



**West Norriton Township  
Work Session Agenda  
December 4, 2018  
7:00 PM**

- 1. Call To Order And Pledge Of Allegiance**
- 2. Presentation By Mikelen, LLC Of Preliminary Final Land Development For Markley Farms Phase II**
- 3. Discussion/Update On Status**
  - A. Leaf Pickup**
  - B. Swearing In Of Newly Hired Police Officer, Zachary Wedemeyer**
  - C. FY 2019 Budget**
  - D. Appointments To Boards And Commissions At Board Meeting On January 8, 2019**
  - E. Presentation By Tayler Rae On Chip N' Putt Concept For JGC**
  - F. Possible Litigation Regarding Opiod Crisis And Cost Recovery.**

Documents:

[WEST NORRITON TOWNSHIP PROPOSAL LETTER.PDF](#)

**4. Manager's Items**

- A. Consider Adopting Ordinance No. 2018-727 Amending Parking Ordinance To Include A Penalty Provision For Towing**

Documents:

[ORDINANCE - RESIDENTIAL PARKING TOWING PENALTY.PDF](#)

- B. Consider Adopting Ordinance No 2018-728 Adopting The 2019 Budget And Authorizing Staff To Advertise Same Upon Adoption**

Documents:

[ORDINANCE - ADOPTION OF 2019 BUDGET.PDF](#)

- C. Consider Adopting Ordinance No. 2018-729 Affixing The Property Tax Rate For The Year 2019 And Authorizing Staff To Advertise Same Upon Adoption.**

Documents:

[ORDINANCE - TAX RATE 2019.PDF](#)

- D. Consider Adopting Ordinance No. 2018-730 Amending HR Commission From 5 To 7 Members**

Documents:

**E. Consider Approval Of Sale Of Items Currently On MunicibiD**

A. 2005 Yamaha G23AZ Work Cart - \$1,450.00 to Matthew Braglio; and

B. 2000 Lastec Articulator Model 4210 Flex Mower - \$2,250.00 to Andrew Meads

**F. Consider Adopting Resolutions Designating Institutions, Banks Or Trust Companies As Depositories**

A. Resolution No. 18-1615 - Township Funds; and

B. Resolution No. 18-1616 - Real Estate Tax Collector Funds

Documents:

**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 to, speaking by any person who is not, at that time, taking part in public comment.

**6. Upcoming Meeting(S):**

A. Environmental Advisory Council, December 5, 2018 @ 7:00 PM;

B. Planning Commission - No Meeting; and

C. Zoning Hearing Board - No Meeting

**7. Adjournment**



**MARC J. BERN  
& PARTNERS LLP**  
ATTORNEYS AT LAW

November 6, 2018

Board of Commissioners  
West Norriton Township  
Municipal Building  
1630 W. Marshall St.  
Jeffersonville, PA 19403

**Re: Opioid Crisis Pharmaceutical Litigation Proposal to West Norriton Township**

Dear Commissioners:

This letter shall act as a proposal to the Township of West Norriton to hire Marc J. Bern & Partners, LLP to represent West Norriton in litigation regarding the recovery of all costs incurred by the Township associated with the opioid crisis currently ravaging the United States.

According to the National Institute of Drug Abuse "Every day, more than 90 Americans die after overdosing on opioids. The misuse of and addiction to opioids- including prescription pain relievers, heroin, and synthetic opioids such as fentanyl is a serious national crisis that affects public health as well as social and economic welfare. The Centers for Disease Control Prevention estimates that the total "economic burden" of prescription opioid misuse alone in the United States is \$78.5 billion a year, including costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement."

Marc J. Bern & Partners LLP is a well-financed and highly-sophisticated law firm, seasoned in complex tort litigation, led by Marc J. Bern and Joseph J. Cappelli. Our law firm currently represents over 45 counties, 5 municipalities, and 3 unions in PA, DE, SC, GA, and WV in the fight against the opioid manufacturers and distributors. Mr. Bern has successfully recovered over \$3 Billion in complex tort claims against multinational entities across 40 years of practice. He has been appointed by Courts to the leadership of many complex tort litigations. Mr. Cappelli is a veteran Pennsylvania trial attorney with a 25-year track record of success. Mr. Cappelli has based his practice out of Conshohocken for two decades and is admitted to multiple federal district courts throughout the country. He has personally handled cases in courtrooms in over twenty states and has significant appellate experience.

Our legal team has a solid history of representing tens of thousands of individuals throughout the United States, in various and highly publicized mass tort litigation. As a leader in mass tort litigation, we currently represent over 4000 victims in the Flint Water Crisis, over 2000 victims of the WTC attacks, and many thousands of others against the pharmaceutical industry nationwide. Our team of lawyers and experts are prepared to commence this litigation on behalf of your members. Marc J. Bern & Partners, LLP has both the financial and legal resources to provide the highest level of representation on behalf of the Union and its members.

We are prepared to finance the entire litigation including all out of pocket expenses and disbursements and handle the lawsuit on a contingent fee basis.

**FEE ARRANGEMENTS**

We shall handle the entire litigation for a contingent fee of Twenty-Five (25%) Percent of the gross sum recovered, whether by suit or settlement. All costs and disbursements of the litigation will be paid by Marc J. Bern & Partners, LLP and are reimbursable at the end of the litigation only if we successfully prosecute this claim on behalf of the Township of West Norriton, and then only out of the proceeds of any recovery or settlement.

The Township of West Norriton shall not be responsible for any fees, costs or disbursements in the event the litigation is unsuccessful.

It is a privilege to have this opportunity and we look forward to working with you.

Sincerely,

**MARC J. BERN & PARTNERS, LLP**

  
Joseph J. Cappelli, Esquire

**WEST NORRITON  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2018-727**

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**AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF WEST NORRITON TOWNSHIP, PART 4 GENERAL PARKING REGULATIONS, SECTION 15-409 PENALTIES TO ADD TOWING AS A PENALTY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the Board of Commissioners of West Norriton Township has concluded that towing as a penalty of parking violations under Part 4 of the West Norriton Code of Ordinances, will serve to promote the general safety, health and welfare of the residents by (a) allowing residents to park conveniently at or near their homes and (b) reducing noise, trash, pollution and safety hazards.

**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:** The West Norriton Township Code of Ordinances Chapter 15: Motor Vehicles and Traffic, Part 4: General Parking, Section 15-409: Penalties, shall be amended and shall read as follows:

**PART 4 – GENERAL PARKING**

**§15-409. PENALTIES**

Any person who violates any provision of this Part 4 shall, upon conviction, be sentenced to pay a fine of not more than \$15 and costs; provided that it shall be the duty of the police officers and of parking enforcement personnel of the Township of West Norriton to report to the appropriate official all violations of any provision of this Part 4, indicating, in each case: the section violated; the license number of the vehicle involved in the violation; the location where the violation took place; and any other facts that might be necessary in order to secure a clear understanding of the circumstances attending the violation. The police officer or other person making the report shall also attach to or place upon every such vehicle a notice stating that the vehicle was parked in violation of this Part 4. Pursuant to Chapter 15, Part 5, those vehicles which are parked in a tow away zone or are in violation of the parking regulations of this chapter may be

removed and impound at the discretion of the police officers or parking enforcement personnel of the Township of West Norriton, at the owner's sole expense.

**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 shall be effective five (5) days after enactment.

**ORDAINED AND ENACTED**, by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this 11<sup>th</sup> day of December, 2018

**ATTEST:**

**WEST NORRITON TOWNSHIP  
BOARD OF COMMISSIONERS:**

\_\_\_\_\_  
**Jason Bobst**, Township Manager

By: \_\_\_\_\_  
**Martin Miller**, President

**WEST NORRITON TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2018-728**

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**AN ORDINANCE ADOPTING THE 2019 WEST NORRITON TOWNSHIP BUDGET**

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**WHEREAS**, the West Norriton Township Board of Commissioners is authorized by the First Class Township Code, 53 P.S. §56701(b), as amended, to adopt an annual budget for the Township, and desires to adopt the tentative budget as the 2019 budget for West Norriton Township.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

1. The 2019 West Norriton Township tentative budget, as advertised and properly amended in accordance with Section 1701(b) of the First Class Township Code, 53 P.S. §56701(b), as amended, is hereby adopted as the final 2019 West Norriton Township budget. A copy of the same is attached hereto and made a part hereof by reference as if set forth herein at length.

2. The revenues derived from the taxation powers of West Norriton Township are hereby appropriated for the purposes of funding the budget categories as herein approved and adopted.

3. The West Norriton Township Tax Collector is hereby authorized and directed, for the tax year 2019, to collect any and all taxes as adopted by the West Norriton Township Board of Commissioners (except for Earned Income and Net Profit Tax, and the Local Services Tax, which shall be collected in accordance with the otherwise applicable respective ordinances initially enacting the same) in accordance with the taxing ordinance and resolutions authorizing collection thereof, and said monies are to be returned to the West Norriton Township Board of Commissioners for the purpose of implementing the 2019 budget as approved, and this Ordinance shall constitute the West Norriton Township Tax Collector's warrant to so act.

4. All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

5. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance, and it is the intent of the Board of Commissioners that it would have enacted this Ordinance but for the invalid or unconstitutional provision(s).

6. This Ordinance shall become effective January 1, 2019.

**ENACTED** and **ORDAINED**, under the authority conferred by the First Class Township Code, and other relevant statutory law, the Board of Commissioners of West Norriton Township in the County of Montgomery, Commonwealth of Pennsylvania does hereby enact and ordain this Ordinance West Norriton Township this 11<sup>th</sup> day of December, 2018.

**ATTEST:**

**WEST NORRITON TOWNSHIP  
BOARD OF COMMISSIONERS**

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**JASON BOBST, Secretary**

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**MARTIN MILLER, President**



**WEST NORRITON TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2018-729**

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**AN ORDINANCE OF WEST NORRITON TOWNSHIP AFFIXING THE  
PROPERTY TAX RATE FOR THE YEAR 2019**

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**WHEREAS**, the First Class Township Code and the Local Tax Enabling Act requires and authorizes the Board of Commissioners of West Norriton Township to annually adopt a tax levy ordinance affixing property tax within the Township for a given year; and

**WHEREAS**, the Board of Commissioners has met the procedural requirements of the First Class Township Code for the adoption of this proposed Ordinance.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

**I. TAX LEVY – GENERAL REVENUE PURPOSES AND DEBT PURPOSES**

Pursuant to 53 P.S. § 55101 *et seq.*, a tax is hereby levied on all real property within West Norriton Township, which is subject to taxation for the fiscal year 2018, as follows:

A. Tax rate for general revenue purposes, the sum of 3.360 mills on each dollar of assessed valuation or the sum of 33.60 cents on each \$100.00 of assessed valuation.

B. Tax rate for debt purposes, the sum of .847 mills on each dollar of assessed valuation or the sum of 8.47 cents on each \$100.00 of assessed valuation.

**II. TAX LEVY – FIRE PROTECTION**

The Fire Protection Tax in Chapter 24 of the West Norriton Township Code at Section 24-601 shall be at a rate of .198 mills on real estate (or a 1.98 cents on each \$100.00 of assessed valuation).

**III. TAX LEVY – RECREATION**

The Recreation Tax in Chapter 24 of the West Norriton Code at Section 24-701 shall be: at the rate of .07 mills on real estate (or .70 cents on each \$100.00 of assessed valuation).

**IV. REPEALER**

All ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed, it being understood and intended that all ordinances and the First Class Township Code, such as are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

**V. REVISIONS**

The Board of Commissioners of West Norriton Township does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of this Ordinance, including this provision.

**VI. SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, by any court of competent jurisdiction, such provisions shall be separate, distinct and independent, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**VII. FAILURE TO ENFORCE NOT A WAIVER**

The failure of West Norriton Township to enforce any provision of this Ordinance shall not constitute waiver by the Township of its rights of future enforcement hereunder.

**VIII. EFFECTIVE DATE**

This Ordinance shall be effective immediately.

**IX. ENACTMENT**

Under the authority conferred by the First Class Township Code, and other relevant statutory law, the Board of Commissioners of West Norriton Township in the County of Montgomery, Commonwealth of Pennsylvania does hereby enact and ordain this Ordinance West Norriton Township this 11<sup>th</sup> day of December, 2018.

Approved by the Board of Commissioners of West Norriton Township, this 11<sup>th</sup> day of December, 2018.

**Attest:**

**WEST NORRITON TOWNSHIP  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
**JASON BOBST, Secretary**

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**MARTIN MILLER, President**

**WEST NORRITON  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2018-730**

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**AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF WEST NORRITON TOWNSHIP, CHAPTER 1, PART 2, SECTION 226 TO INCREASE THE NUMBER OF HUMAN RELATIONS COMMISSION MEMBERS TO SEVEN; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, by Ordinance 2018-719 the Board of Commissioners of West Norriton Township enacted a Humans Relations Committee under Chapter 1: Administration and Government; Part 2: Boards and Committees; Section C: Human Relations Commission; and

**WHEREAS**, Section 226, titled “Establishment of Human Relations Commission,” sets the number of members to the Township’s Human Relations Commission to five (5) members who shall be appointed to terms of three (3) years by the Board of Commissioners; and

**WHEREAS**, the Township Board of Commissioners has determined that increasing the number of members of the Human Relations Commission from five (5) to seven (7) would be to the benefit of the health safety and welfare to the community; and

**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:** The West Norriton Township Code of Ordinances Chapter 1, titled “Administration and Government;” Part 2, titled “Boards and Committees,” Section C, titled “Human Relations Commission”, Section 226(1) shall be amended and shall read as follows:

- 1) The West Norriton Township Human Relations Commission shall consist of seven (7) members, who shall be appointed to terms of three (3) years by the Board of Commissioners. The terms of the members of the Commission shall be staggered, such that the terms of one third (1/3) of the members of the Commission shall expire each year. All members of the Commission shall be residents or business owners of the Township of West Norriton and shall serve without compensation.

**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 11<sup>th</sup> day of December, 2018

ATTEST:

WEST NORRITON TOWNSHIP  
BOARD OF COMMISSIONERS:

\_\_\_\_\_  
Jason Bobst, Township Manager

By: \_\_\_\_\_  
Martin Miller, President

**TOWNSHIP OF WEST NORRITON  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION # 18-1615**

**A RESOLUTION DESIGNATING INSTITUTIONS, BANKS OR  
TRUST COMPANIES AS DEPOSITORIES OF  
TOWNSHIP FUNDS**

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**WHEREAS**, the Board of Commissioners is required by law to designate institutions, banks or trust companies, as depositories of Township funds: therefore be it

**RESOLVED**, that TD Bank and/or any of its branches, Bryn Mawr Trust Co. and/or any of its branches, Univest, TD Ameritrade/INR Advisory Services, LLC and/or any of its branches, and Pennsylvania Local Government Investment Trust (PLGIT) and/or any of its branches, be designated as depositories of funds of West Norriton Township and that the accounts be as follows:

- West Norriton Township General Fund
- West Norriton Township Escrow
- West Norriton Township Sinking Fund
- West Norriton Township Liquid Fuels Tax
- West Norriton Township Capital Reserve Fund
- West Norriton Township Sewer Capital Reserve
- West Norriton Township Police Pension
- West Norriton Township Non-Uniform Employees' Pension
- West Norriton Township Grant
- West Norriton Township Traffic Impact Fees
- West Norriton Township Vehicle Replacement Fund
- West Norriton Township Difference Fund

**RESOLVED**, that TD Bank, Bryn Mawr Trust Co., Univest, TD Ameritrade/INR Services, LLC qualifies as depositories of tax funds and Township funds by keeping in force and effect current depository agreements; the amount of which shall be increased or decreased at the request of the Board of Commissioners.

**RESOLVED**, that the withdraw of funds from all accounts, except Tax Account, by warrants or checks shall contain the signatures of any three of the President, Vice President, Treasurer, Secretary, and Assistant Secretary.

**RESOLVED**, that the Pennsylvania Local Government Investment Trust (PLGIT) be designated as depository of funds of West Norriton Township and the accounts be as follows:

West Norriton Township General Fund - PLGIT / PLGIT PLUS  
West Norriton Township Capital Reserve Fund - PLGIT / PLGIT PLUS

**ENACTED** and **ORDAINED** by the Board of Commissioners of West Norriton Township this 11<sup>th</sup> day of December, 2018.

**Board of Commissioners  
West Norriton Township**

By: \_\_\_\_\_  
Martin Miller, President

Attest: \_\_\_\_\_  
Jason M. Bobst, Secretary

**TOWNSHIP OF WEST NORRITON  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION # 18-1616**

**A RESOLUTION DESIGNATING INSTITUTIONS, BANKS OR  
TRUST COMPANIES AS DEPOSITORIES OF  
THE WEST NORRITON TOWNSHIP TAX COLLECTOR**

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**WHEREAS**, the Board of Commissioners is required by law to designate institutions, banks or trust companies, as depositories of Township funds: therefore be it

**RESOLVED**, that Harleysville Savings Bank, and/or any of its branches, be designated as depositories of funds of the West Norriton Township Treasurer/Tax Collector and that the account be titled:

Real Estate Tax Account - Checking

**RESOLVED**, that the Harleysville Savings Bank qualifies as depository of tax funds keeping in force and effect current depository agreements; the amount of which shall be increased or decreased at the request of the Board of Commissioners.

**ENACTED** and **ORDAINED** by the Board of Commissioners of West Norriton Township this 11<sup>th</sup> day of December 2018.

**Board of Commissioners  
West Norriton Township**

By: \_\_\_\_\_  
Martin Miller, President

Attest: \_\_\_\_\_  
Jason M. Bobst, Secretary