything about the Giant Supermarket. Mr. Kroberger reported there were three bidders and it has been sold, and the buyer had 30 days to move forward. Ms. McNaney asked what is being done about people cutting through the parking lot to avoid the intersection. Police Chief Duffy stated there have been no reports to the Police Department in this regard. Ms. McNaney asked about the cars for sale on the lot. Police Chief Duffy stated as soon as they see one, they call the owner and it gets removed.

Ms. McNaney questioned the progress of the Shabby Attic and what is going on within the first floor. Mr. Kroberger reported the owner is in the process of renovating the entire property including the Post Office. Mr. Lapinski stated the owner received Zoning Hearing Board approval, and he is putting his plans together and filing for his building permits. He has been doing some demolition work. Ms. McNaney asked will there be apartments and businesses? Mr. Lapinski reported mixed use.

Ms. McNaney asked what about the new Tea Room on the corner of Cottage Avenue and West Point Pike? Mr. Lapinski reported that is a new use which is a Tea Room. The owner needed to handle some ADA Compliance issues (ramp and parking). She has applied for a Use and Occupancy Permit and the Township is doing the final inspections now. Ms. McNaney reported there have been trucks going the wrong way on Cottage Avenue and heavy equipment has been used on a Sunday. Mr. Lapinski stated that should be reported to the Police Department when it occurs.

Ms. McNaney asked Mr. Lapinski if he would be willing to come out with the Noise Meter when it is convenient for the residents because the meter was locked in the evidence room the last time "we" requested a meter reading. Mr. Kroberger asked Ms. McNaney, "Who is we?"

Ms. McNaney responded, "My neighbors who were concerned about how loud it was. I was told then to call the police. I called the police, waited over an hour for the police to come. The police never showed up. I called back and spoke to Mike, and he said he could not come out because the Noise Meter was locked in the evidence room. We could not get anybody to come out. It was so loud in my house, we could not have this conversation. That happens a lot and every time I call. Because when Mike was out there doing the test under the direction of Mr. Horgan running everything."

Mr. Kroberger, "Excuse me – Let me clarify something, it was not at the direction of Mr. Horgan. What happened was Mr. Lapinski called Mr. Horgan and said in order to conduct this sound test I need to have all of the equipment running which Mr. Horgan did. Mr. Horgan has done this every time we have asked him to do it. Every time we have been out there, there hasn't been any problem with the noise. So, I'll tell you what, we are not going to jump every time you call."

Ms. McNaney, "How often have I been calling?"

Mr. Santi, "Since March of 2010 we've had 44 visits out there."

Ms. McNaney, "How many have I called for?"

Mr. Kroberger, "Quite a few of them, and we have responded every time. Maybe not at the drop of a dime. But we have responded to every time you have called, and gone out there in a legitimately appropriate period of time."

Ms. McNaney, "Oh, like the time you went out and I was told the equipment was running and then they saw the crusher and it wasn't, and then"

Mr. Kroberger, "Which one, which one was that?"

Ms. McNaney, "That was the one with you, not too long ago."

Mr. Lapinski, "No."

Ms. McNaney, "When the crusher was running."

Mr. Lapinski, "Last summer?"

Ms. McNaney, "Ya and you came out and my neighbor Antoni Trip told me that there was somebody all around taking noise tests. She said the crusher wasn't even running but when I contacted you, you said the crusher was running. Mr. Duffy you said to call Mr. Horgan to ask if it was running and they did."

Mr. Duffy, "No, I haven't talked. No. I haven't been involved in any sound tests. I don't get involved with sound tests."

Ms. McNaney, "You responded back because I wrote to all of you. You wrote back to Mike asking."

Mr. Duffy, "I don't believe so. I haven't been involved in any of the sound tests."

Ms. McNaney, "I have it. I'll find it."

Mr. Kroberger and Mr. Duffy in unison, "Ok."

Mr. Kroberger asked if anyone else had any comments or concerns. There were none.

Interruption after Item No. 11 on the Agenda:

Ms. McNaney announced that she found an email on her cell phone and stated that Mr. Duffy responded to her email chain on May 20th of 2014, suggesting that the Township give her the sound testing results.

- 8. MOTION TO APPROVE WIDMAN'S HEATING & AIR CONDITIONING, LLC, HVAC MAINTENANCE CONTRACT FOR THE TOWNSHIP BUILDING (JUNE 1, 2015 THROUGH MAY 31, 2016) IN THE AMOUNT OF \$7,680.00. BOILER SERVICE WORK MUST BE PREAPPROVED AND AUTHORIZED BY THE BOARD OF COMMISSIONERS.**

Mr. Kroberger read Item No. 8 above. He reported it is the same price as last year. Mr. Santi motioned to approve Widman's Heating & Air Conditioning, LLC, HVAC Maintenance Contract for the Township Building in the amount of \$7,680. Seconded by Mr. Duffy, this Contract was approved.

M. CLARE EDELMAYER, VICE PRESIDENT
Public Works/Parks/Recreation

- 9. MOTION TO APPROVE RESOLUTION NO. 11-2015 APPROVING A "PIGGYBACK" CONTRACT ARRANGEMENT WITH WHITPAIN TOWNSHIP REGARDING MICROSURFACING TOWNSHIP ROADS.**

Mrs. Edelmayer noted that the Township piggybacks on a Contract with Whitpain Township in order to get a better price for microsurfacing. She read the streets listed within the Resolution out loud to the audience. She motioned to approve Resolution No.11-2015 approving a "piggyback" contract

arrangement with Whitpain Township regarding microsurfacing Township roads. Seconded by Mr. Ziemba, this Resolution was approved.

JAMES A. SANTI

Zoning/Planning

10. MOTION TO APPROVE ORDINANCE NO. 2015-002 AMENDING AND EXPANDING PROVISIONS AND REQUIREMENTS FOR THE FP FLOOD PLAIN DISTRICT SET FORTH IN CHAPTER 195, ARTICLE V, SECTION 195-24 OF THE UPPER GWYNEDD TOWNSHIP CODE.

Mr. Santi noted that he is getting back to the Floodplain Ordinance which was discussed earlier at the Public Hearing. Mr. Santi motioned to approve Ordinance No. 2015-002 amending and expanding provisions and requirements for the FP Flood Plain District set forth in Chapter 195, Article V, Section 195-24 of the Upper Gwynedd Township Code. Seconded by Mrs. Edelmayer, this Ordinance was approved.

11. MOTION TO APPROVE BRIDGE COMMUNITY CHURCH LOCATED AT 983 ALLENTOWN ROAD LAND DEVELOPMENT PLAN FOR A BUILDING ADDITION WITH CONDITIONS.

Mr. Santi read Item No. 11 above. Mr. Santi noted the proposed steps for the new building addition being made ADA compliant for wheel chair access, if practical, is not something that is required. Also, that the overall stormwater collection system be acceptable to the Township Engineer. He reported the County has reviewed and approved the Plan.

Paul Kemper introduced himself as the Lead Pastor at Bridge Community Church. He stated that Joel DelliCarpini is the land development architect, and he is with Bohler Engineering. He reported that Joel was unavailable tonight so he will be doing the presentation himself. Mr. Kemper presented a Plan showing the entire property layout. He reported that the Church was originally labeled under Maranatha Assembly of God some 30+ years ago. The previous Pastor purchased the property and started a multi-phase development plan. There were two phases that were completed by the time he came to the property about 6 or 7 years ago. He explained in the early 90's the church received a special exception from the Township that allowed the property to expand and to handle a larger development. He reported that they have not seen the larger development yet, but they are taking the steps toward the development by expanding classroom space. He explained they are not looking to expand sanctuary space or to add more people, simply they want to create more adult discipleship space. He reported that now all their space is being used by children or as gathering space for Sunday morning services. There is no space available for adults and discipleship. Mr. Kemper showed that by pushing out the front of the children's wing about 2,900 square feet they will have added space for discipleship. He also showed a 300 square foot storage facility which looks like it is a part of the building. He noted that all the conditions have been met, and they are relocating some of the handicapped spaces to the other side of the building.

Mr. Santi questioned whether or not the new addition will be accessible from outside and inside the building. Mr. Kemper explained there will be new sidewalk to the parking lot with a double door entrance to the expansion, and the current hallway that comes into the main lobby area will extend all the way through. Mr. Santi clarified, "So someone coming in through the existing handicapped area can come all the way through." Mr. Kemper answered, "Yes."

Mr. Kemper addressed the stormwater management concern. He noted that all of the stormwater that comes off of the roof will be trenched under the grass to the existing basin. Mr. Lapinski noted the existing basin at the church was sized for the future full development site so they are not required to modify it. He stated that T&M Associates has reviewed the Plans and approved it.

Mr. Kemper stated that they will be going out to bid on the project, and they have notified all their neighbors so that they are aware of what is going to take place during the construction process.

Mr. Santi explained that the Planning Commission approved the Land Development Plan subject to conditions, but he is removing the condition in regard to the steps because it does not apply.

Mr. Santi motioned to approve Bridge Community Church located at 983 Allentown Road Land Development Plan for a building addition with conditions. Seconded by Mrs. Edelmayer, this Land Development Plan was approved.

EUGENE P. ZIEMBA

Public Safety

There are no items to discuss.

THOMAS A. DUFFY

Wastewater Treatment

12. MOTION TO APPROVE WIDMAN'S HEATING & AIR CONDITIONING, LLC SEWER PLANT CONDITIONING MAINTENANCE CONTRACT (MAY 1, 2015 THROUGH APRIL 30, 2016) IN THE AMOUNT OF \$656.00.

Mr. Duffy motioned to approved Widman's Heating & Air Conditioning, LLC Sewer Plant Conditioning Maintenance Contract (May 1, 2015 through April 30, 2016) in the amount of \$656.00. He noted that this is the same price as last year. Seconded by Mr. Ziemba, this Contract was approved.

13. MOTION TO APPROVE THE PURCHASE OF A GRAN TURK VACTOR TRUCK FOR THE WASTEWATER TREATMENT PLANT IN THE APPROXIMATE AMOUNT OF \$307,724.55 VIA THE PA COSTARS PROGRAM. THIS PURCHASE IS WITHIN THE 2015 BUDGET.

Mr. Duffy reported that the Township's Vac and Jet Truck is 10 years old now, and it is a good time to replace it. He reported that it is used to vacuum out the sewer and stormwater lines and the jet part can power wash lines to keep them clear. He also noted that the Township would like to purchase a slightly larger vehicle to reach further into the lines. He reported that Mr. Currie has done an extensive search of

the trucks that are available, and he is recommending the purchase of a Gran Turk Vactor Truck for the Wastewater Treatment Plant in the approximate amount of \$307,724.55 via the PA Costars Program which includes the trade in of the old truck and the purchase of the new truck and chassis. Mr. Kroberger noted that this purchase is within the 2015 Budget. Mr. Santi noted that Mr. Currie did an excellent job researching the purchase.

Mr. Duffy motioned to approved the purchase of the Gran Turk Vactor Truck in the amount of \$307,724.55 via the PA Costars Program. Seconded by Mrs. Edelmayer, this purchase was approved.

14. MOTION TO AWARD THE 2015-2017 SLUDGE HAULING BID TO FRANC ENVIRONMENTAL, INC. IN THE AMOUNT OF \$301,050.00.

Mr. Duffy reported that the Township received four bids for Sludge Hauling this year, and the lowest bidder was Franc Environmental. Mr. Duffy motioned to award the 2015-2017 Sludge Hauling Bid to Franc Environmental, Inc. in the amount of \$301,050.00. Seconded by Mr. Santi, the bid was awarded to Franc Environmental.

15. MOTION TO APPROVE STONEWOOD CONTRACTING, LLC APPLICATION FOR PAYMENT NO 2 AND FINAL IN THE AMOUNT OF \$3,000 FOR THE DICKERSON ROAD SEWER EXTENSION PROJECT.

Mr. Duffy explained that the Dickerson Road Sewer Extension Project was in regard to three homes on Dickerson Road that were on septic systems, and the Township extended lines so that they could connect to the public sewer system. He motioned to approve Stonewood Contracting, LLC Application for Payment No 2 and Final in the amount of \$3,000 for the Dickerson Road Sewer Extension Project. Seconded by Mrs. Edelmayer, this payment was approved.

OTHER BUSINESS

16. APPROVAL OF THE APRIL, 2015, BILLS.

Mr. Kroberger noted that the Board had received a copy of the General fund bills. Hearing no questions, upon motion by Mr. Ziemba, seconded by Mr. Duffy, the General Fund bills for April 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 from 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. 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 Mr. Ziemba, seconded by Mrs. Edelmayer, the Board unanimously approved the pre-paid invoices.

17. CALL FOR ADJOURNMENT TO EXECUTIVE SESSION.

There being no further business, upon motion by Mr. Santi, seconded by Mr. Duffy, the meeting was adjourned to Executive Session at 8:03 PM.

Respectfully Submitted,

Leonard T. Perrone
Secretary

/kmc

Approved June 22, 2015