

East Norriton Township – Regular Meeting
March 25, 2014

The Regular Meeting of the Board of Supervisors of East Norriton Township was called to order by the Chairman, John Zurzola at 7:00 p.m. on Tuesday, March 25, 2014, at the Township Municipal Building. Supervisors present were John A. Zurzola, Harris A. Dainoff, Marc A. Alfarano, Tina Howell and Angelina Salamone.

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

Chairman Zurzola introduced the first item on the agenda, Swearing in of New Probationary Police Officer – Nicholas Harrison. Assistant Township Manager, Larry Brown swore in Nicholas Harrison as the Township's newest police officer. Lieutenant Brandon Pasquale briefly reviewed Officer Harrison's background.

Chairman Zurzola introduced the next item on the agenda, East Norriton Township 2013 Annual Audit Presentation. Ed Furman of Maillie, LLP briefly reviewed the 2013 Annual Audit.

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

Chairman Zurzola 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 February 25, 2014. The motion was seconded by Mrs. Howell. After requesting any comments and there being none, the motion was approved unanimously.

Chairman Zurzola introduced the next item on the agenda, Approval of the Financial Reports for February 2014. Mr. Dainoff made a motion to accept the Financial Reports. The motion was seconded by Mrs. Salamone. After requesting any comments and there being none, the motion was approved unanimously.

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The Chairman introduced the next item on the agenda, Committee Reports for February 2014. Mrs. Howell 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.

Chairman Zurzola asked if there were any comments from the Board of Supervisors. Chairman Zurzola wanted to make everyone aware that the Township newsletters were recently mailed out and the Township is now offering a direct debit program for sewer bills, information for this program is included in the newsletter. Chairman Zurzola thanked Mr. Mumma for bringing to the attention of the Board of Supervisors the group home concerns on Beechwood Road. Township Manager, Donald Delamater reviewed that following last month's meeting the owner of the property came into the Township to report the property at 207 Beechwood Road is a rental property. An inspection was performed on March 24th and the property was in compliance but lacked a fire extinguisher which the owner went out and purchased. Chairman Zurzola asked Township Solicitor Sean Kilkenny to address some of the questions that were brought before the Board last month. Mr. Kilkenny reviewed that under Federal law group homes must be permitted in residential areas. However, East Norriton Township can, through the zoning code, regulate group homes. Mr. Kilkenny addressed the following topics that were questioned at last month's meeting: Parking is permitted on the street because it is a public street, oxygen tanks are legal, needle use is permitted, we have been advised that the residents in the questioned group home are adults, and residents residing in a group home can receive the required medical treatment necessary without being hospitalized. Mr. Kilkenny's recommendation is that the Board of Supervisors place restrictions, in the future, such as parking for a certain number of residents, specific requirements for driveways and sprinkler systems. He noted that all existing group homes are grandfathered and would not have to comply with any new regulations. Mr. Dainoff made a motion to have Township staff investigate and prepare a draft ordinance to regulate group homes. The motion was seconded by Mrs. Howell. After requesting any comments, the motion was approved unanimously.

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Richard Mumma of 208 Beechwood Road stated he investigated Firely Enterprises, the owner of 207 Beechwood Road and believes it is a business not a group home and provides certain services for individuals that cannot provide for themselves. Mr. Mumma reviewed a list of services provided by Firely Enterprises. Solicitor, Sean Kilkenny stated that the services read are permitted. Mr. Mumma stated he believes people are being brought into the residence for services and they are not living there. Mr. Mumma questioned if a rental property has to fill out an emergency listing. Code Enforcement/Zoning Director, Bryan Bortnichak the Township asks that all businesses fill out an emergency listing. However, the listing is not required for a group home but during the inspection, contact information was requested by the Township. Mr. Mumma feels there are more than two residents at the property and Code Enforcement/Zoning Director, Bryan Bortnichak stated the rental license listed two individuals and there were two individuals in the home when the inspection was performed. Mr. Mumma questioned if taxes are being paid. Finance Director, Eric Traub stated that the property taxes and sewer billing were all paid to date and the 1% earned income tax is paid to the employee's place of residency. Code Enforcement/Zoning Director, Bryan Bortnichak further explained that during the inspection of the four bedroom home two residents were present and there were no additional beds or medical equipment visible to provide care for other individuals and the items in the home were labeled for the two specific residents in the home. Sharon Young, 203 Beechwood Road, expressed concern with trash from the home not being secure and asked what about the hazmat that may come from the home. Mr. Bortnichak stated that waste from a single family dwelling is considered municipal waste that goes out with the other garbage.

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

Mr. Alfarano introduced the first item under "Old Business", Ordinance No. 551 – Storm Water Regulations. Township Engineer, Owen Hyne reviewed Ordinance No. 551 amending the Code of East Norriton Township to provide for a comprehensive

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stormwater management plan, to include land development and redevelopment, providing penalties for violation of the ordinance. Mr. Alfarano made a motion to approve Ordinance No. 551. The motion was seconded by Mrs. Salamone. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Dainoff introduced the next item on the agenda, Historical Advisory Commission Vacancy. Due to a recent vacancy on the Historical Advisory Commission, Mrs. Howell nominated Frank Brouse for the balance of the vacancy to expire December 31, 2014. Mr. Alfarano seconded the motion. After requesting any comments and there being none, the motion was approved unanimously. Mr. Dainoff made a motion to close the nominations. The motion was seconded by Mrs. Howell. After requesting any comments and there being none, the motion was approved unanimously. Mrs. Howell made a motion to appoint Frank Brouse to the Historical Advisory Commission. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Alfarano introduced the next item on the agenda, Award Bid – Equipment Rental with Operators Non-Prevailing Wages. Public Works Director/Staff Engineer, Doug Jones reviewed his memo dated March 3, 2014 recommending the 2014 Equipment Rental with Operators Non-Prevailing Wage contract be awarded to T & T Contracting, Inc. Mr. Dainoff made a motion to approve Mr. Jones' recommendation awarding the bid to T & T Contracting, Inc. The motion was seconded by Mrs. Salamone. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Dainoff introduced the next item on the agenda, Bid Opening Results and Rebidding Recommendation. Township Engineer, Owen Hyne reviewed that the Equipment Rental with Operator Prevailing Wage contract has been bid twice on February 20, 2014 and March 18, 2014 with no bids received either date. Mr. Hynes is recommending that the Township reformulate the project from a rental contract to a

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standard type contract with a defined scope of the roadway work needed. Mr. Dainoff made a motion to authorize the Equipment Rental with Operator Prevailing Wage contract be reformatted and advertised for rebid and the opening of bids prior to the April regular meeting. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Alfarano introduced the next item on the agenda, Ordinance – Lower Speed Limit on Old Arch Road. Township Solicitor, Sean Kilkenny reviewed the proposed ordinance reducing the speed limit from 35 miles per hour to 25 miles per hour on Old Arch Road between the east intersection of Birchwood Drive and New Hope Street. Mr. Dainoff made a motion to authorize advertisement of the proposed ordinance for consideration at the April regular meeting. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

Mr. Dainoff introduced the next item on the agenda, Resolution No. 2632 – DVRPC Grant Application Authorization. Township Engineer, Owen Hyne reviewed the resolution authorizing application to the DVRPC Transportation Alternatives Program for the Calvert Hurdle Park stormwater management project. Mr. Alfarano made a motion to approve Resolution No. 2632. 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, Developments & Construction Updates. Code Enforcement/Zoning Director, Bryan Bortnichak reviewed 2008 Old Arch Road office/warehouse being constructed and the sewer lateral was tied into today and the Fiore Motors property Pep Boys is in the process of purchasing the property and closing sometime in April.

Mr. Dainoff introduced the next item on the agenda, Storm Drainage Issue/Projects. Staff Engineer, Douglas Jones stated there are no storm drainage projects

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to report on due to the weather we have had. Mr. Jones also reported he is working with Mr. Hyne's office on completing the MS4 annual report.

Mr. Alfarano introduced the next item on the agenda, Traffic Issues. Staff Engineer, Douglas Jones reported: A. Penn DOT's Markley Street Improvement Project – work is continuing to make progress.

Mr. Dainoff introduced the next item on the agenda, Sanitary Sewer Issues. Staff Engineer, Douglas Jones reported: A. Stony Creek Sewer Main Repair Project – the project is completed, will be evaluating for any final repairs.

Mr. Alfarano introduced the next item on the agenda, Spring Yard Waste Special Collection and Spring Leaf Collection Update. Public Works Director/Staff Engineer, Doug Jones reported the Township will begin a Township wide collection of yard waste that will begin the week of April 7th. There is no need to call in for this service for the month of April. A phone call to all the residents will be made notifying them of this collection. All residents participating are asked to have their yard waste placed curbside by 7:00 a.m. on April 7th and to comply with the Township's guidelines for the collection that are referenced in the Township newsletter and on the website. The Township will also have a Spring Leaf Collection that is a call in service during April 21st thru May 2nd. All requests should be made by April 30th.

Mrs. Howell introduced the first item under "New Business", Resolution No. 2630 – Amending the Fee Schedule to Include Stormwater Escrows. Code Enforcement/Zoning Director, Bryan Bortnichak reviewed Resolution No. 2630 amending the Fee Schedule. Mr. Dainoff made a motion to approve Resolution No. 2630 to include stormwater escrows to the Township fee schedule. The motion was seconded by Mrs. Salamone. After requesting any comments and there being none, the motion was approved unanimously.

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Mrs. Salamone introduced the next item on the agenda, Resolution No. 2631 – Schedule of Public Hearing to consider a Liquor License Transfer Request. Township Manager, Donald Delamater reviewed Resolution No. 2631 fixing a time and place for a public hearing to consider an intermunicipal liquor license transfer for Via Veneto Pizzeria, Inc. Mr. Alfarano made a motion to approve Resolution No. 2631 fixing Tuesday, April 22, 2014 at 6:30 p.m. for a public hearing. The motion was seconded by Mrs. Salamone. After requesting any comments and there being none, the motion was approved unanimously.

Mrs. Howell introduced the next item on the agenda, Small Games of Chance. Anthony Taormina of Facenda Whitaker Lanes reviewed that late 2013 the state of PA passed Act 90 which allows small games of chance for taverns. In order for Mr. Taormina to proceed with the process the Township must pass a local option small games of chance referendum. Mr. Taormina is requesting the referendum be placed on the ballot for the 2015 primary election. The proceeds from the small games of chance are split 60% for the state, 5% for the local municipality and 35% to the licensee. The small games of chance would include pull off tabs, monthly raffles and daily drawings. Township Solicitor, Sean Kilkenny reviewed that the Township would have to draft an ordinance, advertise the ordinance then forward the ordinance to the Board of Elections for placement on the ballot. Chairman Zurzola suggested the Township look over the timeline. Mrs. Howell made a motion to authorize the Township Manager to investigate the referendum process. The motion was seconded by Mr. Dainoff. After requesting any comments and there being none, the motion was approved unanimously.

Mrs. Salamone introduced the next item on the agenda, PA American New Fire Hydrant Application. Township Manager, Donald Delamater reviewed the application from PAWC for the installation of a fire hydrant at Stanbridge Street south of Dorp Lane. Mr. Dainoff made a motion to authorize the Township Manager to execute the new fire

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hydrant application. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

Mrs. Howell introduced the next item on the agenda, Personnel Policy Amendments. Assistant Township Manager, Larry Brown reviewed his memo dated March 12, 2014 outlining a few proposed amendments to the Township Personnel Policy for non-uniformed employees. Mrs. Howell made a motion to approve the amendments outlined in Mr. Browns' memo to the personnel policy. The motion was seconded by Mrs. Salamone. After requesting any comments and there being none, the motion was approved unanimously.

Mrs. Salamone introduced the next item on the agenda, East Norriton Plymouth Whitpain Joint Sewer Authority Annual Financial Report. Township Manager, Donald Delamater reviewed this informational item; the ENPWJSA Annual Financial Report is available for public review at the Township Administration Building during regular business hours.

Mrs. Howell introduced the next item on the agenda, Permit Fee Waiver Request – MONTCO Lions Club. Code Enforcement/Zoning Director, Bryan Bortnichak reviewed a letter dated March 12, 2014 from the MONTCO Lions Club requesting a waiver of the temporary sign permit fee to advertise the Flea Market at Northtowne Plaza to be held on Saturday, June 14, 2014. Mrs. Howell made a motion to waive the temporary sign permit fee. The motion was seconded by Mr. Dainoff. After requesting any comments and there being none, the motion was approved unanimously.

Mrs. Salamone introduced the next item on the agenda, TDI Grant Application Submission. Township Manager, Donald Delamater reviewed as the Township moves forward to reduce the speed limit on Old Arch Road this road becomes eligible for a study for traffic calming. The Township has received a proposal from T & M Associates to submit

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a grant application not to exceed \$2,900.00. Mr. Dainoff made a motion to authorize the submission of the TCDI grant application and approval of the proposal from T & M Associates. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

Mrs. Howell introduced the next item on the agenda, Expenditure Authorization. A. Cole Manor Playground - \$500.00; B. St. Titus Golf Outing Sponsorship - \$100.00; and C. Copier Lease - \$667.13/month. Mrs. Howell made a motion to approve items A. thru C. The motion was seconded by Mr. Alfarano. After requesting any comments and there being none, the motion was approved unanimously.

Mrs. Salamone introduced the next item on the agenda, Attendance Authorization. There were no Attendance Authorizations this month.

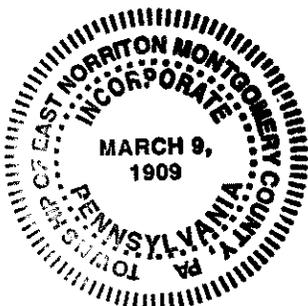
Mrs. Howell read the Supervisors Schedule of Meetings from April 8, 2014 thru April 28, 2014.

Chairman Zurzola asked Township Manager, Donald Delamater to review any recent or pending legislation. Mr. Delamater stated there was nothing new to report.

Chairman Zurzola asked if there was any other business to come before the Board, there was none.

Chairman Zurzola asked if there were any residents who wished to speak, there were none.

Mr. Dainoff made a motion to adjourn the meeting at 8:34 p.m.; the motion was seconded by Mr. Alfarano and approved unanimously.



Donald D. Delamater
Secretary

