

PUBLIC MEETING MINUTES

October 28, 2019

KENNETH E. KROBERGER, PRESIDENT
Finance/Personnel/Administration**1. Call to order.**

The October 28, 2019, Public Meeting of the Board of Commissioners was called to order at 7:30 PM by Vice President of the Board, James A. Santi. The following individuals were in attendance.

James A. Santi	Vice President
Thomas A. Duffy	Commissioner
Denise M. Hull	Commissioner
Liz K. McNaney	Commissioner
Sandra Brookley Zadell	Township Manager
Megan Weaver	Assistant Township Manager
David W. Duffy	Police Chief
Russ Benner	Township Engineer
David Onorato	Township Solicitor

2. Pledge of Allegiance**3. Recognition of Eric Raser for 10 years of service to the Township (unable to attend)**

Mr. Santi said Eric Raser was unable to attend but recognized his 10 years at the Township.

4. Recognition of Bill Moriarty for 20 years of service to the Township (will attend)

Mr. Santi also recognized Bill Moriarty for 20 years of service in the Police Department. Chief Duffy said Officer Moriarty is a member of the Montgomery County Major Incident Response Team and the UGPD Bicycle and Motorcycle Units. He is a Defensive Tactics Instructor and has served for several years as a patrol squad Officer in Charge. Mr. Santi and the Board thanked him for his service.

5. Recognition of Samuel Miller for 36 years of volunteer service to the Township (will attend)

Mr. Santi said Sam Miller has served the Township for 36 years and has given a lot of time and effort as a member of the Planning Commission. He was presented with a Certificate of Appreciation by the Board. Mr. Miller said he enjoyed his time on the Planning Commission and said it was a privilege and an honor to serve the Township. He thanked the Commissioners in maintaining a well-organized Township. John Lancaster is the new chair of the Planning Commission. Mr. Lancaster thanked Mr. Miller and said he was privileged to serve under his command for 32 of those years. He said he has big shoes to fill as the new chair and wished Mr. Miller good luck and good health in his retirement.

6. Commendation of Tom Illgen and Hana Choe regarding an accident on Morris Road (will attend)

Chief Duffy commended Tom Illgen and Hana Choe for their quick response when they stopped at the scene of an accident to offer assistance. The 17-year old driver was injured in the accident. Mr. Illgen and Ms. Choe stabilized his neck and tended to other medical needs until the Volunteer Medical Service Corps arrived and took

over. The driver was flown to a trauma center and is recovering from his injuries but was present to thank Mr. Illgen in person. Ms. Choe was unable to attend. The Board thanked him for his help.

7. Commendation of Carolyn Bacica-Fahey for helping a critically ill person (will attend)

Chief Duffy also commended Carolyn Bacica-Fahey for helping someone having a severe allergic reaction by administering an epi-pen and performing CPR until the person started breathing again and medical assistance arrived at the scene. The subject thanked Ms. Bacica-Fahey for saving his life. The Board also thanked her for her quick response.

Suspension of Public Meeting to open the first Public Hearing

Mrs. Hull made motion to suspend the public meeting, which was seconded by Mr. Duffy and unanimously approved.

8. Public Hearing – Ordinance 2019-12 - Wireless Communications Facilities

The purpose of this hearing is to hear comment pursuant to Ordinance 2019-12; the amendment of Chapter 195 of the Township Code; providing for definitions; establishing certain general and specific standards relating to the location, placement, construction and maintenance of tower-based wireless communications facilities, non-tower wireless communications facilities, and small wireless communications facilities; providing for the enforcement of said regulations; and providing for an effective date.

Mrs. Hull read the above purpose of the hearing before turning it over to Solicitor, David Onorato.

Brief explanation by David Onorato, Township Solicitor

Mr. Onorato said recently the FCC issued a ruling on the control that local government has over these facilities requiring us to rewrite our ordinance regarding wireless facilities. Special Counsel was brought in to revise the ordinance. This new ordinance will bring us in compliance with the new regulations required by the FCC.

Mrs. Hull entered the following four (4) exhibits into record;

Exhibits:

T1: Ordinance 2019-12

T2: Proof of Publication of Legal Advertisement – October 4 & 10, 2019

T3: UGT Planning Commission Review Letter

T4: MC Planning Commission Review Letter

9. Request for public comment

There were none.

10. Motion to close the Public Hearing and open the next Public Hearing

Mrs. Hull asked if anyone had any questions or comments before making a motion to close the public hearing. It was seconded by Mrs. McNaney and unanimously approved.

11. Public Hearing – Ordinance 2019-13 – Wireless Communications Facilities Design Manual

The purpose of this hearing is to hear comment pursuant to the consideration of Ordinance 2019-13, an Ordinance establishing a small wireless communications facility design manual; providing for a design an approval process and providing for an effective date.

Mrs. Hull read the above purpose of the hearing.

Brief explanation by David Onorato, Township Solicitor

Mr. Onorato said Ordinance 2019-12 identifies a design manual that can be used as guidance for the installation of wireless communications facilities. Ordinance 2019-13 is the adoption of the Design Manual.

Mrs. Hull entered the following four (4) exhibits into record;

Exhibits:

- T1: Ordinance 2019-13
- T2: Proof of Publication of Legal Advertisement – October 4 & 10, 2019
- T3: UGT Planning Commission Review Letter
- T4: MC Planning Commission Review Letter

12. Request for public comment

Mrs. Hull asked for questions or comments. There were none.

13. Motion to close the Public Hearing and resume the Public Meeting

A motion was made by Mrs. Hull and seconded by Mr. Duffy to close the Public Hearing and resume the Public Meeting. It was unanimously approved.

14. Motion to approve the Minutes of the Workshop Meeting held September 17, 2019

Mr. Santi noted that everyone received copies of the Workshop Meeting Minutes with the Agenda packet. Hearing no questions or comments, upon motion of Mrs. McNaney, seconded by Mr. Duffy, the Minutes of the September 17, 2019 Workshop Meeting were approved as presented.

15. Motion to approve the Minutes of the Public Meeting held September 23, 2019

Mr. Santi also noted that the Public Meeting Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Duffy seconded by Mrs. Hull the Minutes of the September 23, 2019 Public Meeting were approved as presented.

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

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

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

Roger Hammond of 757 Brian Way. Mr. Hammond complained of helicopters flying at all hours and flying so low that it shakes his home. He said a helicopter today was flying just about 35'-50' above the roof of his home. Mr. Hammond asked if anything can be done about this issue. Mrs. Hull said we have been looking into it. Mrs. Zadell said the FAA regulates the height at which a helicopter can fly. She said she isn't sure how you file a complaint with the FAA and added the Township can't identify where a helicopter is flying to/from. The Board questioned whether these were Merck helicopters. Mr. Onorato said there is a registered Merck flight path and we can find out what that path is. Mrs. Zadell said Nancy Bednarik of Merck spoke to Mr. Hammond regarding the helicopter. Ms. Bednarik later spoke with Mrs. Zadell and confirmed it was not a Merck flight path, but it may be a hospital helicopter. Mrs. Zadell will get some additional information for him.

Mr. Hammond also asked about the timing of the light on Allentown Road near the dairy. Mrs. Zadell said it is currently on a time signal due to the construction of the Gwynedd Ridge development. Once construction is complete, the light will go to sensor.

18. Motion to approve Resolution 17-2019 – General Municipal Pension System State Aid

Mr. Santi stated every year we get aid from the state to fund our Pensions. We received a total of \$404,519.42 from the state. Out of that pool of money, the Police Pension Plan will receive \$215,049.24 and the Non-uniform Pension Plan will receive \$189,470.18.

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

19. Motion to approve Resolution 20-2019 – Sterling Act - EIT

Mr. Santi said this is an exercise we have done several times requesting an amendment to the Sterling Act to require that up to one percent of Philadelphia wage tax paid by non-residents of Philadelphia be remitted to the municipality in which the taxpayer resides.

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

20. Announcement of Special Budget Meetings to be held on November 12 at 5 pm and November 21 at 7 pm

Mr. Santi announced that there are two (2) special budget meetings scheduled for November 12 at 5 pm and November 21 at 7 pm. He said these meetings are open to the public.

JAMES A. SANTI, VICE PRESIDENT
Public Safety

No report

THOMAS A. DUFFY
Public Works/Parks/Recreation

21. Motion to approve Payment #2 to Harris Blacktopping for the 2019 Roads Program in the amount of \$155,907

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

22. Motion to approve Payment #3 to Harris Blacktopping for the 2019 Roads Program in the amount of \$399,835.36

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

23. Motion to approve payment to Floyd Hersh for Equipment Rental & Labor for the Sweetbriar Basin in the amount of \$42,289

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

24. Motion to approve the Snow Plow and Equipment Bid Award to Horgan Bros. in the amount of \$7,150

Mr. Duffy said this is for additional help during a winter storm. This is based on a cost per hour rate.

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

25. Motion to approve Resolution 18-2019 in support of Circuit Trails

Mr. Duffy stated this resolution is in support of the Montgomery County Circuit Trails initiative that joins trails from nine (9) different counties and plans to complete 180 miles of circuit trails by 2025.

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

26. Motion to approve Resolution 19-2019: Liberty Bell Trail Feasibility Study

Mr. Duffy said we are tabling this Resolution as we don't have a cost on the feasibility study. This will probably be on the agenda for November.

DENISE M. HULL**Zoning/Planning/Code Enforcement**

27. Motion to approve the Merck & Co. waiver request from Chapter 113-1 &124-5 for afterhours crane work on Building B38A Manufacturing Building; Sundays in November & December 2019

Mrs. Hull announced the next three (3) items are waiver requests from Merck to perform some afterhours crane work if needed.

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

28. Motion to approve the Merck & Co. waiver request from Chapter 113-1 &124-5 for afterhours crane work on Building 75B for Roof Replacement Project; Sundays in November 2019

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

29. Motion to approve the Merck & Co. waiver request from Chapter 113-1 &124-5 for afterhours crane work on Building 14 for Roof Replacement Project; Sundays in November 2019

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

Katherine Carter of 707 Park Rd. asked where the buildings are as she has experienced bright lights in her family room when work is being performed.

Greg Landis identified the location of each of the buildings for Ms. Carter. Mr. Landis noted that Merck has not had to use Sunday work in many months and the work will be done in daytime hours.

30. Motion to approve the Cottage Avenue Paving Maintenance Agreement

Mrs. Hull explained that Cottage Avenue Realty is ready to pave the new sub-division, Gwynedd Walk, but there is an area that the Township will have to tear up when the Diversion Project begins. The developer will pay the Township \$18,430.10 in lieu of paving and the Township will pave the road once construction on the diversion project is complete. Mr. Onorato said the area has been recognized on a plan by our Township Engineer and the Township Engineer has also set the reimbursement price.

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

31. Motion to authorize the advertisement of the bid for the Sumneytown Pike Bridge Project (Wissahickon Creek)

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

32. Motion to approve Ordinance 2019-12 (WCF)

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

33. Motion to approve Ordinance 2019-13 (WCF Design Manual)

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

LIZ K. MCNANEY
Wastewater Treatment

Mrs. McNaney noted that our meeting agendas are posted on the Township website and include links to get additional information for each item highlighted in blue.

34. Motion to ratify and approve the waiver request for Blooming Glen to work on Columbus Day and Veterans Day for the WWTP Expansion Project

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

35. Motion to approve Payment #9 to Blooming Glen Contractors for WWTP Hydraulic Expansion Project in the amount of \$268,122.47

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

36. Motion to approve Payment #3 to Eastern Environmental for the WWTP Hydraulic Expansion Project in the amount of \$17,865

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

37. Motion to approve Payment #4 to BSI Electrical Contractors for the WWTP Hydraulic Expansion Project in the amount of \$34,110

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

38. Flow Diversion Project Update

Mrs. McNaney announced the Flow Diversion Project will be starting soon. Mrs. Zadell said the Township has been working on this Flow Diversion Project for many years. It will divert flow from the Towamencin Municipal Authority back to the Upper Gwynedd Wastewater Treatment Facility. She added there are several reasons for doing this project and all of that information can be found soon on our website at www.uppergwynedd.org/wip.

Other information included on this website will be announcements, traffic detours, possible road closures and project progression. She said this webpage will be updated regularly.

OTHER BUSINESS

39. Approval of the October 2019 bills.

Mr. Santi noted that the Board had received a copy of the General fund bills. Hearing no questions, upon motion by Mr. Duffy, seconded by Mrs. McNaney, the General Fund bills were approved.

Mr. Santi said the next item is the Sewer Fund Bills and asked for questions or comments. Hearing none, upon motion by Mrs. McNaney, seconded by Mrs. Hull, the Board unanimously approved the Sewer Fund bills.

Mr. Santi advised that the Board was also being asked to approve invoices from all other funds. Hearing no questions or comments, upon motion by Mr. Duffy, seconded by Mrs. McNaney, the Board unanimously approved these invoices as well.

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

40. Call for Adjournment.

Mr. Santi said there will be no Executive Session this evening.

There being no further business, upon motion by Mr. Duffy, seconded by Mrs. McNaney the meeting was adjourned at 8:24 pm.

Respectfully Submitted,

Sandra Brookley Zadell Township
Manager

Approved November 25, 2019



/djl