

East Norriton Township – Regular Meeting
March 24, 2009

The Regular Meeting of the Board of Supervisors of East Norriton Township was called to order by the Chairman, Mr. Lewis McQuirns, at 7:05 p.m. on Tuesday, March 24, 2009, at the Township Municipal Building. Supervisors present were Lewis K. McQuirns, Donald J. Gracia, 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, Commendation to Officer Timothy Brennan. Police Chief, John McGowan presented Officer Timothy Brennan a Merit Commendation for his professional and decisive action leading to the arrest of a subject for an alleged theft of two motor vehicles and thefts from nine other vehicles on July 30th and 31st, 2008.

The Chairman introduced the next item on the agenda, Presentation by PECO. Suzanne Ryan with PECO congratulated East Norriton Township on celebrating one hundred years and presented the Township with a picture.

The Chairman introduced the next item on the agenda, Open Bids – Equipment Leasing with Operators and Road Materials. The Chairman asked if there were any additional bids. Mr. Gracia made a motion to close the bids for Equipment Leasing with Operators and Road Materials. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

The bids for Equipment Leasing with Operators and Road Materials were opened and read by the Township Manager as follows: Rahns Construction Materials, P. K. Moyer & Sons Inc., Independence Construction Materials, Glasgow Inc. and JDM

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Materials. Mr. Staufenberg made a motion to defer the bids for review by staff and recommend for award at the April regular meeting. 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 the sale of two Township vehicles and one Fire Company vehicle. The Chairman asked if there were any additional bids. Mrs. Heckman made a motion to close the bids for the sale of two Township vehicles and one Fire Company vehicle. After requesting any comments and there being none, the motion was seconded by Mr. Staufenberg and approved unanimously.

The bids for the two Township vehicles and one Fire Company vehicle were opened and read by the Township Manager as follows: Todd Doney – 1996 Dodge 1500 4 x 4 - \$1,621.79; Police Cars Store LLC – 1994 Crown Victoria - \$800.00; Matthew Brennan – 1996 Dodge 1500 4 x 4 - \$1,800.00; Alan Zimmer – 1998 Chevrolet 3500 4 x 4 Dump Truck - \$110.00; M & E Truck Sales - 1998 Chevrolet 3500 4 x 4 Dump Truck - \$5,169.00, 1996 Dodge 1500 4 x 4 - \$1,269.00, 1994 Crown Victoria - \$569.00; J & J Transport - 1996 Dodge 1500 4 x 4 - \$1,551.00, 1998 Chevrolet 3500 4 x 4 Dump Truck - \$4,051.00; Todd Doney - 1998 Chevrolet 3500 4 x 4 Dump Truck - \$4,591.96; Providence Self Storage - 1998 Chevrolet 3500 4 x 4 Dump Truck - \$3,535.35; Matthew Brennan - 1994 Crown Victoria - \$850.00; Marks Motors - 1998 Chevrolet 3500 4 x 4 Dump Truck - \$6,777.00, 1996 Dodge 1500 4 x 4 - \$1,875.00; Cosimo Riccioli & Sons - 1998 Chevrolet 3500 4 x 4 Dump Truck - \$5,500.00; and Rogers Auto Sales - 1996 Dodge 1500 4 x 4 - \$560.00, 1998 Chevrolet 3500 4 x 4 Dump Truck - \$2,280.00. Mr. Staufenberg made a motion to have Township staff review all bids and make a

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recommendation. 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, Review Bids – Sanitary Sewer Rehabilitation Work. Stuart Rosenthal of Gilmore & Associates, Inc. reviewed the four bids that were received and reviewed his recommendation in a letter dated March 24, 2009. Mr. Staufenberg made a motion to award the bid for the Sanitary Sewer Rehabilitation Work to Tri-State Grouting LLC for \$85,100.00 subject to review of documents by the Township Finance Department. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

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

Mrs. Heckman made a motion to approve the minutes of the Regular Meeting of February 17, 2009. 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, Finance Reports for February, 2009. Mrs. Heckman made a motion to approve the Finance Reports and Receipts and Warrants for February, 2009. After requesting any comments and there being none, the motion was seconded by Mr. Gracia and approved unanimously.

The Chairman requested that the reading of the Committee Reports for February, 2009 be deferred and also commented that the Committee Reports were available on the table in the back of the meeting room. Mr. Gracia made a motion to approve the

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Committee Reports for February, 2009. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

The Chairman asked if there were any questions of the committee reports. Nick Viglianese of 3105 Whitehall Road questioned if letters were received regarding the Act 537 Special Study and the review period.

The Chairman asked if there were any citizens to be heard; Frank Ianuzzi on behalf of State Representative Matt Bradford announced that both district offices are now open at 2000 Bustard Road Suite 6 Cedars, and 1846 Markley Street Norristown. Lois Campana of 3256 East Hayes Road expressed concerns about a FEDEX truck being parked on Hayes Road. Police Chief, John McGowan will address the illegal parking issue. Nick Viglianese of 3105 Whitehall Road reported that he found dead frogs, turtles and fish in the ponds at Wood's Golf Center. The Township will follow up with the DEP. Mr. Viglianese also reported that he attended the County Commissioners monthly meeting and he claims that the County does not plan to use the stimulus money for Germantown Pike. Mr. Viglianese also questioned the traffic issue with MRA Carwash. Police Chief, John McGowan responded to Mr. Viglianese. Michael Price of 2918 North Whitehall Road questioned the Township's concerns with the dead fish in Wood's ponds. Township staff responded that DEP will be notified.

Mrs. Heckman introduced the first item under "Old Business", Resolution No. 2445 – Congratulations West Norriton Township 100th Anniversary. Mrs. Heckman read Resolution No. 2445 into record that was presented to the West Norriton Township Board of Commissioners at the recent Centennial Dinner held March 7, 2009. Mr. Serratore

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made a motion to affirm Resolution No. 2445. 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, Resolution No. 2442 – Mr. and Mrs. Joon Nam – 2940 DeKalb Pike – grant extension of land development. Code Enforcement Director, Bryan Bortnichak reviewed Resolution No. 2442. Mr. Staufenberg questioned the feasibility of this facility with the pending Route 202 widening project. Mr. Staufenberg made a motion to approve Resolution No. 2442. 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, Mission Kids Land Development Waiver Request. The Board of Supervisors requested a joint letter from all of the consultant agencies about how the development will meet all development standards. Ed Duffy from the Farm Park Preservation Association questioned that long term leases do not exist. Deb Knawby of 3100 North Wales Road questioned if waivers are granted then would there be no public comment process. Mrs. Heckman made a motion to table this item until next month's meeting. After requesting any comments, the motion was seconded by Mr. Staufenberg and approved unanimously.

Mr. Staufenberg introduced the next item on the agenda, Township Emergency Management Program. Police Chief, John McGowan reviewed a letter dated February 4, 2009 from the County of Montgomery Director of Public Safety advising the status of East Norriton Township's emergency management program.

Mrs. Heckman introduced the next item on the agenda, Bocce Courts – Update. Township Manager, Helmuth Baerwald reviewed the estimated costs of the proposed

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project. The Township has asked the engineers to look at a different site and another concept will be presented.

Mr. Staufenberg introduced the next item on the agenda, Developments and Construction Updates. Code Enforcement Director, Bryan Bortnichak reviewed: The Planning Commission will meet on April 1st and April 8th at 7:00 p.m. at the East Norriton Middle School to review Albert Einstein's final land development plans and any other business that comes before the commission. McDonalds is proceeding. Mr. Bortnichak reported that no new U & O permits have been issued for new construction for the past six months.

Mrs. Heckman introduced the next item on the agenda, UCC Inspections. Township Solicitor, Christen Pionzio reviewed recent litigation regarding UCC Inspections.

Mr. Staufenberg introduced the next item on the agenda, Storm Drainage Issues/Projects. Township Engineer, Bob Blue briefly reviewed his draft storm water report.

Mrs. Heckman introduced the next item on the agenda, Traffic Issues. Staff Engineer, Doug Jones reviewed the Traffic Incident Management System that will result from Route 476 construction. Mr. Jones reviewed the PADOT Route 202 project through Norristown. Jerry Baker of Traffic Planning and Design, Inc. reviewed the proposal for the data collection on North Wales Road. Mr. Baker suggested that the Township prepare an ordinance which established guidelines for traffic calming measures. Mr. Staufenberg suggested that the Township write to the residents along North Wales Road.

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Connie Bennett of 2910 Whitehall Road expressed that the Township must look at all options to slow vehicles down and need a regional approach. Michael Price of 2918 North Whitehall Road asked if there are studies showing that speed rate signs are working and slowing down the traffic. Mr. Staufenberg made a motion to keep this an open item for continued dialogue and to draft an ordinance to establish guidelines for traffic calming. 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, Sanitary Sewer Issues. Stuart Rosenthal of Gilmore & Associates, Inc. reported that the Special Study is in the final stages of the process. Mr. Rosenthal reported that he is looking for the Township to consider adopting the Special Study at the April regular meeting. Einstein is working of the planning modules and the thirty day public comment period for the planning modules has begun. Doug Jones, Staff Engineer reviewed the draft 2009 first quarter report for the Corrective Action Plan. Mr. Staufenberg made a motion to approve to send the CAP with any changes through March 31st. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Nick Viglianese of 3105 Whitehall Road expressed concerns with the relying on the Einstein development for solving Township sewer problems. The Township will modify the language to be clear that Einstein has not yet received final land development approval. Deb Knawby of 3100 North Wales Road questioned what the planning module is and when was it advertised. Township staff and consultants responded to Mr. Viglianese and Mrs. Knawby.

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Mrs. Heckman introduced the next item on the agenda, Vision Quest. Township Solicitor, Christen Pionzio reported that the hearing has been continued because of opposition to the project. Mr. Gracia made a motion to authorize the Township Solicitor to appear on behalf of East Norriton Township if this should move forward. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

Mr. Gracia introduced the first item under “New Business”, Authorize Advertisement of Ordinance – Register of Deeds. Township Solicitor, Christen Pionzio reviewed the draft ordinance. Mr. Staufenberg made a motion to authorize advertisement for consideration at the April regular meeting. 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. 2446 – Adopting Rules and Regulations for an Identity Theft Program. Assistant Township Manager, Donald Delamater reviewed Resolution No. 2446. Mr. Staufenberg made a motion to approve Resolution No. 2446. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Mr. Staufenberg made a motion to add Resolution No. 2447 and Resolution No. 2448 to the agenda. 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. 2447. Assistant Township Manager, Donald Delamater reviewed Resolution No. 2447 amending the policy concerning the inspection and copying of public records. Mr. Staufenberg made a motion to approve Resolution No. 2447. After requesting any

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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. 2448. Mr. Serratore made a motion to schedule a Public Hearing on Zoning Text Amendments and Zoning Map change for Tuesday, May 26, 2009 at 6:30 p.m. After requesting any comments and there being none, the motion was seconded by Mr. Gracia and approved unanimously. Deb Knawby of 3100 North Wales Road questioned if new zoning is actually family friendly.

Mr. Gracia introduced the next item on the agenda, In-State memorandum of Agreement – Mutual Aid. Mr. Staufenberg reviewed the ISMOA (In-State Memorandum of Agreement). Mr. Gracia made a motion to approve the execution of the ISMOA. 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, Appointment of Township Secretary/Treasurer. Mr. Serratore made a motion to appoint Donald D. Delamater as the Township's Secretary/Treasurer due to the pending retirement of the current Secretary/Treasurer and to provide continuity of Township business. This will take affect upon receipt of Mr. Delamater's appropriate Treasurer's Bond. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Mr. Gracia introduced the next item on the agenda, Assessment Appeal - 2840 Swede Road. Township Solicitor, Christen Pionzio reviewed the appeal between the Norristown Area School District involving the property at 2840 Swede Road. Mrs.

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Heckman made a motion to authorize the Township Solicitor to execute the Stipulation to Settle. 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, Farm Park Right Of Way on Germantown Pike. There was nothing to report.

Mr. Gracia introduced the next item on the agenda, East Vincent Township Purchase of Penn Hurst Property. Mr. Gracia reviewed an article that printed in the *Pottstown Mercury*. Mr. Staufenberg made a motion to request Representative Vereb and Representative Bradford and State Senators to broker a meeting between East Norriton Township, West Norriton Township and Norristown officials to develop a strategy to keep the Norristown Farm Park as open space. 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, Request to Film at Norris City Cemetery. Township Manager, Helmuth Baerwald reviewed a request the Township received to film a scene at the Norris City Cemetery in late April. Mr. Staufenberg made a motion to authorize use of the cemetery for film. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

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

- A. Commemorative Ad Book Chamber Awards - \$175.00 – full page;
- B. Heating and AC maintenance service plans – Ross Mechanical - \$4,357.00;
- C. Stony Creek Anglers Trout Sponsorship - \$100.00;
- D. Homer Group – Township History Book - \$18,025.00 or \$19, 540.00 (112 pages or 128 pages);
- E. Gilmore Associates – H2O Grant Application

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Proposal - \$3,800.00; F. Gilmore Associates – Sewer Construction Standards and Maintenance - \$5,500.00; G. DeSage Park Easement Survey - \$500.00; and H. NASD Golf Outing. Mr. Gracia made a motion approve items A through H. 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 Authorization. A. PA House of Representatives Luncheon – April 17, 2009 – Chateau Granieri; and B. June 2009 AGRIP Insurance Conference – Township Manager – no fee. Mr. Serratore made a motion to authorize items A and B. After requesting any comments and there being none, the motion was seconded by Mrs. Heckman and approved unanimously.

Mr. Gracia reviewed the meeting schedule for March 23, 2009 through May 4, 2009.

The Chairman introduced the next item on the agenda, Legislation. There was nothing to report.

The Chairman asked if there any Other Business. Code Enforcement Director, Bryan Bortnichak reviewed a request from the Norristown Lions Club to waive the sign permit fees for a Flea Market event to be held on Saturday, June 6, 2009 at the Northtowne Plaza. Mr. Bortnichak also reviewed that there would be a fee for a special outdoor event. Mr. Gracia made a motion to waive all fees for the Norristown Lions Club event. After requesting any comments and there being none, the motion was seconded by Mr. Serratore and approved unanimously.

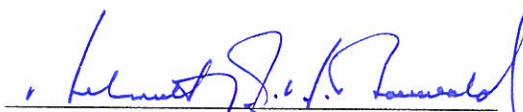
Mr. Serratore made a motion to authorize the Township Manager to execute the El Salvador escrow release document and to return the \$2,500.00 escrow. After

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requesting any comments and there being none, the motion was seconded by Mr. Gracia 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, Nick Viglianese of 3105 Whitehall Road noted the upcoming Planning Commission meeting to be held on Wednesday, April 1st and Wednesday, April 8, 2009 at the East Norriton Middle School at 7:00 p.m.

Mr. Staufenberg made a motion to adjourn the meeting at 9:50 p.m. After requesting any comments and there being none, the motion was seconded by Mr. Gracia and approved unanimously.



Helmuth J. H. Baerwald
Secretary

