



**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**July 9, 2012 - 8:00 P.M.**

[www.montgomerytp.org](http://www.montgomerytp.org)

Candyce Fluehr Chimera  
Robert J. Birch  
Michael J. Fox  
Jeffrey W. McDonnell  
Joseph P. Walsh  
  
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 the June 25, 2012 Meeting
6. Donation Presentation – North Penn Visiting Nurses
7. Consider Board/Commission Appointment
8. Announce Community Meeting – Multi-Purpose Recreation/Community Center Study
9. Consider Appointment of FDMT Fire Police Officer
10. Auditor Presentation of 2011 Audit Results
11. Consider Authorization to Submit “Assistance for Fire Fighter Grant” Application – Self Contained Breathing Apparatus
12. Consider Authorization to Advertise Proposed Ordinance #12-262 – Amendment to Zoning Code – Uses by Township
13. Consider Approval of Construction Proposal – Friendship Park Site Improvements
14. Consider Approval to Release Calhoun’s Letter of Credit – Montgomery Chase Development
15. Consider Adoption of Asset Disposal Policy
16. Payment of Bills
17. Other Business
18. Adjournment

**Future Public Hearings/Meetings:**

07-10-12 @ 5:00 PM – Board of Supervisors Workshop  
7-10-12 @ 7:00 PM – 300<sup>th</sup> Anniversary Committee  
7-10-12 @ 7:30 PM – Zoning Hearing Board  
7-11-12 @ 6:45 PM – Autumn Festival Committee  
7-11-12 @ 7:30 PM – Community/Recreation Center Public Meeting  
7-17-12 @ 12:30 PM – Business Development Partnership  
7-18-12 @ 7:00 PM – Sewer Authority  
7-18-12 @ 7:30 PM – Shade Tree Commission  
7-19-12 @ 7:00 PM – Pension Committee  
7-19-12 @ 7:30 PM – Planning Commission  
7-23-12 @ 8:00 PM – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Public Comment

MEETING DATE: July 9, 2012

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

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BACKGROUND:

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

The Board 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.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT:       Announcement of Executive Session

MEETING DATE:       July 9, 2012

ITEM NUMBER:       # 4

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

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BACKGROUND:

Frank Bartle will announce that the Board of Supervisors met in Executive Session and will summarize the matters discussed.

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.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Approval of Minutes for June 25, 2012 Meeting

MEETING DATE: July 9, 2012

ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Grogan  
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,  
Chairman

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BACKGROUND:

Just a reminder – Please call Deb Rivas or Shirley Snyder on Monday, July 9, 2012 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 JUNE 25, 2012

Chairman Candyce Fluehr Chimera called the executive session to order at 7:15 p.m. In attendance were Supervisors Robert Birch, Michael Fox and Joseph Walsh. Supervisor Jeffrey McDonnell was absent. Also in attendance were Lawrence Gregan, Frank R. Bartle, Esquire and Bruce Shoupe. Three Zoning Hearing Board matters were discussed.

Chairman Candyce Fluehr Chimera called the work session meeting to order at 7:38 p.m. In attendance were Supervisors Robert Birch, Michael Fox, Jeffrey McDonnell and Joseph Walsh. Also in attendance were Frank R. Bartle Esquire, Lawrence Gregan, Bruce Shoupe, Planning Consultant Ken Amey, Richard McBride, Esquire and Deborah Rivas.

Richard McBride, Esquire, representing the developer, David Cutler Group, presented revised site plans proposed for the Montgomery Walk/Enclave at Montgomery development. Mr. McBride reported that the Cutler Group was requesting the revision because the original plan had additional middle units which were not selling. In addition, with the decrease in commercial activity, the revised plan reduced the commercial area along Route 309 from five acres to one acre. The proposed revisions included increasing the number of units by 52, increasing the percentage of units that are age restricted from 50% to 64%, increasing the number of age restricted housing units to assist in using and financially supporting the clubhouse and facilities, reducing the commercial area from 5 acres to 1 acre and reducing the area of public roadways to be dedicated to the Township. Mr. McBride stated that if the Board was acceptable to the revisions, the plan would proceed through the Township's staff and consultant reviews and come before the Board for formal approval. The Board was in favor of the revised plan being submitted for formal consideration.

Chairman Candyce Fluehr Chimera called the regular action meeting to order at 8:08 p.m. In attendance were Supervisors Robert Birch, Michael Fox, Jeffrey McDonnell and Joseph Walsh. Also in attendance were Frank R. Bartle, Esquire, Lawrence Gregan, Ken Amey,

Russell Dunleavy, Judith Stern Goldstein, Kevin Johnson, Richard Brady, Scott Bendig, Bruce Shoupe, Rick Lesniak, Ann Shade, Stacy Crandell, Vickie Zidek, Rich Grier and Deb Rivas.

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

Frank R. Bartle, Esquire reported that the Board met in an executive session earlier in the evening at 7:15 p.m. for approximately 20 minutes. Mr. Bartle reported that there were three Zoning Hearing Board matters discussed which included an application for John and Gwen Muhlig for 733 Bethlehem Pike, an application for Alpha Consulting Engineers, Inc. for 27 Airport Square and an application for Janet and Michael Maleski of 104 Major Drive. Mr. Bartle reported that all of these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Chimera made a motion to approve the minutes of the June 11, 2012 Board meeting and Supervisor Michael Fox seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Public Information Coordinator, Stacy Crandell, reported that the Odyssey of the Mind program in the schools 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. Ms. Crandell introduced the very successful teams and coaches from the four schools serving the residents of Montgomery Township. Each team's coaches introduced the students and described the team's project and their accomplishments. Each team received a Certificate of Recognition from the Board of Supervisors of Montgomery Township. Resolution #1, made by Vice Chairman Joseph Walsh, seconded by Supervisor Michael Fox, and adopted unanimously, recognized the teams and coaches from the Montgomery Elementary team (5<sup>th</sup> & 6<sup>th</sup> graders), the Pennbrook Middle

School team (Pennbrook, Montgomery and Bridle Path Elementary schools), Mary Mother of the Redeemer School teams and the Penndale Middle school team (Penndale, Pennbrook Middle schools and North Penn High School).

Chairman Candyce Fluehr Chimera opened the public hearing for proposed Ordinance #12-258Z – Zoning Map Amendment – North Wales Road and proposed Ordinance #12-259Z – Text Amendment –RS Regional Shopping District Regulations at 8:28 p.m. Notes of testimony were taken by Court Reporter, Tim Kurek. Township Solicitor Frank Bartle introduced the proposed ordinances and read the legal advertisement into the record. Attorney Robert Brandt and Professional Engineer Mike Kissinger were sworn in and provided testimony regarding the proposed rezoning of the six parcels of property along North Wales Road from R-2 Residential to RS-Regional Shopping Center. Mr. Brandt testified that these six lots would be “deed restricted” in perpetuity to be used only for landscape buffer, storm water control and reserve parking purposes. Under public comment, residents Don Sherman, Adele Herman, Marilyn O’Connell and John Giardetti made comments regarding the buffering between the mall and their properties on North Wales Road, the current volume of traffic and the impact of additional traffic, storm water management controls, possible addition of a future parking area, location of loading docks, outside seating and other potential uses for properties zoned RS-Regional Shopping Center. Mr. Brandt, Mr. Kissinger, along with Township Consultants Ken Amey, Russell Dunleavy, Judith Stern Goldstein and Kevin Johnson responded to the resident’s concerns. The public hearing was closed at 9:20 p.m. The Board members expressed their concern for the residents of Montgomery Village and stated that they would have only favorably considered the proposal to rezone the six properties if the deed restriction existed to protect the neighboring North Wales Road properties for the future. Resolutions #3 & #4, made by Vice Chairman Joseph Walsh, seconded by Supervisor Michael Fox, and adopted unanimously,

approved Ordinance #12-258Z – Zoning Map Amendment – North Wales Road and Ordinance #12-259Z – Text Amendment – RS-Regional Shopping District Regulations.

Director of Planning Bruce Shoupe reported that the plan being presented by the Montgomery Mall was a Preliminary/Final Land Development plan for the construction of a Wegman's supermarket on the site of the former Boscov's store. Mr. Shoupe reported that the preliminary plans propose the construction of a new 144,400 square foot Wegman's Supermarket, which includes a 4,400 square foot outdoor seating area. The Township staff and consultants have reviewed this plan for compliance with Township codes. The applicant has requested 23 waivers from technical requirements of the subdivision/land development code. The staff and consultants recommend that the waivers be granted only to the extent that they concur with the recommendation of the consultants. Robert Brandt, Esquire, representing the Simon Property Group, indicated that the resolution has been reviewed and accepted by his clients. Mr. Brandt stated that this is a win-win situation for the Township as its consultants have been demanding, and the Simon Property Group believes that it has met these requirements as best as possible. Vice Chairman Joseph Walsh said that the Board is excited to see the continued economic viability of the Mall and the Board has tried to weigh that with the concerns of the residents along North Wales Road. Vice Chairman Walsh said that the Township needs to see the mall survive. Supervisor Michael Fox asked Kevin Johnson if the Township has done everything it could to study the traffic issues for a project of this type? Mr. Johnson indicated that the Township has done a significant number of studies and he is convinced that with the significant road improvements currently taking place in the area and the opening of the 202 Parkway, traffic issues along North Wales Road should improve. Supervisor Michael Fox inquired if all of the required improvement security bonds were in place? Mr. Bartle indicated that the land development agreement will call for plans and requested improvement security bonds to be filed before any permits are issued. Supervisor Michael Fox inquired if the

waivers were in line with this type of project. Russell Dunleavy reported that some of the conditions were minor and expected in a redevelopment of this size and type. Mr. Dunleavy also reported that his main concern was with the storm water management and that the applicant has addressed this issue. Mr. Dunleavy indicated that he supports the waivers being requested. Judith Stern Goldstein reported that from a landscaping perspective, there is a substantial amount of landscaping proposed on the site and there are still an additional 250 trees and 135 shrubs that they are asking for a waiver of. Those will either be replaced elsewhere on the mall property or provide a fee in lieu of. Chairman Candyce Fluehr Chimera suggested that the mall could use more plantings around the property. Planning Consultant Ken Amey stated that the plan has been through several revisions and it is now a well thought out plan. Mr. Amey's main concern was finally resolving the North Wales Road parcels and knowing that there will always been a 100 foot buffer along the road. Kevin Johnson added that if there had been any other type of development on those six properties, the Township may not have been able to require any on and off site traffic improvements as are being performed under this project. Resolution #5, made by Supervisor Michael Fox, seconded by Vice Chairman Walsh, and adopted unanimously, approved the preliminary/final land development plan for Montgomery Mall Expansion/Wegman's Supermarket.

Director of Administration and Human Resources Ann Shade reported on the list of Fall 2012 Recreation Programs to be offered to the public during the months of September to December 2012. The Fall 2012 Recreation offerings included many popular programs with some new programs being introduced as well. Resolution #6, made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Robert Birch, and adopted unanimously, approved the 2012 Fall Recreation Programs and Fees.

Vice Chairman Joseph Walsh made a motion to approve the payment of bills.

Supervisor Jeffrey McDonnell seconded the motion. The payment of bills was unanimously approved as submitted.

There being no further business to come before the Board, the meeting adjourned at 9:40 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Donation Presentation – North Penn Visiting Nurse Association

MEETING DATE: July 9, 2012

ITEM NUMBER: 46

MEETING/AGENDA:

ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan  
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera, Chairman

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BACKGROUND:

This evening the Board will be presenting a check in the amount of \$2,000 to the North Penn Visiting Nurse Association. Jane Brainard will be present at the meeting to accept the check on behalf of the North Penn Visiting Nurse Association.

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.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Board/Commission Appointment

MEETING DATE: July 9, 2012

ITEM NUMBER: 47

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gegan  
Township Manager

BOARD LIAISON: Michael J. Fox, Liaison  
Business Development Partnership

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BACKGROUND:

Matthew Roegner has submitted a resume for consideration as a member of the Business Development Partnership. Mr. Roegner is the Managing Partner of the Outback Steakhouse. Mr. Roegner's professional experience is in various aspects of the food service industry. An Oath of Office will be available at the meeting.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Matthew Roegner as a member of the Business Development Partnership of Montgomery Township with a term to expire January 1, 2013.

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
Joseph P. Walsh	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

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SUBJECT: Announce Community Meeting – Multi Purpose Recreation/Community Center Study

MEETING DATE: July 9, 2012

ITEM NUMBER: #8

MEETING/AGENDA:                      ACTION XX      CONSENT      NONE

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

INITIATED BY: Lawrence J. Gegan      BOARD LIAISON: Michael J. Fox, Supervisor  
Township Manager      Liaison – Park and Recreation Board

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BACKGROUND:

The Board of Supervisors has engaged the firms of Kimmel Bogrette Architecture + Site, and Ballard\*King Associates, to perform a Needs Assessment and Feasibility Study of a Multi-Purpose Recreation/Community Center to be constructed on property purchased by the Township at the corner of Stump Road and Horsham Road.

Initiating the public participation portion of this study will be a Community Meeting to be held in conjunction with the Park and Recreation Board meeting on Wednesday evening, July 11, 2012 at 7:30 PM, in the Montgomery Township Building, 1001 Stump Road.

Community input into this important decision is welcome and encouraged.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Announce date and time of Community Meeting.

MOTION/RESOLUTION:

None.

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

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

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**SUBJECT:** Consider Appointment of FDMT Fire Police Officer

**MEETING DATE:** July 9, 2012

**ITEM NUMBER:** #9

**MEETING/AGENDA:** ACTION XX

NONE

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

**INITIATED BY:** Richard M. Lesniak  
Director of Fire Services

**BOARD LIAISON:** Robert J. Birch, Liaison to the  
Public Safety Committee

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**BACKGROUND:**

Mr. Franklin Ha, a resident of Montgomery Township, recently joined the Fire Department of Montgomery Township. Mr. Ha is being nominated by FDMT to be appointed as a Special Fire Police Officer under the Pennsylvania State Fire Police Statute - Act of 1941, P.L. 137, No. 74, Amended July 11, 1980. P.L. 580, No. 122.

Under this law, before the applicant can perform the duties as a Special Fire Police Officer, the nominated candidate must be confirmed by the Board of Supervisors and sworn in by the Chairman of the Board of Supervisors. Special Fire Police serve the public in the following manner:

- To regulate traffic and keep crowds under control at or in the vicinity of any fire at which their companies are in attendance and to exercise such other police powers as are necessary in order to facilitate and prevent interference with the work of firemen in extinguishing fires.
- To perform their duties when functioning as special fire police at any function, event, or parade conducted by, and under the auspices of any volunteer fire company, or any event, function, or parade conducted by an organization other than a volunteer fire company, providing the request to perform these duties is made by the governing body of the township in which the event will be conducted.
- To perform traffic and or crowd control duties when accidents, floods, or any other emergency requiring performance of such duties until the arrival of proper township police authority or until the emergency no longer exists.

Any person functioning as Special Fire Police Officer and performing a duty under any of the above conditions, shall be deemed to be performing the duties of his/her employment. Fire police performing such duties shall be identifiable by, at minimum, the wearing of a distinctive arm band or hat or uniform or insignia. Under no circumstances does the act grant Special Fire Police the right and / or power to use firearms or other weapons in the exercise of special fire police powers granted under the law.

**ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:** None.

**PREVIOUS BOARD ACTION:** None.

**ALTERNATIVES/OPTIONS:** None.

BUDGET IMPACT: None.

RECOMMENDATION:

It is recommended that the Board of Supervisors appoint Mr. Ha as a Fire Police Officer and administer the Oath of Office.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Mr. Franklin Ha to the position of Special Fire Police Officer with the Fire Department of Montgomery Township.

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
Joseph P. Walsh	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

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SUBJECT: Auditor Presentation of 2011 Audit Results

MEETING DATE: July 9, 2012

ITEM NUMBER: #10

MEETING/AGENDA:

ACTION ☒ xx ☐ NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

BOARD LIAISON: Robert J. Birch, Chairman  
Liaison – Finance Committee

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BACKGROUND:

Maillie, Falconiero & Company, LLP completed the audit for Montgomery Township and its component units for the year ended December 31, 2011. Component Units of the Township included in the audit report are the Montgomery Township Sewer Authority and Fire Department of Montgomery Township. A bound copy of the audit was previously forwarded to the Board.

Edward J. Furman, CPA, Partner of Maillie, Falconiero & Company, LLP will be attending the BOS meeting on July 9, 2012 to review the audit with the Board and answer any questions you may have on the contents thereof.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Staff recommends that the Board of Supervisors accept the Comprehensive Annual Financial Report for Year Ended December 31, 2011 as prepared by Maillie, Falconiero & Company, LLP.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept the Comprehensive Annual Financial Report for Year Ended December 31, 2011 as prepared by Maillie, Falconiero & Company, LLP.

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
Joseph P. Walsh	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

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SUBJECT: Consider Authorization to Submit "Assistance to Firefighters Grant" Application – Self Contained Breathing Apparatus

MEETING DATE: July 9, 2012

ITEM NUMBER: # //

MEETING/AGENDA:

ACTION

NONE

REASON FOR CONSIDERATION: Operational: ☒ Policy: ☐ Discussion: ☐ Information: ☐

INITIATED BY: Richard M. Lesniak   
Director of Fire Services

BOARD LIAISON: Robert J. Birch, Liaison to the  
Public Safety Committee 

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BACKGROUND:

The U.S. Department of Homeland Security (DHS) announced that the FY2012 application period for the Assistance to Firefighters Grants (AFG) opened on June 11, 2012. Federal funding for the FY 2012 AFG Grant Program is \$285 million. The goal of the AFG grant is to enhance, through financial assistance, the safety of the public and firefighters from fire and fire-related hazards.

Specifically, the program provides grant funding to assist local fire departments in the following five areas:

- Firefighter Training
- Firefighter Equipment
- Firefighter Personal Protective Equipment (PPE)
- Firefighter Wellness and Fitness
- Modifications to Fire Stations and Facilities

Under this grant program, fire companies can either apply as an individual organization or as a group of fire companies in a joint application as a "regional project". A regional project is one in which multiple organizations serving more than one local jurisdiction benefit directly from the activities implemented with the grant funds. Regional projects are designed to facilitate interoperability and efficiency among the participating jurisdictions.

After speaking with several local fire companies, there is a need among three fire departments, Centre Square, North Penn and the Montgomery Township of Fire Services/Fire Department of Montgomery Township, to replace aging self-contained breathing apparatus (SCBA). The joint application replacement of SCBA equipment complies with the requirements of the grant program and is more likely to be favorably considered for award as this equipment will facilitate interoperability and efficiency among the three participating mutual aid fire departments.

According to the grant program, DHS considers a SCBA unit to be obsolete if it is older than two NFPA Standards cycle changes or 10 years of age, whichever is less. After evaluating our existing SCBA equipment, it was determined that twenty (20) of our thirty-six (36) SCBA units are considered by DHS to be obsolete.

The new SCBA equipment will have an "automatic-on" integrated Personal Alert Safety System (PASS) device, and be Chemical Biological Radiological Nuclear and Explosive Equipment (CBRNE) compliant with the current edition of the National Fire Protection Association (NFPA) 1981 Standard governing Open Circuit Self Contained Breathing Apparatus for Fire Protection Services.

Grant awards for "regional" applications are subject to a local match of 20 percent of the total project cost.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

If this "Regional Assistance to Firefighters Grant" application is awarded the DFS/FDMT's share of the grant funds would be \$117,252.00 with a local match of \$29,312.80 for a total project cost of \$146,564.00

RECOMMENDATION:

It is recommended that the Board of Supervisors approve DFS/FDMT's participation in a "Regional" grant application under the FY2012 Assistance to Firefighters Grant in the amount of \$117,252.00 for the purchase of twenty (20) self-contained breathing apparatus.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the participation in a "Regional" application under the FY2012 Assistance to Firefighters Grant by the Montgomery Township Department of Fire Services/Fire Department of Montgomery Township in the amount of \$117,252.00 for the purchase of twenty (20) self-contained breathing apparatus.

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
Joseph P. Walsh	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

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SUBJECT: Consider Authorization to Advertise Proposed Ordinance #12-262 – Amendment to Zoning Code – Uses by Township

MEETING DATE: July 9, 2012

ITEM NUMBER: #12

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce S. Shoupe  
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera  
Chairman

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BACKGROUND:

Attached is a draft ordinance amending Section 230-9 of the Zoning Code, "Uses by Township" which outlines the uses allowed by the Township. This draft has been developed by the Township Solicitor.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

The Board of Supervisors establishes September 10, 2012, as the meeting date for this ordinance to be considered and that the Township Solicitor is authorized to advertise for a Public Hearing.

MOTION/RESOLUTION:

The Resolution is attached.

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
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

RESOLUTION #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby set Monday, September 10, 2012 after 8:00 PM in the Township Building as the date, time and place for a Public Hearing to consider the proposed amendments to the Township Zoning Code – Uses by Township.

Be it further resolved that the Township Solicitor be authorized to advertise said public hearing date and time.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: F. Bartle, J. Chambers, B. Shoupe, M. Stoerrle, Minute Book, Resolution File, File

# **MONTGOMERY TOWNSHIP**

Montgomery County, Pennsylvania

ORDINANCE #12-262Z

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AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE, ARTICLE III, SECTION 230-9, ENTITLED "USES BY TOWNSHIP" TO PROVIDE THAT THE PROVISIONS OF THE ZONING ORDINANCE DO NOT APPLY TO LAND AND BUILDINGS OWNED AND USED BY THE TOWNSHIP

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DRAFT

ENACTED: \_\_\_\_\_

# **MONTGOMERY TOWNSHIP**

Montgomery County, Pennsylvania

ORDINANCE #12-\_\_\_Z

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AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE, ARTICLE III, SECTION 230-9, ENTITLED "USES BY TOWNSHIP" TO PROVIDE THAT THE PROVISIONS OF THE ZONING ORDINANCE DO NOT APPLY TO LAND AND BUILDINGS OWNED AND USED BY THE TOWNSHIP

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**NOW, THEREFORE,** it is hereby **ENACTED** and **ORDAINED** by the Montgomery Township Board of Supervisors that the Township's Zoning Ordinance, Article III, Section 230-9, entitled "Uses By Township" shall be amended as follows:

**SECTION 1. Amendment to Article III, Section 230-9 [Uses By Township].**

Article III, Section 230-9 [Uses By Township] shall be amended to provide that the provisions of the Township's Zoning Ordinance do not apply to land and buildings owned and used for Township governmental functions:

**§ 230-9. Uses by Township.**

The provisions of this Chapter shall not apply to land and buildings owned for the performance of the governmental functions of the Township of Montgomery.

\*\*\*

**SECTION 2. Repeal and Ratification.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed. Any other terms and provisions of the ordinances of the Township that are unaffected by this Ordinance are hereby reaffirmed and ratified.

**SECTION 3. Severability.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the

Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

**SECTION 4.**      **Effective Date.**

This Ordinance shall become effective five (5) days after enactment.

\*\*\*

**ORDAINED AND ENACTED** this \_\_\_\_\_ day of July 2012, by the  
Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
CANDYCE F. CHIMERA *Chairperson*

[Seal]

Attested by:

\_\_\_\_\_  
LAWRENCE J. GREGAN  
*Township Manager/Secretary*

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

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**SUBJECT:** Consider Approval of Construction Proposal – Friendship park Site Improvements

**MEETING DATE:** July 11, 2011

**ITEM NUMBER:** #13

**MEETING/AGENDA:** ACTION XX NONE

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

**INITIATED BY:** Lawrence J. Gregan  
Township Manager

**BOARD LIAISON:** Robert J. Birch  
(Chairman)

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**BACKGROUND:**

As part of the Township's approval of The Cutler Group, Inc.'s "Enclave at Montgomery" development, the Township obtained a 20-acre tract of land for recreation use, named Friendship Park. Under the various approvals granted for the development, the developer was required to make a cash contribution totaling @ \$1.3M towards development of the park improvements.

In lieu of taking the cash contribution, the Township opted to credit the developer with the value of the contributions in exchange for the developer paying for the cost of engineering/design and construction of the park improvements up to the total value of the required contribution. Further, the developer was obligated to start construction of the improvements following either the issuance of the first residential permit in excess of 50% of all units permitted within the overall development. The trigger for start of the park improvements has now been met.

At this time, the engineering for site work, including the grading, storm water management and parking lot/pathway paving work is completed and the PADEP Earth Disturbance permit has been issued. The developer has provided three quotes from contractors to perform the initial site work. The quotes have been reviewed by the Township Engineer (copy of report attached) and they are recommending that the developer select Wolverine Constructor Company to perform this work.

In addition, John Antonucci, President of Chrystal Green Distributors, has asked the Township to consider the installation of the "Pave Drain" paver block system for the surface of the new parking lot in lieu of asphalt paving to serve as a demonstration project of the systems potential storm water management benefits. His proposal is pending review. Since the developer will be responsible for the construction of the improvements at the park, including the parking lot, any decision regarding the use of the Pave Drain System would need to be coordinated with the developer.

**ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:** None

**PREVIOUS BOARD ACTION:** None

**ALTERNATIVES/OPTIONS:**

The proposals from the contractors included several options including:

- Proposal to perform the site work with installation of an asphalt paved parking lot in the amount of \$546,463.82; and,
- Proposal to perform the site work with completion of the parking lot to a stone base (Option 2) at a cost of \$478,363.82 with the option for the Township to authorize the use of the Pave Drain paver block system proposed by Chrystal Green Distributors.

**BUDGET IMPACT:**

None to Township as all of the Park improvement costs will be charged to The Cutler Group's park improvement contribution.

**RECOMMENDATION:**

It is requested that the Board of Supervisors provide a recommendation to The Cutler Group, Inc. on the selection of the contractor and on the selection of the parking lot paving option. Two proposed resolutions are being presented for the Boards consideration.

**MOTION/RESOLUTION:**

**Option 1**

BE IT RESOVED by the Board of Supervisors of Montgomery Township that we hereby concur with the recommendation of the Township Engineer that the Cutler Group, Inc., engage Wolverine Constructors to perform the PADEP permitted site grading improvements at Friendship Park in accordance with their Base Bid at a cost of \$546,463.82.

**Option 2**

BE IT RESOVED by the Board of Supervisors of Montgomery Township that we hereby concur with the recommendation of the Township Engineer that the Cutler Group, Inc. engage Wolverine Constructors to perform the PADEP permitted site grading improvements at Friendship Park in accordance with their Base Bid with Option 2 at a cost of \$478,363.82 and engage Chrystal Green Distributors to install the Pave Drain paver block system at a cost of XXX..

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
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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



**GILMORE & ASSOCIATES, INC.**  
ENGINEERING & CONSULTING SERVICES

July 2, 2012

Project No. 2012-01109

Lawrence J. Gegan, Manager  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936

Reference: Friendship Park – Phase I  
Bid Tabulation

Dear Larry:

Bids for the above-referenced project were received through the David Cutler Group. A copy of the bid tabulation has been attached for your review. Three bids were received. The list of bidders is as follows.

	Wolverine Constructors, Inc.	CVA, Inc.	Brubacher Excavating, Inc.	AVERAGE
Base Bid	\$ 432,313.82	\$ 510,338.59	\$ 542,035.62	\$ 494,896.01
Base Bid + Alternate 1	\$ 546,463.82	\$ 591,488.59	\$ 637,435.62	\$ 591,796.01
Base Bid + Alternate 2	\$ 478,363.82	\$ 559,238.59	\$ 584,665.62	\$ 540,756.01
Base Bid + Alternate 1 + Alternate 3	\$ 581,642.12	\$ 613,849.99	\$ 670,977.72	\$ 622,156.61
Base Bid + Alternate 2 + Alternate 3	\$ 513,542.12	\$ 581,599.99	\$ 618,207.72	\$ 571,116.61

The apparent low bidder is Wolverine Constructors, Inc. The alternate items are as follows:

- Alternate 1 Construct parking area with asphalt
- Alternate 2 Construct parking area with PaveDrain© system
- Alternate 3 Pave trail with porous asphalt

Note the Base Bid does not include the parking area. If the Township chooses to move forward with this project, we recommend that the Base Bid and Alternate 2 be awarded Wolverine Constructors, Inc. A tabulation of the bids is enclosed for reference.

Sincerely,

James P. Dougherty, P.E.  
Project Manager  
Gilmore & Associates, Inc.

JPD  
Enc.

Cc: Kevin Costello, Public Works Director – Montgomery Township  
Bruce S. Shoupe, Director of Planning and Zoning – Montgomery Township  
Russ Dunlevy, P.E., Executive Vice President – G&A

BUILDING ON A FOUNDATION OF EXCELLENCE

65 E. Butler Avenue | Suite 100 | New Britain, PA 18901  
Phone: 215-345-4330 | Fax: 215-345-8606  
[www.gilmore-assoc.com](http://www.gilmore-assoc.com)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Approval of Release of Calhoun's Letter of Credit – Montgomery Chase Development

MEETING DATE: July 9, 2012

ITEM NUMBER: #14

MEETING/AGENDA: WORK SESSION      ACTION      CONSENT    XX      NONE

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

INITIATED BY: Bruce Shoupe  
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera  
Chairman

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BACKGROUND:

Montgomery Chase LDS #616 has been sold and a new Developer will complete this project. Tom Calhoun, former developer of this project, has requested that the Letter of Credit in the amount of \$77,457.05, issued by National Penn Bank be released. The new Developer has posted the new required security for this project. The release of this Letter of Credit will close Tom Calhoun's financial security requirement with the Township.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

Approve or not approve the Letter of Credit release.

BUDGET IMPACT:

None.

RECOMMENDATION:

That the Letter of Credit be released.

MOTION/RESOLUTION:

The Resolution is attached.

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
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Resolution # \_\_\_\_\_

WHEREAS, a request for final release of Letter of Credit was received from Select Properties for Montgomery Chase LDS #616 land development, in the amount of \$77,457.05.

WHEREAS, said request has been received by the Developers Bank that this Letter of credit be released because the development has been sold to another Developer to complete.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of Montgomery Township that we do hereby authorize the above noted releases in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of these funds.

BE IT FURTHER RESOLVED that this release is contingent upon all Township fees being paid.

BE IT FURTHER RESOLVED that the Township records indicate that a Letter of Credit has been submitted to Montgomery Township in a total sum of \$77,457.05. The action of the Board in releasing this Letter of Credit will close this Developer account for the above project.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: Applicant, J. Chambers, B. Shoupe, Finance Department, M. Stoerrle, Minute Book, Resolution File, File

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Bruce S. Shoupe, Director of  
Planning and Zoning

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Adoption of Asset Disposal Policy

MEETING DATE: July 9, 2012

ITEM NUMBER: #15

MEETING/AGENDA: ACTION XX NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

BOARD LIAISON: Candyce Fluehr Chimera  
Chairman

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BACKGROUND:

Attached for your consideration, is the Asset Disposal Policy. The purpose of this policy is to provide a procedure for the disposal of the Township's personal property which is valued at less than one-thousand dollars (\$1,000), that is either not needed, in poor condition, or obsolete. Some examples of these items are damaged office furniture, equipment related to dot-matrix printing, technology items no longer serviceable, etc.

This policy is in accord with Second Class Township Code, as amended and has been reviewed by the Township Solicitor.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Recommend the Board accept the revised policy as presented.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby adopt the Asset Disposal Policy as presented.

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
Joseph P. Walsh	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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



**MONTGOMERY TOWNSHIP**  
**1001 Stump Road**  
**Montgomeryville, PA 18936**

## **DISPOSAL POLICY FOR PERSONAL PROPERTY OF TOWNSHIP**

### **PURPOSE:**

The purpose of this policy is to provide a procedure for disposing the Township's personal property that is not needed, in poor condition, or obsolete. This policy is in accord with Second Class Township Code, as amended.<sup>1</sup>

### **SCOPE:**

This policy specifically covers any personal property, either individual items or lots of items, the fair market value of which is estimated to be less than one thousand dollars (\$1,000). It is applicable to all Township departments including: Administration; Fire Services; Finance; Planning; Police; and Public Works.

Sale of personal property of the Township with an estimated fair market value of one thousand dollars (\$1,000) or more, requires approval from the Board of Supervisors, and shall not be sold except to the highest bidder after due notice in accord with the Second Class Township Code.<sup>2</sup>

When in doubt it is best to discuss the proposed property disposal or transfer with the Township's Finance Director or designee.

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<sup>1</sup> See Second Class Township Code, Section 1504 [Personal Property]. This Section is attached as Appendix 1.

<sup>2</sup> *Id.* at Section 1504(a).

## **DISPOSAL PROCESS:**

The Finance Department shall be responsible to keep an equipment schedule for all personal property of the Township. It assigns an asset number to all such property. The disposal process depends on the estimated fair market value of the personal property.

As such there are two disposal processes: one for property estimated to be less than \$1000; and another for property estimated to be \$1000 or more:

### **A. Disposal process for property estimated to be less than \$1000:**

Any department proposing to dispose personal property of the Township with estimated fair market value to be less than one thousand dollars (\$1,000) must follow the following procedure:

1. The disposal of any personal property of the Township must be recorded on an Inventory form. The transfer of any personal property from one Township department to another also must be recorded on the Inventory form.<sup>3</sup>
2. The Department Head or designee will notify the Finance Director regarding the disposal of the personal property, its associated inventory number (if applicable), and a statement of the property's condition.
3. The Finance Director or designee will send the Inventory Form with the property information to all Township Department Heads to see if other Departments are interested in the property.
4. If no Township Departments are interested in the property, then the Finance Director or designee will notify the Township Manager to request disposal of the property.
5. If the property is in good condition, it may be donated to a non-profit organization (*i.e.*, schools, charities, etc.). If the property is in poor condition and is no longer able to be utilized, it may be disposed of or (if recycled (if applicable). Any monies received for recycling is the property of the Township and should be forwarded to the Finance Director for appropriate handling.

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<sup>3</sup> A copy of Inventory form is attached as Appendix 2.

6. Once approved, the Finance Director or designee will take the final step to dispose of the property.

**B. Disposal process for property estimated to be \$1000 or more:**

Any department proposing to dispose any personal property of the Township with an estimated fair market value to be one thousand dollars (\$1,000) or more must follow the following procedure:

1. The disposal of any personal property of the Township must be recorded on an Inventory form. The transfer of any personal property from one Township department to another also must be recorded on the Inventory form.<sup>4</sup>
2. The Department Head or designee will notify the Finance Director regarding the disposal of the personal property, its associated inventory number (if applicable), and a statement of the property's condition.
3. The Finance Director will notify the Township Manager. The Township Manager will place the item on the Board of Supervisors' Agenda for consideration to place such property out to public bidding or auction in accord with the Second Class Township Code, as amended.<sup>5</sup>
4. Once approval is received from the Board, the property is able to go to public bidding or auction through an authorized company in accord with the Second Class Township Code, as amended.<sup>6</sup>

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The bidding and advertising requirements mentioned above, and more fully set forth in Appendix 1 do not apply to the following transactions:

1. If personal property of the township is being traded in or exchanged for other personal property.
2. The sale or lease of personal property to any municipal corporation, the Federal Government, the Commonwealth or any institution district, school district, municipality authority, county, public utility, volunteer fire company, nonprofit corporation engaged in community industrial development, volunteer ambulance service or volunteer rescue squad located within the township, nonprofit corporation organized as a public library, nonprofit medical service corporation, nonprofit housing

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<sup>4</sup> See Appendix 2.

<sup>5</sup> See Appendix 1.

<sup>6</sup> *Id.*

corporation, nonprofit organizations providing community service or development activities or nonprofit corporation established for the preservation of historical, architectural or aesthetical sites or artifacts.<sup>7</sup>

Last updated: 6/6/12

DRAFT

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<sup>7</sup> *Id.*

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## **APPENDIX 1**

Section 1504 of the Second Class Township Code

## SECOND CLASS TOWNSHIP CODE

§1504. Personal Property. -(a) No personal property of the township shall be sold or disposed of without the approval of the board of supervisors. No personal property owned by the township, the estimated fair market value of which is one thousand dollars (\$1,000) or more, shall be sold except to the highest bidder after due notice by advertisement for bids or for public auction in one newspaper of general circulation in the township. The advertisement shall be published once not less than ten days before the date set for the opening of bids or public auction, and the date for opening bids or public auction shall be announced in the advertisement. The advertisement for electronic auction sales authorized in subsection (d) shall include the Internet address or means of accessing the electronic auction and the date, time and duration of the electronic auction. If after attempting twice to receive bids or if at a public auction no bid was received, the board of supervisors may by resolution adopt a procedure by which the personal property may be sold without further action of the board of supervisors. A procedure adopted pursuant to this authorization shall be subject to and shall conform with the requirements of any law governing the sale of property by municipal corporations generally when no bids have been received. The awarded of contracts shall be made only by public announcement at a regular or special meeting of the board of supervisors or at the public auction. Except as provided in subsection (d), all bids shall be accepted on the condition that payment of the purchase price in full is made immediately upon acceptance of the successful bid. The board of supervisors may reject any bids received if the bids are believed to be less than the fair market value of the property.

(b) With respect to personal property, either individual items or lots of items, the fair market value of which is estimated to be less than one thousand dollars (\$1,000), the board of supervisors shall by resolution adopt a procedure by which the property may be sold without further action by the board of supervisors. The board of supervisors may arrange for the sale of the item or items at public auction.

(c) The bidding and advertising requirements of this section do not apply to the following transactions: (1) If personal property of the township is being traded in or exchanged for other personal property. (2) The sale or lease of personal property to any municipal corporation, the Federal Government, the Commonwealth or any institution district, school district, municipality authority, county, public utility, volunteer fire company, nonprofit corporation engaged in community industrial development, volunteer ambulance service or volunteer rescue squad located within the township, nonprofit corporation organized as a public library, nonprofit medical service corporation, nonprofit housing corporation, nonprofit organizations providing community service or development activities or nonprofit corporation established for the preservation of historical, architectural or aesthetical sites or artifacts.

(d) A "public auction" shall include an online or electronic auction sale. During an electronic auction sale, bids shall be accepted electronically at the time and in the manner designated in the advertisement. During the electronic auction, each bidder shall have the capability to view the bidder's bid rank or the high bid price. Bidders may increase their bid prices during the electronic auction. The record of the electronic auction shall be accessible for public inspection. The purchase price shall

be paid by the high bidder immediately or at a reasonable time after the conclusion of the electronic auction as determined by the township. In the event that shipping costs are incurred, they shall be paid by the high bidder. (e) A township that has complied with the advertising requirements of subsection (a) may provide additional public notice of the sale by bids or public auction in any manner deemed appropriate by the township. (1504 amended by Act 49 of 2006)

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## **APPENDIX 2**

Sample Inventory Form

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Payment of Bills

MEETING DATE: July 9, 2012

ITEM NUMBER: #16

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Grogan  
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera,  
Chairman

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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.

**MONTGOMERY TOWNSHIP ELECTRONIC PAYROLL TAX PAYMENTS**

<u>DATE</u>	<u>VENDOR NAME</u>	<u>REASON FOR PAYMENT</u>	<u>AMOUNT</u>
06/27/2012	Commonwealth of PA	State Tax Payment	\$7,833.12
07/02/2012	IRS	945 Payment	\$2,851.88
07/02/2012	ICMA	DROP Plan Payment	\$17,118.84
07/05/2012	IRS	941 Payment	\$81,481.90
07/05/2012	BCG	401/457 Plan Payment	\$22,718.82
07/05/2012	PA-SCDU	Withholding Payment	\$1,853.06
07/05/2012	City of Philadelphia	Jun Wage Tax Payment	\$533.95
		<b>Total Paid as of 07/09/2012</b>	<b>\$134,391.57</b>

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
24456	7/2/12	00000967	DELAWARE VALLEY HEALTH INSURANCE	897.17
24457	7/5/12	1264	MORGAN STANLEY SMITH BARNEY INC	5,658.83
51338	6/26/12	00000331	HATFIELD TOWNSHIP	191.00
51339	6/26/12	00001785	YELLOWBIRD BUS COMPANY, INC.	200.00
51340	6/29/12	00000277	THE DA VINCI DISCOVERY CENTER OF	334.00
51341	6/29/12	00002014	TRANSPORTATION SERVICES INC.	425.00
51342	7/3/12	00000331	HATFIELD TOWNSHIP	265.00
51343	7/3/12	00001785	YELLOWBIRD BUS COMPANY, INC.	200.00
51344	7/6/12	00001785	YELLOWBIRD BUS COMPANY, INC.	240.00
51345	7/9/12	00000085	CHAMBERS ASSOCIATES, INC.	3,158.55
51346	7/9/12	00000152	ECKERT SEAMANS CHERIN &	3,107.50
51347	7/9/12	00001282	KENNETH AMEY	1,317.50
51348	7/9/12	00000604	KEYSTONE MUNICIPAL SERVICES, INC	11,467.50
51349	7/9/12	00001984	TRAFFIC PLANNING AND DESIGN, INC.	746.10
51350	7/9/12	00000842	911 SAFETY EQUIPMENT	597.00
51351	7/9/12	00000006	ACME UNIFORMS FOR INDUSTRY	428.12
51352	7/9/12	00000068	ADAM WEBSTER	60.00
51353	7/9/12	00902350	ADRIENNE JAPPE	22.00
51354	7/9/12	00000340	ADVENT SECURITY CORPORATION	211.50
51355	7/9/12	00001881	WENDY YAZUJIAN	3,362.40
51356	7/9/12	00000053	ALLIED WASTE SERVICES #320	2,536.90
51357	7/9/12	00001080	ANDREW BENNER	226.11
51358	7/9/12	00000031	AT&T	232.85
51359	7/9/12	00000023	AUTOLIV ASP, INC.	7,200.00
51360	7/9/12	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	215.60
51361	7/9/12	00902564	BANDITA DAHAL	273.50
51362	7/9/12	00000043	BERGEY'S	739.88
51363	7/9/12	00001938	BILL WIEGMAN	120.00
51364	7/9/12	00000049	BISHOP WOOD PRODUCTS, INC.	150.00
51365	7/9/12	00001903	BRIAN JANSSENS	15.00
51366	7/9/12	00000069	C L WEBER CO INC.	110.02
51367	7/9/12	00000071	CANON BUSINESS SOLUTIONS, INC.	509.18
51368	7/9/12	00000072	CANON FINANCIAL SERVICES, INC	1,197.00
51369	7/9/12	00000292	E-WEBSITE, INC.	499.00
51370	7/9/12	00001601	CDW GOVERNMENT, INC.	10.85
51371	7/9/12	00902569	CHRISTINA NOLON	15.00
51372	7/9/12	00902354	CHRISTOPHER SIMON	22.00
51373	7/9/12	00000222	COMMONWEALTH PRECAST, INC.	940.00
51374	7/9/12	00000108	COUNTY ELECTRIC SUPPLY COMPANY, INC	9.75
51375	7/9/12	00001460	D.J.B. SPECIALTIES, INC.	1,147.50
51376	7/9/12	00000344	DAN KOHLER	50.00
51377	7/9/12	00000111	DAVID H. LIGHTKEP, INC.	27.12
51378	7/9/12	00000024	DAVID P. BENNETT	15.00
51379	7/9/12	00001945	DAVID S. WOLFE	45.00

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
51380	7/9/12	00001941	DAVID W. VASCONEZ	180.00
51381	7/9/12	00000629	DAVIDHEISER'S INC.	243.00
51382	7/9/12	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	534.37
51383	7/9/12	00001520	DELAWARE VALLEY INSURANCE TRUST	41,363.00
51384	7/9/12	00000120	DELAWARE VALLEY WORKERS	32,698.00
51385	7/9/12	00000599	DEPARTMENT OF PUBLIC WELFARE	10.00
51386	7/9/12	00000314	DERSTINE LANDSCAPE DESIGN & BUILD	3,451.00
51387	7/9/12	00001172	DETLAN EQUIPMENT, INC.	276.55
51388	7/9/12	00902127	DIANE GARZONE	348.75
51389	7/9/12	00000967	DELAWARE VALLEY HEALTH INSURANCE	13,877.08
51390	7/9/12	00000967	DELAWARE VALLEY HEALTH INSURANCE	124,696.40
51391	7/9/12	00000146	E.A. DAGES, INC.	304.40
51392	7/9/12	00001332	EAGLE POWER & EQUIPMENT CORP	234.78
51393	7/9/12	00001957	EDMOND SKRZAT	30.00
51394	7/9/12	00902568	B.H. HOLDINGS CORPORATION	44.00
51395	7/9/12	00000161	EUREKA STONE QUARRY, INC.	830.10
51396	7/9/12	00001669	FIRST HOSPITAL LABORATORIES, INC.	26.75
51397	7/9/12	00000192	GENERAL RECREATION, INC.	352.00
51398	7/9/12	00001842	GLEN ROETMAN	30.00
51399	7/9/12	00000337	GLENN HEBERLIG	99.89
51400	7/9/12	00001616	GLOCK PROFESSIONAL, INC.	390.00
51401	7/9/12	00000229	GRAINGER	188.34
51402	7/9/12	00000133	BYM INC.	236.00
51403	7/9/12	00001964	JOHN CATALDI	30.00
51404	7/9/12	00000890	JOHN H. MOGENSEN	45.00
51405	7/9/12	00001042	JOHN MILLER AND SON, INC.	1,525.20
51406	7/9/12	00901498	VAN DAME CUSTOM BUILDERS	1,000.00
51407	7/9/12	00001581	JOSEPH J. SIMES	180.00
51408	7/9/12	00001843	JOSEPH M. BENNETT	120.00
51409	7/9/12	00902567	KELLI EL KHBIRI	40.00
51410	7/9/12	00902357	KERRY STONE	22.00
51411	7/9/12	00001667	MIDWEST MOTOR SUPPLY CO.,INC	20.05
51412	7/9/12	00000269	KRUPP, MEYERS AND HOFFMAN	135.00
51413	7/9/12	00000270	JDN BLOCK INC.	272.38
51414	7/9/12	00000271	LANSDALE CHRYSLER PLYMOUTH INC.	45.00
51415	7/9/12	00001858	LAURIE ROBBINS	880.80
51416	7/9/12	00001886	LOUIS RANIERI	15.00
51417	7/9/12	00001706	LOWE'S COMPANIES INC.	200.22
51418	7/9/12	00001065	MAILLIE, FALCONIERO & COMPANY, LLP	5,400.00
51419	7/9/12	00000201	LAWRENCE J. MURPHY	1,179.17
51420	7/9/12	00001428	MCPWA	595.00
51421	7/9/12	00001920	MICHAEL H. BEAN	90.00
51422	7/9/12	00001961	MICHAEL LONG	60.00
51423	7/9/12	00000867	MICHAEL SHEARER	30.00

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
51424	7/9/12	00002016	MICHAEL SHINTON	45.00
51425	7/9/12	00902565	MONIKA SINGHAL	551.00
51426	7/9/12	00000324	MOYER INDOOR / OUTDOOR	299.40
51427	7/9/12	00902566	NATACHA CANDIALES	12.00
51428	7/9/12	00000773	NORTH PENN VISITING NURSES ASSOC.	2,000.00
51429	7/9/12	00000356	NORTH WALES WATER AUTHORITY	189.75
51430	7/9/12	00001134	OFFICE DEPOT, INC	794.20
51431	7/9/12	00000186	JAROTH INC.	178.12
51432	7/9/12	00000597	PATRICIA A. GALLAGHER	648.38
51433	7/9/12	00000095	PAUL SMITH	100.00
51434	7/9/12	00001358	PENNSYLVANIA RECREATION AND PARK	99.00
51435	7/9/12	00000319	PETER A. COSUMANO	900.00
51436	7/9/12	00000345	PRINTWORKS & COMPANY, INC.	290.00
51437	7/9/12	00001630	PSI - PROTECTION SERVICES INC.	467.85
51438	7/9/12	00000251	PSI PERSONNEL, LLC	724.80
51439	7/9/12	00000252	SUNG K. KIM	781.85
51440	7/9/12	00902571	R. JERRY SALOMONE	61.40
51441	7/9/12	00000439	RED THE UNIFORM TAILOR	347.75
51442	7/9/12	00000445	RICHARD J. BRADY	227.61
51443	7/9/12	00000117	RIGGINS INC	3,678.96
51444	7/9/12	00000115	RIGGINS, INC	4,242.96
51445	7/9/12	00902570	RISHIKANT CHATURVEDI	1,200.00
51446	7/9/12	00000741	ROBERT E. LITTLE, INC.	52.50
51447	7/9/12	00000969	SAFETY-KLEEN SYSTEMS, INC.	265.79
51448	7/9/12	00000653	SCATTON'S HEATING & COOLING, INC.	90.00
51449	7/9/12	00901940	KATHY PIERCE	39.00
51450	7/9/12	00000163	SHARON TUCKER	136.81
51451	7/9/12	00000346	SHAWN KURNIK	50.00
51452	7/9/12	1264	MORGAN STANLEY SMITH BARNEY INC	77,343.33
51453	7/9/12	00000015	NEXTEL PARTNERS OPERATING CORP	582.44
51454	7/9/12	00001847	STAPLES CONTRACT & COMMERCIAL, INC	149.74
51455	7/9/12	00001072	STARK DESIGN, PC	312.50
51456	7/9/12	00001952	STEVEN COHEN	60.00
51457	7/9/12	BT005667	SURENDER KUMAR	157.33
51458	7/9/12	00000130	THE MANGO MEN	1,800.00
51459	7/9/12	00000496	GOODSON HOLDING COMPANY	2,040.38
51460	7/9/12	00001273	TIM KUREK	1,127.75
51461	7/9/12	00000065	TIMOTHY MURRAY	45.00
51462	7/9/12	00001534	TRI-COUNTY EQUIP. & TOOLS, INC.	8.99
51463	7/9/12	00000327	U.S. MUNICIPAL SUPPLY, INC.	667.86
51464	7/9/12	00000040	VERIZON PENNSYLVANIA INC	671.60
51465	7/9/12	00000040	VERIZON PENNSYLVANIA INC	1,278.85
51466	7/9/12	00001492	VERIZON CABS	171.87
51467	7/9/12	00000170	VERIZON COMMUNICATIONS	104.99

**Montgomery Township Check Register**

<b>Check Number</b>	<b>Check Date</b>	<b>Vendor No</b>	<b>Payee</b>	<b>Amount</b>
51468	7/9/12	00000170	VERIZON COMMUNICATIONS	129.99
51469	7/9/12	00000038	VERIZON WIRELESS SERVICES, LLC	175.94
51470	7/9/12	00001839	VINAY SETTY	45.00
51471	7/9/12	00000301	W.B. MASON CO., INC.	189.44
51472	7/9/12	00001191	WARREN FUCHS	45.00
51473	7/9/12	00000760	WASTE MANAGEMENT OF	466.30
51474	7/9/12	00001329	WELDON AUTO PARTS	425.16
51475	7/9/12	00001948	WILLIAM H. FLUCK IV	40.00
51476	7/9/12	00000249	WILLIAM R. GOLTZ	130.00
51477	7/9/12	00000590	YOCUM FORD	834.75
<b>TOTAL</b>				<b>389,004.00</b>