

East Norriton Township -- Regular Meeting
August 28, 2007

The Regular Meeting of the Board of Supervisors of East Norriton Township was called to order by the Chairman, Mr. Donald Gracia, at 7:01 p.m. on Tuesday, August 28, 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 introduced the first item on the agenda, Certificate Presentation -- Joseph Rothwein. The Board of Supervisors presented Joseph Rothwein and read into record a certificate for his many years of faithful service to the citizens of East Norriton Township.

The Chairman introduced the next item on the agenda, Meritorious Citation for Norriton Fire Engine Company. Police Chief, John McGowan presented members of the Norriton Fire Engine Company with a Meritorious Citation.

The Chairman introduced the next item on the agenda, Merit Commendation Sergeant Ulmer's Squad. Police Chief, John McGowan presented Sergeant Ulmer's squad with a Merit Commendation for the apprehension of two burglary suspects.

The Chairman announced that the Board of Supervisors met in Executive Session earlier this evening to discuss matters of litigation and personnel.

Mrs. Heckman made a motion to approve the minutes of the Regular Meeting of July 24, 2007. 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, Open Bids for Traffic Signal and Street Light Maintenance. The Chairman asked if there were any additional bids. Mr. Serratore made a motion to close the bids for Traffic Signal and Street Light Maintenance. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

The bids for the Traffic Signal and Street Light Maintenance were opened and read by the Township Manager as follows: Armor & Son \$3,200.00 for traffic signal and \$21,000 for street light maintenance a total of \$30,645.00 for 2007 through 2010; and Precision Electric Signal \$4,600.00 (\$1,500.00 for 1st year, \$1,500.00 for 2nd year and \$1,600.00 for 3rd year) and \$21,735.00 for street light maintenance a total of \$26,335.00 for three years. Mr. Serratore made a motion to defer awarding the bids to next month's meeting. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

The Chairman introduced the next item on the agenda, Open bids for Stony Creek Bank Stabilization. The Chairman asked if there were any additional bids. Mr. Staufenberg made a motion to close the bids for Stony Creek Bank Stabilization. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

The bid for the Stony Creek Bank Stabilization was opened and read by the Township Manager as follows: Environmental Landscaping Services \$156,000.00. Mr. Staufenberg made a motion to reject the bid. After requesting any comments and there being none, the motion was seconded by Mr. McQuirns and approved unanimously.

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Mr. McQuirns made a motion to approve the Finance Reports for July, 2007. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

The Chairman requested that the reading of the Committee Reports for July, 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 July, 2007. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

The Chairman introduced “Old Business” and called on Matt Brown of ARRO Consulting to review the Sanitary Sewer Lateral Repair Project. Matt Brown stated that out of the two hundred and fifty-one required repairs, two hundred and thirteen repairs have been paid for which include thirty-five repairs to be done by an outside contractor and one hundred and seventy-eight repairs to be made by N. Abbonizio. Forty-one additional repairs from the Whitehall Road area have been added. At this time the contractor has not agreed to put on a second crew. Mr. Brown encouraged the residents using an outside contractor to keep every detailed receipt as possible. Mr. Brown reviewed that those who have had their repairs completed that the final restoration is not yet complete because of the settling of the ground. As far as the August 31, 2007 deadline a substantial amount of residents have paid and the work is behind.

Mr. Brown reviewed that recently the township received three inches of rain in two days and with the work the Township staff has done with repairing vents, sump pump removals, roof drain removals, lateral repairs and the Taft Road lining there was not a single overflow.

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The Chairman asked if there were any questions at this time. Mr. Tryst Anderson of 3336 E. Hayes Road claims they are finding that the laterals were not installed correctly and questioned what the township intended on doing. Matt Brown of ARRO Consulting referred to a lateral that was not properly bedded, the code back when the laterals were installed was not very clear. Mr. Brown stated that everything found in every single lateral will be documented and presented to the township. Sharon Sexton of 1003 Pierce Road questioned why residents have to pay for the streets when the residents don't own the streets and questioned Ordinance No. 456 and when the ordinance was created. Township Solicitor, Bernadette Kearney advised Ms. Sexton she will look into Ordinance 456 and get back with her. Carol Gorman of 902 Pierce Road questioned what kind of guarantee is the township going to give the residents who have paid for their repair and the work has not been completed by the August 31, 2007 deadline concerning the grant reimbursement money. After some discussion, Mr. Staufenberg made a motion that the homeowners who have paid and that have applied for the proper permits and applications by August 31, 2007 at 5:00 p.m. will be eligible for the grant reimbursement. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. Staufenberg introduced the next item on the agenda, Consider Adoption of Ordinance No. 497 – Creation of HR-1 High Rise Zone. Township Solicitor, Bernadette Kearney reviewed the public hearing that was held earlier in the evening and Ordinance No. 497 creating HR-1 High Rise Residential District. Mr. Staufenberg made a motion to approve Ordinance No. 497. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

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Mrs. Heckman introduced the next item on the agenda, Consider Adoption of Ordinance No. 498 – Rezoning of Provident (MOG) Property to HR-1. Township Solicitor, Bernadette Kearney reviewed the public hearing that was held earlier in the evening and Ordinance No. 498 amending the zoning map of East Norriton Township by changing the zoning classification of a certain tract of ground from BP Business and Professional district to HR-1 High Rise-1 Residential district. Mr. Serratore made a motion to approve Ordinance No. 498. 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, Consider Adoption of Ordinance No. 500 – Traffic Impact Fee. Township Solicitor, Bernadette Kearney reviewed the public hearing that was held earlier in the evening and Ordinance No. 500 amending the code of East Norriton Township, specifically the subdivision and land development ordinance, by amending the traffic impact fee. Mr. Staufenberg made a motion to approve Ordinance No. 500. 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, Resolution No. 2367 – Village of Caralea LD Final Conditional Approval. Code Enforcement Director, Bryan Bortnichak reviewed Resolution No. 2367 granting conditional, final approval of the application for land development of Neighborfly, LLC for the Village of Caralea Development located at 911 West Germantown Pike, a fifty-four unit aged restricted development. Township Engineer, Bob Blue reviewed the waiver requests for this development. Mr. Staufenberg made a motion to approve Resolution No. 2367. After requesting any comments and there being none, the motion was seconded by Mr.

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Serratore and approved unanimously. Police Chief, John McGowan questioned the width of the streets. Code Enforcement Officer, Bryan Bortnichak reported that Traffic Planning and Design has run a template confirming that the largest piece of equipment can fit.

Mrs. Heckman introduced the next item on the agenda, Resolution No. 2368 – United Storage LD Final Conditional Approval. Code Enforcement Officer, Bryan Bortnichak reviewed Resolution No. 2368 granting conditional, preliminary/final approval of the application for land development of United Storage Partners, LP for the property at 535 West Germantown Pike for a seventy-six thousand square foot two story self storage facility. Township Engineer, Bob Blue reviewed the waiver requests. A representative for the developer reviewed the proposed development. After some discussion about possible water service to the property. The Board deferred consideration of this resolution until the September meeting.

Mr. Staufenberg introduced the next item on the agenda, Resolution No. 2345 – Crowley Foods Land Development. Township Solicitor, Bernadette Kearney reviewed Resolution No. 2345 re-approving the conditional final approval of the land development application no. 99-1, Crowley Milk Company, Inc. for the Gambone Organization for property located at 550 Foundry Road. Mr. Staufenberg made a motion to adopt Resolution No. 2345. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Mrs. Heckman introduced the next item on the agenda, Development and Construction updates. Code Enforcement Director, Bryan Bortnichak reviewed: Northwood Development – the Harleysville Bank is open and the PNC Bank will be

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opening within the next two to three weeks; Brightview Senior Living has a scheduled completion date of late January 2008; Wendy's located at Germantown and Route 202 has obtained zoning relief and plans should be received shortly; and 317 West Germantown Philomeno and Salamone has requested to use Belgium block within the development for the curbing. Mr. Serratore made a motion to approve the request from Philomemo and Salamone per Bob Blue's recommendation dated August 21, 2007. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Mr. Staufenberg introduced the next item on the agenda, Storm Drainage Issues/Projects. Township Engineer, Bob Blue reported: A. Briar Lane and Hillcrest Avenue watershed meeting with David Erb on August 29, 2007 with regards to the Evergreen project; B. Lawntown Road, Lafayette and Springview Roads – no update; C. 605 Meadowbrook Road – repair work costs \$250,000.00 - \$400,000.00 to repair; and D. Walgreen's drainage work – work to be completed in the Spring of 2008, Mrs. Mobley has been advised of the schedule.

Mrs. Heckman introduced the next item on the agenda, Traffic Issues. Township Manger, Helmuth Baerwald reviewed: A. Traffic improvements on Township Line Road – no update, Mr. Baerwald reviewed the transportation hearing that was held on August 16, 2007; B. Germantown Pike study – no update; C. Germantown Pike Corridor- no update.

Township Manager, Helmuth Baerwald reviewed the US Route 202 Widening and reported East Norriton Township's target date for the construction is 2011. Mr. Baerwald did represent to the study group that the Board of Supervisors is concerned

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with the blighted properties that are left in the corridor after the state comes in condemns them and tears them down.

Mr. Staufenberg introduced the next item on the agenda, Sanitary Sewer Issues. Stuart Rosenthal of Gilmore Associates reviewed: A. Act 537 update – pending; B. Timberlake Station Pump (Impellers) Replacement – faulty impellor returned and reinstalled and impellor continues to make noise and the pump is off line; C. Taft Road Sewer Interceptor Slip Lining Work – work completed and now dealing with punch list items; D. US 202 Widening required sewer work by the Township – submitted sewer sections that need to be repaired during the widening project; and E. Comparison of Flow Data Norris City and Saw Mill Run Pumping Stations – proposal for small study on agenda.

Mr. Serratore introduced the first item under “New Business”, Consider Resolution No. 2365 – St. Patrick’s Cemetery LD Waiver Request. Code Enforcement Director, Bryan Bortnichak reviewed Resolution No. 2365 granting a waiver of the requirements for the land development application for St. Patrick’s Cemetery for improvements consisting of four one-story mausoleums. Mr. Staufenberg made a motion to approve Resolution No. 2365. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. Staufenberg introduced the next item on the agenda, Resolution No. 2366 - LFT Realty Parking Lot LD Waiver Request. Code Enforcement Director, Bryan Bortnichak reviewed Resolution No. 2366 granting a waiver of the requirements for the land development application for the properties located at 2421 and 2425 Arch Road for improvements including the construction of a seventy-four car parking lot. Mr.

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Staufenberg made a motion to approve Resolution No. 2366 deleting item number seven and modifying item number eight. 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, Resolution No. 2369 – DeKalb Apartments LD Waiver Request. Code Enforcement Director, Bryan Bortnichak reviewed Resolution No. 2369. Township Manager, Helmuth Baerwald reviewed the basin outlet from the DeKalb Apartments property onto the PECO row and referred to the Robert E. Blue letter dated August 23, 2007. Jennifer Scully a representative for the DeKalb Apartments briefly reviewed the proposed plan. Police Chief, John McGowan questioned if there was an emergency management plan in order for evacuation. Ms. Scully will look into and see that the emergency contact forms for the apartment residents are available. Mr. Staufenberg made a motion to adopt Resolution No. 2369 with the addition of the Robert E. Blue letter dated August 23, 2007. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. McQuirns introduced the next item on the agenda, Resolution No. 2370 – Farm Park LD Waiver Request. Mr. McQuirns made a motion to approve Resolution No. 2370 granting a waiver of the requirements for a land development application for the Norristown Farm Park improvements to be installed in East Norriton Township including an access roadway identified in Phase I on a grading plan dated July 12, 2005. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously. Township Manager, Helmuth Baerwald introduced Mr. Jeff Larson the Farm Park superintendent.

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Township Manager, Helmuth Baerwald inquired with Mr. Larson about the Farm Park deer hunt. Mr. Larson reported that the Farm Park Advisory Committee recommended a deer hunt to be scheduled in the near future. Mr. Staufenberg thanked the Norristown Farm Park for allowing the Norriton Fire Engine Company do to training at their facility.

Mr. Serratore introduced the next item on the agenda, Jefferson Crossing Flood Plain Map Change. Township Engineer, Bob Blue reviewed a letter dated August 10, 2007 from the Federal Emergency Management Agency.

Mr. McQuirns introduced the next item on the agenda, Reduction of Emergency Access Easement Width Request – 531 Faith Drive. Code Enforcement Director, Bryan Bortnichak reviewed this request for a reduction from fifty feet to thirty feet for an emergency access easement. The Board recommended that this item be deferred until next month's meeting so that the appropriate Township staff can review the request.

Mr. Serratore introduced the next item on the agenda, Review Proposed Ordinance Regulating Demolition of Historic Resources. Township Manager, Helmuth Baerwald reviewed this item. Mrs. Heckman made a motion to authorize the advertisement of this ordinance for consideration at the September 25, 2007 meeting. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. McQuirns introduced the next item on the agenda, Authorize Advertisement of Ordinance No. 499 Local EMS Tax Amendments. Township Manager, Helmuth Baerwald reviewed Ordinance No. 499 which followed the enactment of Act 7 of 2007. Mr. Staufenberg made a motion to approve the advertisement of Ordinance No. 499 for

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consideration at the September 25, 2007 meeting. 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, Sanitary Sewer Lateral Repair Contract Change Order. Township Manager, Helmuth Baerwald reviewed change order no. 2 adding the amount of \$10,962.00 making a total of \$839,344.00. Mrs. Heckman made a motion to approve the Contract Change Order subject to a written confirmation by ARRO Consulting. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. McQuirns introduced the next item on the agenda, Schedule Elmwood Zoo Presentation. The Board of Supervisors recommended that the presentation take place at a future meeting.

Mr. Serratore introduced the next item on the agenda, Liquid Fuels Tax Fund Auditor General's Report. This is an announcement that this audit report for the period ending December 31, 2005 is available for public viewing during normal business hours of the township.

Mr. McQuirns introduced the next item on the agenda, Consider EDU Connection Management Plan. Township Manager, Helmuth Baerwald stated that the Department of Environmental Protection had sent a letter dated July 25, 2007 amending the township's Connection Management Plan to include the release of a total of fifty-four EDUs. Based on the payment schedule of sewer connections fees received the following is what is recommended for the distribution: Pimlico Farms - five EDU connections remaining for a total of forty-six EDUs; Crowley Foods - four EDU connections for a total of four EDU's complete; Tone 2000 - seven EDU connections for a total of seven EDUs

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complete; Heatherwood Development Sewer Diversion – twenty-eight EDU connections for a total of twenty-eight EDUs complete and Village of Caralea – ten EDU connections for a total of ten EDUs with a balance of forty-four EDUs to finish the project. Mr. Serratore made a motion to approve the recommended release of the sewer connections. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

Mr. Serratore introduced the next item on the agenda, Dedication of Reserve at Penn Crossing. The township has received a request dated July 27, 2007 to initiate the process of dedication for the Reserve at Penn Crossing. Township Solicitor, Bernadette Kearney reported that the deed of dedication is being prepared.

Mr. McQuirns introduced the next item on the agenda, Postal Issue 19403 Eagleville. Township Manager, Helmuth Baerwald reported he has been in contact with the postal service and those officials believe that a large mailer has caused this confusion and they are working on it. Mr. McQuirns made a motion to have the Township Manager write to Congressman Gerlach regarding this matter and possibly getting East Norriton Township their own zip code. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

Mr. Serratore introduced the next item on the agenda, East Norriton Community Day Announcement. Saturday, September 8th, 2007 at twelve o'clock with fireworks. Rain date is Sunday, September 9, 2007.

Mr. McQuirns introduced the next item on the agenda, Norriton Fire Engine Company meeting. This meeting was originally scheduled for September 18th, 2007. Mr. McQuirns made a motion to reschedule the meeting. After requesting any comments and

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there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Mr. Serratore introduced the next item on the agenda, Expenditure Authorization.

A. Pathway School Celebrity Golf Outing - \$50.00; Mrs. Heckman made a motion to approve item A. After requesting any comments and there being none, the motion was seconded by Mr. McQuirns and approved unanimously. B. NIMS training by KPN Consulting - \$6,150.00 maximum (\$205.00 per person at eighteen people); C. Old Arch and Rahway Avenue I & I measurements – Gilmore & Associates - \$2,000.00; D. Traffic Light Aluminum Back Plates (12) - \$2,170.00 and E. Taft Road Interceptor Lining Repair Work – Invoice \$104,576.00. Mr. Serratore made a motion to approve items B through E. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously

Mr. McQuirns introduced the next item on the agenda, Attendance Authorization.

F. MCATO Fall Convention – September 28, 2007; G. Police Training – Sergeant Stinson (Item was removed); H. Police Training – Officer Smith; I. 2007 AGRIP Governance/Leadership Conference – Manager (no fee); J. Cisco Training – Police Department – Vicki Schrack; and K. An Evening for Elmwood – September 19, 2007. Mr. McQuirns made a motion to approve items F, H through K. 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, Legislation. Township Manger, Helmuth Baerwald reviewed: Governor signs Transportation Funding Bill and the Governor signs anticipated changes to the EMS tax. Mr. Baerwald reported on

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legislation pending: Tax credit for volunteer emergency personnel, reimbursement for meth lab cleanup, primary election date, main street program, surplus state vehicles, alternates to planning commission, withholding liquid fuels funds, open space preservation, municipal landfill tipping fees, procedural challenges to land use ordinances and local government study commission.

Mr. Serratore reviewed the meeting schedule for August 28, 2007 through October 26, 2007.

Township Manager, Helmuth Baerwald reviewed an easement agreement from MRA Carwash. Mrs. Heckman made a motion to approve the MRA Carwash easement agreement subject to the solicitor's review. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously

There being no other business to come before the Board, the Chairman asked if there were any residents who wished to speak, Robert Greve – 3216 Nottingham Road wanted to bring to the township's attention the faucet in the men's room has been leaking for three months.

Mr. Serratore made a motion to adjourn the meeting at 10:03p.m. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.


Helmuth H. Baerwald
Secretary

