

August 11, 2020

Due to COVID-19 restrictions, the regular monthly meeting of the Board of Commissioners of West Norriton Township was convened in person and electronically via ZOOM at 7:00 PM on the above date by President Miller. Commissioners Eckles, Milazzo, Pavone and Smock were physically in attendance while President Miller was in attendance via ZOOM as he was self-quarantining. Also, present were: Jason Bobst; Sean Kilkenny, Esquire; Kathy Frederick; Michael Kelly; Stephen Morris; Donna Horn; Michael Valyo; Jon Dzedzy; T.J. Figaniak; and Erik Garton.

After reciting the Pledge of Allegiance, the meeting proceeded.

**Commendations** Police Chief Kelly read a commendation of Corporal Avery of WNT and Sergeant Kuhnert of LPPD for their heroic actions averting a suicide.

Another commendation was read by Chief Kelly for Detective Wassmer and Officer Pletscher, both of WNT, for their outstanding efforts regarding a theft at Walmart and subsequent narcotics offense.

Also, Chief Kelly read a commendation of Detective Wassmer and Corporal Avery, both of WNT, for their great work on a methamphetamine trafficking case.

Finally, a commendation was read by Chief Kelly to Detective Scotti of WNT and Detective Fedak of Montgomery County for their extraordinary efforts in the investigation of a drug deal.

President Miller extended his thanks to all commendation recipients.

**Presentation** Christen Pionzio of Hamburg, Rubin, Mullin & Maxwell, along with Brad Macy of Audubon Land Development and Chris Krebs of Gannet Fleming, appeared to advise the Board of an error which was made by FEMA in the flood mapping of Barbadoes Island, and to request a letter from the Township stating that it has no objection to the remapping of the floodway. According to Ms. Pionzio, the goal is simply to fix the erroneous mapping. Mr. Macy gave a brief history of Barbadoes Island and advised the Board that the intent of the new owners, Audubon Land Development, is to make improvements and to clean up the site, and that, in that regard, Gannet Fleming was hired to perform an extensive study thereof. Mr. Krebs showed a power point presentation of Gannet's findings and data and confirmed that while the calculations of FEMA were correct, the mapping was erroneous. According to Mr. Krebs, the "floodway is the area of flooding with the highest velocity and the greatest depths" and if you stay out of that area, there should be no effect to others. It was suggested by Mr. Krebs that new floodway analysis removes an area from the floodway at its highest point where there is no flow. In response to an inquiry by Mr. Smock, Mr. Krebs stated that it is the intent to remove ground from the floodway area. Ms. Milazzo inquired if Mr. Krebs was aware of a new article which

floodplain properties are grossly underestimated by some 196,000+, and stated that she is concerned about the effect that climate change would have on remapping.

Mr. Krebs noted that there is good record gauge data so he is confident in the new mapping. According to Ms. Pionzio, FEMA has a process called LOMA to revise mapping and is requesting that the Township allow them to proceed with a map revision. It was pointed out by Ms. Pionzio that this "permission" does not change the map, it just allows FEMA to look at the numbers and date to amend the map. It was suggested by Mr. Miller that no action be taken by the Board this evening, but to allow our engineers to review this matter. Mr. Garton noted that from an engineering perspective it "makes sense", but from they will review it and the Board we will readdress the issue upon our engineers' review.

**Minutes  
Approval**

The minutes of the Board's work session of June 2, 2020 and its meeting of July 14, 2020 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 \$58,367.90; payroll vouchers in the amount \$426,015.67; and the Payment Approval Report in the amount of \$878,423.29.

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.

Additionally, Mr. Bobst mentioned that the RACP (Redevelopment Assistance Capital Program) grant application for \$5.3M in state funds was submitted on August 5<sup>th</sup>, that Judith Goldstein Stern did a great job and that our lobbying firm, Long & Nyquist, confirmed that the application looked good.

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>June 30<sup>th</sup></u>	<u>July 31<sup>st</sup></u>
General Fund	11,591,189.15	11,079,869.27
PLGIT 10105000	31,244.21	18,351.06
PLGIT CD - SEWER	1,469,000.00	1,469,000.00
Golf Fund	(88,855.80)	(39,435.65)
Escrow Fund	519,791.55	467,913.57
Sinking Fund	6,262.93	6,268.21
Liquid Fuels	606,551.20	604,655.85
Capital Reserve PLGIT	21,408.54	21,413.08
Capital Reserve PLIGIT PLUS	29,494.69	29,497.94

Sewer Capital Acct	2,584,448.81	2,546,846.71
Vehicle Replacement Fund	545,541.11	656,419.59
Police Pension Citizens	51,473.66	58,531.92
Non-Uniform Pension Citizens	5,607.83	6,175.54
Grants, DUI	0.00	0.00
Grants, Misc.	132,186.74	132,224.55
Traffic Impact Fee	445,490.22	445,584.63

**Public Safety** Chief Kelly highlighted his monthly public safety report and thanked the Board for its recognition of the commendation recipients.

**Public Works & Planning** The highlights of the Public Works and Building-Plumbing reports were presented by Mr. Valyo, who mentioned that a member of the Planning Commission David Bennett resigned due to his moving out of the county.

It was mentioned by Mr. Valyo that the 2020 Township Paving Project of 12 roads was finished today, and that the Regents Park Paving Project is scheduled to begin in September. Also, it was stated by Mr. Valyo that staff did a great job with the recent significant rain event.

In response to a suggestion by Mr. Smock to get a blower to follow the chipper, Mr. Valyo explained that the sweeper usually follows behind the chipper, but the sweeper was down for repairs.

**Recreation** The Recreation report was prepared and highlighted by Mr. Dzedzy who announced that Drama Camp, the first "in person" program since COVID, is scheduled for next week, that we have 10 participants registered, and that there are strict protocols in place. According to Mr. Dzedzy, the outdoor soccer program is in a "wait and see" holding pattern, but that West Norriton Little League is doing a great job of getting the kids back out on the field in a safe manner.

It was mentioned by Mr. Dzedzy that Outdoor Movie Night is scheduled for August 29<sup>th</sup> with a showing of "Sing" and a preregistration requirement due to a 75-car capacity.

**Jeffersonville Golf Club** Mr. Bobst presented the monthly golf report and announced that this is the second month in a row with revenues exceeding \$200,000.00. It was also mentioned by Mr. Bobst that the Donald Ross cup was held this past weekend and that the extended netting on hole #2 was installed increasing the height from 20' to 50'.

**Sanitary Sewer** The highlights of the monthly Sanitary Report of Gilmore & Associates were presented by Mr. Figaniak who emphasized that even though the DEP's moratorium is lifted, work on I & I continues, and that there were no sanitary overflows during the recent storm.

Bd. Of Commiss.

However, Mr. Figaniak mentioned that flood waters rose to about 4' in the Whitehall Pump Station, but that, with the help of staff and local fire company personnel, and the use of a temporary generator, damage was minimal. It was suggested by Mr. Figaniak that consideration be given to upgrading the station at a different location. In that regard, Mr. Bobst suggested that an ad hoc committee be formed to review the possibility of a new plant in another location and that he will list this for discussion at a future meeting. In response to an inquiry by Ms. Eckles as to possible locations for the pump station, Mr. Bobst stated that he "wants to be as good a neighbor as possible when choosing a new location".

**Engineer**

The Engineer's Report of Gilmore & Associates was prepared and highlighted by Mr. Garton.

**Commissioners' Comment**

It was mentioned by Mr. Miller that this quarter a donation will be made from the Commissioners' salary to the Montgomery County OIC for its work in providing meals and contact tracing for COVID and assisting students with internet access.

Ms. Milazzo announced that she will be testifying at the PUC hearing on August 18th regarding PA American Water's request for a rate increase, and that she will be posting links to the public comment testimony sessions.

**Public Comment**

Jenny Geist of Center Avenue complained about the condition of the alley behind Center Avenue and inquired about moving stone/gravel to make the alley safe for travel.

Mary Ellen Moran of 714 Port Indian Road inquired about the status of the Blue Dove Basin. According to Mr. Garton, finalization of the basin will take a little more time than all would like, but hopefully by fall. In response to Ms. Moran's request for a status update on the VRJ litigation, Mr. Bobst noted that we are filing a summary cross motion for judgment and a hearing will be scheduled.

There being no further public comment offered, upon motion of Ms. Milazzo, seconded by Ms. Pavone and unanimously agreed, the public comment portion of the meeting was closed.

**Discussion Items**

Ms. Pavone expressed her concern with the hiring of three (3) police officers at this time of tax crises and revenue stream limits, and stated that she does not want us to put ourselves in a position to either raise taxes or lay off police officers. Chief Kelly responded that hiring three officers will save money in overtime costs. In light of her concerns, Ms. Pavone suggested that an ad hoc committee be formed to discuss this issue. Mr. Miller stated that he

was open to being a part of that committee, and a motion was made by Mr. Miller, seconded by Ms. Milazzo and unanimously approved by the Board to form said ad hoc committee. It was sated by Mr. Miller that he is certain that whatever decision we make will be for the safety, economy and good of the Township. Mr. Bobst suggested that we investigate new sources of revenue.

Also, Ms. Pavone inquired about the Township's Ordinance regarding fireworks and asked Chief Kelly if it is hard to enforce the current Ordinance. According to Chief Kelly, not many citations are written for a fireworks violation as the difficulty in enforcement comes from identifying who is setting off the fireworks.

According to Mr. Kilkenny, the proposed ordinance for a time limit on conditional uses, special exceptions and variances would provide the Board with the ability to rereview these zoning relief issues, not retroactive, but for future issues. Mr. Kilkenny noted that he looked at other townships and 8 of the 16 he reviewed don't have expirations, and the next step would be to send this to the Planning Commission for review.

#### **New Business**

Upon motion of Ms. Eckles, seconded by Mr. Miller and unanimously agreed, the Board awarded the bid for the Padden Park Playground Improvement Project to the low bidder, Ply-Mar Construction Co., Inc., for the amount of \$176,740.00. In response to a request by Ms. Eckles, Mr. Garton approved and acknowledged that Gilmore has worked with Ply-Mar in the past.

Upon motion of Ms. Milazzo, seconded by Ms. Eckles and unanimously agreed, the Board ratified its polled decision of 8/1/2020 to advertise bids for the Juniata and Brandon Roads Paving Project.

Upon motion of Mr. Miller, seconded by Mr. Smock and unanimously agreed, the Board adopted PennDOT's Resolution Authorizing Application for Traffic Signal Approval at Egypt Road and School Lane adding two (20 left turn lanes (copy attached)).

Upon motion of Ms. Milazzo, seconded by Ms. Eckles and unanimously agreed, the Board approved Change Order to the Municipal Complex Parking Lot Improvements Project in the additional amount of \$2,409.00 to Delaware Valley Paving (copy attached).

Upon motion of Mr. Miller, seconded by Ms. Milazzo and unanimously agreed, the Board approved Change Order to the W. James Street and Sheridan Lane Mill & Overlay Project in the additional amount of \$2,000.00 to DiRocco Bros. (copy attached).

**Schedule of Meetings**

Mr. Bobst announced that a Planning Commission meeting is scheduled for August 17<sup>th</sup> @ 7:00 PM re: review of ordinances for deleting unified developments from I-Industrial District and adding expirations for conditional uses, special exceptions and variances.

**Adjournment**

There being no further business, at 8:45 PM, on motion of Mr. Smock and seconded by Ms. Eckles, the public meeting was adjourned.

Kathy Frederick  
Assistant Secretary