

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
MAY 8, 2017

www.montgomerytwp.org

Robert J. Birch
Candyce Fluehr Chimera
Michael J. Fox
Jeffrey W. McDonnell
Richard E. Miniscalco

Lawrence J. Gregan
Township Manager

ACTION MEETING – 8:00 PM

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of April 24, 2017 Meeting
6. Recognize Eagle Scout Robert Parker for the William F. Maule Park at Windlestrae Mapping Project
7. Consider Resolution Recognizing National Police Week
8. Presentation of Police Officer Commendations
9. Consider Out-of-State Training Request – Delaware Valley Workers' Compensation Trust
10. Consider Participation in 2018 – 2020 Montgomery County Community Development Block Grant Program
11. Consider Resolution Amending 2017 Fee Schedule – Shade Tree Commission - Fee in Lieu Replacement Schedule
12. Consider Authorization to Execute Agreement Engaging The Kapoor Company – Labor Negotiations and Interest Arbitration Support
13. Consider Payment of Bills
14. Other Business
15. Adjournment

Future Public Hearings/Meetings:

05-10-2107 @ 5:30pm – Autumn Festival Committee (CRC)
05-10-2017 @ 6:30pm – CRC Advisory Committee (CRC)
05-10-2017 @ 7:30pm – Park & Recreation Board (CRC)
05-15-2017 @ 7:00pm – Finance Committee
05-17-2017 @ 5:00pm – Business Development Partnership Card Exchange
05-17-2017 @ 6:00pm – Municipal Sewer Authority
05-17-2017 @ 7:30pm – Shade Tree Commission
05-17-2017 @ 7:30pm – Public Safety Committee
05-18-2017 @ 7:30pm – Planning Commission
05-22-2017 @ 8:00pm – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: May 8, 2017

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

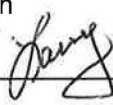
ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman of the Board of Supervisors



BACKGROUND:

The Chairman needs to remind all individual(s) making a comment that they need to identify themselves by name and address for public record.

The Chairman needs to remind the public about the policy of recording devices. The individual(s) needs to request permission to record the meeting from the Chairman and needs to identify themselves, by name and address for public record.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Minutes for April 24, 2017

MEETING DATE: May 8, 2017 ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gregan BOARD LIAISON: Candyce Fluehr Chimera,
Township Manager Chairman of the Board of Supervisors

BACKGROUND:

Please contact Deb Rivas on Monday, May 8, 2017 before noon with any changes to the minutes.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
April 24, 2017**

At 7:00 p.m. Chairman Candyce Fluehr Chimera called to order an executive session. In attendance were Supervisors Michael J. Fox, Richard E. Miniscalco and Jeffrey W. McDonnell. Vice Chairman Robert J. Birch was absent. Also in attendance were Township Manager Lawrence Gregan, Township Solicitor Frank Bartle, Esquire, and Police Chief J. Scott Bendig.

Chairman Candyce Fluehr Chimera called the meeting to order at 8:00 p.m. In attendance were Supervisors Michael J. Fox, Richard E. Miniscalco and Jeffrey W. McDonnell. Vice Chairman Robert J. Birch was absent. Also in attendance were Township Solicitor Frank Bartle, Esquire, Township Manager Lawrence Gregan, Police Chief Scott Bendig, Director of Finance Ami Tarburton, Director of Administration and Human Resources Ann Shade, Assistant to the Township Manager Stacy Crandell, Director of Planning Bruce Shoupe, Director of Public Works Kevin Costello, Director of Recreation and Community Center Floyd Shaffer, Director of Information Technology Richard Grier, Public Information Coordinator Kelsey McMeans and Recording Secretary Deborah Rivas.

Following the Pledge of Allegiance, Chairman Candyce Fluehr Chimera called for public comment from the audience and there was none.

Solicitor Frank Bartle announced that the Board had met in an Executive Session prior to this meeting to discuss one matter of personnel and one labor matter. The personnel matter was the interview of police officer candidates and the labor matter was a status of police contract negotiations. Mr. Bartle stated that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Candyce Fluehr Chimera made a motion to approve the minutes of the April 10, 2017 Board of Supervisors meeting, and Supervisor Richard Miniscalco seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Board Chairman Candyce Fluehr Chimera introduced the Odyssey of the Mind Program Participants. The Odyssey of the Mind is an international program that challenges teams of five to seven students to use their creativity and problem-solving skills to solve short-term “spontaneous” problems and a long-term problem that ranges from building mechanical devices to presenting their own interpretation of literary classics. Students learn to work together, to manage their own time, and ultimately to take responsibility for every part of their final solution. At the end of the Odyssey season, teams bring their solutions to competition at a regional level. The Odyssey Program is open to all grades and academic levels under the guidance of adult volunteer coaches. Students from the North Penn School District were recognized for their participation and accomplishments in the 2017 program and competition. Chairman Candyce Fluehr Chimera welcomed the following students:

North Wales Elementary School- Division 1 (Coached by Elizabeth Montagna)

This mixed team from North Wales Elementary includes students from Bridle Path, General Nash, and Montgomery Elementary Schools. The following students participated:

- Matthew Adelman - North Wales Elementary
- Nicholas Goepel - North Wales Elementary
- Juliana Lehrer - North Wales Elementary
- Drea Nicholson - Bridle Path Elementary
- Quinlan Mockus - General Nash Elementary
- Padmini Ramaswamy - Montgomery Elementary

The team presented their solution to the “Catch Us If You Can” (Vehicle Problem).

North Wales Elementary School Team A- Division 1 (Coached by: Christine Hinke

& Oahn Whalen Spontaneous Coach- Steven Rusche)

This team from North Wales Elementary includes the following students:

- Ani Whalen
- Isla Hinke
- Joy Rusche
- Millie Clark
- Lauren Arney

The team presented their solution to the “To be Continued: A Superhero Cliffhanger” (Performance Problem).

North Wales Elementary School Team B- Division 1 (Coached by: Sara Steinbauer & Michael Schmidt-Lange)

This team from North Wales Elementary includes the following students:

- Alex Goepel
- Anna Hyson
- Ohm Patel
- Saachi Sainath
- Daniel Schmidt-Lange
- Sawyer Steinbauer

On Saturday, March 4, the team participated in the Southeastern Pennsylvania Regional Odyssey of the Mind tournament at Pennsbury High School. At the tournament, the team presented their solution to “To be Continued: A Superhero Cliffhanger” (Performance Problem). The team placed 1st in their division and advanced to the State Competition.

On Saturday, April 1, 2017, the team competed in the Pennsylvania State Tournament held at Moon Area Middle/High School where they placed 7th in their division.

Inglewood Elementary School - Division 1 (Coached by: Karen Nevard & Assistant Coach Gary Nevard)

This team includes the following students:

- Ryan Nevard
- Lily Cole
- Danny Seltzer
- Dete Gray
- Evie Dalton
- Chase Gregory

The team presented their solution to the “To be Continued: A Superhero Cliffhanger” (Performance Problem).

Gwyn-Nor Elementary School - Primary (Coached by: Elena Petrossian, Lujia Pan, Mina Wang & Sonali Gupta)

This team includes the following students:

- Ashton Sangwoo Park
- Derek Zhu
- Joshua Li
- Misha Gupta
- Rafael Michael Petrossian
- Vansh Bansal

The team presented their solution to the “Movin’ Out!” challenge (this is for children ages Kindergarten through 2nd grade). The team received an award for “Best Interplanetary Travel” in the primary problem.

Gwynedd Square Elementary School- Division 2 (Coached by: Chris Stawski &

Mark Sciutto)

This team includes the following students:

- Jack Bachman
- Amogh Desai
- Katie Keiser
- Megan Neild
- Alec Sciutto
- Gabrielle Stawski

On Saturday, March 4, the team participated in the Southeastern Pennsylvania Regional Odyssey of the Mind tournament at Pennsbury High School. At the tournament, the team presented their solution to “To be Continued: A Superhero Cliffhanger” (Performance Problem) and placed 11th in their division.

Penndale Middle School- Division 2 (Coached by: Diane Wright)

This team includes the following students:

- Kyle Harr
- Jane Peters
- Lauren Eglin
- Greg Sanborn
- Ivy Scattergood
- Avery Laurens
- Ella Kreutzer

On Saturday, March 4, the team participated in the Southeastern Pennsylvania Regional Odyssey of the Mind tournament at Pennsbury High School. At the tournament, the team presented their solution to "To be Continued: A Superhero Cliffhanger" (Performance Problem), placed 2nd in their division and advanced to the State Competition.

On Saturday, April 1, 2017, the team competed in the Pennsylvania State Tournament held at Moon Area Middle/High School where they placed 4th in their division.

Upper Gwynedd Team- Division 2 (Coached by: Kathy Heath & Adrienne

Loughery)

This team includes the following students:

- Daniella Boyce- Gwynedd Square Elementary School
- Salamah Klingsberg- Gwynedd Square Elementary School
- Megan Loughery- Gwynedd Square Elementary School
- Jaylyn Onyeausi- Gwynedd Square Elementary School
- Sarah Heath- Inglewood Elementary School
- Robert Heath- Penndale Middle School
- Gabriela Aragon- Pennfield Middle School

On Saturday, March 4, the team participated in the Southeastern Pennsylvania Regional Odyssey of the Mind tournament at Pennsbury High School. At the tournament, the team presented their solution to "Ready, Set, Balsa, Build!" (Structure Problem), placed 2nd in their division and advanced to the State Competition.

On Saturday, April 1, 2017, the team competed in the Pennsylvania State Tournament held at Moon Area Middle/High School where they placed 10th in their division.

Pennbrook Middle School- Division 3 (Coached by: Alexandra Chiu & Joanne

Wiernusz)

This team includes the following students:

- Vianne Chang-- Pennbrook Middle School
- Sally Meyers-- Pennbrook Middle School
- Elise Upright-- Pennbrook Middle School
- Natalie Upright-- Pennbrook Middle School
- Riley Baedke--Pennbrook Middle School
- Nicole Chiu-- Pennbrook Middle School
- Katie Harr-- North Penn High School

On Saturday, March 4, the team participated in the Southeastern Pennsylvania Regional Odyssey of the Mind tournament at Pennsbury High School. At the tournament, the team presented their solution to "It's Time. OMER" (Classics Problem). The team placed 2nd in their division.

On Saturday, April 1, 2017, the team competed in the Pennsylvania State Tournament held at Moon Area Middle/High School where they tied for 1st place in their division and will be advancing to the World Finals which will be held at Michigan State University on May 24-27.

North Penn High School- Division 3 (Coached by: Michael Loughery & Brenda Dougherty)

This team includes the following students:

- Lorna Loughery
- David Shelly
- Lexia Calabro
- Julianna Dougherty
- Sushrita Haripriya
- Abby Boquist

On Saturday, March 4, the team participated in the Southeastern Pennsylvania Regional Odyssey of the Mind tournament at Pennsbury High School. At the tournament, the team presented their solution to "To be Continued: A Superhero Cliffhanger" (Performance Problem) and placed 3rd in their division.

Resolution #1 made by Supervisor Michael J. Fox, seconded by Supervisor Richard Miniscalco and adopted unanimously, recognized the students from the North Penn School District for their outstanding accomplishments in the 2017 Odyssey of the Mind program.

Police Chief Scott Bendig reported the Police Department has been reviewing the traffic ordinances in the Township Code to ensure the information is accurate and up to date. Township staff recently audited the listing of ordained "Right Turn Prohibited on Red Signal" intersections, comparing it to those intersections that have Right Turn Prohibited signs installed and those permitted by PennDOT. Chief Bendig requested that the Board consider the

approval of proposed Ordinance#17-304, which will ensure that Right Turn Prohibited signs throughout the Township are consistent with Township Ordinances and PennDOT Traffic Signal Permits. Resolution #2 made by Supervisor Michael J. Fox, seconded by Supervisor Jeffrey W. McDonnell and adopted unanimously, adopted Ordinance #17-304- amending Section 222-11 of the Township Code Right Turn Prohibited on Red Signal.

Director of Finance Ami Tarburton presented the 1st Quarter 2017 Budget report. Ms. Tarburton's presentation summarized the year-to-date operating results through March 31, 2017 and identified the significant activities in the fund balance, revenues and expenses. Ms. Tarburton reported that overall the Township finances are in excellent condition, with the 1st Quarter revenues and expenses tracking as expected in the 2017 Budget.

Director of Finance Ami Tarburton reported that several projects and activities have occurred during the first quarter of 2017 that require amendments to the 2017 budget in order to accurately reflect these revenues and expenditures. The proposed amendments include: 1) additional legal fees required to support the Township's participation in the Act 111 Arbitration between the Township and the Montgomery Township Professional Firefighters' Association; 2) the budget for Operating Supplies expense required to maintain and repair Township street lights was inadvertently under-budgeted; and 3) a reduction in the appropriation for the 2017 In-Place Paving Project in the amount of \$204,845 as a result of the bid award. Resolution #3 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Richard E. Miniscalco and adopted unanimously, approved the 2017 1st Quarter Budget Amendments to the Fire Protection Fund, the Street Light Fund and the Liquid Fuels Fund.

Director of Finance Ami Tarburton reported that new bid limits have been published for 2017 which increase the minimum dollar amount that requires townships to advertise and seek bids for purchases and contracts. The Board of Supervisors acknowledges the State required bidding limits in the 'Montgomery Township Purchasing Policies and Procedures' which governs

Township staff on how to adhere to and process the requirements. This document requires an update to reflect the new limits which are:

Contracts below \$10,700 – no advertising or competitive bidding required; and

Contracts between \$10,700 and \$19,700 – three informal (written, telephonic, electronic) price quotes are required, with award to the lowest bidder; and

Contracts over \$19,700 – advertising twice and formal competitive bidding is required.

Resolution #4 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Richard E. Miniscalco and adopted unanimously, approved the changes to the 'Montgomery Township Purchasing Policies and Procedures' by increasing the required bid limits to adhere to the Department of Labor and Industry thresholds for 2017.

Edward J. Furman, CPA, Partner of Maillie, LLP provided an overview of the 2016 Preliminary Audit Results for Montgomery Township. Mr. Furman reported that Montgomery Township had a solid year for 2016, with an unqualified audit, strong balance sheets and an extremely strong financial report. The complete Comprehensive Audited Financial Report is still being finalized and will be published on the Township's website when completed.

Planning Director Bruce Shoupe reported that surveys were conducted in 2014 and 2015 in major Township park areas of Spring Valley Park, Windlestrae Park, Fellowship Park and the Knapp Road Natural area which identified nearly 750 ash trees on these sites that could potentially be affected by the infestation of the Emerald Ash Borer. This bug is an invasive forest insect from Asia responsible for the deaths of millions of ash trees throughout the eastern half of the U.S. and Canada. Other open space areas in the Township could also have a similar volume of potentially affected trees. The Township Public Works Department has been very active this year cutting down trees throughout the parks and open space areas that have died and pose a potential threat of falling and causing property damage and/or injury. To address this issue, staff is proposing a program to identify high risk trees on Township properties along property lines, trails, roads and sidewalks for removal. A proposal has been received from Curt

Eshleman, Timberlink Consulting, LLC for professional services to assist the Township to identify and mark the high risk trees. When the trees are identified the Township will then hire a contractor through a competitive bidding process to assist the Public Works Department in removing these trees. Supervisor Michael J. Fox requested that the approval of the proposal include a cap or not to exceed price, along with the proposed hourly rate. The not to exceed price was suggested to be \$7,500. After that number is reached, it was recommend that the proposal be reviewed to see how many areas in the Township remained to be checked.

Resolution #5 made by Supervisor Michael J. Fox, seconded by Chairman Candyce Fluehr Chimera and adopted unanimously, accepted the proposal from Curt Eshelman, Certified Forester, Timberlink Consulting LLC, dated April 5, 2017, to perform risk assessment of the ash tree resources located in various areas of the Township's park and open space properties for damage as a result of the Emerald Ash Borer at the hourly rate of \$75.00 per hour, not to exceed \$7,500.00.

Planning Director Bruce Shoupe presented a construction escrow release requested by Maple Brook Estates, LDS#664OHB, as recommended by the Township Engineer. The original amount of the escrow was \$1,018,665.65, held as a Performance Bond. This is the fifth escrow release for this project. The current release is in the amount of \$216,637.82, which would leave a balance of \$151,149.17. Resolution #6, made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Michael J. Fox and adopted unanimously, authorized a construction escrow release in the amount of \$216,637.82, as recommended by the Township Engineer for Maple Brook Estates, LDS#664OHB.

A motion to approve the payment of bills was made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Richard E. Miniscalco, and adopted unanimously, approved the payment of bills as submitted.

There being no further business to come before the Board, the meeting adjourned at 9:12 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Recognize Eagle Scout, Robert Parker for the William F. Maule Park at Windlestrae Mapping Project

MEETING DATE: May 8, 2017

ITEM NUMBER: #6

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX

Policy: Discussion:

Information:

INITIATED BY: Kevin A. Costello
Director of Public Works

BOARD LIAISON: Candyce Fluehr Chimera
Chairman



BACKGROUND:

Tonight, we would like to recognize Robert Parker for completing his Eagle Scout Project which provided us with a detailed map of William F. Maule Park at Windlestrae (including the Zehr, Rose Twig and Wiseman Tract sections of the park). Robert, along with help from fellow Montgomeryville Troop #399 scouts, friends from school and his parents utilized GPS and other various measuring devices to record the size and features of the park. Full color maps will be placed in kiosks at the various trail entrances to assist the residents and visitors with finding their way through the trail system located within the park.

We would also like to give a special thank you to Robert's dad, Garth Parker for all of his assistance with the project and being the main source of communication with the Township throughout the project.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

Recognize Eagle Scout, Robert Parker of Montgomeryville Troop #399 for the outstanding job he did creating the comprehensive map of William F. Maule Park at Windlestrae.

MOTION/RESOLUTION:

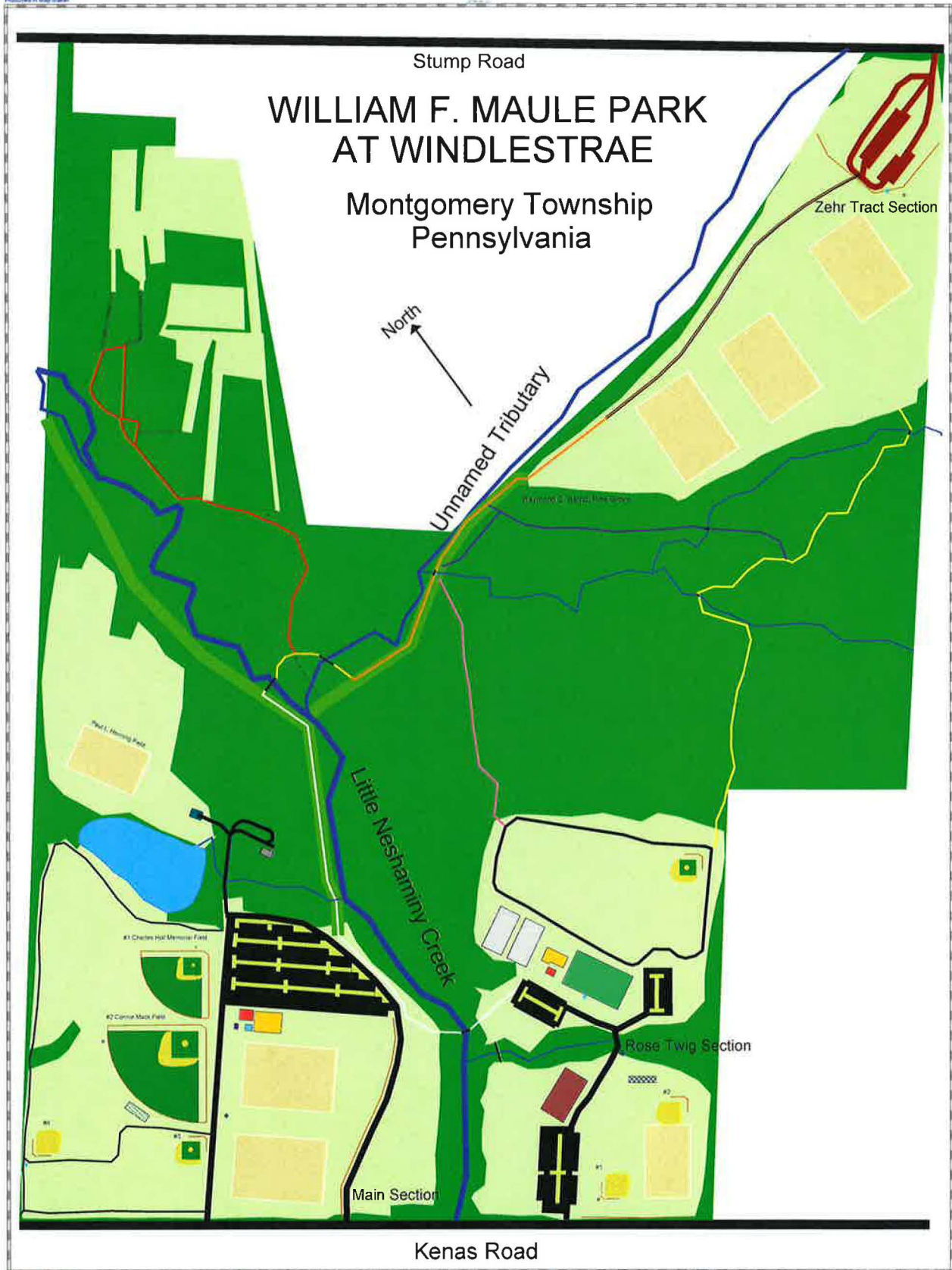
BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby recognize Eagle Scout, Robert Parker of Montgomeryville Troop #399 for the outstanding job he did creating the comprehensive map of William F. Maule Park at Windlestrae.































MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.



Legend											
	Woodland		Grassfield		Screen Field		Ball Field Disk		Ball Field Grass		Baseball Field
	James Court		Hockey Court		Playground		Snack Bar		Picnic Pavilion		Ball Room
	Tool Shed		Bating Cage		Parking Lot		Parking Islands		Fence		Road
	Driveway, Street		Stream		Flagpole		Portapot		Trail		Zehr Trail
	Rose Twig - Zehr Upper Trail		Rose Twig - Zehr Lower Trail		Pine Grove Trail		Cherokee Trail		William F. Maule Trail		Wendover Trail

(R, G, B) Trail Colors

255, 192, 0	Crossover Trail
128, 0, 255	Pine Grove Trail
255, 64, 255	Rose Twig – Zehr Lower Trail
255, 255, 0	Rose Twig – Zehr Upper Trail
	William F. Maule Trail
255, 0, 0	Wiseman Trail
255, 128, 0	Zehr Trail

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider a Resolution Recognizing National Police Week

MEETING DATE: May 8, 2017 ITEM NUMBER: #7

MEETING/AGENDA: ACTION NONE

REASON FOR CONSIDERATION: Operational: Policy: Discussion: xx Information:

INITIATED BY: J. Scott Bendig
Chief of Police  BOARD LIAISON: Candyce Fluehr Chimera
Chairman, Board of Supervisors

BACKGROUND:

In 1962, President Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls as Police Week. Established by a joint resolution of Congress in 1962, Police Week pays special recognition to these law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. This is a significant week in our community as Montgomery Township Police Officer David Hancock lost his life on December 11, 1976, while protecting the citizens of Montgomery Township. National Police Week 2017 will be recognized from Sunday, May 14th through Saturday, May 20th.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

It is recommended the Board of Supervisors recognize the week of May 14th through, May 20th, 2017 as National Police Week.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we recognize the week of May 14th through, May 20th, 2017 as National Police Week and pay tribute to those law enforcement personnel who make our community safer and to those law enforcement personnel that have lost their lives in the line of duty for the safety and protection of others.

MOTION: _____

SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Recognize Police Officer Commendations

MEETING DATE: May 8, 2017

ITEM NUMBER: #8

MEETING/AGENDA: WORK SESSION

ACTION **XX**

NONE

REASON FOR CONSIDERATION: Operational: **XX** Policy: Discussion: Information:

INITIATED BY: J. Scott Bendig
Chief of Police

BOARD LIAISON: Candyce Fluehr Chimera
Chairman, Board of Supervisors

BACKGROUND:

In honor of Police Week, the Police Department would like to recognize several members of the law enforcement community for their outstanding performance in the line of duty as recommended by the Police Department's Award Committee. This Committee, appointed by the Chief of Police, considers those cases of outstanding police performances as nominated by the officer's supervisor.

Letter of Official Commendation-Officer James Matlack, Officer Jeff DePolo, Officer Taylor Jones, Detective Todd Walter, Montgomery County Detective Paul Bradbury, Montgomery County Detective Edward Schikel, Assistant District Attorney Laura Bradbury, and Assistant District Attorney Kristen Feden:

On April 24, 2016, Officer James Matlack, Officer Jeff DePolo, and Officer Taylor Jones of the Montgomery Township Police Department responded to the Keystone Fellowship Church on Stump Road for an active shooter incident during a church service with approximately 250 attendees. Arriving officers discovered that congregation member Robert Braxton III had been shot by congregation member Mark Storms during the service. Officers assisted in rendering medical aid to the victim, detained the shooter, and began the initial investigation, identifying witnesses. Montgomery County District Attorney's Office Detective Paul Bradbury and Montgomery Township Detective Todd Walter arrived on scene, serving as the lead investigative team, while Montgomery County District Attorney's Office Detective Edward Schikel processed the crime scene at the church. Tragically, Mr. Braxton succumbed to his injuries. After a lengthy investigation Mark Storms was arrested and charged with Voluntary Manslaughter and Reckless Endangerment. Montgomery County Assistant District Attorneys Laura Bradbury and Kristen Feden led the prosecution of Mark Storms, culminating with a guilty verdict on all counts. On April 18, 2017, Mark Storms was sentenced to 10 to 20 years state prison.

Letter of Official Commendation-Corporal Thomas Ward, Officer Brian Gerrard, and Officer Peter Byrne:

On April 30, 2016, Corporal Thomas Ward, Officer Brian Gerrard, and Officer Peter Byrne responded to a home on Blue Ribbon Drive for an unresponsive subject. Officers arrived on scene and found the patient not breathing with no pulse. CPR was initiated on the patient. While performing CPR, officers learned that the individual may have ingested opioids. Officers administered Naloxone to counteract the opioids. The patient was stabilized by members of the Volunteer Medical Service Corps of Lansdale and transported to Abington Hospital-Lansdale where he fully recovered.

Letter of Official Commendation-Officer Timothy Woch

On November 5, 2015, Officer Woch responded to Abington Hospital-Main for an assault. The victim, who resided in Montgomery Township, had sustained serious injuries to her face, including several broken teeth. During an interview the victim was uncooperative, stating that her injuries resulted after she struck

a tree. Several interviews were conducted with associated individuals. A comprehensive canvas of the victim's neighborhood was conducted, resulting in the discovery of additional evidence. The victim's boyfriend was subsequently charged with aggravated assault and related charges under the domestic violence statute. On August 10, 2016, the defendant was found guilty of simple assault and harassment.

Official Commendation for Life Saving-Officer Andrew Dalton and Officer Michael Jenkins:

On March 26, 2017, Officer Andrew Dalton and Officer Michael Jenkins responded to Brookside Assisted Living Facility for a resident who was choking. Officers arrived on scene and found that the patient, who was now unconscious, was not breathing and had no pulse. Officers initiated and continued to perform CPR until the patient was stabilized by members of the Volunteer Medical Service Corps of Lansdale and transported to Abington Hospital-Lansdale. The patient has since recovered.

Official Certificate of Commendation-Corporal Thomas Ward

On December 1, 2016, Corporal Thomas Ward stopped a vehicle on Knapp Road for several equipment violations. During Corporal Ward's interaction with the driver he noted his nervous behavior, evasive answers to questions, and conflicting statements. Written consent to search the vehicle was requested from and granted by the driver. A search of the vehicle produced 192 bags of heroin, Oxycodone, Alprazolam, marijuana, Phencyclidine (PCP), crack cocaine, and packaging material related to drug sales. Through further investigation, Corporal Ward was able to ascertain that the driver was staying at a local motel. Written consent to search the room was requested from and granted by the driver. A search of the room produced a Kel-Tec P11 9mm handgun which was later found to have been reported stolen in Norristown, PA. An additional 60 grams of heroin was also found in the room. During the investigation, it was determined that the driver rented a storage locker in Norristown as well. Written consent to search the locker was requested from and granted by the driver. This search produced an illegally altered shotgun, drug paraphernalia, and ammunition. The driver was arrested for firearms violations, violations of the Drug Act, including possession with the intent to deliver.

Official Commendation for Heroism- Officer Andrew Dalton, Officer Michael Jenkins, and Officer John Rushin

On November 26, 2016, Officer Andrew Dalton, Officer Michael Jenkins, and Officer John Rushin responded to a home on Signal Hill Court for a report of an armed subject in the home. Officers were advised that the caller's father was intoxicated and was aiming a handgun at family inside. Upon arrival, officers met with the caller outside who stated that her father had a gun and was going to kill her family. Officers immediately entered the home since family members were still inside. Officers found the father armed with a handgun struggling with his son on a staircase. Officers were able to physically disarm the father and take him into custody. No one in the home was harmed. The father was charged with violations of the Firearms Act, assault, and related offenses.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION:

It is recommended the Board of Supervisors recognize the outstanding performances of these law enforcement personnel performed in the line of duty.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby recognize and commend these law enforcement personnel for their outstanding performances in the line of duty.

MOTION: _____ SECOND: _____

ROLL CALL:

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Out-of-State Training Request – Delaware Valley Workers' Compensation Trust Meeting

MEETING DATE: May 8, 2017 ITEM NUMBER: #9

MEETING/AGENDA: ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Chimera, Chairman,
Board of Supervisors

BACKGROUND:

Ann Shade would like to attend the Delaware Valley Workers' Compensation Trust (DVWCT) conference being held on June 21 – June 23 in Annapolis, Maryland. The Trust is responsible for payment of the costs associated with the conference. In general, the conference workshops are designed to inform members about the operations of the Trust, trends in workers' compensation issues, coverage and claims management.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: The Board of Supervisors has approved previous requests for attendance to this conference.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None. The cost of the event is covered by DVWCT.

RECOMMENDATION:

Consider approval of request by Ann Shade to attend an out-of-state DVWCT training conference on June 21 – June 23, 2017 in Annapolis, Maryland.

MOTION/RESOLUTION:

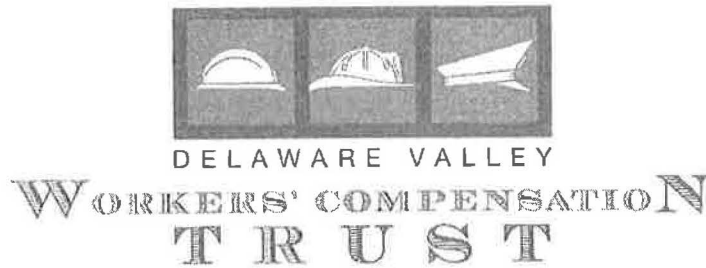
BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve/deny the request by Ann Shade to attend the out-of-state DVWCT training conference on June 21 – June 23, 2017 in Annapolis, Maryland.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.



MEMORANDUM

To: Members, Delaware Valley Workers' Compensation Trust

From: Bob Solarz, Executive Director *RS*

Subject: Member's Retreat – June 21 -23, 2017

Date: March 30, 2017

As mentioned at the Annual Meeting, the Delaware Valley Workers' Compensation Trust (DVWCT) has scheduled its Member's Retreat for Wednesday, June 21 through Friday June 23, 2017 at the Loews Hotel, Annapolis, MD.

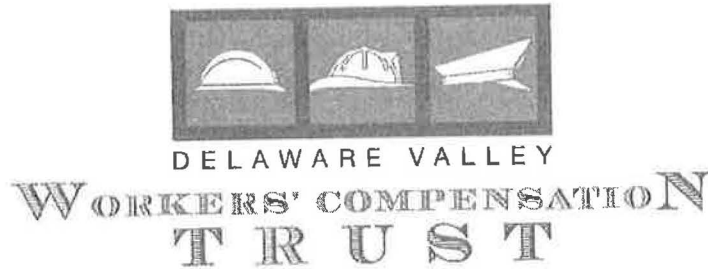
Trustees (Managers) and / or Alternate Trustees (Assistant Managers / Human Resources Directors / Finance Directors) and their spouses are invited to attend. Dress is business casual.

The DVWCT schedules Member Retreats only once every three years, so we encourage *all DVWCT members* to take full advantage of this learning opportunity by sending a Trustee or an Alternate. The Trust budgets for ongoing training and member education and to that end, will pay the cost for lodging and meals, etc., so attending will have no material impact on your organization's budget. The Member Retreat will feature educational workshops and information sessions covering topics including:

- Operational/Financial update of the DVWCT
- Trends in workers' compensation issues, coverage, claims management
- Members services and programs unique to the DVWCT

In addition to education, the Executive Committee strongly believes the retreat provides an excellent opportunity for Members to voice concerns and offer suggestions for ways the DVWCT can better serve its members.

A draft agenda and a registration form are enclosed for your use. We are required to provide final room count to the hotel by May 8th, 2017. ***Please return your registration material to Elaine Downes (edownes@dvit.com) no later than Thursday May 4th, 2017.*** Please call me or Elaine (215-706-0101) with any question or concerns. On behalf of the staff and Executive Committee, we look forward to seeing everyone in Annapolis!



2017 Membership Retreat

**The Loews Annapolis Hotel
126 West Street
Annapolis, Maryland
(410) 263-7777**

Wednesday, June 21, 2017

12:30 to 4:00 PM	Optional Pre-Retreat Tour of the Naval Academy	
5:30 to 9:00 PM	Opening Reception Dinner	<i>Spinnaker/Mainsail Ballroom A & B</i>

Thursday, June 22, 2017

7:00 to 8:30 AM	Breakfast Buffet	<i>Atrium B & C</i>
8:30 to 8:45 AM	Welcoming Remarks	<i>Point Lookout</i>

Donald E. Berger, Jr., Chairman, Delaware Valley Workers' Compensation Trust

8:45 to 9:45 AM	<i>Point Lookout</i>
-----------------	----------------------

Session 1. Overview of the Trust's Underwriting and Claims Process

Fredric W. Schultz, CPCU, ARM, Chairman, Insurance Buyers' Council, Inc.

James C. Thompson, ARM, Consultant, Insurance Buyers' Council, Inc.

James M. McGill, CPCU, AIC, Director of Claims

Marie Wallace, Claims Supervisor

Ric and Jim Thompson will explain how the Trust vets prospective members from an underwriting standpoint and describe the rate-setting process. Jim McGill and Marie Wallace will explain how workers' compensation claims are processed and adjudicated.

9:45 to 10:30 AM

Point Lookout

Session 2. The Interplay Between Workers' Compensation and HLA Claims

James M. McGill, CPCU, AIC, Director of Claims

Marty J. Fallon, Jr., Esq., Fallon Van Horn, LLC, Philadelphia, PA

Geoffrey L. Beauchamp, Esq., General Counsel

Geoff will moderate a discussion by Jim and Marty about how workers' compensation claims are coordinated with companion claims under the Heart & Lung Act ("HLA").

10:30 to 10:45 AM

Break

10:45 to Noon

Point Lookout

Session 3. Recent Act 46 Decisions and the Judicial Perspective

Kristopher A. Kachline, Esq., The Chartwell Law Offices, LLP, Valley Forge, PA

The Honorable A. Michael Snyder (ret.), The Dispute Resolution Institute, Philadelphia, PA

Marty J. Fallon, Jr., Esq., Fallon Van Horn, LLC, Philadelphia, PA

Geoffrey L. Beauchamp, Esq., General Counsel

Kris, who is the lead attorney for employers in the Act 46 cases pending in the appellate courts, will update us on those decisions, one of which is now before the Pennsylvania Supreme Court. Marty will also provide his insights while Judge Snyder will give his judicial perspective on Act 46 claims. Geoff will moderate this discussion.

Noon to 1:00 PM

Lunch

Atrium B & C

1:00 to 1:45 PM

Point Lookout

Session 4. Fraud Investigations from the Private Investigator's Perspective

Brian Gallagher, Insight Investigations

Chris Wolf, Insight Investigations

Dana Pescatore, Insight Investigations

Three veteran investigators from Insight Investigations will recount cases where videos and other investigative techniques were successfully used to reveal fraudulent claims. Revealing videos will be shown!

1:45 to 2:30 PM

Point Lookout

Session 5. Case Study with Q & A

James M. McGill, CPCU, AIC, Director of Claims

Marie Wallace, Claims Supervisor

Jonathan M. Calpas, Esq., Deputy General Counsel

A case study will be presented for discussion by our panelists that will illustrate some of the significant issues that the Trust frequently confronts. A question and answer session will follow.

5:00 to 6:00 PM

Appetizers

Mainsail

6:00 to 6:30 PM

Bus to Severn Inn

6:30 to 9:30 PM

Dinner

Severn Inn

Friday, June 23, 2017

7:30 to 8:30 AM

Breakfast Buffet

Atrium B & C

8:30 to 9:45 AM

Point Lookout

Session 6. Workers' Compensation Injury/Illness Trends and How Safety Leaders Can Impact Them

Peter Erndwein, MS, ARM, CIH, CPEA, CPSI, Director of Risk Control

Linda Poole, MS, CPSI, Senior Risk Control Consultant

Carol Bigham, MPS-HRER, CPSI, Training Manager / Risk Control Consultant

The Trust has managed a multitude of member workers' compensation claims since its formation 25 years ago. In this segment, the Risk Control Department will mine "Big Data" to identify member injury and illness claim trends. They will then identify the most common root causes behind the losses and propose practical interventions which session participants can readily implement in their organizations.

9:45 to 10:00 AM

Break

10:00 to 11:00 AM

Point Lookout

Session 7. Hot Topics in Workers' Compensation

Jonathan M. Calpas, Esq., Deputy General Counsel

Marie Wallace, Claims Supervisor

Jonathan and Marie will hit on hot topics, which are likely to include medical marijuana in the workplace, an employer's response to a request for modified duty, privacy issues surrounding medical information obtained for workers' compensation purposes, and workplace drug and alcohol issues.

11:00 to 11:30 AM

Point Lookout

Session 8. The Trust's Financial Report Card

Fredric W. Schultz, CPCU, ARM, Chairman, Insurance Buyers' Council, Inc.

James C. Thompson, ARM, Consultant, Insurance Buyers' Council, Inc.

Ric and Jim will discuss the financial condition of DVWCT and measure its performance by comparing the Trust's financial solvency ratios with those of other Workers Compensation Trusts.

11:30 AM

Adjourn & Lunch

Atrium B & C


MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Participation in 2018-2020 Montgomery County Community Development Block Grant Program

MEETING DATE: May 8, 2017 ITEM NUMBER: # 10

MEETING/AGENDA: ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: Lawrence J. Gregan Township Manager  BOARD LIAISON: Candyce Fluehr Chimera Chairman

BACKGROUND: Every three years, Montgomery County is required to identify those municipalities that wish to participate in the County's Community Development Block Grant Program. The purpose of this process is to establish the Urban County's population base in order to calculate the amount of funding the County will receive from the US Department of Housing and Urban Development.

By participating in the County program, we would compete for CDBG grant funding with other communities and non-profit organizations within Montgomery County. The Township has participated in the County's CDBG program since its inception in the late 1970's.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: Montgomery Township has the option of either participating in the County program or participating in the Pennsylvania Commonwealth's Small Communities Program which is administered by the Pennsylvania State Department of Commerce and Economic Development. In this program we would compete for CDBG funds with other communities across the state.

BUDGET IMPACT: None.

RECOMMENDATION: It is recommended that the Board authorize the Township to continue to participate in the Montgomery County Community Development Block Grant Program for the program periods 2018 – 2020 inclusive.

MOTION/RESOLUTION: BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the Township to continue to participate in the Montgomery County Community Development Block Grant Program for the program periods 2018 – 2020 inclusive.

MOTION: _____ SECOND: _____
ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3540
FAX: 610-278-3636 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

EMMA W. HERTZ, MPA
PROGRAM OFFICE ADMINISTRATOR

April 20, 2017

TO: All Montgomery County Municipalities

RE: Montgomery County Community Development Block Grant Program
Urban County Qualification Process for Program Years 2018 through 2020

Dear Administrator:

Every three years, Montgomery County is required to identify those municipalities that wish to participate in the County's Community Development Block Grant Program. The purpose of this process is to establish the Urban County's population base in order to calculate the amount of funding we will receive from the U. S. Department of Housing and Urban Development.

The purpose of this notice is to identify those municipalities that wish to participate in the Urban County CDBG Program for the program periods 2018 through 2020 inclusive. Participation in the program will make your municipality eligible for funding.

To assist us in this process, please follow these instructions:

Option A: Opt in Status

This option qualifies you to participate in the Urban County program and makes you eligible for funding through September 30, 2020. If you choose to remain with Montgomery County, you are ineligible to apply for grants under the State CDBG programs while you are part of the urban county. In becoming a part of the urban county, you automatically participate in the HOME and ESG programs if the urban county receives HOME and ESG funding, respectively. Moreover, while units of general local government may only receive a formula allocation under the HOME and ESG programs as part of the urban county, this does not preclude the urban county or a unit of government participating with the urban county from applying for HOME or ESG funds from the State, if the State allows.

If you choose this option, **no action is necessary.**

Option B: Opt out Status

This option means you will be excluded from participation in the Urban County program and cannot receive CDBG/HOME/ESG funds for the next three years. However, you would be eligible to participate in the Commonwealth's Small Communities Program. Under this program,

administered by the State Department of Commerce and Economic Development, you would compete for CDBG funds with other communities across the State.

If you choose this option, **you must notify in writing both Montgomery County and the HUD Regional Office.** Such election to be excluded will be effective for the entire three-year period, unless you specifically elect to be included in a subsequent year for the remainder of the County's three-year qualification period. The address at HUD is as follows:

U.S. Department of Housing and Urban Development
Attn: Nadab O. Bynum, Director
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107 3390

Please direct your response to the County at this address:

Department of Housing and Community Development
Attn: Terence C. McMullen, Assistant Director for Community Development
Suite 411, One Montgomery Plaza
P. O. Box 311
Norristown, PA 19404-0311

The deadline for this response is June 12, 2017.

We sincerely hope that you will take this opportunity to participate in the County program. The CDBG program remains one of the few sources of funding for capital improvements.

Please feel free to contact Terry McMullen to discuss the program and answer your questions at (610)-278 3540. Thank you for your consideration.

Sincerely,

Emma W. Hertz

Emma W. Hertz
Administrator

cc: Barbara O'Malley

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Resolution Amending 2017 Fee Schedule – Shade Tree Commission – Fee In-Lieu Replacement Schedule

MEETING DATE: May 8, 2017 ITEM NUMBER: #11.

MEETING/AGENDA: ACTION NONE

REASON FOR CONSIDERATION: Operational: Policy: Discussion: xx Information:

INITIATED BY: Bruce S. Shoupe BOARD LIAISON: Candyce Fluehr Chimera
Director Planning and Zoning Chairman

BACKGROUND:

Boucher and James, Inc., the Township's Landscaping Consultant, has made some recommendations for updates to the Shade Tree Commissions Fee In-Lieu replacement Schedule. Costs have increased significantly in recent years. Attached is a memo that details the recommendation.

The recommendation is to change the current language in the fee schedule which requires \$350 per tree for trees 2.5-3.25" caliper and \$65 per shrub to following fee in-lieu amounts:

Fee-in-Lieu Costs:

Shade Trees 3" min. caliper, 14-16' height - \$600
Shade Trees 2" min. caliper, 12-14' height- \$450
Replacement Shade Trees 2.5" min. caliper- \$500
Evergreen Trees 8-10' min. height - \$550
Ornamental/Flowering Trees 1.25" min. caliper, 8-10' height- \$400
Deciduous and Evergreen Shrubs - \$90

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

On January 3, 2017, the Board of Supervisors adopted the 2017 Fee Schedule.

On March 27, 2017, the Board of Supervisors adopted an amendment to the Non-Residential Roofing Permits.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Township Staff recommends amending the 2017 Fee Schedule with the recommended fee-in-lieu schedule.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby amend the 2017 Fee Schedule to include the recommended changes to the fee in-lieu schedule, effective immediately.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

Memo

To: Bruce Shoupe, Director of Planning and Zoning

From: Valerie Liggett, ASLA, R.L.A.
ISA Certified Arborist®

Subject: Fee-In-Lieu Fee Schedule Recommendations

Date: March 31, 2017

Per your request, I have reviewed the current Montgomery Township landscape material fee-in-lieu schedule and compared the existing fees to recent cost amounts for installed plant material in the vicinity of Montgomery Township.

Costs have increased significantly in recent years due to shortages of high-demand sizes of plant material as a result of nursery downsizing during the recent recession. For my analysis, I looked at recent bids for landscape projects, historical cost data on PennBid, and available nursery cost schedules. When looking at nursery cost data, I included in an installation factor of 50% of the plant cost. When adding the installation factor to the nursery price, the totals were generally consistent with bid data and historical cost data from PennBid.

The current Montgomery Township landscape fee schedule includes two line items: \$350 per tree for trees 2.5 – 3.25" caliper, and \$65 per shrub. In light of recent revisions to the landscape portion of the SLDO which now permits a wider range of tree sizes, I recommend that the following fee-in-lieu amounts be implemented.

Shade Trees 3" min. caliper, 14-16' in height: \$600
Shade Trees 2" min. caliper, 12-14' height: \$450
Replacement Shade Trees 2.5" min. caliper: \$500
Evergreen Trees 8-10' min. height: \$550
Ornamental/Flowering Trees 1.25" min. caliper, 8-10' height: \$400
Deciduous and Evergreen Shrubs: \$90




**MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY**

SUBJECT: Consider Authorization to Execute Agreement Engaging The Kapoor Company – Labor Negotiations and Interest Arbitration Support

MEETING DATE: May 8, 2017 **ITEM NUMBER:** #12.

MEETING/AGENDA: ACTION XX **NONE**

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: Lawrence J. Gegan  **BOARD LIAISON:** Candyce Fluehr Chimera
Township Manager Chairman

BACKGROUND:

The Township has been involved in negotiations with the Montgomery Township Police Officer's Collective Bargaining Unit on the terms of new agreement effective January 1, 2017. In anticipation of participation in an Interest Arbitration Hearing currently scheduled for July 13, 2017, Township Labor Counsel has recommended that the Township engage a consultant to provide Labor Negotiations and Interest Arbitration Support at this hearing.

The Kapoor Company, Ashville, NC, has provided the attached proposal to perform services as needed in support of the Township in the Arbitration Hearing. The principal of the firm, Vijay Kapoor, has provided these services for a number of Pennsylvania local governments at arbitration hearings. The Township previously utilized the services of The Kapoor Company in the 2016 arbitration with the Montgomery Township Professional Fire Fighters IAFF Local 4890.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

Services under this contract will be charged at an hourly rate of \$200/hour with an estimated cost not to exceed \$16,500.

RECOMMENDATION:

It is recommended that the Board authorize the execution of the Agreement with The Kapoor Company to provide Labor Negotiations and Interest Arbitration Support at an hourly rate of \$200/hour with an estimated cost not to exceed \$16,500.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the execution of the Agreement with The Kapoor Company to provide Labor Negotiations and Interest Arbitration Support at an hourly rate of \$200/hour with an estimated cost not to exceed \$16,500.

MOTION: _____ SECOND: _____

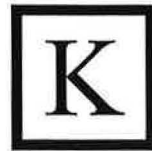
ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

THE KAPOOR COMPANY

ADVISORS & CONSULTANTS



Vijay Kapoor
The Kapoor Company
22 S. Pack Square, #502
Asheville, NC 28801

(p) 215.840.6552
vkapoor@kapoorco.com
www.kapoorco.com

January 13, 2017

VIA EMAIL – lgregan@montgomerytp.org

Lawrence J. Gregan
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Dear Mr. Gregan:

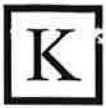
Thank you for your interest in The Kapoor Company's labor and economic analytics services. This letter will serve as our engagement letter to provide Montgomery Township (the "Township") with professional services in support of labor negotiations and possible interest arbitration with its police union.

Since 2008, our professionals have provided numerous Pennsylvania governments of all sizes with economic analysis and strategic support for Act 195 and Act 111 interest arbitrations. Of particular relevance, I have testified for the Commonwealth of Pennsylvania (Corrections Officers, State Troopers, Capital Police Officers and Park Police), third class cities, and many townships and boroughs. The Kapoor Company does not provide legal, actuarial, investment or advice related to bond transactions. We are not a "municipal advisor" as defined by the MSRB.

Scope of Services

The Kapoor Company proposes to provide professional quantitative and analytical services to Montgomery Township in support of labor negotiations and possible interest arbitration with its police union. Specific assignments will be as directed by the Township, and may include, but not be limited to, services such as the following:

- Analysis of the Township's economic condition
- Strategic assistance and support with developing the Township's economic case and interest arbitration presentation
- Expert economic testimony at the interest arbitration
- Comparability analysis of cash compensation and health care elements for Township police officers
- Other professional services relevant to the negotiations and possible interest arbitration



Fees

We propose to provide these services at a reduced blended rate of \$200/hr. for all personnel and do not expect fees to exceed \$16,500. The foregoing assumes one day of arbitration testimony and no postponement of arbitration date once set. We propose reimbursement for all out-of-pocket expenses on an actual cost basis. Appropriate documentation and third party receipts will be provided with each invoice. Any travel cost reimbursement will require written preapproval from the Township. We will bill on a monthly basis.

If the above is acceptable to you, kindly sign this letter below and return it to us via email (vkapoor@kapoorco.com) or U.S. mail. If you have any questions about our proposal, please do not hesitate to contact us. Thank you for your consideration.

Very truly yours,

Vijay Kapoor

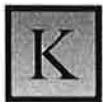
Accepted by: Montgomery Township

Authorized Signature

Name

Title

Date



THE KAPOOR COMPANY

Since 2008, The Kapoor Company has provided governments with objective, straightforward advice that solves workforce problems, improves services and saves money. Having served governments as managers, attorneys and now as independent advisors, we understand the unique challenges they face and the critical role that they play in their citizens' lives. We believe in the high calling of public service and look for clients who are willing to take the steps necessary to make themselves the most effective at what they do.

As former attorneys and government officials, we have advised Fortune 100 companies, states, counties, municipalities, nonprofits and small businesses on a host of sensitive and complicated matters. Vijay Kapoor has mediated two nationally recognized pension consensus agreements among cities and their public safety unions that preserved benefits while stabilizing pension funds. He also served in the administration of Pennsylvania Governor Edward G. Rendell as the Executive Director of the Governor's Office of Management and Productivity. In this role, he led statewide and agency-specific cost savings and operational improvement projects at the Commonwealth of Pennsylvania.

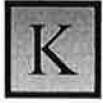
The Kapoor Company specializes in workforce-related matters. Our specific services include:

- Labor Negotiations and Interest Arbitration Support
- Pension/Retiree Health Care Mediation and Funding
- Workforce Costing
- Operational Analysis

We believe that these difficult issues must be addressed by realizing that governments and their workforces need each other. Governments need their employees to provide the services that their citizens fund and expect. Public employees need their governmental employers to provide them a fair compensation package. No one benefits from a fiscally distressed municipality, a seriously underfunded pension fund, or a demoralized workforce. While not easy, we have mediated agreements with governments and employee organizations that stabilized finances and maintained very competitive compensation packages.

We focus on the numbers and take into account how changes impact employees and retirees. We know that our credibility is paramount and work to gain the trust of all of those involved. We are under no illusions as to the difficulties these problems present, but we are convinced that they must be addressed or else the eventual outcome will be much worse for all involved.

Note: The Kapoor Company does not provide legal, actuarial, investment or advice related to bond transactions. We are not a "municipal advisor" as defined by the Municipal Securities Rulemaking Board (MSRB).



MEMBER PROFILES

Vijay Kapoor

215.840.6552

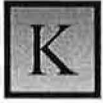
vkapoor@kapoorco.com

Vijay Kapoor founded The Kapoor Company in 2008. He has spent his entire professional career working on governmental and public sector workforce issues. Prior to rejoining The Kapoor Company, he served as the Director of Workforce Consulting at Public Financial Management. Mr. Kapoor has also served in state government in positions including Executive Director of the Commonwealth of Pennsylvania's Office of Management and Productivity where he led enterprise-wide and agency-specific cost savings projects towards the goal of reaching \$1.5 billion in annual savings. Mr. Kapoor also previously practiced as a labor and employment attorney, where he specialized in public sector labor relations matters.

In 2013, Mr. Kapoor mediated a comprehensive consensus agreement among the City of Lexington, KY and its police and fire unions to address an underfunded pension fund. He and his team worked with the parties to define the scope of the problem, benchmarked the current benefit levels, and identified possible paths to sustainability. The final agreement included changing the pension COLA, maintaining a defined benefit pension plan for existing employees and new hires, and increasing financial contributions by the City. The agreement was featured in The Bond Buyer ("A New Path to Reform of Pensions." The Bond Buyer. January 31, 2013) and Governing Magazine ("Pension Reform Success Stories." Governing Magazine. April 1, 2013). In 2014, he also successfully mediated a consensus agreement among the City of Chattanooga, TN, and its fire and police employees and retirees.

Mr. Kapoor is a frequent speaker on pension and retiree benefit issues. He has made the following presentations:

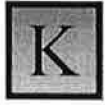
- "Municipal Finance Basics for Arbitrators." American Arbitration Association. Philadelphia, Pennsylvania. October 11, 2013
- "Pension Reform: Doing it Right." Government Finance Officers Association 107th Annual Conference. San Francisco, California. June 4, 2013
- "Compensation and Retiree Benefit Issues." New Hampshire Local Government Center Annual Conference. Manchester, New Hampshire. November 14, 2012
- "Addressing Unfunded Retiree Benefit Liabilities." Association of Public Treasurers of the United States and Canada 47th Annual Conference. Williamsburg, Virginia. August 15, 2012
- "Collective Bargaining Strategies for Employee and Retiree Benefits: What Finance Officers Need to Know." Government Finance Officers Association 105th Annual Conference. San Antonio, Texas. May 23, 2011



Mr. Kapoor has also published articles on public sector collective bargaining including:

- “Bringing Numbers to the Table: What Finance Officers Need to Know About Collective Bargaining,” *Government Finance Review* (August 2011)
- “Public Sector Labor Relations: Why it Should Matter to the Public and Academia”, 5 *U. Pa. J. Lab. & Emp.* 401 (2003)

Mr. Kapoor graduated from the University of Chicago with degrees in economics and public policy studies (with honors) and received his J.D. from the University of Pennsylvania Law School, where he received the labor law prize. He also received a certificate in Business and Public Policy from the Wharton School of the University of Pennsylvania. He has been certified as a Senior Professional in Human Resources (SPHR) since 2008.



LABOR NEGOTIATIONS AND INTEREST ARBITRATION SUPPORT

Labor contract settlements and interest arbitration awards can determine a government's budget and operations for years to come. Often, arbitrators (and sometimes those at the bargaining table) do not fully understand how a municipality's finances work and how various provisions – especially pension and retiree health care – will impact the government's economic condition in both the short and the long term. We simplify and present complex financial data in ways that non-public finance professionals can understand.

We have testified as expert economic witnesses at over fifty interest arbitrations on behalf of states, counties, cities, townships, towns and boroughs. Our presentations include ability to pay, comparability, and proposal costing analysis. We can design tailored Excel-based costing models that estimate the cost of major compensation provisions so that all parties are aware of their impacts.

In addition to serving as expert economic witnesses, our professionals have also spoken on financial analysis for public sector labor relations at national and local conferences and have published articles on the topic. We also conducted a basic municipal finance seminar for interest arbitrators through the American Arbitration Association. Having served as attorneys, government officials and economic experts, we understand municipal finance and public sector labor relations holistically.

RELEVANT EXPERIENCE

- Expert witness on behalf of the Commonwealth of Pennsylvania for interest arbitrations with State Troopers, Correctional Officers, Park Police and Capitol Police bargaining units
- Expert witness in police and fire interest arbitrations on behalf of Pennsylvania's cities of the Third Class including Allentown, Bethlehem, Chester, Coatesville, Easton, Lancaster, Pottsville, Reading and York
- Expert witness for a New Jersey county under one of the first matters to be decided under new interest arbitration law
- Member of the Commonwealth of Pennsylvania's bargaining teams for its 2003 and 2007 negotiations with unions representing over 43,000 members. Worked with agencies to identify proposals that would result in cost savings and operational improvements. Calculated financial impact of overtime and shift differential proposals. Conducted survey of other states' leave policies, analyzed leave usage, and prepared cost analysis of leave use and payout; presented analysis and proposals at bargaining table. Negotiations resulted in settlements

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Payment of Bills

MEETING DATE: May 8, 2017 ITEM NUMBER: #13.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gegan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,
Chairman of the Board of Supervisors

BACKGROUND:

Please find attached a list of bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 01 UNIVEST CHECKING					
05/05/2017	01	17(S)	00000043	BERGEY'S	0.00
04/25/2017	01	68074	100000394	BE A PART OF THE CONVERSATION	100.00
04/27/2017	01	68075	00003333	PSATS	19,069.90
04/27/2017	01	68076	00002033	REPUBLIC SERVICES NO. 320	1,069.34
04/27/2017	01	68077	00001394	STANDARD INSURANCE COMPANY	7,555.73
05/05/2017	01	68078	00000006	ACME UNIFORMS FOR INDUSTRY	237.03
05/05/2017	01	68079	00000340	ADVENT SECURITY CORPORATION	249.96
05/05/2017	01	68080	100000401	ANIL HANDOO	45.00
05/05/2017	01	68081	MISC	ANN TAYLOR #2543	1,554.17
05/05/2017	01	68082	00002061	AT&T MOBILITY	145.00
05/05/2017	01	68083	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	138.60
05/05/2017	01	68084	00000999	BCG-BENEFIT CONSULTANTS GROUP	350.00
05/05/2017	01	68085	00901640	BERGEY'S, INC.	95.23
05/05/2017	01	68086	00000101	BRIAN GERRARD	2,712.56
05/05/2017	01	68087	00001336	BRIAN SCHREIBER	55.80
05/05/2017	01	68088	100000397	BROOKE MILKIS	240.00
05/05/2017	01	68089	100000370	BUSCH SYSTEMS INTERNATIONAL INC	1,028.00
05/05/2017	01	68090	100000405	C.E.S.	120.00
05/05/2017	01	68091	00000072	CANON FINANCIAL SERVICES, INC	1,622.00
05/05/2017	01	68092	00000295	CAROUSEL INDUSTRIES OF N. AMERICA	39.00
05/05/2017	01	68093	00001601	CDW GOVERNMENT, INC.	1,315.69
05/05/2017	01	68094	100000396	CKS ENGINEERS, INC.	462.00
05/05/2017	01	68095	00000648	COHEN LAW GROUP	970.17
05/05/2017	01	68096	00000363	COMCAST	294.12
05/05/2017	01	68097	00000335	COMCAST CORPORATION	607.06
05/05/2017	01	68098	00000086	DAVID D. DUNLAP	391.28
05/05/2017	01	68099	100000291	DEGLER-WHITING, INC.	880.00
05/05/2017	01	68100	00000208	DELL MARKETING L.P.	4,116.41
05/05/2017	01	68101	100000213	DOG TOWN	219.96
05/05/2017	01	68102	00000152	ECKERT SEAMANS CHERIN &	11,417.25
05/05/2017	01	68103	00903110	ESTABLISHED TRAFFIC CONTROL	434.00
05/05/2017	01	68104	00000161	EUREKA STONE QUARRY, INC.	218.23
05/05/2017	01	68105	00000174	FISHER & SON COMPANY, INC.	9,599.00
05/05/2017	01	68106	00001504	GALETON GLOVES	701.25
05/05/2017	01	68107	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	621.00
05/05/2017	01	68108	00000198	GLASGOW, INC.	341.28
05/05/2017	01	68109	00001784	GOOGLE INC.	95.00
05/05/2017	01	68110	00000608	GOOSE SQUAD L.L.C.	900.00
05/05/2017	01	68111	03214570	GOT IT GET IT LLC	465.00
05/05/2017	01	68112	00001709	GOULDEY WELDING & FABRICATIONS, INC	61.00
05/05/2017	01	68113	00000060	GRAF ENGINEERING, LLC	1,032.50
05/05/2017	01	68114	100000402	JAMES GRANT	35.00
05/05/2017	01	68115	100000390	KANNA KANNAN	53.00
05/05/2017	01	68116	00000264	KENCO HYDRAULICS, INC.	3,250.00
05/05/2017	01	68117	MISC	KENNALLY WILLIAM C III & ANDREA C	1,200.00
05/05/2017	01	68118	00000271	LANSDALE CHRYSLER PLYMOUTH INC.	86.25
05/05/2017	01	68119	00000571	LEE WAGNER	1,232.75
05/05/2017	01	68120	MISC	LOFT STORE # 873	3,539.72
05/05/2017	01	68121	00001706	LOWE'S COMPANIES INC.	28.49
05/05/2017	01	68122	00000354	MAD SCIENCE OF WEST NEW JERSEY	75.00
05/05/2017	01	68123	100000403	MANESS, ALLAN D & CAROL	187.93
05/05/2017	01	68124	00000689	MARY KAY KELM, ESQUIRE	187.50
05/05/2017	01	68125	00000201	MASTERTECH AUTO SERVICE, LLC	2,369.40
05/05/2017	01	68126	MISC	MCCALLION TEMPS, INC.	169.57
05/05/2017	01	68127	00000324	MOYER INDOOR / OUTDOOR	147.00
05/05/2017	01	68128	00665599	MYREC.COM	5,180.00
05/05/2017	01	68129	100000382	NANCI MCCARTHY	60.00
05/05/2017	01	68130	00000356	NORTH WALES WATER AUTHORITY	24.00
05/05/2017	01	68131	00001916	NRPA-NATIONAL RECREATION AND	99.00
05/05/2017	01	68132	00000270	NYCE CRETE AND LANDIS CONCRETE	463.60
05/05/2017	01	68133	00000795	OCTORARO NATIVE PLANT NURSERY, INC.	4,105.90
05/05/2017	01	68134	00001134	OFFICE DEPOT, INC	180.96
05/05/2017	01	68135	00000595	PENN VALLEY CHEMICAL COMPANY	585.64
05/05/2017	01	68136	00000009	PETTY CASH	838.79
05/05/2017	01	68137	00000009	PETTY CASH	76.52
05/05/2017	01	68138	00001171	PHILA OCHEALTH/DBA WORKNET OCC	263.20
05/05/2017	01	68139	00000965	PHILADELPHIA NEWSPAPERS LLC	530.40
05/05/2017	01	68140	MISC	PRETZEL PETE INC.	46.49
05/05/2017	01	68141	00000345	PRINTWORKS & COMPANY, INC.	345.00
05/05/2017	01	68142	00001055	PROMO DIRECT	1,529.40
05/05/2017	01	68143	00000436	RAY ALLEN MANUFACTURING CO INC	1,449.97
05/05/2017	01	68144	00000439	RED THE UNIFORM TAILOR	37.00

05/05/2017 01:19 PM
User: msanders
DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP
CHECK DATE FROM 04/25/2017 - 05/08/2017

Page: 2/2

Check Date	Bank	Check	Vendor	Vendor Name	Amount
05/05/2017	01	68145	00001146	RESERVE ACCOUNT	1,500.00
05/05/2017	01	68146	00000117	RIGGINS INC	1,205.61
05/05/2017	01	68147	00000115	RIGGINS, INC	2,123.99
05/05/2017	01	68148	100000036	ROBERT J. BIRCH	225.00
05/05/2017	01	68149	100000404	ROBERT KUTLER	45.00
05/05/2017	01	68150	00001972	ROBERT L. BRANT	70.00
05/05/2017	01	68151	MISC	ROBERTS BROTHERS LANDSCAPING	50.00
05/05/2017	01	68152	MISC	S & P WEALTH PLANNING	30.03
05/05/2017	01	68153	100000398	SACHIN KARNIK	138.00
05/05/2017	01	68154	MISC	SB GLOBAL FOODS, INC	103.26
05/05/2017	01	68155	00000653	SCATTON'S HEATING & COOLING, INC.	751.34
05/05/2017	01	68156	MISC	STAFFORD & PAULSWORTH ACCT'ING	41.95
05/05/2017	01	68157	00001847	STAPLES CONTRACT & COMMERCIAL, INC.	756.54
05/05/2017	01	68158	MISC	SYLVIA AIELLO, M.S.W.	8.44
05/05/2017	01	68159	00906134	TASER INTERNATIONAL	5,419.04
05/05/2017	01	68160	00661122	TEES WITH A PURPOSE	540.00
05/05/2017	01	68161	00001375	THE PARTNERSHIP TMA	2,479.00
05/05/2017	01	68162	00001273	TIM KUREK	447.50
05/05/2017	01	68163	03214621	TIM WOCH	124.90
05/05/2017	01	68164	03214643	UNWINED & PAINT	130.00
05/05/2017	01	68165	00000520	VALLEY POWER, INC.	901.25
05/05/2017	01	68166	00000040	VERIZON	124.99
05/05/2017	01	68167	00000040	VERIZON	175.08
05/05/2017	01	68168	00000040	VERIZON	246.49
05/05/2017	01	68169	00000040	VERIZON	124.99
05/05/2017	01	68170	00000038	VERIZON WIRELESS SERVICES, LLC	1,720.25
05/05/2017	01	68171	00001329	WELDON AUTO PARTS	577.38
05/05/2017	01	68172	03214583	WESTON FITNESS	5,925.50
05/05/2017	01	68173	100000229	YOUNG REMBRANDTS BUXMOUNT - PA	55.00

01 TOTALS:

Total of 101 Disbursements:

125,987.53

05/05/2017

Check List
For Check Dates 04/24/2017 to 05/08/2017

Check

Date	Name	Amount
04/24/2017	PA UC FUND	1st Qtr. UC-2 Payment \$ 1,238.14
04/26/2017	STATE OF PA	State Tax Payment \$ 8,600.05
05/01/2017	ICMA RC	DROP Plan Payment \$ 8,955.22
05/01/2017	UNITED STATES TREASURY	945 Tax Payment \$ 6,170.38
05/04/2017	BCG 401	401 Payment \$ 16,106.38
05/04/2017	BCG 457	457 Payment \$ 10,752.68
05/04/2017	PA SCDU	Withholding Payment \$ 1,406.43
05/04/2017	PBA	PBA Payment \$ 744.81
05/04/2017	UNITED STATES TREASURY	941 Tax Payment \$ 87,178.13
Total Checks: 9		\$ 141,152.22