

PUBLIC MEETING MINUTES

March 26, 2018

KENNETH E. KROBERGER, PRESIDENT
Finance/Personnel/Administration

1. Call to order.

The March 26, 2018, 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
James A. Santi	Vice President
Thomas A. Duffy	Commissioner
Denise M. Hull	Commissioner
Liz K. McNaney	Commissioner
Michael J. Lapinski	Acting Township Manager
David Brill	Finance Director
David W. Duffy	Police Chief
Russ Benner	Township Engineer
David Onorato	Township Solicitor

Mr. Kroberger responded to some old business from the previous month's agenda regarding an issue that a resident brought up. He said a resident asked the Board to rearrange the agenda so that the public comment section was at the top of the agenda. Mr. Kroberger said we will keep things the same and explained that it gives us an opportunity to approve minutes of previous meetings, so people have a chance to make comment and clears up some housekeeping items before getting into the business at hand.

2. Motion to approve the Minutes of the Workshop Meeting held February 20, 2018

Mr. Kroberger noted that everyone received copies of the Workshop Meeting Minutes with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Duffy, seconded by Mr. Santi, the Minutes of the February 20, 2018 Workshop Meeting were approved as presented.

3. Motion to approve the Minutes of the Public Meeting held February 26, 2018

Mr. Kroberger noted that the Public Meeting Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Santi, seconded by Mrs. McNaney, the Minutes of the February 26, 2018 Public Meeting were approved as presented.

4. Motion to approve the Department Reports filed by Township Staff.

Mr. Kroberger asked for comments or questions. Hearing none, upon motion of Mrs. Hull, seconded by Mr. Duffy, the Departmental Reports were approved as submitted.

5. Presentation of public comments and concerns (limit of five minutes per individual).

Betsy Wallace from Fair Districts PA. She first thanked the Board of Commissioners for allowing her to speak. Mrs. Wallace said she is here to respond to any questions the Board may have regarding the paperwork she sent. She's a volunteer with Fair Districts PA since last spring. She explained that Fair Districts PA is a single issue, non-profit, non-partisan organization in PA. It was started by Carol Kuniholm who studied gerrymandering for the past ten (10) years. Fair Districts PA is an outgrowth of her studies in gerrymandering. Ms. Wallace gave some examples of gerrymandering in the states of Maryland and Pennsylvania and said both parties have the issue of gerrymandering. She noted that the United States is the only country in the world in which politicians draw their own districts. Fair Districts PA is based on a California model that created an independent citizens commission by referendum and drew their first maps in 2011. The commission consisted of five (5) people each based on registration of the two (2) largest parties and four (4) people not associated with either party. The new map was passed by an overwhelming majority of the commission. Mr. Kroberger asked what concerns does Fair Districts PA have with the new PA map? Mrs. Wallace replied, the new map is a distraction and will only exist until 2020. She added, the PA Supreme Court only addressed certain issues in their decision and didn't deal with Pennsylvania legislative districts at all. It didn't address how redistricting should be done which is the main concern of Fair Districts PA. Mr. Santi asked how do you propose to take away the responsibility from the state officials? Ms. Wallace said Fair Districts is proposing a constitutional amendment. She added there is a hearing on SB 22 tomorrow. The intent of the legislation is to put the redistricting back into the hands of an eleven (11) person commission.

Ann Montgomery of 1919 S. Broad Street. She is here on behalf of Fair Districts and read a statement on her beliefs on gerrymandering. She believes that increasing the involvement of local citizens is essential to good government and is concerned with how the new district lines will be drawn. She values a transparent, fair, participatory democracy that allows her fellow citizens to exercise their constitutionally guaranteed rights. Ms. Montgomery is asking the Commissioners to support Fair Districts PA.

Cassandra Montgomery of 1919 S. Broad St. She said she will vote for the first time in the next election. She read a statement regarding gerrymandering and said it is a fancy word for disenfranchisement.

Richard Kreiss of 912 Flintlock Dr. He has been involved in Fair Districts PA for over a year. He is trying to get local municipalities to endorse our proposal for redistricting which would involve an independent commission.

Kathryn Carlson of 305 Britt Rd. She supports Fair Districts PA and the work they are doing. She feels the actions of Fair Districts PA are vital to our democracy and would like Upper Gwynedd to support them as well.

Janet Kreiss of 912 Flintlock Dr. She said she is excited about the possibility that gerrymandering will be changed.

Margaret Burke of 714 Aldrin Ave. She thanked the Board for this discussion to talk about how this impacts our Township. She said we need a new fair way to vote and added, we are a sliver in district 7. She added, she shouldn't have to travel an hour to see her representative.

6. Motion to approve Resolution No. 08-2018 – disposition of specific Township records.

Mr. Kroberger said this process is done periodically to remove old records that have been identified for the purpose of destruction in accordance with Act 428.

Hearing no questions or comments, upon motion by Mr. Santi, seconded by Mr. Duffy the motion was unanimously approved.

7. Motion to approve the letter to Senator Greenleaf opposing SB 979

Mr. Kroberger said this deals with Senate Bill 979 where a police officer can transfer up to five (5) years of his previous pension benefits. Our actuary gave some insight on this issue. Mr. Kroberger said this item will be

detrimental to the Township based on an actuary's comments. Mr. Kroberger read parts of the letter being sent to Senator Greenleaf and said this is an unfunded mandate and we don't fully know the financial impact to the Township. Mrs. Hull said she will not support the opposition to SB 979, but understands it is very vague and could possibly cost the Township money. She also said that it doesn't affect that many officers and they do so much for us that we should find the money to cover the cost.

Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mr. Santi, the motion was passed with a vote of 3-2. Three yeas votes (Kroberger, Santi, Duffy), two nay votes (Hull and McNaney).

8. Motion to approve proposal from Tyler Software for Finance / HR

Mr. Kroberger said our Finance Director and staff have been doing a fabulous job working with an old accounting system (purchased in 2004). The accounting department has been interviewing software companies to upgrade and replace the existing software. This is to improve the integration among all the departments and to keep a high level of productivity. Mr. Kroberger noted, we are presently budgeted for \$150,000 to replace the software. The cost of the recommended system is \$101,680 plus an annual maintenance fee of \$28,752. The total cost for the first year is \$130,432.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the motion was unanimously approved.

9. Motion to approve Resolution No. 10-2018 proclaiming April 8 – 14, 2018 as National Library Week

Mr. Kroberger read parts of the Resolution proclaiming April 8 – 14 as National Library Week.

Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mrs. McNaney, the motion was unanimously approved.

JAMES A. SANTI, VICE PRESIDENT

Public Safety

Mr. Santi said we need to offer an answer to Fair Districts PA following this evening's presentation. He said he needs additional information and asked how many municipalities in Pennsylvania have supported this resolution. Mr. Santi went on to say that he wants to see what comes out of HB 22. He asked Fair Districts PA representatives to send additional information to Mr. Lapinski, so we can continue discussions in our workshop meetings. Ms. Wallace responded, approximately eighteen (18) municipalities have passed the resolution.

10. Motion to approve Resolution No. 06-2018, Emergency Operations Plan Promulgation

Mr. Santi said this acknowledges the update of our Emergency Operations Plan and recognizes this as the official plan for Upper Gwynedd Township.

Hearing no questions or comments, upon motion by Mr. Santi, seconded by Mrs. Hull, the motion was unanimously approved.

11. Motion to approve the Corpus Christi School 5K Run on May 5, 2018 at 8:00 am.

Mr. Santi noted that this was vetted by Sgt. Gillen and this race is in its seventh year.

Hearing no questions or comments, upon motion by Mr. Santi, seconded by Mrs. Hull, the motion was unanimously approved.

12. Recognition of Chief David Duffy for 10 years of service to the Township (will attend)

Mr. Santi recognized Police Chief David Duffy for his 10 years of service to the Township. He said we have a letter from the Police Chiefs Association of Montgomery County. Mr. Santi read the entire letter. Chief Duffy is involved with a number of organizations such as Mission Kids, a child advocacy center in Montgomery Township to which he is a member of the Board of Trustees, the Advisory Board of Montgomery County Child Advocacy Center (MCAP) which he is the law enforcement liaison. He helped create a training program for police officers in the criminal justice system about how to best help persons with autism and special needs. He worked with colleagues to create the Montgomery County SWAT Team. He served as President of the Police Chiefs Association in Montgomery County from 2016-2017. Chief Duffy fosters positive relationships with the NAACP and ACLU. He has served as the statewide Director of the Pennsylvania Law Enforcement Torch Run for Special Olympics and is currently the Eastern Regional Coordinator. Mr. Santi added, our police department personally calls residents with special needs during storms to see if they need assistance. Under Chief Duffy's leadership, our Police Department has passed four (4) reaccreditation assessments and remains in the top 10% of Pennsylvania's law enforcement agencies. Community Outreach has been expanded with neighborhood watch groups, daily school foot patrols, National Night Out, Special Needs Registry and Coffee with a Cop. Expanded traffic control in the afternoons and a patrol car and DARE car have been added to the fleet. Mr. Santi said Chief Duffy rules with an even hand and is a fair chief to all of his officers. Mr. Santi and the Board of Commissioners congratulated his on his 10 years of service and invited him to shake hands with the Board members.

THOMAS A. DUFFY

Public Works/Parks/Recreation

13. Motion to approve the Pickleball Courts Lighting Bid Award to BSI for \$26,800

Mr. Duffy said we had two (2) bidders but one pulled out because of an error.

Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mrs. McNaney, the motion was unanimously approved.

14. Motion to authorize the advertisement of the 2018/2019 Equipment Rental Bid for Various Stormwater Projects

Mr. Duffy said this is to secure costing for renting equipment for our ongoing stormwater projects. It includes seven (7) different pieces of equipment.

Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mr. Santi, the motion was unanimously approved.

DENISE M. HULL

Zoning/Planning

15. Motion to approve Resolution No. 03-2018, Preliminary Plan Subdivision and Land Development Approval for Newbury Phase II

Carl Weiner of Hamburg, Mullin, attorney for applicant was asked to attend if anyone has questions. There were none.

Mrs. Hull said the applicant is requesting the following waivers from the provisions of the Subdivision and Land Development Ordinance:

- A. Section 162-12.B(1). Applicant requires a waiver from this section that requires a minimum pipe size of eighteen inches (18").
- B. Section 162-19.N(2). Applicant requires a waiver from this section that requires the top or toe of any slope associated with a BMP shall be located a minimum of 5 feet from a property line.
- C. Section 163-19.N(9). Applicant is requesting a waiver from this section which requires anti-seep collars to be installed around the pipe barrel within the normal saturation zone of detention/retention basin berms.
- D. Section 168-19.C(3)(a). Applicant is requesting a waiver for both road A and the church access drive from this section which requires access roads for multi-family residential and all non-residential subdivisions to be not less than 30 feet in width at the street line.
- E. Section 168-20.D(1)(c)[2]. Applicant is requesting a waiver from this section that provides that cul-de-sac streets shall not be more than 500 feet long.
- F. Section 168-20.D(2)(a). Applicant is requesting a variance from this section with respect to Road A that requires a minimum street requirements for a residential street of 50-foot right-of-way, a 30-foot pavement width, 4-foot wide sidewalk and curb.
- G. Section 168-20.D(2)(c). Applicant is requesting a waiver for Hancock Road and Prospect Avenue in this section that requires that a subdivision which fronts on an existing street to extend existing paving to the required curb line.
- H. Section 168-21.B. Applicant is requesting a waiver from this section that prohibits angle or perpendicular parking along the curbs of local, public or private access roads.
- I. Section 168-21.H. Applicant is requesting a waiver from this section that requires parking lots be designed with 25-foot aisle widths for 90-degree parking.
- J. Section 168-21.I(a). Applicant is requesting a waiver from this section that requires poured in place concrete curb around landscaped areas or islands defining islands and parking stalls and around the perimeter of parking lots adjacent to buildings.
- K. Section 168-21.L. Applicant is requesting a waiver from this section which requires landscaping in parking lots.
- L. Section 168-21.O. Applicant is requesting a waiver from this section which requires driveways to be no closer than 6 feet to a property line.

- M. Section 168-22.B. Applicant is requesting a waiver from this section which requires curbs be constructed of concrete. In lieu thereof, Applicant will provide Belgium block curbing and the Applicant agrees that Road A will be a private street.

Mrs. Hull read each waiver for the Board to consider and vote upon.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, the above waivers A – M were granted.

Mr. Santi asked about the map line to which Mr. Onorato replied it was addressed in section 3T.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Santi, Resolution No. 03-2018 was approved.

Mr. Weiner said the applicant does approve the waivers.

16. Motion to approve Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on Building 38 to lift steel onto the roof for the ongoing PnP Renovation Project. Sundays, May 13, 20 and 27, 2018

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the motion was unanimously approved.

17. Motion to approve Merck & Co. extension request for Land Development on their Upper Gwynedd site.

Mrs. Hull noted this agreement expired in December and is for an extension to run until December 31, 2018.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mrs. McNaney, the motion was unanimously approved.

18. Motion to approve Resolution No. 11-2018 – request for Montco 2040 Implementation Grant for Ivy/Grannery Bioretention Project.

Mrs. Hull said we want to put a bioretention basin at Ivy/Grannery and have applied for a \$200,000 grant that we have a match of \$142,902.

Mike Felmuth, 112 Cardinal Way, asked if the grant writer was Triad to which the Board replied, yes.

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mr. Duffy, the motion was unanimously approved.

LIZ K. MCNANEY

Wastewater Treatment

19. Motion to approve the Manhole Chimney Seals Alternate Bid Award to Advanced Rehabilitation Technology in the amount of \$49,435

Hearing no questions or comments, upon motion by Mrs. McNaney, seconded by Mr. Duffy, the motion was unanimously approved.

20. Motion to approve the Meadowbrook Rd. CIPP and CIP Saddle Liners Project Bid Award to Insituform Technologies in the amount of \$84,790.

Hearing no questions or comments, upon motion by Mrs. McNaney, seconded by Mr. Santi, the motion was unanimously approved.

OTHER BUSINESS

21. Approval of the March 2018 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 Mrs. Hull, the General Fund bills were approved.

Mr. Kroberger said the next item are the Sewer Bills and asked for questions or comments. Hearing none, upon motion by Mrs. McNaney, seconded by Mr. Santi, 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 which include the Fire Tax, Collection System, Uniformed Police Pension Fund and VEBA. Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mrs. Hull, the Board unanimously approved these invoices as well.

Mr. Kroberger advised that there were several invoices that had been prepaid due to timing. Hearing no questions or comments, upon motion by Mr. Santi, seconded by Mr. Duffy, the Board unanimously approved the pre-paid invoices.

22. Call for Adjournment.

Mrs. McNaney also asked Betsy Wallace from Fair Districts PA for more information and thanked her for coming.

There being no further business, upon motion by Mrs. Hull, seconded by Mrs. McNaney the meeting was adjourned at 8:32 pm.



Respectfully Submitted

Michael J. Lapinski
Secretary

Approved April 23, 2018