

East Norriton Township – Regular Meeting
July 23, 2013

The Regular Meeting of the Board of Supervisors of East Norriton Township was called to order by the Chairman, John Zurzola at 7:18 p.m. on Tuesday, July 23, 2013, at the Township Municipal Building. Supervisors present were John A. Zurzola, Harris A. Dainoff, Donald J. Gracia, Marc A. Alfarano and Tina Howell.

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, Swearing in of New Police Officer – Thomas Douglas. The Chairman swore in East Norriton Township's newest Police Officer, Thomas Douglas. Chief of Police, Kary Kates briefly reviewed Officer Douglas' background.

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

The Chairman introduced the next item on the agenda, Approval of Meeting Minutes. Mr. Alfarano made a motion to approve the minutes of the Regular Meeting of June 25, 2013. The motion was seconded by Mr. Dainoff. After requesting any comments and there being none, the motion was approved unanimously.

The Chairman introduced the next item on the agenda, Approval of the Financial Reports for June 2013. Mrs. Howell made a motion to accept the Financial Reports. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

The Chairman introduced the next item on the agenda, Committee Reports for June 2013. Mr. Gracia made a motion to accept the Committee Reports. The motion was seconded by Mr. Dainoff. After requesting any comments and there being none, the motion was approved unanimously.

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The Chairman asked if there were any comments from the Board of Supervisors, there were none.

The Chairman asked if there were any citizens to be heard, there were none.

Mr. Alfarano introduced the first item under “Old Business”, Resolution No. 2611 – Intermunicipal Transfer of Liquor License Decision. This was the subject of a public hearing held early in the evening and has been duly advertised. Township Solicitor, Sean Kilkenny reviewed that the Board of Supervisors standard is substantial evidence to granting the license with prejudice to the health, welfare and safety of the East Norriton residents. Mr. Kilkenny reviewed the process if the Board of Supervisors denies the transfer of the liquor license. Chairman Zurzola stated that in the public hearing he did not hear testimony, opinions or facts that would convince him that granting the liquor license would be against the health, welfare and safety of the Township. Mrs. Howell stated that it sounds that all the basis are going to be covered as far as restricting the people who they sell to and the process they go through to make a purchase. Mr. Dainoff stated that he is in agreement with Mrs. Howell. Mr. Dainoff made a motion to approve Resolution No. 2611 granting approval of the Intermunicipal Transfer of the Liquor License to East Norriton Township. The motion was seconded by Mr. Alfarano. The Chairman asked for any public comments. Ken Christovich of 2937 Tanglewood Lane stated he would like the Board of Supervisors to consider how many licenses there are to serve alcohol already registered in East Norriton Township and if the number of citizens are counted in the ratio as to what determines to be appropriate per capita. Mr. Christovich asked the Board of Supervisors to table this item to be discussed in public again. Mr. Christovich expressed a few other concerns. Mark Kozar of Flaherty & O’Hara representatives for Weis Markets, Inc. addressed the comments made by Mr. Christovich. Mr. Dainoff commented that there are eleven active of the twenty-one issued liquor licenses in East Norriton Township and that he feels there is no benefit in tabling this item, his motion stands. After the comments, the motion was approved unanimously.

Mr. Dainoff introduced the next item on the agenda, Ordinance No. 547 – Implement Taxpayer Bill of Rights. Township Manager, Donald Delamater read and

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reviewed Ordinance No. 547 which was duly advertised implementing the provisions of the local taxpayer bill of rights, authorizing adoption of the regulations, establishing an appeal procedure, designating the taxes subject to the ordinance, including severability and repealer clauses. Mr. Alfarano made a motion to approve Ordinance No. 547. The motion was seconded by Mrs. Howell. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Alfarano introduced the next item on the agenda, Resolution No. 2612 – Implement Taxpayer Bill of Rights. Township Manager, Donald Delamater reviewed Resolution No. 2612. Mr. Dainoff made a motion to approve Resolution No. 2612. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Dainoff introduce the next item on the agenda, Ordinance No. 548 – Responsible Contractor. Township Solicitor, Sean Kilkenny reviewed Ordinance No. 548 which was a topic of discussion at last month's meeting and has been duly advertised. Ordinance No. 548 amends the administrative code of the Township of East Norriton adopting responsible contractor provisions for public projects valued at over twenty-five thousand dollars, requiring contractor and subcontractor responsibility certification of qualifications, providing for notice of award of contracts, establishing review procedures and a public review process. Mrs. Howell made a motion to approve Ordinance No. 548. The motion was seconded by Mr. Alfarano. The Chairman asked for any public comments. Mary Tebeau, President and CEO of Associated Builders and Contractors stated that Associated Builders and Contractors are a construction association and represent open shop and merit shop companies. ABC operates a state and federally approved apprenticeship program for many different construction trades in the area. Ms. Tebeau expressed concern with the ordinance that is being considered and the only meaningful type of training that would be recognized per the ordinance is training that is approved through federal or state apprenticeship programs. Ms. Tebeau provided the Board Supervisors with a hand out. Bob Capps, member of ABC, employed by Allan A. Myers stated many companies have programs in their own companies to provide training for employees. Mr. Capps stated when ordinances like this one being considered limits the ability of bidders to bid the work

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then prices would sky rocket. John Judge, Education Director for ABC and former director for the Bureau of Labor Law Compliance for PA read a statement regarding the importance of education and the different educational programs in the area. Mr. Dainoff questioned the Solicitor that this ordinance relates only to projects the Township is bidding on for themselves. Mr. Kilkenny stated that the ordinance is for those working for the Township. Mr. Judge asked the Board of Supervisors to amend the proposed ordinance to accept other types of education. The Chairman called for a vote approving Ordinance No. 548 with Mr. Dainoff, Mr. Alfarano and Chairman Zurzola voting for the ordinance and Mr. Gracia and Mrs. Howell voting no.

Mr. Alfarano introduced the next item on the agenda, Einstein Montgomery Hospital Improvements – Township Payment. Township Manager, Donald Delamater reported that at last month's meeting this item was presented to the Township and the Board of Supervisors authorized the Township staff and Consultants to review the documentation that was presented. Mr. Delamater stated that the review and analysis is continuing to take place and that he hopes to have more information at next month's meeting.

Mr. Dainoff introduced the next item on the agenda, Developments & Construction Updates. Code Enforcement/Zoning Director, Bryan Bortnichak reviewed the parking lot expansion at the Bentwood Executive Campus, a tenant has taken another half of a floor in the building that will necessitate additional parking. An additional sixty-one parking spaces have been added; the Montgomery County Conservation District project being performed on the property of the East Norriton Middle School has installed an infiltration bed that will become a rain garden around an existing inlet that will pick up the flow of water from the soccer field. Also, stream bank stabilization was performed by placing rip rap along the stream bank. Mr. Alfarano asked is plantings were going to be placed at the basin. Mr. Bortnichak stated he did not believe planting were being added, leaf compost from the Township's compost site was used to help catch the run off. Mrs. Howell asked how come the residents along Stoney Creek can't use something like the rip rap. Mr. Bortnichak would need to speak with the MC Conservation District as to the arrangements made with the DEP in securing grant money to do this project. Mr. Jones stated one of the concerns along the Stoney Creek is the volume and velocity of water, the size of the

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material would wash down stream.

Mr. Alfarano introduced the next item on the agenda, Storm Drainage Issues/Projects. Staff Engineer, Doug Jones reviewed: Pierce Road storm drainage project and the deteriorated corrugated metal pipe that was in place and the new pipe that has been installed. Mr. Jones reported that with the flooding concerns we have had lately with the significant rain events that have occurred on three occasions in a six week period the Township has had flooding at three locations; North Wales Road and Marcia Lane, Wellington Road and St. Vincent Street and along Barbara Drive. He noted that the drainage in all three of these areas is connected and ultimately drains to the North Wales Road and Marcia Lane system. When the Township does experience flooding events it is typically rainfall intensity and the storm sewer system cannot hold that kind of capacity/volume. Mr. Dainoff asked if the Township has been monitoring the area where Ignas family lives and if there have been any issues. Mr. Jones reported that whenever the Public Works Department gets called out for sanitary sewer high level conditions with significant rain events that is one area that is checked and there have been no issues in that area. Lorraine Lee of 2011 Birchwood Drive commented about her property and the amount of water that accumulates during the storms and asked that when the staff is surveying the Township to please check on Birchwood Drive. Township Manger, Donald Delamater brought to the Board of Supervisors attention a storm water issue at the Cole Manor School; recently the little league made some modifications to the fields and by doing the modifications they have created a water problem where the water is channeled onto a neighbor's property. The Norristown School District and the Little League have come up with a proposal to regrade the area to attempt to redirect the water away from the neighbor's property. Mr. Delamater asked the Board of Supervisors to authorize the Township Engineer to review the proposed plan, the Board agreed.

Mr. Dainoff introduced the next item on the agenda, Traffic Issues. Staff Engineer, Doug Jones reported: A. Penn DOT's Markley Street Improvement Project is continuing. Mr. Jones reported that Pennsylvania American Water Co. is in the process of road restoration from water main breaks on Township Line Road and will be shortly starting on North Wales Road near Marcia Lane and Spring House Lane and there will be traffic

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impacts. Ken Christovich of 2937 Tanglewood Lane asked about the timing of the traffic lights on Germantown Pike. Mr. Jones stated that the traffic signals from Potshop Road to Swede Road are coordinated beyond that it is not an interconnected system so it is not running a system timing.

Mr. Alfarano introduced the next item on the agenda, Sanitary Sewer Issues. Staff Engineer, Doug Jones reported: A. Germantown Pike Parallel Force Main Project – is wrapping up. Mr. Jones reported that with the storms that occurred last night the Norris City Avenue Pump Station took a lighting strike, the pump station pumps two million gallons a day, no overflows occurred and the Township is working to get the pump station back into normal operation. Mr. Alfarano asked about the backup generator. Mr. Jones reported that power was not lost, the lighting strike affected some of the electrical components of the system.

Mr. Dainoff introduced the next item on the agenda, Financial Update. Finance Director, Eric Traub provided an update of the Township's financial condition. Mr. Traub reminded residents that the current/newly formatted sewer bills are due on July 31, 2013.

Mrs. Howell introduced the first item under "New Business", Expenditure Authorization. A. Police Athletic League Food and Wine Festival Program Ad – ½ page ad - \$500.00; and B. Stormwater Management Ordinance Update and MS4 Services – Remington & Vernick Engineers – not to exceed \$17,600.00. Mrs. Howell made a motion to approve items A and B. The motion was seconded by Mr. Dainoff. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Gracia introduced the next item on the agenda, Attendance Authorization. A. East-West Norriton Fire Companies Golf Outing Attendance and Hole Sponsorship – September 21st, 2013. Mr. Gracia made a motion to approve item A. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Gracia read the Supervisors Schedule of Meetings from August 13, 2013 thru

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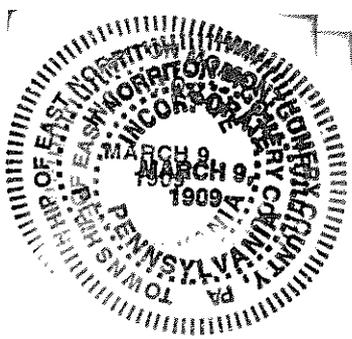
September 7, 2013.

The Chairman asked Township Manager, Donald Delamater to review any recent or pending legislation. Mr. Delamater reported that PSATS testified before the House State Government Committee regarding HB 1087 and HB 1476 on the need to amend the Right-to-Know Law to address the many challenges township are facing and the assessing of fees on companies requesting information to benefit commercial business enterprises.

The Chairman asked if there was any Other Business to be discussed. Township Manager, Donald Delamater reported that the Pennsylvania American Water Company will be holding public hearings regarding the rate increase request, the closet hearing will be held on Wednesday, August 7, 2013 at 1:30 p.m. at the Exeter Community Library, 4569 Prestwick Drive, Reading PA 19606.

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.

Mr. Dainoff made a motion to adjourn the meeting at 8:49 p.m.; the motion was seconded by Mr. Alfarano and approved unanimously.



Donald D. Delamater
Secretary

