



**West Norriton Township
Work Session Agenda
March 2, 2021
7:00 PM**

Join Zoom Meeting

<https://us02web.zoom.us/j/87920858285?pwd=Mjk2ME5TdTM4cVR2RVlFVlFJR0NnQT09>

Meeting ID: 879 2085 8285

Passcode: 872420

1. **Call To Order And Pledge Of Allegiance**
2. **Discussion/Update On Status**
 - A. **RCAP Grant For Jeffersonville Golf Club**
 - B. **Bid Opening For Short Course At JGC**
 - C. **Police Promotion Process**
 - D. **Land Development Extension Re: Bob's Auto Parts**
3. **Manager's Items**
 - A. **Consider Adopting Ordinance No. 2021-749 Re: Cable Franchise Agreement**

Documents:

[ORDINANCE -CABLE FRANCHISE AGREEMENT.PDF](#)
 - B. **Consider Adopting Resolution #21-1667 Re: Dedication Of 3 Roads In Markley Farms Development**

Documents:

[RESOLUTION - MARKLEY ROAD DEDICATIONS.PDF](#)
 - C. **Consider Adopting Ordinance No. 2021-750 Re: Swimming Pool Updates**

Documents:

[ORDINANCE -SWIMMING POOL UPDATES.PDF](#)
4. **Commissioner Liaison Committee Reports**
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.

To submit written Public Comment to the Board, please [CLICK HERE](#)

6. Meeting Dates

A. **Zoning Hearing Board - March 17th @ 7:00 PM**

B. **Planning Commission - March 22nd @ 7:00 PM**

7. Adjournment

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**WEST NORRITON
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2021-749

**AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY
PENNSYLVANIA, AUTHORIZING EXECUTION OF A CABLE FRANCHISE
AGREEMENT BETWEEN THE TOWNSHIP AND VERIZON PENNSYLVANIA LLC**

WHEREAS, the Franchisee is a “cable operator” and the Township is a “local franchising authority” in accordance with Title VI of the Communications Act (*see* 47 U.S.C. § 522(5), (10)) and the Township is authorized to grant one or more nonexclusive cable franchises to operate a Cable System within the Township pursuant to Title VI of the Communications Act;

WHEREAS, the Township granted to the Franchisee, effective as of November 16, 2006, a nonexclusive initial Franchise to install, maintain, extend, and operate a Cable System in the Township for a term of twelve (12) years (the “Initial Franchise”);

WHEREAS, the Franchisee has operated a Cable System in accordance with the Initial Franchise as of the Effective Date on its existing Telecommunications Facilities consisting of a Fiber to the Premises Telecommunications Network (“FTTP Network”) in the Township which also transmits Non-Cable Services pursuant to authority granted by applicable state law and Title II of the Communications Act, and which are not subject to Title VI of the Communications Act or this Agreement;

WHEREAS, the Franchisee has requested that the Township renew the Franchisee’s Franchise to provide Cable Service to residents of the Township;

WHEREAS, pursuant to and in accordance with applicable federal and state law, the Township undertook a process to determine whether it should renew the Initial Franchise and the terms for such a renewal;

WHEREAS, the Township has examined the past performance of the Franchisee and has identified the Township’s future cable-related needs and interests;

WHEREAS, following good faith negotiations between the parties, the Township and the Franchisee have agreed on the terms for a Franchise Renewal Agreement under which the Franchisee will continue to operate its Cable System in the Township; and

WHEREAS, the Township has determined that this Agreement and the process for consideration of this Agreement complies with all applicable federal, state and local laws and regulations.

NOW THEREFORE, BE IT ORDAINED that the Board of Commissioners of West Norriton Township does hereby approve the cable franchise agreement negotiated with the Franchisee, including all of the terms and conditions contained therein, and does hereby authorize the execution of such agreement.

ORDAINED AND ENACTED, by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, this _____ day of March, 2021

ATTEST:

**WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS:**

Jason Bobst, Township Manager

By: _____
Martin Miller, President

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

RESOLUTION #21-1667

**A RESOLUTION ACCEPTING DEDICATION OF THREE ROADWAYS AND THEIR RIGHTS
OF WAY FROM MIKELN, LLC; REPEALING ALL INCONSISTENT RESOLUTIONS OR
PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Mikelen, LLC (“Mikelen”) is the owner in fee simple of the real property identified as Dorie Drive, Ronald Drive, and Worthington Circle (the “Property”), located in West Norriton Township, Montgomery County, Pennsylvania; and

WHEREAS, Mikelen has agreed to dedicate the Property to West Norriton Township for use by the Township as a public road; and

WHEREAS, the Board of Commissioners of West Norriton Township desires to accept dedication of the Property, to be used as a public road, and is authorized to accept dedication of real property pursuant to 53 P.S. Section 57020(a);

NOW THEREFORE, be it, and it is hereby RESOLVED by the Board of Commissioners of West Norriton Township, Montgomery County, Pennsylvania, and it is hereby ADOPTED and RESOLVED by authority of same as follows:

- I. West Norriton Township hereby accepts dedication of the real property identified as a Dorie Drive, Ronald Drive, and Worthington Circle and the streetlights and related equipment located in the roads’ rights-of-way from Mikelen. A legal description of the roads being dedicated is attached hereto as Exhibits “A”, “B”, and “C” and incorporated herein by reference, and a plan depicting the roads being dedicated is attached hereto as Exhibit “D” and incorporated herein by reference.
- II. The President of the Board of Commissioners, the Township Manager and the Township Solicitor, or their assignees, are given the authority to execute a Deed of Dedication for the Property, and to take all other actions required to accept dedication of the Property for use as a public road.
- III. All resolutions or parts thereof inconsistent with this Resolution are hereby repealed to the extent of the inconsistency.
- IV. The provisions of this Resolution are declared to be severable. If any provision of this Resolution is declared to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall have no effect on the remaining provisions of this Resolution.
- V. This Resolution shall go into effect immediately upon its legal adoption.

ADOPTED and RESOLVED this 9th day of March 2021, by the Board of Commissioners of West Norriton Township.

Board of Commissioners
West Norriton Township

Attest: _____
Jason M. Bobst, Secretary

By: _____
Martin Miller, President

**WEST NORRITON
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2021-750

**AN ORDINANCE OF WEST NORRITON TOWNSHIP, MONTGOMERY COUNTY
PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF WEST NORRITON
TOWNSHIP, CHAPTERS 23, “SWIMMING POOLS”, TO RESOLVE
INCONSISTENCIES WITH CHAPTER 27; REPEALING ALL INCONSISTENT
ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE;
AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, the Pennsylvania First Class Township Code authorizes the Board of Commissioners of West Norriton Township (“BOC”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Township and the maintenance of peace, good government, health, safety, and welfare of the West Norriton Township (“Township”) and its citizens;

WHEREAS, the BOC desires to protect the safety, health, and welfare of the residents of West Norriton by preserving the livability and desirability of its neighborhoods;

WHEREAS, after review of its General Laws, the Township has discovered inconsistencies regarding swimming pool requirements in the Code of Ordinances. Specifically, the ordinance requires a property setback of 10 feet in Chapter 23 and 20 feet in Chapter 27. Also, Chapter 23 references outdated fencing requirements; and

WHEREAS, in order to resolve the inconsistencies, Township staff recommends amending Chapter 23.

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 I: Chapter 23, “Swimming Pools” of the Code of Ordinances of West Norriton Township, Sections 103 “Minimum Clearance” and 104 “Fence Required” are hereby deleted entirely and replaced as follows:

§ 103. Minimum Clearance.

1. A swimming pool, including paved surfaces and equipment, shall not be located within the required front yard or forward of the front facade of an existing dwelling and shall be located not less than 20 feet from all property lines.

2. Swimming Pools shall be subject to a minimum clearance of 15 feet from any sub-surface sanitary sewer system.

§ 104. Fence and Construction Requirements.

1. A swimming pool, hot tub and spa which is accessory to a one- or two-family dwelling must comply with the “International Residential Code of 2015”, as amended from time to time, which adopts, by reference, the “International Swimming Pool and Spa Code of 2015.”

2. A swimming pool, hot tub or spa that is not accessory to a one- or two-family dwelling must comply with the Public Bathing Law (35 P.S. § § 672—680d) and the “International Building Code of 2015”, as amended from time to time, which adopts, by reference, the “International Swimming Pool and Spa Code of 2015.” The accessibility provisions contained in Section 307.1.4 (relating to general design requirements) of the “International Swimming Pool and Spa Code of 2018”, as amended from time to time, are also adopted.

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 6th day of April, 2021

ATTEST:

**WEST NORRITON TOWNSHIP
BOARD OF COMMISSIONERS:**

Jason Bobst, Township Manager

By: _____
Martin Miller, President