1. **Call To Order And Pledge Of Allegiance**

2. **Presentation By John Larson On Proposed Capital Improvements For Norristown Municipal Waste Authority**

3. **Discussion/Update On Status**
   - **Jefferson Fire Company Project Bid**
   - **Decriminalization Of Marijuana**
     - Proposed ordinance
   
   Documents:
   
   ORDINANCE - MARIJUANA DECRIMINALIZATION.DOC

4. **Potential Future Sources Of Revenue For General Fund**
   - Proposed by Commissioner Pavone

5. **Proposed Cell Tower At Jeffersonville Golf Club**
   
   Documents:

6. **Proposed location behind the 15th Green on Trooper Road**

7. **Bid Opening For Whitehall Road And Sterigere Street Intersection Improvements - ARLE Grant**

4. **Manager's Items**
   - **Consider Approval Of The FY 2021 Minimum Municipal Obligation (MMO) For Police And Non-Uniformed Pension Plans**
   
   Documents:
   
   MMO 2021.PDF

8. **Consider Accepting Bid For Sodium Chloride (Rock Salt) For The 2020-2021 Winter Season**

   Documents:
   
   2020 DETAILED SALT BIDS.XLSX
C. **Consider Awarding Bid For Juniata And Brandon Roads Paving Project**

Documents:

   BID SHEET - BRANDON AND JUNIATA MILL AND OVERLAY.PDF

D. **Consider Adopting Resolution Authorizing Jason Bobst And Donna Horn As A Liaison Between The Township And Berkheimer**

Documents:

   RESOLUTION - BOBST AND HORN LIAISON WITH BERKHEIMER.PDF

E. **Consider Accepting Resignation Of David Bennett From The Planning Commission**

F. **Consider Appointment To Township Planning Commission Due To Resignation Of David Bennett**

G. **Consider Authorizing Staff To Advertise Ordinance No. 2020-744 Re: Expiration Date For Conditional Use, Special Exceptions And VarianceAmending Zoning Map - Riverview Blvd.**

Documents:

   ORDINANCE - EXPIRATION DATES FOR ZONING RELIEF.DOC
   OPINION LETTER - EXPIRATION DATES FOR ZONING RELIEF.PDF

H. **Consider Authorizing Staff To Advertise Ordinance No. 2020-743 Re: Deleting Unified Developments From I - Industry District**

Documents:

   ORDINANCE - DELETING UNIFIED DEVELOPMENTS FROM I - INDUSTRIAL DIST.DOC
   OPINION LETTER - UNIFIED DEVELOPMENT.PDF

5. **Public Comment**

   a. Recognize individuals that are taxpayers or residents of West Norriton Township wishing to offer comment.
   b. Require the name and address of such persons wishing to comment.
   c. Permit each individual at minimum one (1) opportunity to speak. The President may require an individual who has already spoken to wait until all others wishing to speak have had the opportunity before permitting an additional opportunity to speak. Once all others have had the opportunity to speak, the President shall determine whether time would allow for additional comment from the individual wishing to speak. Such a determination shall be based solely on the factor of time and shall not be based on the content or viewpoint of the particular individual(s) seeking additional opportunity to speak.
   d. Provide for a five (5) minute maximum for each individual to offer public comment. There shall be no ceding or assigning of time. In no case shall a time limit of fewer than two (2) minutes be designated. It may be requested that a spokesperson from a group address the Board of Commissioners.
   e. Preserve order by prohibiting disruptive conduct including, but not limited
6. Meeting Dates

A. Zoning Hearing Board - September 16th @ 7:00 PM Re: Variance For Installation Of A Generator @ 19 Oxford Circle And Variance For Construction Of A Home On An Undersized Lot @ Block 32, Unit 12, Williams Way

7. Adjournment

www.westnorritontwp.org
AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE WEST NORRITON TOWNSHIP CODE OF ORDINANCES TO ADD A NEW PART 9 TO CHAPTER 10, “HEALTH AND SAFETY” ENTITLED “DRUGS AND DRUG PARAPHERNALIA” TO ESTABLISH A MECHANISM TO PROCESS THE MINOR NONVIOLENT OFFENSES OF PERSONAL POSSESSION OR PERSONAL USE OF A SMALL AMOUNT OF MARIJUANA AND PERSONAL POSSESSION OF MARIJUANA PARAPHERNALIA WITHIN THE LIMITS OF WEST NORRITON TOWNSHIP; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, West Norriton Township (“Township”) is a duly organized Township operating in accordance with the Pennsylvania First Class Township (“Code”); and

WHEREAS, Section 1502 of the Pennsylvania First Class Township Code, 53 P.S. § 56102, vests the Township Board of Commissioners with the power to: “adopt resolutions and ordinances prescribing the manner in which powers of the township shall be carried out, and generally regulating the affairs of the township”; and

WHEREAS, numerous Pennsylvania municipalities including the Municipality of Norristown, the Borough of Folcroft, the City of Lancaster, the City of York, the City of Bethlehem and the City of Harrisburg, have exercised their power and authority by ordinance to address the processing and handling of minor nonviolent offenses for the personal possession or personal use of a small amount of marijuana, and the personal possession of marijuana paraphernalia within municipal limits; and

WHEREAS, in accordance with the powers and duties vested in the West Norriton Township Board of Commissioners under the Code and Pennsylvania law, including those inherent police powers for the enforcement and regulation of certain local offenses, the Board of Commissioners of West Norriton Township now desires to enact an ordinance addressing the processing and handling of minor nonviolent offenses for the personal possession or personal use of a small amount of marijuana and the personal possession of marijuana paraphernalia within the limits of West Norriton Township that the Board of Commissioners believes is for the benefit of the general safety and welfare of the residents of the Township.

NOW, THEREFORE, be it ORDAINED and ENACTED by the Board of Commissioners of West Norriton Township an ordinance as follows:
SECTION I: Adoption of a new Part 9, “Drugs and Drug Paraphernalia” to Chapter 10, “Health and Safety”

Part 9 DRUGS AND DRUG PARAPHERNALIA

§ 10-901. Legislative findings and intent.
The purpose and intent of this chapter is to promote the general safety and welfare of the public by establishing a mechanism to process the minor nonviolent offenses of personal possession or personal use of a small amount of marijuana and personal possession of marijuana paraphernalia within the limits of the West Norriton Township and is not to promote or condone the possession or use of marijuana or marijuana paraphernalia.

§ 10-902. Definitions.
As used in this chapter, the following terms shall have the meanings indicated:

MARIJUANA
All forms or varieties of the genus Cannabis, whether growing or not, as defined by Pennsylvania's Controlled Substance, Drug, Device, and Cosmetic Act, 35 P.S. § 780-101 et seq.

MARIJUANA PARAPHERNALIA
Any device, instrument, apparatus or object used, intended to be used, or designed to be used for introducing marijuana into the human body or for storing, containing, concealing or transporting marijuana.

PERSONAL POSSESSION
Actual physical custody of or the ability to exercise control over or have access to, for the sole purpose of one's own personal use. The term "personal possession" does not include possession with intent to deliver, distribute, transfer or sell.

PERSONAL USE
Introducing marijuana into one's own body, which includes smoking, inhaling, exhaling, vaporizing, or burning any lighted cigar, cigarette, pipe or other such device which contains marijuana or marijuana extracts.

SMALL AMOUNT
Thirty (30) grams or less of marijuana or eight (8) grams or less of hashish as set forth in Pennsylvania's Controlled Substance, Drug, Device, and Cosmetic Act, 35 P.S. § 780-113(a)(31).

§ 10-903. Personal possession or personal use of a small amount of marijuana.

A. So long as marijuana shall be listed as a controlled substance in the Controlled Substance, Drug, Device, and Cosmetic Act, 1972, April 14, P.L.233, No. 64, § 1 et seq., 35 P.S. § 780-101 et seq., no person shall be in possession of a small amount of marijuana as defined in said Act.

B. The following shall be violations of this section of this chapter:
(1) Personal possession of a small amount of marijuana; or

(2) Personal use of a small amount of marijuana.

C. Any person who is found in violation of this section of this chapter shall be issued a nontraffic summary citation by the Township police or other authorized law enforcement officer or, alternatively, the officer can obtain the subject's name and address and later send the citation by first-class mail, all to be in accordance with the Pennsylvania Rules of Criminal Procedure.

D. Any police officer or other authorized law enforcement officer who observes a violation of this section of this article by a person under 18 years of age shall:

(1) Temporarily detain the minor and follow all existing procedures for the handling of summary offenses committed by a minor;

(2) Advise the parent or guardian that the minor was found in personal possession of a small amount of marijuana or to have been engaging in personal use of a small amount of marijuana;

(3) Issue a copy of the citation to the parent or guardian advising that he or she is responsible for the payment of the violation fine; and

(4) Provide the parents or guardian with contact information for a local agency where substance abuse educational and treatment programs are available.

§ 10-904. Personal possession of marijuana paraphernalia.

A. So long as drug paraphernalia includes objects used in connection with marijuana possession or use in the Controlled Substance, Drug, Device, and Cosmetic Act, 1972, April 14, P.L. 233, No. 64, § 1 et seq., 35 P.S. § 780-101 et seq., no person shall be in possession of marijuana paraphernalia.

B. It shall be a violation of this section of this chapter to be in personal possession of marijuana paraphernalia.

C. Any person who is found in violation of this section of this article shall be issued a nontraffic summary citation by the Township police officer or other authorized law enforcement officer or, alternatively, the officer can obtain the subject's name and address and later send the citation by first-class mail, all to be in accordance with the Pennsylvania Rules of Criminal Procedure.
D. Any law enforcement officer who observes a violation of this section by a person under 18 years of age shall:

(1) Temporarily detain the minor and follow all existing procedures for the handling of summary offenses committed by a minor;

(2) Advise the parent or guardian that the minor was found in personal possession of a small amount of marijuana or to have been engaging in personal use of a small amount of marijuana;

(3) Issue a copy of the citation to the parent or guardian advising that he or she is responsible for the payment of the violation fine; and

(4) Provide the parents or guardian with contact information for a local agency where substance abuse educational and treatment programs are available.

§ 10-905. Penalties.

A. The penalty for first violation, and all subsequent violations, of § 290-3 of this article relating to personal possession of a small amount of marijuana shall be a fine of $100.00.

B. The penalty for first violation, and all subsequent violations, of § 290-3 of this article relating to personal use of a small amount of marijuana shall be a fine of $100.00.

C. The penalty for first violation, and all subsequent violations, of § 290-4 of this article relating to personal possession of marijuana paraphernalia shall be a fine of $100.00.

D. The court may, in its discretion, suspend the fine imposed under this section if the person found guilty agrees to and does, in fact, perform such community service as the court deems appropriate, of as much as twenty-five (25) hours for a determination of guilt for possession of a small amount of marijuana or personal possession of marijuana paraphernalia and twenty-five (25) hours for personal use of a small amount of marijuana.

§ 10-906. Enforcement.

A. A nontraffic summary citation issued under this article shall be enforced in accordance with the procedures established by the West Norriton Township Police Department for enforcement of summary violations.
B. The Chief of Police or his or her designee shall report to the Township Board of Commissioners regarding implementation of this article on an annual basis for the first three (3) years following adoption of this article.

C. This article shall not be construed to supersede any existing Pennsylvania or federal law. The West Norriton Township police and law enforcement officers retain the authority to enforce any applicable laws, and it is the Board of Commissioners’ intent that such law enforcement officers may undertake custodial arrests where there is probable cause to believe that a criminal offense other than personal possession or personal use of a small amount of marijuana or personal possession of marijuana paraphernalia has been or is being committed.

SECTION II: SEVERABILITY

In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

SECTION III: REPEALER

All ordinances or resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specially repealed.

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its approval as required by the law.

ORDAINED AND ENACTED by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this _______ day of October, 2020.

Attest:

WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS

_________________________________
Jason Bobst, Township Manager

_________________________________
Martin Miller, President
August 27, 2020

Mr. Jason Bobst
Township Manager
West Norriton Township
1630 West Marshall St.
Jeffersonville, PA 19403

Pension Plans

Dear Jason:

We have completed and are enclosing the year 2021 budget information with respect to the Township’s Pension Plans. As shown on the attached exhibits, the Township should budget the following contributions for 2021:

<table>
<thead>
<tr>
<th>Plan</th>
<th>Contributions</th>
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<tr>
<td>Police Pension Plan</td>
<td>$1,061,965</td>
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<tr>
<td>Pension Plan for Employees Other Than Police</td>
<td>493,157</td>
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<tr>
<td>Total</td>
<td>$1,555,122</td>
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The Township should therefore budget a transfer of $1,555,122 from the General Fund to the Township’s pension funds. The Township may also budget the estimated General Municipal Pension System State Aid of $343,073 as Intergovernmental Revenue. This is based on the 2019 unit value of $5,120.4991 and 67 units (23 police officers and 21 non-uniformed defined benefit employees).

Therefore, the estimated net contribution to be paid from the Township’s General Fund in 2021 is $1,212,049 (assuming the unit value for 2021 is $5,120.4991).

If there are any questions regarding the above information, please let me know.

Sincerely,

David B. Reid, MAAA, EA
Senior Vice President

Enclosures
WEST NORRITON TOWNSHIP
POLICE PENSION PLAN

2021 Minimum Municipal Obligation

1. 2020 Projected W-2 Payroll $ 2,617,306
2. Total Normal Cost Percentage 22.85%
3. Total Normal Cost = (1) x (2) $ 598,054
4. Total Administrative Expense 62,400
5. Total Amortization Requirement 493,117
6. Total Financial Requirement = (3) + (4) + (5) $ 1,153,571
7. Total Estimated Member Contributions = (1) x 3.50% 91,606
8. Funding Adjustment 0
9. Minimum Municipal Obligation = (6) - (7) - (8) $ 1,061,965

Signature of Chief Administrative Officer

Date Certified to Governing Body
Exhibit 2

WEST NORRITON TOWNSHIP
PENSION PLAN FOR EMPLOYEES OTHER THAN POLICE

2021 Minimum Municipal Obligation

1. 2020 Projected W-2 Payroll $ 1,440,405
2. Total Normal Cost Percentage 8.15%
3. Total Normal Cost = (1) x (2) $ 117,393
4. Total Administrative Expense 24,000
5. Total Amortization Requirement 359,265
6. Total Financial Requirement = (3) + (4) + (5) $ 500,658
7. Total Estimated AFSCME Member Contributions 7,501
8. Funding Adjustment 0
9. Minimum Municipal Obligation = (6) - (7) - (8) $ 493,157

Signature of Chief Administrative Officer

Date Certified to Governing Body
<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Type</th>
<th>Unit Of Measure</th>
<th>Quantity</th>
<th>Company</th>
<th>Item Bid</th>
<th>Extended Bid</th>
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<td>101</td>
<td>Rock Salt</td>
<td>BASE</td>
<td>Ton - Non-Delivered</td>
<td>1</td>
<td>Morton Salt</td>
<td>$51.00</td>
<td>$51.00</td>
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<tr>
<td>102</td>
<td>Rock Salt</td>
<td>BASE</td>
<td>Ton - Delivered</td>
<td>61,050</td>
<td>Morton Salt</td>
<td>$51.05</td>
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<td>101</td>
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<td>BASE</td>
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<td>102</td>
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<td>BASE</td>
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<td>$51.40</td>
<td>$3,137,970.00</td>
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<td>101</td>
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<td>BASE</td>
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<td>$51.42</td>
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<td>102</td>
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<td>Riverside Construction Materials</td>
<td>$51.42</td>
<td>$3,139,191.00</td>
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</tbody>
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## Exhibit I

**GILMORE & ASSOCIATES, INC.**

**&A**  

**BID TABULATION**

**CLIENT:**  
West Norriton Township

**PROJECT NAME:**  
Brandon Road and Juniata Road Mill & Overlay

**PROJECT NUMBER:**  
20-07104

**PROJECT BID DATE:**  
26-Aug-20

### BASE BID

<table>
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<tr>
<th>#</th>
<th>DESCRIPTION</th>
<th>QUANTITY &amp; UNITS</th>
<th>UNIT PRICE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1.5&quot; Roadway Mill - Brandon Road</td>
<td>9660 SY</td>
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<td>$16,422.00</td>
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<td>sealant - Brandon Road</td>
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<td>3</td>
<td>1.5&quot; Roadway Mill - Juniata Road</td>
<td>4665 SY</td>
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<td>sealant - Juniata Road</td>
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<td>5</td>
<td>3&quot; Base Repair</td>
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<td>$7,605.00</td>
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**Total Base Bid**  
$123,480.00

**ILLUSTRATION**

**Glasgow, Inc.**  
105 Willow Grove Avenue  
Glenside, PA  
215-884-8801

**DiRocco Bros.**  
509 Maple Avenue  
West Chester, PA 19380  
610-696-0571

**Joseph E. Sucher and Sons, Inc.**  
933 Saville Avenue  
Eddystone, PA 19022  
610-872-0892

**H&K Group, Inc.**  
2052 Lucon Road  
P.O.Box 196  
Skippack, PA 19474  
610-705-0500

**UNIT PRICE**  
$1.75  
$6.38  
$2.99  
$6.65  
$42.25

**TOTAL**  
$16,905.00  
$61,630.80  
$11,149.35  
$33,121.50  
$7,605.00

**UNIT PRICE**  
$1.90  
$7.50  
$1.90  
$7.50  
$45.90

**TOTAL**  
$18,354.00  
$72,450.00  
$8,863.50  
$34,987.50  
$8,262.00

**UNIT PRICE**  
$2.50  
$7.25  
$2.50  
$7.25  
$12.00

**TOTAL**  
$24,150.00  
$70,035.00  
$11,662.50  
$33,821.25  
$2,160.00

**UNIT PRICE**  
$136,815.00  
$144,168.75

**UNIT PRICE**  
$144,168.75
## Exhibit I

**GILMORE & ASSOCIATES, INC.**

**&A BID TABULATION**

**CLIENT:**
West Norriton Township

**PROJECT NAME:**
Brandon Road and Juniata Road Mill & Overlay

**PROJECT NUMBER:**
20-07104

**PROJECT BID DATE:**
26-Aug-20

<table>
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<tr>
<th>QUANTITY &amp; UNITS</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>TOTAL</th>
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**Total Base Bid** $143,250.00 $156,888.75 $158,722.65 $162,028.95
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<td>1.5&quot; Roadway Mill - Brandon Road</td>
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<td>1.5&quot; Roadway Mill - Juniata Road</td>
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Total Base Bid
$166,632.00 $172,737.00 $174,912.00 $180,459.00
GILMORE & ASSOCIATES, INC. & A BID TABULATION

CLIENT:
West Norriton Township

PROJECT NAME:
Brandon Road and Juniata Road Mill & Overlay

PROJECT NUMBER:
20-07104

PROJECT BID DATE:
DATE: 26-Aug-20

<table>
<thead>
<tr>
<th>QUANTITY</th>
<th>DESCRIPTION &amp; UNITS</th>
<th>UNIT PRICE</th>
<th>TOTAL</th>
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<tr>
<td>1</td>
<td>1.5” Roadway Mill - Brandon Road</td>
<td>9660 SY</td>
<td>$2.85</td>
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<td>2</td>
<td>1.5” Wearing Course, including tack coat &amp; joint sealant - Brandon Road</td>
<td>9660 SY</td>
<td>$10.00</td>
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<td>3</td>
<td>1.5” Roadway Mill - Juniata Road</td>
<td>4665 SY</td>
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<td>1.5” Wearing Course, including tack coat &amp; joint sealant - Juniata Road</td>
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<td>5</td>
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<td>180 SY</td>
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Total Base Bid

$199,607.25
RESOLUTION

A RESOLUTION OF THE GOVERNING BOARD OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO APPOINT A LIAISON BETWEEN IT AND BERKHEIMER, THE DULY APPOINTED COLLECTOR OF LOCAL TAXES FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE DISTRICT FOR OFFICIAL PURPOSES.

WHEREAS, the Local Tax Enabling Act ("LTEA"), authorizes certain political subdivisions, including WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, to provide for the creation of such bureaus or the appointment and compensation of such officers, clerks, collectors and other assistants and employees as may be deemed necessary for the assessment and collection of taxes imposed under the authority of that Act; and

WHEREAS, WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY, has entered into contractual agreement with BERKHEIMER of Bangor, Pennsylvania, whereby and whereunder WEST NORRITON TOWNSHIP appointed Berkheimer to collect certain local taxes; and

WHEREAS, the LTEA specifically mandates that any information gained by the appointed tax officer, his agents or by any other official or agent of the taxing district, as a result of any declarations, returns, investigations, hearings or verifications required or authorized by the taxing municipality's ordinance or resolution, be kept confidential, except for official purposes; and

WHEREAS, any person who divulges any information which is confidential under the provisions of any ordinance or resolution, upon conviction may be subject to fines and/or imprisonment, upon conviction, and dismissal from office or discharge from employment; and

WHEREAS, Berkheimer requires passage of a resolution by the governing body of WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY specifying that said confidential information is needed for official purposes and absolving Berkheimer from any liability in connection with the release of said confidential information;

NOW, THEREFORE, BE IT RESOLVED that:

1. WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY hereby appoints ______________________ as its authorized representative to make requests upon and receive any and all tax information and records from Berkheimer, relative to the collection of taxes for WEST NORRITON TOWNSHIP, as desired and deemed necessary by WEST NORRITON TOWNSHIP, to be used for official purposes only; and

2. Berkheimer is hereby directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of taxes for the WEST NORRITON TOWNSHIP, upon request, to ______________________ as the authorized contact representative for it.

3. WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY hereby saves harmless, indemnifies and/or absolves Berkheimer from and against any and all liability in connection with the release of said confidential information.

RESOLVED, ENACTED AND ADOPTED at a meeting held on the __________ day of ______________________, ________.

BY: ______________________________

______________________________

______________________________

ATTEST:

______________________________
AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF WEST NORRITON TOWNSHIP, CHAPTER 27, PART 17, BY ADDING SECTION 27-1709 ENTITLED EXPIRATION OF CONDITIONAL USES, SPECIAL EXCEPTIONS, AND VARIANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Zoning Code of West Norriton Township currently does not set expiration dates for grants of zoning relief; and

WHEREAS, without an expiration date, grants of conditional use, special exceptions or variances could be valid for many years and become problematic for future Boards of Commissioners and Zoning Hearing Boards; and

WHEREAS, the Board of Commissioners of West Norriton Township desires to revise the Township Zoning Ordinance by amending Section 27, Part 17 “Administration,” to specify the time period grants of zoning relief are valid; and

WHEREAS, the Township Planning Commission, pursuant to the applicable provisions of the Zoning Ordinance and the Pennsylvania Municipalities Planning Code, has reviewed this proposed amendment and issued a recommendation to the Board of Commissioners regarding the same.

NOW, THEREFORE, be it, and it is hereby ORDAINED by the West Norriton Township Board of Commissioners, and it is hereby ENACTED and ORDAINED by authority of same as follows:

SECTION 1: Chapter 27, entitled “Zoning” of the Code of Ordinances of West Norriton Township, Part 17 entitled “Administration” is hereby amended to add Section 27-1709, “Expiration of Conditional Uses, Special Exceptions and Variances” as follows:

§ 27-1709 Expiration of Conditional Uses, Special Exceptions and Variances.

A conditional use, special exception, or variance shall expire if the applicant fails to obtain a Use Permit within twelve months of the date of the granting of the conditional use, special exception, or variance; provided, however, that:

1. If the subject matter of the use ultimately constitutes either a subdivision or land
development:

a. the conditional use, special exception, or variance shall expire if the applicant fails to file the required subdivision or land development plan within twelve months of the granting of the conditional use, special exception, or variance; provided; however, that:

b. the applicant shall have twelve months after the final plans of the subdivision or land development are approved and recorded to obtain a Use Permit.

2. The governing body may grant one extension of time if the landowner or his agent requests such an extension, and if good cause for the extension is shown; provided, however, that the extension shall be for no more than one year.

SECTION 2: SEVERABILITY.

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, West Norriton Township Board of Commissioners hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

SECTION 3: REPEALER.

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 4: EFFECTIVE DATE.

This Ordinance and the amendment contained herein shall be effective five (5) days after enactment.

ORDAINED AND ENACTED, by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this 13th day of October, 2020

ATTEST:                WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS:

________________________________  By:_________________________________
Jason Bobst, Township Manager  Martin Miller, President
August 20, 2020

Mr. Jason Bobst, Manager
West Norriton Township
1630 West Marshall Street
Jeffersonville, Pennsylvania 19403

Re: MCPC #20-0150-001
Plan Name: Ordinance for Expiration Dates for Zoning Relief
West Norriton Township

Dear Mr. Bobst:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, “The Pennsylvania Municipalities Planning Code,” as you requested on August 11, 2020. We forward this letter as a report of our review.

BACKGROUND

West Norriton Township has submitted a draft text amendment for review that would amend Chapter 27 - §27-1700 Administration of the township zoning code to add §27-1709 - Expiration of Conditional Uses, Special Exceptions and Variances. The current code does not set any expiration dates for zoning relief measures approved by the governing body. The proposed new administrative section provides expiration deadlines for conditional uses, special exceptions, and variances approved by the township’s Board of Commissioners and Zoning Hearing Board. These zoning relief approvals expire if the applicant fails to file a required subdivision and land development plan, or obtain a Use Permit, within twelve (12) months of the relief’s approval date. The draft amendment also includes a provision whereby the governing body may grant (1) one extension for a maximum of (1) one year, if good cause for the extension is shown by the applicant and the associated zoning relief approval.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) supports the applicant’s proposal without comment as we have found it to be generally consistent with other communities in both Montgomery County and the region. When compared to other municipalities that have codified expiration dates attached to grants of conditional use, special exception, or variance approvals, the applicant’s proposal of a (12) month expiration date is comparable in duration. When provided in other municipality’s codes, zoning relief expiration windows in the region range from six (6) months to two (2) years. Codification of relief approval with specific term expirations are important as they specify a term that can prevent future complications for governing bodies. Similarly,
unbounded or longstanding grants of relief can impede a community’s vision for future development, as conditions in a community may change over time leaving the approval outside the most current vision for the community’s development. We support the applicant’s proposal as problems can arise when grants of zoning relief are unbound by any such controls on their expiration.

**CONCLUSION**

We wish to reiterate that MCPC generally supports the applicant’s proposal and supports the township’s ongoing efforts to amend their code of ordinances to ensure that it reflects clear administrative standards, sound planning, and West Norriton’s current vision for future growth.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,

Michael Lowrey, Community Planner
mlowrey@montcopa.org - 610-278-3887

c: Dan Grieser, Esq., Township Solicitor
   Bruce Shoupe, Chair, Township Planning Commission
WHEREAS, the Board of Commissioners of West Norriton Township desires to amend the Township Zoning Ordinance to amend Section 27-1101 “Use Regulations” of the I Industry District by deleting the “unified development” use; and

WHEREAS, the Township Planning Commission, pursuant to the applicable provisions of the Zoning Ordinance and the Pennsylvania Municipalities Planning Code, has reviewed this proposed amendment and issued a recommendation to the Board of Commissioners regarding the same.

NOW, THEREFORE, be it, and it is hereby ORDAINED by the West Norriton Township Board of Commissioners, and it is hereby ENACTED and ORDAINED by authority of same as follows:

SECTION 1: Chapter 27, entitled “Zoning” of the Code of Ordinances of West Norriton Township, Section 27-1101.F is hereby deleted entirely. As a result, Section 27-1101.G becomes Section 27-1101.F and 27-1101.H becomes 27-1101.G.

SECTION 2: Chapter 27, entitled “Zoning” of the Code of Ordinances of West Norriton Township, Section 27-1102 entitled “Area and Height Regulations” is hereby amended by deleting the words, “except that for unified developments the maximum height for all buildings and structures shall be as regulated by §§ 27-1001Q and 27-1008, Subsection 6”.

SECTION 3: SEVERABILITY.

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, West Norriton Township Board of Commissioners hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.
SECTION 4: REPEALER.

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 5: EFFECTIVE DATE.

This Ordinance and the amendment contained herein shall be effective five (5) days after enactment.

ORDAINED AND ENACTED, by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this 13th day of October, 2020

ATTEST: 

WEST NORRITON TOWNSHIP

BOARD OF COMMISSIONERS:

________________________________
By: ________________________________

Jason Bobst, Township Manager        Martin Miller, President
August 20, 2020

Mr. Jason Bobst, Manager
West Norriton Township
1630 West Marshall Street
Jeffersonville, Pennsylvania 19403

Plan Name: Unified Development Removal for the Industrial District

Dear Mr. Bobst:

We have reviewed the above-referenced zoning text amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on August 6, 2020. We forward this letter as a report of our review.

BACKGROUND

West Norriton Township submitted a draft text amendment for review that would amend Chapter 27 Zoning, Part 11 I – Industrial District §27-1101 Use Regulations. The amendment deletes §27-1101.F resulting in the removal of Unified Development. This removal of the provision for Unified Development in the Industrial zoning district is pursuant to recently reviewed zoning map and text amendments related to the parcels at the Riverview site. Riverview is located between South Trooper Road and Riverview Boulevard, east of Route 422 and bordering the Schuylkill River.

As a result of these recent amendments, Barbados Island would become the sole remaining I - Industrial district in the township. This amendment would remove Unified Development and its constituent residential, retail, and office uses from Barbados Island. Various industrial uses remain in the township, as these uses remain included in current code for both the I-Industrial and LC&I Limited Commercial and Industrial districts. The inclusion of the Unified Development standards in the Industrial zoning district was originally designed to facilitate a prior development project at the Riverview site.

COMPREHENSIVE PLAN COMPLIANCE

MONTCO 2040: A SHARED VISION; THE COMPREHENSIVE PLAN FOR MONTGOMERY COUNTY

The applicant’s proposal is generally consistent with the goals of Montco 2040: A Shared Vision. The plan’s Future Land Use designates Barbados Island as part of the Conservation Area/Open Space category. The commercial, office, and residential uses currently provided for under Unified Development are not consistent with the Future Land Use goals of Montco 2040: A Shared Vision. The removal of Unified Development and the associated uses from Barbados Island is consistent with both the county plan, as well as the industrial uses historically permitted on Barbados island. We commend the applicant, as the proposal would limit “expansion of existing development” as Montco 2040 recommends for such designated “environmentally-sensitive land.”
Montco 2040: A Shared Vision also includes the improvement of stormwater management and the reduction of flood impacts in its goals. In this regard, the applicant’s submission is also generally consistent with the plan.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant’s proposal without comment as we have found it to be generally consistent with Montco 2040: A Shared Vision.

We wish to commend the applicant for updating the use regulations in the I – Industrial District consistent with Montco 2040: A Shared Vision’s goal of limiting development on the environmentally sensitive land on Barbados Island. We recognize that the inclusion of the Unified Development standards in the Industrial zoning district was designed to facilitate prior development at the Riverview site. The township’s recent zoning map amendment changing the Riverview parcels to B-P Business & Professional zoning removes the need for the Unified Development uses in the Industrial zoning district. Therefore, we support the applicant’s proposal and township’s efforts to maintain current and flexible zoning codes that support the future land use goals contained in Montco 2040.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant’s proposal to remove Unified Development Uses and Standards from the I - Industrial District zoning code. Furthermore, we support the township’s efforts intended to limit expansion of existing development in areas designated by Montco 2040 as Conservation Area or Open Space in order to lessen flood impacts and preserve environmentally sensitive land.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,

Michael Lowrey, Community Planner
mlowrey@montcopa.org - 610-278-3887

c: Dan Grieser, Esq., Township Solicitor
    Bruce Shouppe, Chair, Township Planning Commission

Attachments: Attachment A – Location Aerial Map
Attachment A – Location Aerial Map