

East Norriton Township – Regular Meeting – Zoom
July 28, 2020

The Regular Meeting of the Board of Supervisors of East Norriton Township was held via Zoom. The meeting was called to order by Chairman McDevitt at 7:02 p.m. on Tuesday, July 28, 2020.

Roll call was taken: Chief of Police, Brandon Pasquale, Director of Engineering Services, James Sullivan, Finance Director, David Crist, Assistant Township Manager, Jeff Winterbottom, Township Manager, Robert Hart, Township Solicitor, Rebecca Geiser, Supervisor, Dennis DeSanto, Vice Chairwoman, Amanda Cappelletti, Supervisor, Ashley DiPiero and Supervisor, Joseph Gavanus Jr. were present for the Zoom meeting.

Chairman McDevitt introduced the first item on the agenda, Approval of Meeting Minutes. Supervisor DiPiero made a motion to approve the minutes of the Regular Meeting of the Board of Supervisors for June 23, 2020. The motion was seconded by Supervisor DeSanto and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Finance Reports for March, April, May, and June 2020. Supervisor Gavanus made a motion to approve the finance reports. The motion was seconded by Supervisor DiPiero and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Township Reports for the 2nd quarter of 2020. Vice Chairwoman Cappelletti made a motion to approve the Township Reports for April through June 2020. The motion was seconded by Supervisor DeSanto and approved unanimously.

Chairman McDevitt asked if there were any citizens to be heard, Mr. Crist reported that Nick Marinelli of 3104 Greenhill Lane asked about New Business Item L - Authorization to Fill the Position of Deputy Police Chief. What is the justification for the new position of Deputy Police Chief? Will they be a new hire or a promotion? If they're a new hire, is this because crime has risen? This question was deferred to later in the meeting when the item was addressed.

Chairman McDevitt asked if there were any comments from the Board of Supervisors. Vice Chairwoman Cappelletti thanked everyone for their patience and doing everything they were to continue to social distance, washing your hands and wearing masks.

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Chairman McDevitt announced that the Board of Supervisors met earlier via Zoom this evening in Executive Session; where they discussed matters of litigation and personnel.

Chairman McDevitt introduced the first item under, “New Business”, Award the Sale of a 2013 Ford Explorer SUV through Municibid. Chief of Police, Brandon Pasquale reviewed his memo dated July 23, 2020 recommending that vehicle be awarded to the highest bidder, Evan Kenney for the amount of \$4,401.00. Chairman McDevitt made a motion to award the bid as recommended by Chief Pasquale to Evan Kenney. The motion was seconded by Supervisor DeSanto and approved unanimously. Chairman McDevitt congratulated Chief Pasquale for extending the miles of the vehicles.

Chairman McDevitt introduced the next item on the agenda, Assessment Appeal Stipulation – Norriton Holdings. Township Solicitor, Rebecca Geiser reviewed the reverse assessment appeal filed by the Norristown Area School District involving six parcels that have been consolidated under one case file. The settlement stipulation has been approved by NASD, Montgomery County, and the taxpayer. Chairman McDevitt made a motion to approve the Stipulation and Order of Settlement. The motion was seconded by Supervisor DeSanto and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Carroll Engineering Corporation Proposal – Burnside Avenue Pump Station WQM Permit Application. Director of Engineering Services, James Sullivan reviewed this item. As part of the Township’s asset sale to Aqua, the Township is required to provide a copy of all of the pump station Water Quality Management Permits (WQM). The Township had all the required permits, except for the Burnside Avenue Pump Station. The proposal from Carroll Engineering to obtain the required permit specifies a cost not to exceed Six Thousand and Six Hundred and Fifty (\$6,650.00). Chairman McDevitt made a motion to approve the proposal for the Burnside Avenue Pump Station WQM Permit. The motion was seconded by Supervisor Gavanus and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Accept Tax Collector Kate Gillen’s Resignation. Township Manager, Robert Hart stated Kate Gillen resigned from the

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position of Tax Collector effective July 17, 2020. Mrs. Gillen, knowing prior that she was going to resign, had deputized East Norriton Township as Tax Collector for the Township and County taxes. Mr. Hart stated in the coming weeks the Board of Supervisors will need to appoint a replacement Tax Collector to fulfill the year. The position of Tax Collector will be placed on the November ballot. Chairman McDevitt made a motion to accept Tax Collector Kate Gillen's resignation effective July 17, 2020. The motion was seconded by Supervisor DeSanto and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Resolution No. 2808 – Authorizing the Application for the DCED Multimodal Transportation Fund for the East Norriton ADA Curb Ramp Project. Director of Engineering Services, James Sullivan reviewed the resolution authorizing the application for the DCED Multimodal Transportation Fund grant for \$454,437.00 from the Commonwealth Financing Authority to be used for the East Norriton ADA Curb Ramp Project. Mr. Sullivan stated this grant requires no match. Chairman McDevitt made a motion to approve Resolution No. 2808. The motion was seconded by Vice Chairwoman Cappelletti and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Resolution No. 2809 – Authorizing the Application for the County Transportation Program for the ADA Curb Ramp Project. Director of Engineering Services, James Sullivan reviewed that this resolution is for the same project as the previous resolution from a different funding source and this grant does come with a match, twenty percent of the first two hundred and fifty thousand and fifty percent thereafter. Chairman McDevitt made a motion to approve Resolution No. 2809. The motion was seconded by Supervisor DiPiero and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Resolution No. 2810 – Granting an Extension of the Preliminary Subdivision and Land Development Approval relative to the Application for the Development of Tone 2000 (Paul Piantone) for the Development of a Parcel of Land Located at 2935 Whitehall Road. Director of Engineering Services, James Sullivan reviewed this resolution granting an extension of both the preliminary and final subdivision and land development approvals for the Tone 2000 subdivision until February 23, 2024, subject to

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the Zoning Hearing Board extension approval. Township Manager, Robert Hart reviewed the history of this property. Supervisors DeSanto questioned what would happen if the Zoning Hearing Board doesn't approve the zoning relief. Director of Engineering Services, James Sullivan stated that the zoning relief for this property is for the existing swimming pool on the property as it is in violation of setbacks. Chairman McDevitt made a motion to approve Resolution No. 2810. The motion was seconded by Supervisor DeSanto and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Radar Detection Change Order. Director of Engineering Services, James Sullivan reviewed Change Order Number One.

During the progress of the work at Swede Road and Hilltop Ave it was determined that there is not enough room in the auxiliary cabinet and that the cabinet had to be replaced at the cost of \$4,545.00. Also, the conduit at Arch Road/New Hope Street/Old Arch Road and Renel Road needs to be replaced at the cost of \$9,400.00 making the change order a total of \$13,945.00. Chairman McDevitt made a motion to approve Change Order Number One for the Radar Detection Project. The motion was seconded by Supervisor DeSanto and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Authorization to Advertise – Fireworks Ordinance. Township Manager, Robert Hart reviewed the proposed ordinance amending Part II, General Legislation, to add a new Chapter 97 "Fireworks" to the East Norriton Township Code of Ordinances regulating fireworks use within the Township to protect persons and property; repealing all inconsistent ordinances. Mr. Hart reviewed that the Township has received a large number of complaints concerning firework use throughout Township neighborhoods. Chairman McDevitt made a motion to authorize advertisement of the proposed fireworks ordinance. The motion was seconded by Supervisor DiPiero and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Hough Associates Agreement. Township Manager, Robert Hart reviewed that Hough Associates gathers the data on the Township's recycling. The Township is looking into getting a better deal for this service. Chairman McDevitt made a motion to table this item until next month's meeting. The motion was seconded by Supervisor DiPiero and approved unanimously.

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Chairman McDevitt introduced the next item on the agenda, Resolution No. 2811 – Designation of Agent for COVID-19. Township Manager, Robert Hart reviewed Resolution No. 2811 designating the Township Manager to sign and accept any disaster relief funds due to COVID-19 that may be relieved by the federal or state government for Townships/Boroughs to recoup any losses or costs associated with COVID-19 emergency. Chairman McDevitt made a motion to approve Resolution No. 2811. The motion was seconded by Vice Chairwoman Cappelletti and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Authorization to Fill the Position of Deputy Police Chief. Township Manager, Robert Hart reviewed that East Norriton Township has not had a Lieutenant since Chief Pasquale's promotion. The candidate will have a specific detailed position. Chief Pasquale stated that it was a difficult decision to look outside the department and that approximately fifteen candidates have submitted for the position. Supervisor DeSanto asked with the age of social media what is the difference between Lieutenant and Deputy Chief and why did the Township go in that direction. Chief Pasquale stated that a few surrounding Township's have Deputy Chief's and Chief Pasquale feels that this will work best for the organization and Township as a whole. Mr. Crist reread the question from earlier in the meeting: Nick Marinelli of 3104 Greenhill Lane asked about New Business Item L - Authorization to Fill the Position of Deputy Police Chief. What is the justification for the new position of Deputy Police Chief? Will they be a new hire or a promotion? If they're a new hire, is this because crime has risen? Chairman McDevitt asked Chief Pasquale if crime has risen much. Chief Pasquale stated that statistics are higher, and that may be due to new hires and more arrests. Chief Pasquale stated the position was not being filled because crime has risen, it is a necessity. Chairman McDevitt made a motion to authorize the filling the position of Deputy Chief. The motion was seconded by Supervisor DiPiero and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Waiver of Conflict of Interest in Connection with Representation of East Norriton Plymouth Whitpain Joint Sewer Authority as Finance Counsel. Township Manager, Robert Hart reviewed the Joint Sewer Authority has chosen Obermayer Rebmann Maxwell & Hippel, LLP to act as Bond Counsel for the Joint Sewer Authority.

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Obermayer Rebmann Maxwell & Hippel LLP represents East Norriton Township on various unrelated matters at Special Counsel, including the recently completed sale of its wastewater system to Aqua Pennsylvania, as well as its on-going engagement as Labor Counsel. In order to act as Bond Counsel for the JSA, Obermayer Rebmann Maxwell & Hippel LLP needs the Township and the JSA to waive any conflict, or potential for conflict. Chairman McDevitt made a motion to accept the Waiver of Conflict of Interest in Connection Representation of ENPW JSA. The motion was seconded by Supervisor DeSanto and approved unanimously.

Chairman McDevitt introduced the next item on the agenda, Approval of Contract for Replacement of AC Unit. Director of Engineering Services, James Sullivan reviewed that the Township's air-conditioning unit has been leaking and needs to be replaced. The Township has a proposal from Barrett Mechanical. Chairman McDevitt made a motion to approve the contract for the AC unit replacement with Barrett Mechanical not to exceed eleven thousand one hundred dollars. The motion was seconded by Supervisor DeSanto and approved unanimously.

Chairman McDevitt read the Supervisors Schedule of Meetings from August 11, 2020 through August 25, 2020.

Chairman McDevitt asked if there were any citizens to be heard at this time; Finance Director, David Crist reported that there were none.

Chairman McDevitt asked if there was any Other Business. Supervisor DiPiero thanked the Parks & Recreation Department for Movie in the Park - *Frozen 2*. It was a lot of fun and a well needed time out.

Chairman McDevitt called on Township Manger Robert Hart for Manager's Update. Mr. Hart stated that during this Covid time it has been a challenge to make events/programs available for the public and our Parks and Recreation Department are constantly thinking of new ideas to make us feel normal in an unnormal world. Stay tuned for some fun things this Fall and stay healthy everyone.

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Chairman McDevitt made a motion to adjourn the Zoom meeting at 7:49 p.m.; the motion was seconded by Vice Chairwoman Cappelletti and approved unanimously.



A handwritten signature in blue ink, appearing to read "R. R. Hart", written over a horizontal line.

Robert R. Hart, Esq.
Secretary

