

**Workshop Minutes**

**November 17, 2009**

The November 17, 2009 Workshop Meeting was called to order at 7:00 P.M. Those present were:

James A. Santi	President
Eugene P. Ziembra	Vice President
M. Clare Edelmayer	Commissioner
Thomas A. Duffy	Commissioner
Arthur Boesler	Engineer
Richard Watt	Solicitor
Leonard T. Perrone	Township Manager
William D. Lawrence	Assistant Manager
David W. Duffy	Police Chief
Sally Slook	Assistant Manager
Michael Sultanik	Finance Manager

1. **Michael Currie (5 years):** Service Recognition

Mr. Perrone advised that Mike Currie would be recognized for his five year anniversary at the Board's November Meeting.

2. **Approval of Eastern Environmental Contractors, Inc.'s Request for Payment No. 2 / \$42,300**

Mr. Perrone reported that Eastern Environmental Contractors had submitted its second Request for Payment for the Dissolved Oxygen system in the amount of \$42,300. He advised that EEMA had reviewed and signed off on the payment and he also reminded that the cost of this project was reimbursable from Merck.

3. **Allan A. Myers Approval of Application for Payment No. 2 / \$279,478.80**

Mr. Perrone advised that Allan Myers had submitted Application for Payment No. 2 in the amount of \$279,478.80 and that the TIP Committee would be reviewing this invoice later in the week. Mr. Perrone also advised that the Township had submitted the first payment to the County for reimbursement and that he expected the Township would receive a reimbursement of about 58%.

4. **Approval of Allan A. Myers Change Orders**

Mr. Perrone advised that Allan Myers had submitted a number of change orders that were related to underground utility conflicts that could not have been anticipated and that an explanation of each had been provided. He further advised that T&M had reviewed the change orders and indicated they were justified.

Mr. Perrone advised that the NWWA would be reimbursing the Township for one of the change orders and that the Authority may even do the work. He further noted that the Authority and Allan Myers were discussing the matter because the work needs to be done as soon as possible. Mr. Perrone confirmed that an emergency meeting had been held to discuss the change orders and although representatives from Merck were unable to attend, they were in concurrence with the decisions made.

Mr. Perrone commented that there was also good news in that some areas had been identified where credits will be given. Change orders to be presented to the TIP Committee later in the week and the Board at its November meeting.

5. **Award of Ferric Chloride Bid**

Mr. Perrone reported that bids had been taken for Ferric Chloride and the bids ranged from .094/lb to .20/lb.

Mr. McCreary commented that the low bidder's references had checked out well and he was waiting for a Certificate of Analysis for the material to make sure it meets the limits of contaminants. Mr. McCreary stated that he felt the bid was low because the vendor was located in Baltimore, versus the current vendor which is located in Detroit. Mr. McCreary to provide a recommendation for the Board's November meeting.

6. **Award of Clarifier Bid**

Mr. Perrone reported that the Township had also taken bids for clarifier drives and had received two. He advised that John Interrante was currently evaluating the bid of Environdyne, however, the review will likely not be completed by next week and that this matter would be postponed until December. He explained that the vendor had a slightly different design built into its proposal, which needs to be evaluated. He reminded that the cost of installation would be additional.

7. **Genuardi's: Approval of Agreement Concerning Public Improvement Contribution**

Mr. Kerns briefly referenced his recent letter, indicating that Genuardis had agreed to a \$147,000 contribution for the public improvements associated with its land development project and that the sum would run with the land in the event someone else would take over the development. Mr. Kerns indicated the proposed agreement was being reviewed by Genuardi's corporate attorney.

Mr. Santi inquired if Mr. Kerns had seen any plans for a gas station and there was discussion with respect to curbing. Mr. Kerns indicated the agreement was based on the original plans as modified by the roadway plans. Genuardi's showed how they plan to lay out the gas station, but have not revised their plan.

Mr. Kerns stated he needed to speak with Cliff Stout concerning what Genuardi's wants to do. Mr. Lawrence indicated he had a full record plan and that it does not show any entrance from Sumneytown Pike.

Mr. Santi commented that according to Andy Bates, the roadway will be fully widened and paved by December 13<sup>th</sup>; therefore, the Township needs to know before that time. Mr. Perrone indicated Mr. Bates stated the plan would be changed to include full curbing.

Consideration of an agreement between Genuardis and the Township to be postponed until December.

8. **Genuardi's: Approval of Extension of Review Period / Current Period Expires 11/30/2009**

With respect to an extension of the review period for Genuardi's plan, Mr. Lawrence explained that Genuardis needs time to revise its plan based on the Township's give-back of right-of-way and the gas station. Mr. Kerns commented he thought Genuardis would get the revised plan completed quickly.

Following discussion relative to how long an extension should be given, it was decided to extend the review period until just after the Board's February meeting. February 23<sup>rd</sup> was decided upon.

9. **Vincent Paone / 785 and 787 Sumneytown Pike:** Termination of Land Development and Escrow Agreements and Request for Waiver from 18-Month Maintenance Bond

Mr. Perrone reminded that 785 and 787 Sumneytown Pike represented the Dunkin' Donuts facility and Kieffer's Appliances.

Mr. Lawrence reminded that Vince Paone had redeveloped the entire site and that everything had been completed. Mr. Boesler had also provided a letter certifying the completion of the work. Mr. Lawrence explained that Mr. Paone's engineer had requested a waiver of the customary maintenance bond because there were no public improvements associated with the site. Board to consider termination of the agreements and waiver of the maintenance bond at its November meeting.

10. **SEPTA:** Approval of Request for Waiver from Chapter 113 Regarding Operation of Heavy Equipment

Mr. Perrone informed that SEPTA had received a grant to do stabilization work under the Swedesford Road railroad bridge. He informed that SEPTA plans to do this work at night, one side of the tracks at a time and that a waiver from Chapter 113-1 of the Code was being requested. Mr. Perrone indicated the residents had been notified that this work will take place for approximately ten weeks between March and April 2010. Board to consider waiver at November meeting.

11. **Wawa, Inc. / 1601 Valley Forge Road:** Discussion of Revised Proposal

Mr. Perrone explained that the Wawa located at Valley Forge Road and Sumneytown Pike wants to revise its expansion plan. It plans to cut back on the expansion by re-using some of the current facility, but plans to keep the gas option.

Mr. Lawrence added that the existing bank and Wawa will be in the center of the site. Wawa plans to lose four of the current tenants and reduce the number of gas pumps by half. He further indicated Wawa will keep the Sumneytown Pike driveway as it was on the previous plan and has cleaned up some of the parking which encroached into the existing right-of-way. He added that Wawa will maintain its same "deal" with Coughlin concerning parking.

Mr. Santi brought up the issue of multiple use and whether a traffic study would be needed. Mr. Kerns indicated he would look at that zoning issue and it was determined the traffic study should be postponed until Mr. Kerns completes his review.

12. **PAREC Homes:** Application to the DEP / Discussion

Mr. Perrone advised that Parec Homes had provided him with two applications that need to be submitted to the DEP with respect to the pond and other storm water structures related to its development on Prospect Avenue. Parec is asking the Township to file the applications since the Township committed to take responsibility for the inlet and outlet structures of the pond. Matter to be before the Board at November meeting.

13. **Approval of Ordinance 2009-07: Stop Sign at Supplee at Flintlock**

Mr. Perrone indicated the proposed ordinance to place stop signs at Supplee and Flintlock had been advertised and would be ready for action by the Board at its November meeting.

14. **Safe Routes to School / Waiver of Right-of-Way from 15' to 13'**: Discussion / Approval

With respect to the Safe Routes to School matter, Mr. Perrone informed that Mr. Boesler had done the survey work necessary to prepare the easement documents. He reminded that Marci Shankweiler had agreed to present the documents to the property owners.

The Board was informed that Mr. Boesler had identified a street width issue and the Board was asked to consider a waiver reducing the half-street width from 15' to 13'.

Mr. Boesler also advised that there were six properties for which the Township will need to acquire sidewalk and slope easements. He provided the property plats and advised the legal descriptions would be forthcoming.

Mr. Boesler advised he had a preliminary cost estimate, stating the construction estimate was based on reduced paving coming in a little less. He noted the original estimate was \$193,000 and if only widening, curb and sidewalk is done the estimate was \$170,000. Mr. Boesler advised that if half the road was milled, rather than having a 4' seam, it would bring the cost estimate back to \$193,000. There was a question as to whether that work would be covered by the grant and Mr. Duffy suggested checking on when Swedesford Road was scheduled to be done.

In response to previous concern about North Wales Borough's progress on its portion of the project, Mr. Perrone advised the Borough was proceeding also.

15. **2010 Calendar and Holiday Schedule**: Authorization to advertise

The Board was advised that the January 4<sup>th</sup> Re-Organization meeting had been added to the schedule and that the Planning Commission meeting previously scheduled for the 4<sup>th</sup> had been moved to January 5<sup>th</sup>.

Mr. Ziemba asked if it would be possible to schedule the TIP and quarterly Pension meetings for the same day. Mr. Perrone stated it might be possible to schedule those meetings back-to-back.

16. **2010 Tax Rate Ordinance**: Authorize advertisement

Mr. Perrone advised the budget was ready and was based on the existing tax structure. Board to authorize advertisement at November meeting.

17. **2010 Budget Appropriations Ordinance**: Authorize advertisement

Mr. Perrone reminded that Department budget meetings were scheduled for the following event. Board to authorize advertisement of budget appropriation ordinance at November meeting.

18. **Approval of Resolution 15-2009:** Appoint Auditor

Mr. Perrone advised that the Board would be asked to approve the annual resolution appointing Maillie Falconiero and authorizing the auditor to conduct an audit for the 2009 fiscal year.

19. **Approval of Resolution 16-2009:** Homestead Exclusion for 2010

Mr. Perrone indicated that the Board would be asked to approve Resolution 16-2009 authorizing the \$30,000 Homestead Exemption for 2010.

20. **Amendment of Police Pension Ordinance:** Removal of Killed in Line of Duty: Authorize Advertisement

Mr. Perrone advised that the State of PA had recently passed legislation to underwrite the "killed-in-the-line of duty liability and, therefore, the Township needed to remove language related to that issue from its Police Pension Ordinance. Once the amended ordinance is passed, the Township will be able to cancel its policy with MEIT and perhaps receive a refund on the policy.

21. **Approval of Skelly's Contract for 2010 Carnival**

Mr. Perrone advised that Skelly's had forwarded a two year contract for the 2010 and 2011 Carnivals. Board to consider approval at November meeting.

22. **Police Award Ceremony:** December 21, 2009 / 6:30PM

For informational purposes, the Board was provided information on the upcoming Police Award Ceremony scheduled for December 21<sup>st</sup>.

23. **Evans-Mumbower Mill Retaining Wall Repair:** Update

Mr. Perrone reminded that the repair of the retaining wall at the Evans-Mumbower mill had been discussed last month, however, he had yet to receive the price estimate from the WVWA.

24. **Township Building Retaining Wall:** Discussion

There was discussion related to building a retaining wall on the embankment on the police side of the Township Building where there has been erosion and loss of vegetation. Warren Wales had solicited an estimate; however, Willard Troxel brought up the issue of where snow plowed from the driveway would be plowed if a retaining wall were built.

There was brief discussion with respect to a cinder block wall alternative because of the estimated cost of the concrete block wall. Also, Mr. Perrone was asked to find out what the urgency to proceed with this project is.

25. **Green Street Storm Sewer Project:** General Permit Registration / Possible Meeting with Residents

Mr. Perrone indicated that the Township had been granted a permit by the DEP for the Green Street Storm Sewer Project. He further commented that the residents had been told they could see the final plan prior to the Township proceeding with the project.

Mr. Boesler provided a copy of the plan and reiterated that permits had been secured from PennDOT and the DEP. He further reported that he had met with Dan McCreary concerning sewer laterals impacted by the project. Three laterals will need to be reconstructed because of infiltration and that these costs would be funded by the UGTMA. Some thought was given to looking at sewer mains while the project is mobilized and it was commented that the main in the center of Green Street to the interceptor at the creek is in good condition.

There was discussion with respect to differences in the sizes of the Township's and PennDOT's pipe, with the outcome being PennDOT agreeing to a 30" pipe. The Township has also been asked to do some underground storage between the homes. Mr. Boesler indicated he had included a 36" perforated pipe with stone bed which will not add appreciably to cost and will not cause any problems). He also reminded that the whole area was being lowered a foot and a half so that the yards can drain and that the swale was also being lowered so the residents can re-grade as they see fit.

Mr. Boesler indicated he could have the project ready for bid shortly and that excavating and pipe work could be done during the winter. Mr. Perrone reminded that this project had been budgeted and Mr. Boesler felt the Township would get some good bids.

Mr. Perrone reiterated that he wanted to meet with the residents first in an open house-type scenario. Mr. Boesler suggested that he update the cost estimate prior to the meeting, stating the original estimate was between \$350,000 and \$400,000.

Mr. Boesler stated he believed there might be stimulus money available, however, application for that would cause considerable delay in the project. It was noted there might be other funding sources available and it was suggested that Mike Zumpino be contacted.

26. **Valley Forge and Morris Road Traffic Signal Improvements:** Discussion

Mr. Perrone reminded that the Homeowners' Association at Ryan's Run had asked for a left-turn arrow at Valley Forge and Morris Roads. Mr. Perrone advised that PennDOT had been approached and had approved the change, therefore, bids would need to be received for a new signal head. There was some discussion on which municipality is the lead on this signal.

27. **Approval of Hough Associates Agreement:** Recycling Services

Hough Associates' proposal for recycling services for 2009 was presented to the Board for consideration at the November meeting.

28. **Nor-Gwyn Baseball:** Second Block Grant: Approval of Agreement

Mr. Perrone advised that the Board needed to approve the Phase II Montgomery County Community Block Grant for the paving of pathways west of Hostelley Field related to Nor-Gwyn Baseball. He stated this is the grant that is to be shown in conjunction with the DCNR grant that Mike Zumpino will be filing. Mr. Perrone reported he was meeting shortly with representatives of Nor Gwyn and that that Joe Del Ciotto was amending the plan. He indicated the bid would be ready to advertise shortly.

29. **Approval of Traffic Signal Agreement:** Valley Forge Road / NPHS / McAuliffe Lane

Mr. Perrone reported that he had recently received a Traffic Signal Maintenance Agreement from Towamencin relative to the new traffic signal at Valley Forge Road and the NPHS driveway. Board to approve agreement this month.

30. **Approval of Police Contract for 2010 - 2013**

Mr. Perrone reported to the Board that the Bargaining Unit and the Township's negotiation team had settled the police agreement. With respect to the issue of the \$10,000 post-retirement life insurance policies, Mr. Perrone indicated those type of policies are becoming difficult to find and may not be available in the future. Therefore, with the concurrence of the Police Department, the language relating to that benefit was changed to indicate the benefit would only be available if the policies were available.

There being no further business for public discussion, the meeting was adjourned at

Respectfully submitted,

Susan Cassel  
Recording Secretary

**Approved December 21, 2009**