

Workshop Minutes

May 19, 2010

The May 19, 2010 Workshop Meeting was called to order at 7:00 P.M. Those present were:

Kenneth E. Kroberger	President
M. Clare Edelmayer	Vice President
Eugene P. Ziemba	Commissioner
Thomas A. Duffy	Commissioner
John Katsaros	Engineer
David Onorato	Solicitor
Leonard T. Perrone	Township Manager
David W. Duffy	Police Chief
Sally Slook	Assistant Manager
David Brill	Finance Manager

1. **Wissahickon Valley Water Shed / NPDES Phase II:** Presentation by Mindy Lemoine

Mr. Perrone introduced Mindy Lemoine who was present to give a presentation. Ms. Lemoine stated she was with the PA Environmental Council which acts as an intermediary between the government, environmentalists and the municipalities. She explained that the primary thing driving the Consortium and the concerns involving storm water are coming out of flooding problems.

She stated that the MS4 program is undergoing changes, noting that it was to be revised every five years, and it has been seven.

Ms. Lemoine spoke about the comparison of what was done in 2002 to the draft that came out in 2009. A copy of this comparison is attached hereto.

Ms. Lemoine advised the Council was working on a software program for MS4 management and will be adapted for Pennsylvania. Two of the pilot communities are Lower Gwynedd and Upper Dublin.

Ms. Lemoine commented that the EPA and the DEP are taking compliance more seriously than in the past. There are seventy-nine municipalities that have been cited for not complying with the MS4 permits, mostly administrative items.

The changes in terms of the standard MS4 practices are not huge. There are some things that will cost more money and take more effort, but a lot of them are a matter of better management. Asked for examples, Ms. Lemoine noted tracking of more of the best management practices and the need to keep track of the drainage areas of each outfall in the municipality. In response to a comment from Mrs. Edelmayer, Ms. Lemoine agreed that the Township would need to map where every inlet flow to.

Ms. Lemoine also commented that other new things in the draft permit are that where before municipal good housekeeping practices required keeping track of washing cars and disposal of pesticides, oil, etc., now there will need to be a plan for all sources of pollution that could flow to the stream on municipal property.

It was noted that the draft is not final yet; the comments of the Consortium have had some influence. The DEP has drafted a revision and it went to the EPA. The EPA sent it back to the State with its comments and it should out final within the next few weeks.

Asked what the projected time frame for compliance is, Ms. Lemoine commented that the permit should be submitted; the notice of intent for a general permit is due in September and the permit would take effect in March 2011. It is not clear how long the municipalities have to do everything.

Ms. Lemoine stated that the major change effecting Upper Gwynedd is the requirement for a TMDL stormwater control plan. The Township would be subject to both nutrient and sediment. The nutrient portion is related to wastewater treatment and is being challenged, but the sediment portion is coming up in the next permitting reiteration. She acknowledged that it is challenging because the EPA does not know how to do the sediment TMDL's because the municipality does not own the land. A lot of it is related to land use and land management.

What the Council is recommending is that run off be retained in storm water basins; permanently retain it.

Mr. Perrone commented that undeveloped farms are probably the biggest violators of sediment run off.

Ms. Lemoine stated that the Council has three basic principles to operate on: to make the burden manageable (define compliance clearly). Currently not in the draft permit. The Council recommends that compliance would mean establishing a volume of storm water to be permanently removed from the system. The Council also recommends retrofitting storm water basins. Municipalities should identify sites, retrofit or create new storage and permanently maintain it. By using a specific number, that would allow for trading agreements between municipalities

The Council also recommends that the work be done on either public or private land because there is not enough municipal land available.

Ms. Lemoine stated the Council wanted the DEP to pick a number; to say how much needed to be done. The DEP was not prepared to do that. The fact is, it is a political decision about how much should be done.

There was brief discussion concerning the level of contribution for each municipality. Anything done since 2003 will be given credit. A Template TMDL Stormwater Plan was provided for use by the PA Environmental Council.

2. **Approval of Allan A. Myers, L.P.:** Application for Payment No. 8 / \$995,845.61

Mr. Perrone advised that Allan Myers had submitted Application for Payment No. 8 in the amount of \$995,845.61 for work completed on the Sumneytown Pike Project and he confirmed that the project was progressing well.

He advised that the TIP Committee would be discussing the bridge reconstruction schedule, as well as the options (now or later) for paving Sumneytown Pike at its next meeting.

3. **Approval of Allan A. Myers, L.P.:** Change Order No. 16 / \$89,762.10

Mr. Perrone reported that Allan Myers had submitted Change Order No. 16 in the amount of \$89,762.10 for activities related to coordinating the Genuardi land development project with the Township's Sumneytown Pike Project. He reminded that these costs would be covered under the Township's Reimbursement Agreement with Genuardi's.

4. **Approval of T & M Associates:** Application for Payment / \$37,753.70

Mr. Perrone noted that an Application for Payment in the amount of \$37,653.70 had been received from T&M Associates for administration and inspection of the Sumneytown Pike Project.

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- 5. **Approval of Horgan Brothers:** Application for Payment No. 1: \$71,333 (NG Baseball)
- 6. **Approval of Horgan Brothers:** Application for Payment No. 2: \$15,925 (NG Baseball)

Mr. Perrone explained that the Nor-Gwyn Baseball Project had progressed in a way that created two Applications for Payment from Horgan Brothers in one month, one for \$71,333 and the other for \$15,925. He reminded that the Township advances payment to the vendor and then seeks reimbursement from the County.

- 7. **Approval of Horgan Brothers:** Change Order No. 1 / \$700 / Nor-Gwyn Baseball Project

Mr. Perrone explained that Horgan Brothers had submitted Change Order No. 1 in the amount of \$700 to rough-in water and sewer lines for future use prior to the slab being poured.

- 8. **Approval of BSI Electrical Contractors:** Application for Payment No. 3: \$19,000
- 9. **Approval of Eastern Environmental:** Application for Payment No. 6: \$94,965

The Board was presented with applications for payment from both BSI Electrical and Eastern Environmental relating to work completed on the Dissolved Oxygen project at the Wastewater Facility. Board to approve payments at Public Meeting.

- 10. **Final Approval of Caracausa Subdivision / West Prospect Avenue**

The Board was advised that David Caracausa's plan for subdivision of 445 West Prospect Avenue was ready for final approval and it was noted that Mr. Caracausa was asking for waivers with regard to road widening and the installation of curbing and sidewalk.

There was discussion with respect to the neighbors' concern about tree preservation and that a restrictive covenant would appear on the plan concerning this matter. It was determined that while the Township would not be responsible for enforcing the restrictive covenant, although the Township would need to monitor compliance during the construction process.

- 11. **Authorization to Prepare & Advertise Ordinance for the Rezoning 870, 872 & 876 Sumneytown Pike from R-2 to R-3**

The Board was approached to authorize the preparation and advertisement of an ordinance amending the zoning classification of 870, 872 and 876 Sumneytown Pike from R-2 to R-3. It was noted that all resident concerns, such as stormwater management, lighting and buffering, had been addressed by the developer and that the proposed single home would be located at the back of the property near other single homes. The town homes will be located toward the front of the tract. A berm will also be provided.

It was noted that a property with an existing duplex would be included in the tract in order to meet the requirements of R-3 zoning, and it will be stipulated that no additions will be permitted on this lot and that the property will stay under single ownership.

12. **Discussion Concerning After Hours Work by Turnpike Commission**

Mr. Perrone advised that he had attended a meeting with the Turnpike Commission about a month ago concerning the Morris Road bridge project. He explained that he had advised the Turnpike Commission at that time that it needed to ask for a waiver in order to work around the clock to remove the deck of the old bridge when Turnpike traffic is lighter. Mr. Perrone commented that he had just recently received the waiver request.

Mr. Perrone asked that the Board approve the waiver for housekeeping purposes, noting that there are likely other phases of the project that will require night time work and that the Turnpike Commission would need to request additional waivers for those phases.

13. **Authorization to Purchase 5-Ton Dump with Plow and Spreader for Public Works**

The Board was advised that Willard Troxel had requested authorization to move forward with the purchase of a t-ton dump truck with plow and spreader for the Public Works Department. Mr. Brill provided a brief budgetary update. The Board asked that Mr. Troxel appear prior to the Public Meeting to discuss this matter further.

14. **Demolition of Graves House**

Mr. Perrone reminded that the Board had previously reviewed proposals for the demolition of the Graves house. Mr. Perrone commented that it appeared at that time that the vendors were not quoting equal services, however, they were. He further advised that it was the Township's intention to handle the backfilling. The consensus was to proceed with Heartland for the demolition at a cost of \$5,375.

15. **Traffic Conditions: Garfield between Broad and Valley Forge Road**

Mr. Perrone advised that now that the various detours are in place, there are concerns about additional traffic on Garfield Avenue. A resident has suggested that the Township consider a temporary traffic signal at Garfield & Valley Forge Road. Mr. Perrone reminded that traffic will decrease considerably once school closes for the summer, and there was discussion about monitoring the intersection of Supplee Road and Garfield Avenue.

16. **Discussion Concerning Nor-Gwyn Ribbon Cutting: June 2nd Proposed**

Mr. Perrone informed that he had been advised that the ribbon cutting for the improvements at the Nor-Gwyn Baseball facility had been rescheduled for June 14th.

17. **Discussion Concerning Nor-Gwyn Baseball Request for Fireworks**

Mr. Perrone advised that Nor-Gwyn Baseball had approached the Township and the North Penn School District for permission to have fireworks following an American Legion baseball game on July 2nd. Mr. Perrone reported that the School District's Safety Committee had rejected the idea and the Board of Commissioners did the same.

18. **Discussion Concerning Request to Increase Township Secretary's Honoraria**

Mr. Perrone advised he had recently received a request from Township Secretary, Chuck Testa, about increasing his honoraria. There was discussion concerning the role of Township Secretary and the possibility that the First Class Township Code no longer requires that the Secretary be a Township resident. Mr. Perrone expressed his willingness to serve in that capacity if permitted to do so. Legal to check into.

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

Respectfully submitted,

Susan Cassel
Recording Secretary

Approved June 28, 2010