

June 9, 2020

Due to COVID-19 restrictions, the regular monthly meeting of the Board of Commissioners of West Norriton Township was convened electronically via ZOOM at 7:00 PM on the above date by President Miller. Commissioners Eckles, Milazzo, Pavone and Smock were in attendance. Also, present were: Jason Bobst; Dan Grieser, Esquire; Kathy Frederick; A. Dale Mabry; Michael Kelly; Donna Horn; Michael Valyo; Jon Dzedzy; Michael Housley; T.J. Figaniak; and Erik Garton.

**Announcement** It was stated by Mr. Miller that an executive session of the Board was held prior to the meeting to discuss personnel and litigation matters. As a result of that executive session, a motion to promote Sergeant Stephen Morris to the position of Deputy Chief was added to the Agenda pending contract negotiations.

**Minutes Approval** Ms. Eckles requested that the minutes as transcribed be amended to accurately reflect the word "vines" (not "wines") under the public comment portion thereof. On condition of that change, the minutes were unanimously approved upon motion of Ms. Eckles, seconded by Ms. Milazzo.

**Report of Bills Approval of checks** Ms. Horn read the Finance Committee Report and requested approval of: General Fund and Golf Club payroll checks in the amount of \$19,170.57; payroll vouchers in the amount \$275,271.12; and the Payment Approval Report in the amount of \$594,039.25.

Upon motion of Ms. Milazzo, seconded by Mr. Smock and unanimously approved was said finance report.

**Committee Reports: Administration & Finance** Mr. Bobst enumerated and highlighted the Agenda items under New Business and requested the addition of an additional item regarding the PUC response letter to the rate increase request of PA American Water Company. In that regard, it was explained by Mr. Grieser that four (4) options exist for the township's response, depending on the level of involvement that the township would like to have in the PUC proceedings, to wit: Option 1 - letter; Option 2 - letter and public comment; Option 3 - letter and party status, but inactive role; and Option 4 - letter and party status with submitting testimony and hiring experts. Mr. Grieser stated that options 2 or 3 were suggested by an advocacy group. Inquiries were made by Board members as to the cost incurred by the Township with Options 3 and 4, who would speak on the Township's behalf, allowance of public comments, etc.

Treasurer Horn did not present her report at the meeting; however, she has submitted her summary which shows cash balances in the various funds as follows:

	<u>April 30<sup>th</sup></u>	<u>May 31<sup>st</sup></u>
General Fund	9,569,923.34	11,637,163.85
PLGIT 10105000	34,798.35	31,239.17

PLGIT CD - SEWER	1,469,000.00	1,469,000.00
Golf Fund	(137,234.30)	(187,171.24)
Escrow Fund	524,573.26	524,684.27
Sinking Fund	6,252.55	6,257.82
Liquid Fuels	605,976.46	606,165.12
Capital Reserve PLGIT	21,375.70	21,375.70
Capital Reserve PLIGIT PLUS	29,478.23	29,489.50
Sewer Capital Acct	2,599,192.57	2,583,886.73
Vehicle Replacement Fund	537,016.37	537,130.23
Police Pension Citizens	37,849.23	44,464.93
Non-Uniform Pension Citizens	4,474.09	5,040.28
Grants, DUI	0.00	0.00
Grants, Misc.	132,112.38	132,150.16
Traffic Impact Fee	450,113.25	450,208.64

**Public Safety**

After announcing that this is Chief Mabry's last official meeting, Mr. Bobst stated that Chief Mabry is leaving "big shoes to fill" and that he has had a calming effect on the Township. Mr. Bobst went on to acknowledge Chief Mabry's outstanding service and leadership, and he thanked him personally and professionally. Chief Mabry noted that, on June 4th he celebrated his 41<sup>st</sup> anniversary with the West Norriton Township Police Department, and he expressed his appreciation to Mr. Bobst stating "I'll miss you and I consider us friends".

Thereafter, his final monthly public safety report was highlighted by Chief Mabry, who concluded by thanking the Board of Commissioners and previous Boards and Chiefs of Police, noting that "this is a building process. What is happening now in this country is an example of that. I loved being here and I love the Township."

**Public Works & Planning**

The highlights of the Public Works and Building-Plumbing reports were presented by Mr. Valyo, who mentioned that tree limb pickup will begin this coming Monday.

**Recreation**

The Recreation report was prepared and highlighted by Mr. Dzedzy who announced that, tennis courts are open and available in the yellow phase of COVID and that, according to Montgomery County, youth baseball and softball will also be allowed to practice in the yellow phase.

Also, it was mentioned by Mr. Dzedzy that movie night is scheduled for August 29<sup>th</sup> with COVID safeguards to be implemented.

Mr. Dzedzy showed slides of the plans for the Padden Park Project and stated that these improvements are going to make this a destination playground. Mr. Garton suggested a timeline for the project of open bids in July and awarding in August.

**Jeffersonville Golf Club**

Mr. Bobst presented the monthly golf report and mentioned that the number of outings is still "off" due to COVID, but that otherwise, rounds and revenue are 11% higher than

budgeted and we've moved to tee times every 12 minutes as opposed to every 15 minutes previously. That's encouraging to hear, stated Mr. Miller.

Also, Mr. Bobst stated that the Stream Bank Restoration Project is completed and, as soon as the fence is up, hole #2 can be reopened.

**Sanitary Sewer**

The highlights of the monthly Sanitary Report of Gilmore & Associates were presented by Mr. Figaniak who also announced that the Township has officially been removed from DEP restrictions.

**Engineer**

The Engineer's Report of Gilmore & Associates was prepared and highlighted by Mr. Garton who added that the cost estimates of the paving projects are way off, but the silver lining is that the numbers are off in our favor with low gas prices and need for work due to COVID.

Upon motion of Mr. Smock, seconded by Ms. Milazzo and unanimously passed, the Department Reports were approved.

**Commissioners' Comment**

Mr. Miller commented that he could not begin to thank Chief Mabry enough for his service to the Township, that he is grateful for his leadership of the police department, and that Chief Mabry is an excellent and honorable man.

Ms. Eckles inquired about our representation at the Municipality of Norristown's meeting tonight as regards the potential sale of the NMWA. According to Mr. Bobst, a member from our special counsel is in attendance at that meeting, that Norristown is taking action this evening to advertise the sale and the expected timeline for the PUC process is 12-18 months. Also, Mr. Bobst noted that our position was made clear via correspondence from Mr. Miller. According to Mr. Bobst, it is his intention to have a representative of Aqua America make a formal presentation at a future Board meeting to discuss the potential sale and the specifics thereof.

**Public Comment**

There were two (2) public comments submitted on non-agenda items, both comments originating from Kim Haymans-Geisler, 1810 Ardin Drive. Mr. Miller summarized the comments; however, the full text thereof is as follows:

*"Over the past month, there has been a major overhaul of some water lines in my community. A crew from Pennsylvania American Water unexpectedly arrived on the 1800 block of Sterigere Street (a private road) and replaced the entire water main under that section of the street. I would imagine this major line upgrade is welcome news for the neighbors, although it is my understanding there was no prior notice given to local residents.*

*I have observed additional construction work being done on Spera Lane by the company. Does Pennsylvania American Water also have near-term plans to upgrade the main on my private road (Ardin Drive) -- which lies parallel to Sterigere Street and Spera Lane? How does infrastructure planning for private water utility company projects occur in West Norriton, and what is our Township's advance knowledge of and involvement in water main replacements?*

*The Sterigere Street project is an essential water line upgrade over the long run and it came as a big surprise to affected residents (from what I understand). Previously, I heard anecdotally from a utility worker (who helped repair the burst water main on my own street in 2018) that all households along private roads would need to be notified in advance and "sign off" on future line upgrades. This process complicates and delays planning for major improvements on private lanes. So the past month's water main replacement along Sterigere Street is confusing because its sudden installation contradicts my previous understanding of how such infrastructure planning is performed.*

*Could future water company planning and coordination occur "smartly" with West Norriton Township involvement that could enable the simultaneous upgrading of old sewer mains -- so that full road restoration efforts involving costly re-paving and disruption on local streets is not redundant? This would conserve considerable financial and construction resources, minimizing the cost of local road restoration -- plus driving, delivery and trash hauling interruptions -- for many years to come.*

*Finally: Is there a set schedule at Pennsylvania American Water for upcoming water main replacement projects to include my own street (Ardin Drive)? Other local private roads?"*

*Mr. Miller will direct staff to respond to these two (2) non-agenda items.*

*In response to the public comment offered by Ms. Haymans-Geisler at last month's work session regarding the flood plain ordinance and impact of townhouses as part of BP District, Mr. Bobst offered a brief synopsis and noted that once an application is submitted for townhouses, they would be reviewed against the flood plain ordinance adopted in 2016. Mr. Grieser concurred that any project submitted would be reviewed against the flood plain ordinance and standards contained therein since it is in effect and applies to that property.*

*Ms. Haymans-Geisler was on the ZOOM meeting and verbally stated that she is also concerned that the Board is abandoning such an important project in the Betzwood Trail Project as is the only place in the Township that the public can link up with the Schuylkill River Trail.*

*There being no additional public comments offered, upon motion of Ms. Milazzo, seconded by Mr. Smock and unanimously approved, the public comment portion of the meeting was closed.*

**New Business**

*Upon motion of Mr. Miller, seconded by Ms. Eckles and unanimously agreed, the Board authorized the execution of the Stipulations for Tax Assessment Appeals re: Bogard Street, LLC and Fishburne Street, LLC (copy attached).*

*Upon motion of Mr. Miller, seconded by Ms. Milazzo and unanimously agreed, the Board authorized the advertising of Ordinance No. 2020-739 re: updating townhouse regulations.*

*Upon motion of Ms. Eckles, seconded by Ms. Milazzo and unanimously agreed, the Board authorized the advertising of Ordinance No. 2020-740 re: false alarms which is directed primarily at commercial properties.*

Upon motion of Mr. Miller, seconded by Ms. Eckles and unanimously agreed, the Board authorized the advertising of Ordinance No. 2020-741 re: amending zoning map - Riverview Boulevard.

Upon motion of Ms. Milazzo, seconded by Ms. Eckles and unanimously agreed, the Board authorized the advertising of Ordinance No. 2020-742 amending BP District to permit townhouses. It was pointed out by Mr. Bobst that this proposed Ordinance requires a minimum of 20 acres to meet the requirements

Upon motion of Ms. Eckles, seconded by Ms. Milazzo and unanimously agreed, the Board authorized the advertising of the bid for Padden Park Pavilion and Restroom/Storage Project.

Upon motion of Mr. Miller, seconded by Ms. Pavone and unanimously agreed, the Board awarded the bid for the Regents Park Paving Project to the low bidder, Highway Materials in the amount of \$\$528,120.35 after review for compliance with RCO.

Upon motion of Mr. Miller, seconded by Ms. Eckles and unanimously agreed, the Board adopted Resolution #20-1658 amending prior land development waiver resolution re: releasing Outside Unlimited LLC and assigning obligations thereunder to Benchmark Site Holdings (copy attached). Mr. Bobst stated that settlement on the property is scheduled for Friday and that the Resolution does not take effect until the property is conveyed from Outside Unlimited to Benchmark Site Holdings.

Upon enthusiastic motion of Mr. Miller, seconded by Ms. Eckles and unanimously agreed, the Board approved the forwarding to the letter, with the preamble by Ms. Eckles, to Montgomery County Commissioner Gale calling for his resignation.

Upon motion of Mr. Miller, seconded by Ms. Milazzo and unanimously agreed, the Board authorized the execution of the DUI Grant for 2021.

Upon motion of Ms. Milazzo, seconded by Ms. Pavone and unanimously agreed, the Board rejected the bids for the Betzwood Trail Head Project given the uncertainty of the project and that the cost of same was excessive at \$326,000.00 vs. the grant amount of \$175,000.00.

Upon motion of Ms. Milazzo, seconded by Ms. Eckles and unanimously approved was the appointment of Sergeant Stephen Morris to the position of Deputy Chief of Police, pending contract negotiations, on July 1, 2020.

Upon motion of Ms. Milazzo, seconded by Ms. Eckles and unanimously agreed, the Board authorized the issuance of a

letter to the PUC objecting to the requested rate increase by PA American Water Company and the selection of Option #3 as the Township's position thereto.

**Items for  
Future Meeting**

An appointment to the Zoning Hearing Board will be considered at July's meeting of the Board.

**Schedule of  
Meetings**

Mr. Bobst announced that: a meeting of the Zoning Hearing Board via ZOOM is scheduled for June 18<sup>th</sup> @ 7:00 PM re: side yard setback for non-conforming lot at 48 Potts Avenue; that there is no work session in July and August; and that the Board's regular meeting in July will be held in person at the Township building.

**Adjournment**

There being no further business, at 8:32 PM, on motion of Ms. Pavone and seconded by Ms. Eckles, the public meeting was adjourned.

Kathy Frederick  
Assistant Secretary