

**MINUTES OF PUBLIC MEETING**

August 24, 2015

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

The August 24, 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
Eugene P. Ziemba	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
Greg Duncan	Township Engineer

**2. MOTION TO APPROVE THE MINUTES OF THE WORKSHOP MEETING HELD ON JULY 21, 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 Mr. Ziemba, the Minutes of the July 21, 2015, Workshop Meeting were approved as presented.

**3. 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.

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

Mr. Stephen Bednar introduced himself as one of the owners of Pizza Time Saloon in West Point. He stated that he has been meeting with Mr. Perrone and Police Chief Duffy in regard to keeping the roads open to through traffic and to the businesses in the West Point Streetscape Project area. He reported a problem with a work truck blocking him from turning right into Pizza Time, and a flagman flagging him to turn left. He stated that he rolled down his window and told the flagman that he was the owner of Pizza Time, and then he was allowed into the driveway. He noted that this is an issue for his business. Mr. Kroberger questioned whether or not they were doing work on the corner. Mr. Bednar answered, "Not that I saw, but maybe. Not 100% sure. At the time I was turning there, they were not." Mr. Perrone questioned the time of day. Mr. Bednar answered, "About 12:30." Mr. Kroberger stated, "We will make sure that that doesn't happen." Mr. Bednar stated he had another issue with a sales rep who sells him food. Mr. Perrone reminded Mr. Bednar that he handled that problem. Mr. Kroberger reported that he was at a meeting today with the Contractor. Mr. Bednar acknowledged that the Township has been very helpful. Mr. Kroberger stated that he appreciates knowing what is happening at the site, and he will see that the flaggers get more direction. Mr. Perrone questioned the color of the flagger's shirts. Police Chief Duffy stated the Contractor's crew was working out there most of the day today. Mr. Bednar was in

agreement with Chief Duffy. Mr. Perrone stated he now knows which team to speak with. Mrs. Edelmayer noted, "We will still speak with our Public Works Department as well." Mr. Kroberger thanked Mr. Bednar and Mrs. Trave for meeting with him last Friday. He noted Mr. Perrone, Mr. Lapinski, Police Chief Duffy, Deputy Chief Poirier, and Mr. Troxel are all on the site on a daily basis. It was noted that the Contractor is working ahead of schedule. It was further noted that the Contractor opens the roads when they leave at 3:00 PM which is in time for the dinner crowd. Mr. Perrone instructed the Trave family to call him any time there is a problem.

**5. RECOGNITION OF JULIE A. MURPHY FOR TWENTY-FIVE (25) YEARS OF SERVICE TO THE TOWNSHIP. (NOT ATTENDING)**

Mr. Kroberger stated that Julie Murphy is being recognized for twenty-five years of service to the Police Department. Police Chief Duffy noted that she could not be in attendance tonight due to a family obligation. He reminded everyone of the television show MASH and Radar O'Reilly, and noted that is Julie. He stated before he can finish a thought or a sentence, whatever he needs is already done.

**6. RECOGNITION OF BRANT A. WHISLER FOR TEN (10) YEARS OF SERVICE TO THE TOWNSHIP. (ATTENDING)**

Mr. Kroberger stated that Brant Whisler is being recognized for ten years of service to the Police Department. Police Chief Duffy reported that he had to leave due to an emergency call. He reported that Officer Whisler does an excellent job. He is on the SWAT Team, and he is the Township's Pet Detective.

**7. MOTION TO REAPPOINT DAVID C. ONORATO AND THE FIRM OF HLADIK, ONORATO & FEDERMAN, LLP (THE HOF LAW GROUP) AS TOWNSHIP SOLICITOR.**

Mr. Kroberger stated that due to a change in the name of the firm, the Township needs to reappoint its Solicitor. Mr. Ziembra motioned to reappoint David C. Onorato and the firm of Hladik, Onorato & Federman, LLP and the HOF Law Group as the Township Solicitor. Seconded by Mr. Duffy, this motion was approved.

**8. GENERAL OBLIGATION DEBT REFINANCING:**

Mr. Kroberger explained that Attorney Dave Unkovic has been assisting the Township with the General Obligation debt refinancing. He reported that the Township currently has a General Obligation Bond from 2010 in the amount of \$4,210,000 and presently the interest rate on the Bond is 3.51%. This was made up of two Bonds: One was for the Township Building and the other was for completing the Sumneytown Pike Project. Mr. Kroberger reported that the Township is taking out a bank loan from Univest with an interest rate of 2.32%. He stated by taking this action the Township will be saving \$296,562. He reported the Township will be able to take the savings of \$190,000 this year, and the remainder will be seen in 2016. Mr. Kroberger stated that Univest was the best proposal out of nine RFPs. He also noted that the Township has a credit rating of AA+ which is the highest that a municipality can achieve. He stated that with the Township's good accounting practices, the Township can borrow up to \$25,000,000.

Mr. Kroberger introduced Attorney Unkovic and asked him to review the documents involved in the General Obligation debt refinancing.

Attorney Unkovic summarized each paragraph of Ordinance No. 2015-007 for the Board.

**A. MOTION TO APPROVE ORDINANCE NO. 2015-007 TO AUTHORIZE AND DIRECT THE INCURRING OF NON-ELECTORAL DEBT THROUGH THE ISSUANCE OF A GENERAL OBLIGATION NOTE OF THE TOWNSHIP IN THE AGGREGATE PRINCIPAL AMOUNT OF \$4,264,000 FOR THE PURPOSE OF PROVIDING FUNDS TO CURRENTLY REFUND THE OUTSTANDING AMOUNT OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES OF 2010. (ADVERTISED 8/21/15)**

Attorney Unkovic then summarized each of the following documents in Items B, C, and D.

- B. MOTION TO APPROVE TOWNSHIP DEBT STATEMENT (PURSUANT TO §8110 OF THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT, AS AMENDED, 53 PA.C.S. §8001, ET. SEQ.). STATEMENT AS OF AUGUST 24, 2015.**
- C. MOTION TO APPROVE BORROWING BASE CERTIFICATE AS REQUIRED BY THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT, AS AMENDED (53 PA.C.S. §8001, ET SEQ.). DATED AUGUST 24, 2015.**
- D. MOTION TO APPROVE THE TOWNSHIP'S APPLICATION FOR APPROVAL TO THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT IN HARRISBURG. DATED AUGUST 24, 2015.**

Mr. Duffy motioned to approve the General Obligation Debt Financing Item A (Ordinance No. 2015-007), Item B (Township Debt Statement), Item C (Borrowing Base Certificate), and Item D (Township's Application for approval to the Department of Community and Economic Development). Seconded by Mr. Ziemba, this motion was approved.

Mr. Kroberger stated there now needs to be a role call on Items A, B, C, and D:

Mr. Ziemba, "Yes."  
Mrs. Edelmayer, "Yes."  
Mr. Duffy, "Yes."  
Mr. Kroberger, "Yes."

Attorney Unkovic summarized Item E for the Board.

- E. MOTION TO APPROVE UNIVEST BANK & TRUST CO. PROPOSAL LENDING THE TOWNSHIP THE PRINCIPAL SUM OF \$4,264,000 WHICH WILL BE USED TO PROVIDE FUNDS TO FINANCE ON A LONG-TERM BASIS THE COSTS OF CERTAIN CAPITAL PROJECTS AT 2.32%.**

Mr. Kroberger read Item E and Mr. Duffy motioned to approve the Proposal. Seconded by Mrs. Edelmayer the Univest Bank & Trust Co. Proposal was approved.

Mr. Kroberger stated there needs to be a role call on Item E:

Mr. Ziemba, "Yes."  
Mrs. Edelmayer, "Yes."  
Mr. Duffy, "Yes."  
Mr. Kroberger, "Yes."

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

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

- 9. MOTION TO AUTHORIZE THE PREPARATION AND ADVERTISING OF THE TOWNSHIP'S SNOW PLOW BID.**

Mrs. Edelmayer read Item No. 9 above and explained that the Township goes to bid for a company to assist the Public Works Department with snow removal. Mrs. Edelmayer motioned to approve the preparation and advertising of the Snow Plow Bid. Seconded by Mr. Ziemba, this motion was approved.

**10. MOTION TO APPROVE THE COUNTY SNOW AND ICE AGREEMENT FOR 2015-2016 IN THE AMOUNT OF \$7,693.31.**

Mr. Edelmayer read Item No. 10 above. She noted that this year's contract s about \$8.00 more than last years. Mr. Edelmayer motioned to approve the County's Snow and Ice Agreement for 2015-2016 in the amount of \$7,693.31. Seconded by Mr. Duffy, this Agreement was approved.

**Not on the Agenda**

Mr. Perrone reminded the Board that PennDOT Winter Services Contract on the "time and materials" basis just arrived today, and he sent it to the Solicitor's Office for a legal review since it is a new format.

Mrs. Edelmayer stated the Township's Carnival is coming up on September 10 through 13. She noted it is the weekend after Labor Day now.

**JAMES A. SANTI**  
**Zoning/Planning**

**11. MOTION TO APPROVE RESOLUTION 17-2015 A RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT (THE ENCLAVE AT MAPLE GREEN) SEWAGE FACILITIES PLANNING MODULE FOR PADEP.**

Mr. Kroberger read Item No. 11 above. He noted that this needs to be done in order to revise the Township's 537 Plan. It is for a new development, The Enclave at Maple Green, adding sewer connections to the Township's Wastewater Treatment Plant. Mrs. Edelmayer motioned to approve Resolution 17-2015. Seconded by Mr. Duffy, this Resolution was approved.

**12. MOTION TO AUTHORIZE THE TOWNSHIP SOLICITOR TO ATTEND ZONING HEARING NO. 15-14 YORK ROAD PARTNERS ON AUGUST 25, 2015.**

Mr. Kroberger read Item No. 12 above. He explained that York Road Partners is in an LI zone and they need a special exception for a storage shed, and the big concern is the location of the shed. The Board is asking the Township Solicitor to attend the Zoning Hearing Meeting to represent the Township. Attorney Onorato reported that he believes they have agreed to move the shed. Mr. Kroberger noted they still need to go to the Zoning Hearing to have this entered into the record.

Mr. Edelmayer motioned to authorize the Township Solicitor to attend Zoning Hearing No. 15-14 York Road Partners on August 25, 2015. Seconded by Mr. Ziembra, this motion was approved.

**13. MOTION TO AUTHORIZE THE PREPARATION AND ADVERTISING OF AN ORDINANCE AMENDMENT TO SECTION 195-25.B ADDING A NEW SUBSECTION (10) PARK, PUBLIC OR PRIVATELY OWNED, PRIMARILY CONSISTING OF THE PRESERVATION OF ENVIRONMENTALLY SENSITIVE OPEN SPACE SUCH AS STREAM CORRIDORS, AREAS OF NATURAL VEGETATION AND WHICH IS PRIMARILY UNPAVED AND UN-BUILT-UPON OPEN SPACE WITH THE EXCEPTION OF WALKING TRAILS, VISITOR PARKING LOTS AND ACCESSORY STRUCTURES SUCH AS GAZEBOS AND PICNIC PAVILIONS. SUCH A PARK SHALL BE LIMITED TO PASSIVE RECREATION INVOLVING ACTIVITIES SUCH AS WALKING, SITTING, PICNICKING, NATURE WALKS AND OBSERVATION AREAS AND WOULD EXCLUDE ACTIVITIES SUCH AS SPORTS FIELDS, SWIMMING POOLS, PAVED PLAY COURTS SUCH AS BASKETBALL, VOLLEYBALL AND TENNIS, AND LIGHTING FACILITIES FOR RECREATION PURPOSES.**

Mr. Kroberger explained that Merck owns a piece of property on Dickerson Road which they subdivided and was approved by the Board. He stated on one of the parcels, Merck wants to put in a passive park

which includes a walkway, observation mound, and eventually it will be given to the Wissahickon Valley Watershed Association. Mr. Kroberger stated that the property is currently zoned LI and the LI District does not contain a provision for passive parks. He noted that this was recommended by the Zoning Officer and Planning Coordinate to add language into the Township Code in order to accommodate this use. Mrs. Edelmayer motioned to authorize the preparation and advertising of an Ordinance amending Section 195-25.B adding a new subsection (10) for parks. Seconded by Mr. Ziemba, this motion was approved.

**14. MOTION TO APPROVE A SETTLEMENT AGREEMENT BETWEEN UPPER GWYNEDD TOWNSHIP AND ACTS, INC. TO AFFECT THE TRANSFER OF PROPERTY FROM ACTS, INC. TO THE VOLUNTEER MEDICAL SERVICES CORPS (VMSC) OF PROPERTY LOCATED AT VALLEY FORGE ROAD AND ALLENTOWN ROAD. THE LOCATION OF THE VMSC SUBSTATION.**

Mr. Kroberger read Item No. 14 above. He explained that this is in reference to the parcel of land where the VMSC is situated. Attorney Onorato stated that this was part of the original land approval for ACTS and its predecessor to donate the land and build a building for the Medical Corp., and there was some litigation over that issue which has now been resolved. He stated ACTS will Deed over the property to the VMSC. Mr. Duffy motioned to approve the Settlement Agreement between the Township and Acts, Inc. to affect the transfer of property from ACTS, Inc. to the VMSC of property located a Valley Forge Road and Allentown Road (VMSC Substation). Seconded by Mr. Ziemba, this Agreement was approved.

## **EUGENE P. ZIEMBA**

### **Public Safety**

**15. MOTION TO APPROVE THE HOME AT LAST DOG RESCUE 5K RUN, DOG WALK AND FALL PET FAIR ON OCTOBER 31, 2015. THE RACE BEGINS AT 10:00 AM AND SHOULD LAST ABOUT ONE HOUR. THE RUN WILL BE PART OF A LARGER FALL FEST TYPE PET FAIR HELD ON THE PARKSIDE PLACE GROUNDS. THE EVENT DIRECTOR WILL NOTIFY THE RESIDENTS. THE POLICE DEPARTMENT WILL ERECT LAWN SIGNS ALONG THE RACE ROUTE DURING WEEK OF THE RACE. AN ESTIMATED 300-500 RUNNERS ARE EXPECTED. THERE WILL BE NO ROAD CLOSURES. ONE REGULARLY SCHEDULED POLICE OFFICER WILL FACILITATE COURSE SET AND SAFETY. THE OTHER INTERSECTIONS WILL BE HANDLED BY VOLUNTEERS.**

Mr. Ziemba motioned to approve the Home at Last Dog Rescue 5k Run, Dog Walk and Fall Pet Fair on October 31, 2015. The race begins at 10:00 AM and should last about one hour. The run will be part of a larger Fall Fest type Pet Fair held on the Parkside Place grounds. Seconded by Mr. Duffy, this event was approved.

**16. MOTION TO PREPARE AND ADVERTISE AN ORDINACE AMENDING ARTICLE III PARKING RESTRICTIONS OF THE TOWNSHIP CODE SPECIFICALLY SECTION 185-21 DESIGNATING AREAS OF PARKING RESTRICTIONS. THIS AMENDMENT WILL ESTABLISH A NO PARKING ZONE ON THE NORTH SIDE OF OXFORD CIRCLE BETWEEN VALLEY DRIVE AND HILLCREST COURT ADJACENT TO THE NEIGHBORHOOD PLAYGROUND.**

Mr. Ziemba motioned to authorize the preparation and advertisement of an Ordinance amending Article III Parking Restrictions of the Township Code specifically Section 185-21 designating areas of parking restrictions. This amendment will establish a No Parking Zone on the north side of Oxford Circle between Valley Drive and Hillcrest Court adjacent to the neighborhood playground. Seconded by Mrs. Edelmayer, this motion was approved. She noted this is in the Stonegate development.

## **THOMAS A. DUFFY**

### **Wastewater Treatment**

**17. MOTION TO APPROVE C & T ASSOCIATES, INC. APPLICATION FOR PAYMENT NO. 3 IN THE AMOUNT OF \$46,986.05 FOR THE EFFLUENT SCREEN REPLACEMENT PROJECT.**

Mr. Duffy read Item No. 17 above. He noted the total contract sum was \$261,300. He motioned to approve Application for Payment No. 3 in the amount of \$46,986.04. Seconded by Mr. Ziembra, this payment was approved.

Mr. Perrone noted that he visited the site and there is very little construction work left to complete. He noted that he pushed the contractor to finish up so that BSI can get in to complete the electrical work on the project.

**18. MOTION TO AWARD THE GWYNEDD GARDENS REPAIRS BID TO VIDEO PIPE SERVICES, INC. IN THE AMOUNT OF \$72,650.**

Mr. Duffy reported that five bids were received on the Gwynedd Gardens Repairs Bid to do sewer pipe lining. He motioned to award the Gwynedd Gardens Repairs Bid to Video Pipe Services, Inc. in the amount of \$72,650. Seconded by Mrs. Edelmayer, this bid was awarded.

## **OTHER BUSINESS**

**19. APPROVAL OF THE AUGUST, 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 August 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 Mrs. Edelmayer, seconded by Mr. Ziembra, 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. Duffy, seconded by Mrs. Edelmayer, the Board unanimously approved the pre-paid invoices.

**20. CALL FOR ADJOURNMENT TO EXECUTIVE SESSION.**

There being no further business, upon motion by Mr. Duffy, seconded by Mr. Ziembra, the meeting was adjourned to Executive Session at 8:12 PM.

Respectfully Submitted,

Leonard T. Perrone  
Secretary

/kmc

**Approved September 28, 2015**