

East Norriton Township – Regular Meeting  
November 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 7:02 p.m. on Tuesday, November 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 introduced the first item on the agenda, Resolution No. 2390 Proclamation Christmas Holiday. The Chairman read into record Resolution No. 2390 proclaiming Saturday, December 1, 2007 as the official start of the Christmas holiday season in East Norriton Township. Mr. Serratore made a motion to approve Resolution No. 2390. 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, Presentation – Paul D. Errington, Jr. – Eagle Scout. The Board of Supervisors presented Paul Errington Jr. with a certificate for achieving the rank of Eagle Scout.

The Chairman announced that Sergeant Richard Ulmer has successfully completed his one year probationary period for the rank of Sergeant. Mr. Staufenberg made a motion to approve Sergeant Ulmer to permanent status. 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, Authorize Bids for Street Lighting Replacement. Mr. Serratore made a motion to authorize advertising of bids for

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street lighting replacement for opening at the December regular 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, Award Bid for Thermo Plastic Line Striping. Mr. Serratore made a motion to approve Public Works Director, Joseph Sorgini's recommendation dated November 15, 2007 to award the bid for the Thermo Plastic Line Stripping to PSX Inc. for \$16,525.00. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

The Chairman announced that the Board of Supervisors met in Executive Session earlier this evening to discuss matters of litigation and personnel, held a public meeting on Thursday, November 8, 2007 about the Liberty Bell Trail and met with the Norriton Fire Engine Board of Trustees on Thursday, November 15, 2007.

Mrs. Heckman made a motion to approve the minutes of the Regular Meeting of October 23, 2007. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

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

The Chairman requested that the reading of the Committee Reports for October, 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

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Committee Reports for October, 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, there were none.

Mr. Staufenberg introduced the first item under “Old Business”, Proposed 2008 Budget. Township Manager, Helmuth Baerwald reviewed Assistant Manager, Donald Delamater’s memo dated November 14, 2007 outlining the proposed 2008 budget.

Mrs. Heckman introduced the next item on the agenda, Resolution No. 2382 – Setting time and place for Public Hearing – Subdivision and Land Development Ordinance (SALDO). Township Solicitor, Christen Pionzio reviewed Resolution No. 2382 – setting time and place for public hearing - SALDO and Resolution No. 2383 – Setting time and place for Public Hearing – Zoning Ordinance and Map, the Township is adopting as new the Township’s subdivision and land development ordinance and the zoning ordinance and map as a result of recent case law in Pennsylvania. Mrs. Heckman made a motion to schedule the public hearing for Resolution No. 2382 for Monday, January 7, 2008 at 7:45 p.m. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously. Mrs. Heckman made a motion to schedule the public hearing for Ordinance No. 2383 Zoning Ordinance and Zoning Map for Monday, January 7, 2008 at 7:50 p.m. 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. 2384 – Barrington Property. Township Solicitor, Christen Pionzio reviewed Resolution No. 2384 authorizing the condemnation and taking of the property situated on Township Line

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Road, identified as parcel # 33-00-09835-00-5 for recreational purposes. Mrs. Heckman made a motion to approve Resolution No. 2384. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

The Chairman announced the next item, Resolution No. 2385 – Rescheduling time and place for Public Hearing – Power House Re-zoning Application will be tabled until after the January 7, 2008 regular meeting.

Mrs. Heckman introduced the next item on the agenda, Resolution No. 2386 – Final Condition Approval Evergreen Terrace Land Development. Code Enforcement Officer, Bryan Bortnichak reviewed the Evergreen Terrace land development project consisting of five duplex dwellings. Mr. Staufenberg made a motion to approve Resolution No. 2386. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously. Township Manager, Helmuth Baerwald asked Mr. Erb about the agreement pending approval later in the meeting. Mr. Erb said that he was fine with the agreement but, would have to check with his partner, Gambone.

Mr. Staufenberg introduced the next item on the agenda, Sanitary Sewer Lateral Repair Project. Matt Brown of ARRO Consulting, Inc. reported out of the two hundred and fifty-two properties that needed repair, to date one hundred and eighty-six properties are completed and of the remaining sixty-six properties, there are fourteen properties that have not paid or hired their own contractor. Mr. Brown reported that N. Abbonizio Contractors have a restoration crew out working. The contractor feels that additional monies are due but, N. Abbonizio Contractors have not supplied any detail. In the last

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thirty days the Township has had a substantial rain flow and the Germantown Pump Station has had an overflow with a fifty percent reduction. Mr. Brown reported that with flows down when the Joint Sewer Authority reassess the flows for the year that East Norriton Township should see a substantial improvement with their operating costs. Township Manager, Helmuth Baerwald reported that all the benchmarks for the Corrective Action Plan will not be met and asked that Matt Brown to write to Jesse Goldberg with the Department of Environmental Protection. Mr. Brown said he would draft a letter for our review before mailing it.

Mrs. Heckman introduced the next item on the agenda, Development and Construction Updates. Director of Code Enforcement, Bryan Bortnichak reported: Untied Storage at 535 West Germantown Pike has filed an appeal and submitted a second land development application that is currently being reviewed; the Pedestrian Bridge at the MRA Car Wash has been installed; and the Miller Brothers land development project received zoning relief in 2005 has one outstanding item per Township Engineer, Bob Blue's letter.

Mr. Staufenberg introduced the next item on the agenda, Traffic Issues. Township Manager, Helmuth Baerwald reported: A. Township Line Road traffic study – no new update; B. Germantown Pike Corridor – no new update; C. Germantown Pike widening - now new update; D. traffic signal modifications at DeKalb Pike and Township Line Road - a left turn signal (heading west of Township Line Road) has been installed and is in operation; E. Northwoods traffic signal – the Township has been alerted by a resident that this traffic signal may require repair due to possible timing of the left turn signal. The Northwoods developer has been notified of this problem and he will be contacting the

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traffic signal contractor to review the matter and take appropriate action; and F. the Township has requested the developer, DeKalb Apartments to install a preemption device on the signal at the entrance to the apartment complex and the K-Mart shopping center. The traffic impact fee will be credited for the cost of this work.

Township Manager, Helmuth Baerwald reported that he attended a PADOT meeting on November 15, 2007 and responded to a letter that was in the November 12, 2007 Times Herald stating that the left turn lane traveling North on Route 202 at the intersection of Germantown Pike in East Norriton Township is like riding on a washboard. Mr. Baerwald brought this to the attention of PADOT who advised that this area of road is slated for repair with the Route 202 widening. Mr. Baerwald advised that this roadway should be repaired sooner than the road widening work scheduled to begin in late 2011. Mr. Baerwald reported that seventy-seven properties are in the right of way for the Route 202 widening project along Route 202 from Johnson Highway to Township Line Road and the lists of these properties are available for review at the Township building.

Mr. Staufenberg introduced the next item on the agenda, Sanitary Sewer Issues. Mr. Stuart Rosenthal of Gilmore Associates reviewed: A. Timberlake Station Pump (Impellers) Replacement – the Township has received the repaired impellor and are awaiting installation; B. Taft Road Sewer Interceptor Slip Lining work and contractor issues – the work is complete and of the punch list of six items, two have been addressed; C. Stony Creek Stabilization work and contractor issues – the sewer has been slip lined however, during the slip lining the pressure of the slip lining damaged a portion of the pipe line. Gilmore Associates has been in contact with the contractor to return to that

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location for repair; and D. Comparison of Flow Data – Norris City and Saw Mill Run Pumping Stations – nothing new to report.

Mrs. Heckman introduced the next item on the agenda, Emergency Access Easement Agreement – 531 Faith Drive. Township Solicitor, Christen Pionzio reviewed the amendment to deed of easement amending the emergency access easement from fifty feet to thirty feet. Mr. Staufenberg made a motion to approve the execution of the amendment pending the legal description being attached to the amendment and the payment of the costs to prepare the documents being paid by the requester. 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, Crowley Foods Escrow Agreement. Township Solicitor, Christen Pionzio reviewed the Application and Agreement for Crowley Foods. Mr. Staufenberg made a motion to approve execution of the Crowley Foods Escrow Agreement when it is in its final form. 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, Beasley Easement Recording. This is an informational item; the Township has received the recorded easement.

Mr. Staufenberg introduced the next item on the agenda, Heatherwood Alternate Sewer Agreement. Township Solicitor, Christen Pionzio reviewed the Sewer Agreement.

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Mr. Staufenberg made a motion to approve execution of the agreement upon the agreement being put in final form. 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, Reserve at Penn Crossing Dedication. Township Solicitor, Christen Pionzio stated that The Cutler Group is working on a punch list and the Deeds of Dedication are being worked on by her office.

Mr. Serratore introduced the first item under “New Business”, 2007 Final Budget Revision. Township Manager, Helmuth Baerwald reviewed the budget revisions dated November 15, 2007. Mr. Baerwald announced that these budget revisions are available for public inspection during normal business hours. Mr. Serratore made a motion to approve the budget revisions as prepared by the Finance Director. After requesting any comments and there being none, the motion was seconded by Mr. McQuirns and approved unanimously.

Mr. McQuirns introduced the next item on the agenda, Resolution No. 2387 – Consider Scheduling Public Hearing IN – Institutional District. And Resolution No. 2388 – Consider Scheduling Public Hearing for Zoning Map Changes. Joseph Kuhles a representative for Albert Einstein Healthcare Network along with Richard Mantalbano a Vice President and Project Executive for Albert Einstein Healthcare Network reviewed the proposed project for the Wood’s Golf Center and the various properties listed in Resolution No. 2388 along Germantown Pike for possible rezoning to IN – Institutional District. Township Solicitor, Christen Pionzio reviewed the scheduling of the public hearings for Resolution No. 2387 and 2388 that will need to be scheduled at the January 7, 2008 regular meeting which also needs to be scheduled.

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Mr. Staufenberg introduced the next item on the agenda, Storm Drainage Issues/Projects. Township Engineer, Bob Blue reviewed: A. Briar Lane and Hillcrest Avenue Watershed –work will be done with conjunction of the proposed Evergreen project; B. Storm Water System design plans for Lawnton Road – no new update; C. 605 Meadowbrook Road – filing of the holes have been completed by the Public Works Department and the right of way has been cleared; and D. Walgreen’s storm drainage work to begin in the spring and the Viglianese basement water problem - Mr. Viglianese has not had any water in his basement.

Mr. Staufenberg introduced the next item on the agenda, Waiver Request 317 West Germantown Pike. Township Engineer, Bob Blue reviewed the waiver request for the one foot of freeboard from the hydraulic grade line to the top of the inlet grate. Mr. Staufenberg made a motion to approve the waiver request as outlined in Woodrow & Associates letter dated November 8, 2007. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approve unanimously.

Township Manager, Helmuth Baerwald reviewed the next item on the agenda, Resolution No. 2389 – Consider Scheduling Public Hearing Williamstadt Zoning Change. This item will be scheduled at the January 7, 2008 regular meeting.

Mr. Serratore introduced the next item on the agenda, Pennsylvania American Water Settlement Stipulation. Township Solicitor, Christen Pionzio reviewed the settlement stipulation with Pennsylvania American Water and the Montgomery County Board of Assessment Appeals the year 2005 assessment at \$1,740,000 and through the year 2008 at \$1,495,000. Mr. Serratore made a motion to approve the stipulation. After

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requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approve unanimously.

Mr. McQuirns introduced the next item on the agenda, Authorize Advertisement Recycling Ordinance Amendments. Township Manager, Helmuth Baerwald reviewed that residents will be notified by a mailer about the curbside yard waste collection program that will begin in January 2008 with the collection of Christmas trees. This is part of the mandated Act 101 in order to stay in compliance. Mr. McQuirns made a motion to authorize advertising of the amendments for consideration at the December regular meeting. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approve unanimously. Mr. Staufenberg made a motion to authorize the distribution of the necessary communications be sent to notify the residents of the yard waste collection program. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approve unanimously.

Mr. Serratore introduced the next item on the agenda, Expansion of Zoning Hearing Board. Township Solicitor, Christen Pionzio reviewed the process to change the size of the Zoning Hearing Board by an ordinance. Mrs. Heckman made a motion to have the Township Solicitor look into the possibility of adding an alternate member to the Zoning Hearing Board. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approve unanimously.

Mr. McQuirns introduced the next item on the agenda, Waiver Request of Permit Fees Norriton Fire Engine Company Repairs to Substation. The Township has received a letter from the Norriton Fire Engine Company requesting the waiver of permit fees for the repair of the substation. Mr. McQuirns made a motion to approve the waiver of

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permit fees request for the Norriton Fire Engine Company Substation. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approve unanimously.

Mr. Serratore introduced the next item on the agenda, Board and Commission Term expiring 12/31/07. Mr. Serratore announced that there will be a number of terms expiring on the various boards and commissions of the Township. Any residents who would like to serve on any of these boards or commissions should send a letter of interest to the Township Manager.

Mr. McQuirns introduced the next item on the agenda, Authorization to advertise Appointment of Auditor at Reorganization Meeting. Township Manager, Helmuth Baerwald explained the procedure if the Township hires an independent auditor. Mr. McQuirns made a motion to authorize advertisement for the January 7, 2008 reorganization meeting. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approve unanimously.

Mr. Serratore introduced the next item on the agenda, Expenditure Authorization. A. Sidewalk construction along Germantown Pike - \$21,737.92; B. Contribution to ENGAA and ENLL for 2007 - \$6,000.00 from IDA; C. Dolan Construction end wall at MRA Car Wash - \$2,875.00; D. Stony Creek stream bank stabilization repairs - \$19,100.00; and E. Recycling flyers - \$2,025.00. Mr. Serratore made a motion to authorize items A through E. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approve unanimously.

Mr. McQuirns introduced the next item on the agenda, Attendance Authorization. A. Police Training – Officers Cover and Lopoten - \$700.00; B. Chamber of Commerce

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Awards Dinner - \$60.00 per person; and C. Christmas Party Attendance. Mr. McQuirns made a motion to authorize items A through C. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approve unanimously.

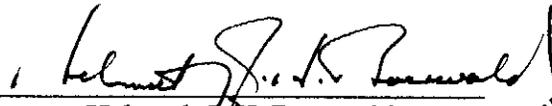
Mr. Serratore introduced the next item on the agenda, Legislation. Township Manager, Helmuth Baerwald reported: Appointment of Alternate Planning Commission Members, Exclusion to the Pennsylvania Construction Code Act, Municipal Registration of Deeds and Bid Limit Package Reintroduced.

Mr. McQuirns reviewed the meeting schedule for November 18, 2007 through January 7, 2008.

There being no other business to come before the Board, the Chairman asked if there were any residents who wished to speak, there were none.

The Board of Supervisors congratulated Chairman, Donald Gracia for being elected as Chairman, Townships Over 10,000 Population Committee .

Mr. Serratore made a motion to adjourn the meeting at 8:38 p.m. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

  
Helmuth J. Baerwald  
Secretary

