

East Norriton Township – Regular Meeting  
February 20, 2007

The Regular Meeting of the Board of Supervisors of East Norriton Township was called to order by the Chairman, Mr. Donald Gracia, at 7:05 p.m. on Tuesday, February 20, 2007, at the Township Municipal Building. Supervisors present were Donald J. Gracia, Lewis K. McQuirns, James K. Staufenberg, James J. Serratore and Karen “Kandy” Heckman.

Following roll call, Mr. Gracia offered a prayer and the Pledge of Allegiance was then recited by all in attendance.

The Chairman asked for a moment of silence for Laura Pfizenmayer a long time friend and resident of East Norriton Township who passed away January 13, 2007.

The Chairman introduced the first item on the agenda, Sergeant “Chip” Pritchett Retirement Proclamation – Resolution No. 2338. The Chairman read Resolution No. 2338 into the record and presented Sergeant “Chip” Pritchett with the Resolution recognizing his dedication to the East Norriton Township Police Department since 1978. Mr. McQuirns made a motion to approve Resolution No. 2338. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

The Chairman introduced the next item on the agenda, John Fichter Retirement Proclamation - Resolution No. 2336. On February 8, 2007 the Board of Supervisors presented Representative John Fichter with a Proclamation recognizing his retirement from Public Service. Mr. Serratore made a motion to approve Resolution No. 2336. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

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The Chairman introduced the next item on the agenda, Commendation to Officer Timothy Brennan. Police Chief, John McGowan presented a Citation of Merit to Officer Timothy Brennan in recognition for his outstanding service, quick action and professionalism on January 29, 2007.

The Chairman announced the Board of Supervisors met in Executive Session and with the Norriton Fire Engine Company Board of Trustees on January 18, 2007 and earlier this evening to discuss matters litigation and personnel.

Mr. Staufenberg made a motion to approve the minutes of the I & I meeting and the Regular Meeting of December 19, 2006 and the minutes of the Reorganization and Regular Meeting of January 2, 2007. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

The Chairman introduced the next item on the agenda, Authorize Bids. Mr. Staufenberg made a motion to approve the advertisement of bids for the Stony Creek Bank Restoration project, two emergency back-up generators, and a two ton blacktop roller, Equipment Leasing with Operators, Road Materials for 2007 and Police Uniforms. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

The Chairman introduced the next item on the agenda, Open bids for Taft Road and Germantown Pike Interceptor Repairs. The Chairman asked if there were any additional bids. Mrs. Heckman made a motion to close the bids for the Taft Road and Germantown Pike Interceptor Repairs. After requesting any comments and there being none, the motion was seconded by Mr. McQuirms and approved unanimously.

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The bids for the Taft Road and Germantown Pike Interceptor Repairs were opened and the following were announced as submitting bids: Tri-State Grouting - \$114,530.00, All State Power Vac - \$164,654.00 and New Hope Pipe Liners - \$76,542.00. The bids were deferred for review by the Sewer Engineer for recommendation later in the meeting.

Mr. Serratore made a motion to approve the Finance Reports for December, 2006 and January, 2007. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

The Chairman requested that the reading of the Committee Reports for December, 2006 and January, 2007 be deferred and also, commented that the Committee Reports were available on the table in the back of the meeting room. Mr. Staufenberg made a motion to approve the Committee Reports for December, 2006 and January, 2007. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

The Chairman asked if there were any citizens to be heard; Crystal McKnight of 3008 Potshop Road requested if residents on Potshop Road can be permitted to park on one side of the street because the driveways are dangerous to enter before snow removal. Police Chief, John McGowan responded that he realizes there is a problem but, not sure what the solution to this matter is. Chief McGowan will look into this matter. Robert Greve of 3216 Nottingham Road reported that the shopping centers are plowing snow into the handicap parking spaces. Zoning Officer, Bryan Bortnichak said he will look into this.

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The Chairman asked to move up two items under “New Business”, ENLL Annual Sign Permit request. The Township has received a letter from the Norristown Area School District, dated January 3, 2007 requesting a sign permit for the annual ENLL signs at the Cole Manor and Paul Fly Elementary schools from April 1, 2007 through July 31, 2007. Mr. Staufenberg made a motion to approve the sign permit request for the East Norriton Little League. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. McQuirms introduced the next item on the agenda, ENLL Snack Stand Project – Fee Waiver request. The Township has also received a letter from the Norristown Area School District requesting a waiver of all permit and review fees for building the East Norriton Little League Snack Stand at the Cole Manor Elementary School. Mr. McQuirms made a motion to waive the permit fees for the ENLL Snack Stand at the Cole Manor Elementary School. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

The Chairman introduced the next item on the agenda, Resolution No. 2337 – Schedule Time and Place for Public Hearing. Zoning Officer, Mr. Bortnichak reviewed Resolution No. 2337 fixing the time and place for a public meeting by the Board of Supervisors to consider an amendment to the East Norriton Township Zoning Map. Township Manager, Helmuth Baerwald reviewed a letter dated February 16, 2007 from the Township Planner, E. Van Rieker regarding the proposed rezoning. Mr. McQuirms made a motion to schedule the public hearing for Tuesday, April 17, 2007 at 5:30 p.m. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

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Mr. Staufenberg introduced the first item under “Old Business”, Resolution No. 2335 – Appointment of Auditor. Mrs. Heckman made a motion to approve Resolution No. 2335 appointing Maillie, Falconiero and Company as the Township’s Auditors for the year 2007. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

Mr. Staufenberg introduced the next item on the agenda, DEP Corrective Action Plan and Consent Order and Agreement. Matt Brown of ARRO Consulting, Inc. reviewed the status of the Corrective Action Plan. Mr. Brown reviewed the proposed Consent Order and Agreement. Township Manager, Helmuth Baerwald reviewed the milestones outlined in the Consent Order and Agreement. Mr. Staufenberg made a motion to approve the Consent Order and Agreement. After requesting any comments and there being some public comment, the motion was seconded by Mr. McQuirns and approved unanimously.

Mr. James Watters of Valley Forge Watershed Association (an educational community outreach program) expressed he is glad that the Township is addressing the overflows but feels these problems should be addressed by developers. A resident expressed her concern why it took so long to determine the cause of the overflows. Sharon and John Sexton of 1003 Pierce Road asked why the laterals are having problems when the laterals are only twenty years old and asked who was inspecting the laterals when they were installed and why isn’t Gill Quarries responsible.

Resident, Bill Baltrus of 3023 Taft Road questioned the definition for the term “unacceptable” used in Ordinance No. 490 and the percentage of inspections where the

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problem is between the curb and the main. Matt Brown of ARRO Consulting, Inc. suggested Mr. Baltrus contact Liz Cheeseman with ARRO Consulting, Inc.

Resident, Terry Skahan of 3037 Taft Road asked if the Township will guarantee the work after one year. Township Solicitor, Christen Pionzio reviewed that the Township has no authority to guarantee the work by a third party.

Representative, Jay Moyer reviewed that his office has received over one hundred letters and phone calls regarding the lateral repairs. Representative Moyer reviewed his apparent discussions with the Department of Environmental Protection.

Ms. Terry Hendrickson of 3002 Taft Road questioned if the ten residents of Representative Moyer's list with sagging pipes were to contract there own contractor to video their laterals and the residents pay for the cost, would the Township consider reviewing the videos and removing the residents from the list to be repaired. Matt Brown of ARRO Consulting, Inc. advised that they would review other videos provided by residents but advised that the Township has to go beyond just the leaking pipes and address the sagging pipes as well.

Mrs. Heckman introduced the next item on the agenda, Ordinance No. 490 -- Providing for Sewer lateral Inspection and Repair. Township Solicitor, Christen Pionzio reviewed Ordinance No. 490. Mr. Staufenberg made a motion to approve Ordinance No. 490. After requesting any comments and there being some public comment, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. Tryst Anderson of 3336 East Hayes Road commended the Township for trying to correct the Inflow and Infiltration and questioned what designates "unacceptable

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condition”. Township Solicitor, Christen Pionzio addressed Mr. Anderson’s question regarding the terms used in the ordinance.

Mrs. Heckman introduced the next item on the agenda, Sanitary Sewer Lateral Repair Project. Matt Brown of ARRO Consulting, Inc. reported that approximately ten homeowners have paid to have to the repairs done and approximately thirty-two inquiries have been made.

Mr. Staufenberg introduced the next item on the agenda, Sanitary Sewer Rate Study. Township Manger, Helmuth Baerwald reviewed the findings of the sewer rate study. The Township will send information out in the next newsletter about how to raise the funds for the Joint Sewer Authority Capital payments.

Mrs. Heckman introduced the next item on the agenda, DEP Inspection of Handy and Harman. This is an informational item; the Township has received a notice from the DEP regarding the final inspections of the Handy and Harman closed facility.

Mr. Staufenberg introduced the next item on the agenda, LFT Parking Lot – Request for Waiver of Escrow. Township Engineer, Bob Blue reviewed a letter from LFT Realty Group, Inc. requesting that no escrow be required for the proposed improvements for the parking lot project. Mr. Blue recommended to approve the waiver request. Mr. Staufenberg made a motion to approve the waiver request. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mrs. Heckman introduced the next item on the agenda, Tone 2000 Subdivision – Letter of Credit extension request. Township Solicitor, Christen Pionzio suggested this item be removed from the agenda and explained this extension is not needed.

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Mr. Staufenberg introduced the next item on the agenda, Pimlico Farms – EDU Allocation. Township Manager, Helmuth Baerwald reviewed a letter dated January 19, 2007 from the Department of Environmental Protection regarding the release of ten EDU connections. Mr. Staufenberg made a motion to allocate the ten EDU's to the Pimlico Farms development. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mrs. Heckman introduced the next item on the agenda, Automobile Dealers Association of Greater Philadelphia. This is an informational item reviewed by Zoning Officer, Bryan Bortnichak who reviewed that the Zoning Hearing Board extended relief previously granted to allow parking on the Automobile Dealers Association of Greater Philadelphia property.

Mr. Staufenberg introduced the next item on the agenda, Development and Construction Updates. Code Enforcement Officer, Bryan Bortnichak reported that there are no changes to update since last month's meeting.

Township Solicitor, Christen Pionzio reviewed Resolution No. 2339 reapproving the conditional final approval of the land development application for Crowley Milk Company Inc. for the Gambone Organization for property located at 550 Foundry Road. Mrs. Heckman made a motion to approve Resolution No. 2339. After requesting any comments and there being none, the motion was seconded by Mr. McQuirms and approved unanimously.

Mrs. Heckman introduced the next item on the agenda, Storm Drainage Issues/Projects. Township Engineer, Bob Blue reported: A. North Whitehall and Township Line Roads storm drainage work is to start after inclement weather; B. Briar

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Lane and Hillcrest Avenue watershed nothing new to update; C. Storm Water System design plans for Lawnton Road, Lafayette and Springview Roads nothing new to update; and D. 605 Meadowbrook Road nothing new to update.

Mr. Staufenberg introduced the next item on the agenda, Traffic Issues. Township Manager, Helmuth Baerwald reviewed: A. Township Line Road traffic improvements - nothing new to report and B. Germantown Pike Corridor - nothing new to report.

Mrs. Heckman introduced the next item on the agenda, North Wales Road and Cottage Lane. The Township has received an email from a resident regarding the increased bus activity in the Penn Square Village. The Norristown Area School District has assured the Township the increased bus activity is not because of the East Norriton Middle School expansion, just normal pick up of children going to other schools. Police Chief, John McGowan reported that North Wales Road is very actively involved in the East Norriton Police Department traffic enforcement.

Mrs. Heckman introduced the next item on the agenda, US Route 202 Widening. Township Manager, Helmuth Baerwald reported that he will be attending the next meeting is March 8<sup>th</sup>, 2007 and requested authorization to express on behalf of the Board of Supervisors the concerns of the abandoned buildings along Route 202. Mr. Staufenberg made a motion to have Mr. Baerwald express on behalf of the Board of Supervisors their concerns. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. McQuirns introduced the next item under “New Business”, East Norriton’s Financial Condition Survey for 2007. This is an informational item; Assistant Township

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Manager, Donald Delamater reviewed the 2007 Survey of Financial Condition for East Norriton Township. Mr. Staufenberg made a motion to execute the survey. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Mr. Serratore introduced the next item on the agenda, Norriton Fire Engine Company. This is an informational item; Assistant Township Manager, Donald Delamater reviewed the Norriton Fire Engine Company Deferred Benefit Plan funding report. Mr. Serratore made a motion to approve the funding report and payment into the Benefit Plan. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

Mr. McQuirms introduced the next item on the agenda, Open Space Plan. This is an informational item; Township Manger, Helmuth Baerwald reviewed the possible acquisition of the Barrington Property for Open Space purchase. Mr. Staufenberg made a motion authorizing the Township Solicitor to prepare an appropriate sales agreement and send it to the property owner. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Mr. Serratore introduced the next item on the agenda, Historical Advisory Commission Membership and Demolition Ordinance Proposal. Mrs. Heckman made a motion to draft an ordinance to increase the Historical Advisory Commission from its current seven members to nine members and to draft an ordinance pertaining to the demolition process for historical sites. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

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Mr. McQuirns introduced the next item on the agenda, New Recycling Requirements. This is an informational item; Assistant Township Manager, Donald Delamater reviewed the Department of Environmental Protection's new recycling requirements and will have a proposal at the next month's meeting.

Mr. Serratore introduced the next item on the agenda, East Norriton Middle School Marching Band Flea Market permit and fee waiver request. The Township has received an email from the East Norriton Middle School Marching Band requesting a waiver of any permits to hold a flea market in the spring of 2007. Mr. Serratore made a motion to approve the waiver of the fees. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

Mr. McQuirns introduced the next item on the agenda, Expenditure Authorizations. A. Guide Rail for Woodland Avenue Bridge - \$9,855.00; B. Whitehall Road Storm Sewer Extension surveying - \$3,500.00 - \$4,500.00; C. Timberlake Pump Station upgrade - \$29,530.00; D. Settlement stipulation for Rolling Green Assessment Appeal effective 2007 decrease to \$4,645,800.00; E. Authorize intervention with Valley Forge Properties Assessment Appeal; and F. Phase One wetlands survey for the Barrington property - \$2,200.00 - \$2,400.00. Mr. McQuirns made a motion to approve items A through F. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. Stuart Rosenthal recommended the bid for the Taft Road and Germantown Pike Interceptor Repairs be awarded to New Hope Pipe Liners for calculated estimated total of \$76,542.00. Mr. Staufenberg made a motion to approve Mr. Rosenthal's

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recommendation. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. Serratore introduced the next item on the agenda, Attendance Authorizations.

A. Course in Community Planning – March 1<sup>st</sup>, 8<sup>th</sup> and 15<sup>th</sup> - \$75.00; B. Chamber of Commerce County Commissioner’s annual luncheon – March 9<sup>th</sup> - \$22.50; C. Police Training – 3/27 and 28 – Lieutenant Kates - \$210.00; D. PSATS workshop “What every Township Supervisor needs to know” - \$45.00; E. Police Training – 4/3 and 4/4 – Lieutenant Taboga - \$349.00; F. Secretaries and Administration Academy – registration \$395.00 and costs; G. Representative Fichter’s Retirement Dinner - \$60.00 Supervisors and Manager; H. FBI/LEEDA Conference- Chief McGowan approximately \$1,179.00; and I. Police Training – 4/2 through 4/6 – Lieutenant Kates - \$985.00. Mr. Serratore made a motion to approve items A through I. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

Mr. McQuirms introduced the next item on the agenda, Legislation. Township Manager, Helmuth Baerwald reviewed Act 153 of 2006 Purchase of public safety equipment which requires the State Department of General Services to secure cooperative purchasing contracts for volunteer fire, rescue and ambulance services to purchase apparatus or communications, protective or rescue equipment effective January 28, 2007. Act 154 of 2006 Open Space Preservation amends At 442 of 1983 to allow municipalities to use dedicated open space taxes to cover expenses related to land acquisitions and authorizes municipalities to appropriate money and transfer property interests to land trusts to acquire preserve open space. Act 155 of 2006 Liquor Code amendments amends to state Liquor Code to delete provisions that required townships to reject economic

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development licenses that would adversely affect the welfare, health, peace and morals of the municipality or its residents. Act 156 of 1006 Release of confidential security information prohibits local governments or public utilities from releasing confidential security information about electric, gas, water, telephone or sewage service. Act 157 Administrative changes to Uniform Construction Code amends the Uniform Construction Code to make a number of administrative changes. Mr. Serratore made a motion to authorize Township Manager, Helmuth Baerwald to address the legislators with the Uniform Construction Code issues. After requesting any comments and there being none, the motion was seconded by Mr. McQuirns and approved unanimously. Mr. Baerwald also reviewed a Bill for permanent tax exempt status of volunteer fire departments as long as they meet the requirements in law defining charitable organizations. Mr. Staufenberg made a motion to authorize Township Manager, Helmuth Baerwald to ask legislators to support this Bill. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

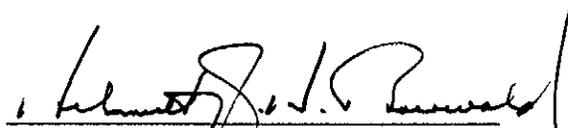
Mr. Serratore reviewed the meeting schedule for February 19<sup>th</sup>, 2007 through April 25, 2007.

The Chairman asked if there was any other business. Township Manager, Helmuth Baerwald announced the lists of historical properties are available for review at the Township building during normal business hours.

There being no other business to come before the Board, the Chairman asked if there were any residents who wished to speak, a resident thanked the Township for their patience during the I and I issues.

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Mr. Staufenberg made a motion to adjourn the meeting at 9:55 p.m. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

  
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Helmut J. H. Baerwald  
Secretary

