

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
February 11, 2013

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Joseph P. Walsh
Robert J. Birch
Candyce Fluehr Chimera
Michael J. Fox
Jeffrey W. McDonnell

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 January 28, 2013 Meeting
6. Announcement of Board/Commission Appointments
7. Introduction of New Public Works Employee
8. Consider Approval of FDMT and FDMT RA 2013 Officers
9. Consider Approval of FDMT Annual Fundraising Activities
10. Presentation of Service Awards to Founding/Charter Members of the Volunteer Fire Department of Montgomery Township
11. Consider Adoption of 2012 Montgomery County Hazard Mitigation Plan
12. Consider Designation of Agent – Hurricane Sandy Disaster Assistance
13. Consider Adoption of Proposed Ordinance #13-269 – Sewer Ordinance Amendment – Grease, Sand, Soil and Oil Interceptor Regulations
14. Consider Adoption of Proposed Ordinance #13-270 – Amendment to Increase Tax Collector Compensation
15. Consider Authorization of Advertisement of Proposed Ordinance #13-271 - Increase Indebtedness of Township
16. Consider Authorization to Advertise Proposed Ordinance #12-268 – Appointing Alternative Delinquent Tax Collector
17. Consider Resolution Adopting Amended Act 192 Fee Schedule – Delinquent Earned Income Tax
18. Consider Award of Bid for Online Surplus Asset Sale
19. Consider Payment of Bills
20. Other Business
21. Adjournment

Board of Supervisors Agenda
February 11, 2013
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Future Public Hearings/Meetings:

02-13-13 @ 7:30 PM – Park & Recreation
02-19-13 @ 12:30 PM – Business Development Partnership
02-20-13 @ 7:00 PM – Sewer Authority
02-20-13 @ 7:30 PM – Shade Tree Commission
02-20-13 @ 7:30 PM – Public Safety Committee
02-21-13 @ 7:30 PM – Planning Commission
02-25-13 @ 8:00 PM – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: February 11, 2013

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: Joseph P. Walsh, Chairman

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

SUBJECT: Announcement of Executive Session

MEETING DATE: February 11, 2013

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: Joseph P. Walsh, Chairman



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

SUBJECT: Approval of Minutes for January 28, 2013 Meeting

MEETING DATE: February 11, 2013

ITEM NUMBER:

#5

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman



BACKGROUND:

Just a reminder – Please call Deb Rivas or Shirley Snyder on Monday, February 11, 2013 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
JANUARY 28, 2013**

Chairman Joseph Walsh called the executive session to order at 6:30 p.m. In attendance were Supervisors Robert Birch, Candyce Fluehr Chimera, Michael Fox and Jeffrey McDonnell. Also in attendance were Lawrence Gregan and Frank Bartle, Esquire.

Chairman Joseph Walsh called the action meeting to order at 8:07 p.m. In attendance were Supervisors Robert Birch, Candyce Fluehr Chimera, Michael Fox and Jeffrey McDonnell. Also in attendance were Frank Bartle, Esquire, Lawrence Gregan, Chief J. Scott Bendig, Rick Lesniak, Kevin Costello, Bruce Shoupe, Shannon Drosnock, Ann Shade, Stacy Crandell, Richard Grier and Deborah Rivas.

Following the Pledge of Allegiance, Chairman Joseph Walsh called for public comment from the audience.

Robert Sykes of 102 Woodland Drive inquired if the Board would be receiving public comment when they discuss the Community/Recreation Center Project. Chairman Walsh agreed that the Board would entertain public comment during that specific discussion.

Vice Chairman Joseph Walsh acknowledged Boy Scout Kevin Wasik, who was present in the audience working towards his Citizenship and Communication Merit Badges.

Frank Bartle, Esquire reported that the Board met in an executive session earlier in the evening at 6:30 p.m. Mr. Bartle reported that there were five personnel matters, two matters of possible real estate acquisition and one matter of potential litigation. Mr. Bartle also reported that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Joseph Walsh made a motion to approve the minutes of the January 7, 2013 Board meeting, and Supervisor Michael Fox seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Township Solicitor Frank Bartle, Esquire, opened the Public Hearing for the Conditional Use Application #C-59 for Giant Food Stores & Horsham Realty Associates at 8:10 p.m. Mr. Bartle reported that the hearing would be opened for compliance with the 60 day requirement and that the following documents would be placed as exhibits into the record. The application will be Exhibit B1, the proof of publication is Exhibit B2, the plan document is Exhibit B3, and B4 will be the request by the applicant for a continuance. The Board concurred with continuing the hearing and Resolution #1, made by Chairman Joseph Walsh, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, approved the continuance of the Public Hearing for the Conditional Use application of Giant Food Stores and Horsham Realty Associates, until Monday, March 11, 2013.

Director of Planning and Zoning Bruce Shoupe presented the Preliminary/Final Land Development Plan for Montgomery Knoll Phase IB, LDS #653B. Mr. Shoupe reported that the plan had previously received final approval from the Board in 2009. The developer, represented by Richard McBride, Esquire, proposes to remove 11 lots from Phase IB, leaving seven lots with a proposed cul-de-sac. Mr. Shoupe further reported that Township staff and consultants have reviewed this plan for compliance with Township codes. Resolution #2, made by Chairman Joseph Walsh, seconded by Supervisor Robert Birch and adopted unanimously, approved the Preliminary/Final Land Development plan for Montgomery Knoll, Phase IB.

Recreation Coordinator Sharon Tucker presented the 2013 Spring and Summer Recreation Program schedule and fees for the Board's consideration. Ms. Tucker reported on the 2013 Spring and Summer schedule which includes returning popular programs as well as new offerings. The new schedule also includes the annual summer camp offering, Kids University. Resolution #3, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, approved the 2013 Spring and Summer Recreation Programs and Fees.

Director of Public Works Kevin Costello reported that the staff is requesting the Board's authorization to advertise and solicit for bids for the annual Equipment Rental, Paving materials and Services contract for the Public Works Department. Resolution #4, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized the advertisement for bids for Rentals, Materials and Services, including Asphalt, Crack Sealer, Stone Aggregate, Lawn Care Treatments and Equipment Rental. The bids are to be received on or before February 14, 2013 at 10:30 a.m.

Director of Public Works Kevin Costello reported that the staff is requesting the Board's authorization to advertise and solicit for bids for the annual Curb and Sidewalk Project. Annually, the Township performs repairs / replacement of certain curbing and sidewalks throughout the Township in anticipation of the future resurfacing of the streets. The bid specifications have been prepared by Township Engineer, Gilmore & Associates, and reviewed by staff. Resolution #5, made by Vice Chairman Jeffrey McDonnell, seconded by Supervisor Michael Fox and adopted unanimously, authorized the advertisement for bids for the 2013 Curb and Sidewalk Project. The bids are to be received on or before February 14, 2013 at 10:00 a.m.

Director of Finance Shannon Drosnock presented the 4th Quarter 2012 Budget report. Ms. Drosnock's presentation summarized the year-to-date operating results through December 31, 2012 and identified the significant activities in the fund balance, revenues and expenses. Ms. Drosnock reported that overall the Township finances are in excellent condition, including higher revenues, lower expenses and a \$1,318,305 increase in the General Fund balance at the end of the year.

Director of Finance Shannon Drosnock reported that staff is projecting that the General Fund will end the fiscal year 2012 with a \$4.1M unreserved Fund Balance, an increase of \$1.3M during 2012. Ms. Drosnock reported that staff is proposing that \$1.1M of this surplus be transferred to the Capital Reserve Fund to pre-fund the following transfers: \$386,000 to 2013

Equipment Replacement, \$676,000 to 2013 14-Year Road Plan, \$23,000 to 2013 Township Roof Replacement and \$15,000 to 2013 HVAC System Upgrades. Additionally, staff is proposing that \$200K of the unreserved fund balance be transferred to the Capital Reserve Fund into the Open Space Designation. Resolution #6, made by Supervisor Michael Fox, seconded by Vice Chairman Jeffrey McDonnell and adopted unanimously, approved the transfer of \$1.3M from the General Fund to the Capital Reserve Fund and the allocation of these funds to designated reserves.

Assistant to the Township Manager Stacy Crandell reported that Montgomery Township's franchise agreement with Comcast will expire on November 21, 2014. It is now time for the Township to proceed with negotiations for a new agreement with Comcast. Ms. Crandell reported that on August 13, 2012, the Board of Supervisors retained the services of the Cohen Law Group to represent the Township during the negotiations. The first step in the process is to hold a public hearing to review the past performance of Comcast and to identify the future needs of the Township. Ms. Crandell reported that staff is recommending that the public hearing be held as part of the Board of Supervisors meeting on Monday, February 25, 2013. Resolution #7, made by Supervisor Michael Fox, seconded by Vice Chairman Jeffrey McDonnell and adopted unanimously, set Monday, February 25, 2013 for the Public Hearing regarding the Comcast Cable Franchise Renewal.

Chairman Joseph Walsh reported that the Montgomery Township Municipal Sewer Authority has requested that the Township adopt an amendment to the Township Code of Ordinances amending Chapter 187 Sewers, Article XIV-Building Sewers and Connections. Township Manager Lawrence Grogan reported that the proposed ordinance would: establish new standards for the materials used and construction methods employed for construction of building sewers, laterals and appurtenant facilities; require certain commercial customers to install external grease interceptors and sand, soil and oil separators; require regular

maintenance and cleaning of such grease interceptors and separators; and, require uses to regulate the contributions to and disposal of waste from grease interceptors and separators. Resolution #8, made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, authorized the advertisement of proposed Ordinance #13-269 Sewer Ordinance Amendment – Grease, Sand, Soil and Oil Interceptor Regulations to be considered at the February 11, 2013 Board meeting.

Township Manager Lawrence Gregan provided a summary of activity to day on the proposed Community/Recreation Center project. Mr. Gregan reported that the Board had engaged consultants Kimmel Bogrette and Ballard King in July 2012 to perform a study to determine the feasibility of constructing a community/recreation center at the property across the street from the Township building. There were several meetings throughout the last six months and a final report was released on December 10, 2012. The final report has been placed on the Township's website and has been made available for review at the Township building. Mr. Gregan indicated that the staff was seeking the Board's direction on the next steps required to move forward on this project, should the Board desire to do so. Mr. Gregan reported that the Township has received a rating of AA+ from Standard & Poor's rating services with very strong references for its financial abilities and management controls. Mr. Gregan also reported that the Finance Committee reviewed the bond rating and the report on the proposed facility and at their recent meeting; they adopted a motion recommending approval of the financial plan including pursuing a \$10 million bond issue with a 30 year amortization period with an annual debt service not to exceed \$550,000. The Finance Committee also recommended that the proceeds for the bond issue be used to pay down the balance of the outstanding Univest loan to \$1 million dollars or less. Based on this information, staff is recommending at this time that the Township pursue the sale of bonds. At this time, Chairman Joseph Walsh offered public comment from the audience.

Mr. Robert Sykes of 102 Woodland Drive stated that he was somewhat confused by the final report and the numbers that were being discussed at this evening's meeting. Mr. Sykes had several questions which clarified the numbers that were being recommended and comments regarding membership and capacity at other facilities in the area. Mr. Sykes stated again that he wished that the Board would reconsider placing this issue on a voter referendum. Chairman Joseph Walsh stated that the residents of the community have consistently been asking for a community center and that the Board would not enter into such a project without taking a serious look at all the information and making a decision based on whether or not this project would be feasible. Township Solicitor Frank Bartle stated that he researched the possibility of placing the project on a referendum, however, in Pennsylvania, a community center is not a project that can be placed on a binding referendum and that Pennsylvania does not have a provision permitting placing a non-binding referendum on a public ballot.

Also under public comment, Michael Kornfield of Meadowview Road stated that he was concerned with the cost of this project at \$11 million dollars. Mr. Kornfield also stated that there should be some way to go out to the general public on this issue because it is a substantial amount of money regardless of where or how the money is being generated. Mr. Kornfield said he was concerned about the role of government expanding in this way and opined that government should be small, inexpensive and efficient and he was not sure that his project would pass any of those tests.

Chairman Joseph Walsh thanked the Finance Committee for their review of the finances involved and for their input and stated that he agrees with their recommendation. The other Board members also voiced their favorable responses to proceeding with this project. The Board asked the architect, Jon Trump of Kimmel Bogrette if there were processes in place to insure that the numbers generated would not increase as the project moves forward. Mr. Trump reported that there are a number of things in place in the study to make sure that the cost stays

DRAFT

under the number quoted. Chairman Joseph Walsh then directed Mr. Gegan to move forward as discussed.

Chairman Joseph Walsh made a motion to approve the payment of bills. Supervisor Robert Birch seconded the motion. The payment of bills was unanimously approved as submitted.

Under other business, Chairman Joseph Walsh reported that the Township had received a request from the Tax Collector, Patricia Gallagher, to increase the annual compensation that she receives for the collection of streetlight assessments. Resolution #9 made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and approved unanimously, authorized the Solicitor to prepare and the Township Manager to advertise an ordinance to increase the Townships Tax Collector's annual compensation for the collection of Township taxes and streetlight assessments from \$15,355 to \$16,735 commencing January 1, 2014.

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

SUBJECT: Announcement of Board/Commission Appointments

MEETING DATE: February 11, 2013

ITEM NUMBER: #6

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Grogan
 Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman

BACKGROUND:

Patricia Forbes has expressed an interest in serving on the Montgomery Township Senior Committee. Ms. Forbes worked as an administrative assistant and office manager prior to retiring in 2006. Ms. Forbes appointment would run through January 1, 2014.

William Jones has expressed an interest in becoming a member of the Montgomery Township Business Development Partnership. Mr. Jones is presently the General Manager of Dunkin Donuts at English Village. Mr. Jones appointment would run through January 1, 2014

Traditionally, a member of the Park & Recreation Board and a member of the Environmental Advisory Committee have been appointed to serve on the Open Space Committee. Kim Greene, who currently serves on the Park & Recreation Board is seeking appointment to fill a vacancy on the Open Space Committee. Beth Staab, who currently serves on the Environmental Advisory Committee is seeking appointment to fill a vacancy on the Open Space Committee.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Consider appointment of Patricia Forbes as a member of the Senior Committee, William Jones as a member of the Business Development Partnership and Kim Greene and Beth Staab as members of the Open Space Committee.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Patricia Forbes as a member of the Montgomery Township Senior Committee with a term to expire on January 1, 2014.

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint William Jones as a member of the Montgomery Township Business Development Partnership with a term to expire on January 1, 2014.

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Kim Greene as a member of the Montgomery Township Open Space Committee with a term to expire on January 1, 2014.

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Beth Staab as a member of the Montgomery Township Open Space Committee with a term to expire on January 1, 2014.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Introduce New Department of Public Works Employee

MEETING DATE: February 11, 2013

ITEM NUMBER:

#7

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Kevin A. Costello
Director of Public Works

BOARD LIAISON: Joseph P. Walsh, Chairman

BACKGROUND:

Following the retirement of Park Foreman, Raymond C. Barndt, the Board approved the hiring of an entry level Laborer position to fill the vacancy in the Public Works Department as part of the approved 2013 Budget. Our top candidate, Jose Claudio Sanchez comes to us from the private sector with experience in landscaping, construction and equipment operation. Claudio will join the Park Crew under the direction of Assistant Park Foreman, Greg Reiff.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

Funding for this position has been allocated as part of the approved 2013 Budget.

RECOMMENDATION:

Welcome Jose Claudio Sanchez as a new employee of Montgomery Township, effective January 7th 2013.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby welcome Jose Claudio Sanchez as a new employee of Montgomery Township, effective January 7th 2013.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of the FDMT and FDMT RA 2013 Officers

MEETING DATE: February 11, 2013

ITEM NUMBER: *#8*

MEETING/AGENDA:

ACTION X

NONE

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

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

BOARD LIAISON: Robert J. Birch, Supervisor
Liaison – Public Safety Committee

BACKGROUND:

In accordance with its bylaws, at the December monthly business meeting, the Fire Department of Montgomery Township (FDMT) and the Fire Department of Montgomery Township Relief Association (FDMT RA) elects its Executive Board members and Fire Chief. These positions take effect the first day of the next year.

I would like to introduce to you the 2013 Administrative, Operational and Relief Association Officers.

Administrative Officers

Alex Olimpo, President
Gene Scholl, Vice-President
Melanie Vasconez, Treasurer
Stacy Bailey, Financial Secretary
Michael Shinton, Secretary
Warren Fuchs, Head Trustee

Operational Officers

William Wiegman, Fire Chief
Joseph Simes, Deputy Chief
Edmond Skrzat, Assistant Chief
William Goltz, Battalion Chief
Joseph Bennett, Battalion Chief
Frank Colelli, Captain
William Fluck, Captain
John Scheiter, Captain
Vince Zirpoli, Captain
Steven Cohen, Lieutenant
Paul Smith, Lieutenant
Michael Long, Lieutenant
Michael Bean, Chief Engineer
Robert Bailey, Fire Police Captain
William Adams, Fire Police Lieutenant
Joan Anton, Health and Safety Officer

Relief Association Officers

Michael Shinton, President
Vinay Setty, Vice-President
Joel Silver, Treasurer
William Fluck, Secretary

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 accept and approve the FDMT and FDMT RA 2013 Officers.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept and approve the FDMT and FDMT Relief Association 2013 Leadership.

MOTION: _____

SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of FDMT Annual Fundraising Activities

MEETING DATE: February 11, 2013

ITEM NUMBER: #9

MEETING/AGENDA: ACTION X NONE

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

INITIATED BY: Richard M. Lesniak
Director of Fire Services

BOARD LIAISON: Robert J. Birch, Supervisor
Liaison – Public Safety Committee

BACKGROUND:

Section 15 of the Amended & Restated Fire Service Agreement provides that the Volunteer Fire Department of Montgomery Township (FDMT) annually advises the Board of Supervisors of its planned fundraising activities and to request the Board of Supervisor's approval of the events. FDMT proposes the following fund raising activities in 2013:

- Car Washes (2-3): One in spring and possibly two in the summer months.
- Coin Toss – December.
- Car Show - Summer months – tentatively scheduled for August.
- Whole Foods – proposed fund raiser - bagging grocery event.
- MMR Carnival - participate in having booth at annual carnival in June.

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 grant approval for the FDMT to host the stated fundraising activities.

MOTION/RESOLUTION: BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby grant approval for the FDMT to host the following fund raising events in 2013:

- Car Washes (2-3): One in spring and possibly two in the summer months.
- Coin Toss – December.
- Car Show - Summer months – tentatively scheduled for August.
- Whole Foods – proposed fund raiser - bagging grocery event.
- MMR Carnival - participate in having booth at annual carnival in June.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Presentation of Service Awards to the Founding/Charter Members of the Volunteer Fire Department of Montgomery Township

MEETING DATE: February 11, 2013

ITEM NUMBER: #10

MEETING/AGENDA:

ACTION X

NONE

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

INITIATED BY: Richard M. Lesniak
Director of Fire Services

BOARD LIAISON: Robert J. Birch, Supervisor
Liaison – Public Safety Committee

BACKGROUND:

On July 22, 2002, the Board of Supervisors established by Resolution the creation of the Fire Department of Montgomery Township. Since that date, sixteen (16) of the founding members of the FDMT have maintained active membership with the Department. Those members are:

Joan Anton
Robert Bailey
Stacey Bailey
Michael Bean
John Cataldi
Frank DiCicco
Bernd Heinze
Chris Mann
John Mogensen
Maryanne Mogensen
Paul Mogensen
Scott Redilla
Michael Shearer
Edmond Skrzat
Dave Vasconez
Dave Wolfe

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 recognize the founding/charter members of the Volunteer Fire Department of Montgomery Township

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby recognize the founding/charter members of the Volunteer Fire Department of Montgomery Township.

MOTION: _____

SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Adoption of the 2012 Montgomery County Hazard Mitigation Plan

MEETING DATE: February 11, 2013

ITEM NUMBER: # //

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 – Public Safety Committee

BACKGROUND:

The Stafford Act (P.L. 106-390, the Disaster Mitigation Act of 2000) requires state and local governments to develop an approved mitigation plan as a condition for receiving certain federal disaster grants and loans. The act also requires that the plans be updated every five years.

Over the past year, the Montgomery County Planning Commission, Department of Public Safety and municipalities throughout the County have worked together to update said plan. The introduction section and table of contents for the 319 page document is attached. A full copy of the plan can be viewed on the Montgomery County Planning Department website at the following address:

<http://planning.montcopa.org/planning/site/default.asp>

The plan amendment evaluates 24 potential natural, human caused and technological hazards. It also examines the capacity of different levels of government to address these expected hazards. The Plan recognizes that the avoidance of disaster is a shared responsibility of various levels of local government, businesses, and residents. Implementation of measures that will lessen the impact of a disaster will require cooperation at all levels of government and will take several years to complete.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

To remain in compliance with the Disaster Mitigation Act and be eligible for future federal hazard mitigation funding, it is recommended that the Board of Supervisors adopt the 2012 Montgomery County Hazard Mitigation Plan.

MOTION/RESOLUTION:

See Attached Resolution.

MOTION: _____

SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

RESOLUTION OF

THE BOARD OF SUPERVISORS of MONTGOMERY TOWNSHIP

ADOPTING THE 2012 MONTGOMERY COUNTY HAZARD MITIGATION PLAN

WHEREAS, hazards including flooding periodically threaten the safety of people and result in property damage in MONTGOMERY TOWNSHIP; and

WHEREAS, the vulnerability of MONTGOMERY TOWNSHIP to some hazard events may be reduced through various mitigation measures; and

WHEREAS, Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5165, enacted under paragraph 104 of the Disaster Mitigation Act of 2000, provides new approaches to mitigation planning and requires local government to prepare and adopt mitigation plans as a condition for receiving certain federal disaster grants and loans and to update these plans each five years; and

WHEREAS, a Montgomery County Hazard Mitigation Plan was prepared in 2007 and adopted by the county and MONTGOMERY TOWNSHIP; and

WHEREAS, the 2012 hazard mitigation plan has been prepared by the Montgomery County Planning Commission and Public Safety Department in accordance with appropriate federal guidelines established in accordance with the Stafford Act; and

WHEREAS, the public and MONTGOMERY TOWNSHIP in the county was given an opportunity to fully participate in the preparation of the 2012 Montgomery County Hazard Mitigation Plan process; and

NOW THEREFORE BE IT RESOLVED, that the BOARD OF SUPERVISORS of MONTGOMERY TOWNSHIP hereby adopts the 2012 Montgomery County Hazard Mitigation Plan; and

BE IT FUTHER RESOLVED, the secretary is directed to formally submit a copy of this resolution to Montgomery County to be transmitted to Pennsylvania Emergency Management Agency (PEMA) and Federal Emergency Management Agency (FEMA) to enable the plan's final approval.

RESOLVED this _____ day of _____, 2013.

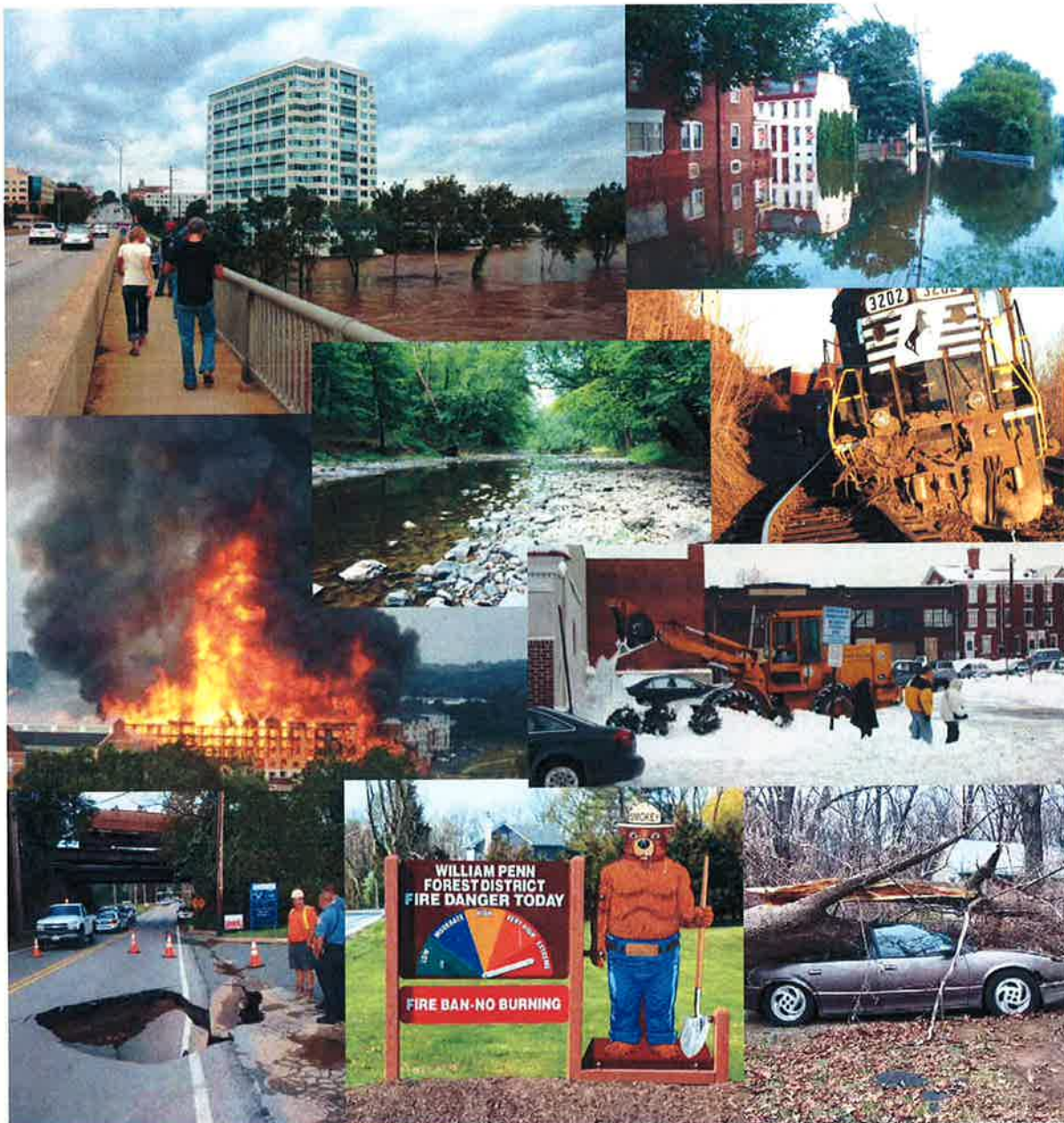
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS

Joseph P. Walsh, Chairman

ATTEST:

Lawrence J. Gegan, Secretary

Montgomery County Hazard Mitigation Plan 2012



Montgomery County 2012 Hazard Mitigation Plan

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1. Introduction

1.1. Background

Hazard mitigation describes actions that are taken to eliminate or reduce risks to life and property from various forms of hazards in our world. By anticipating hazards and taking mitigation steps in advance of the onset of various types of disaster events, communities can break the disaster cycle of damage, emergency response, reconstruction, and repeated damage. Though it is impossible to predict the future with certainty or to be prepared for every situation, successful and cost effective mitigation measures can reduce our exposure to the impact of the hazards that the county will likely face.

Planning to avoid the consequences of any form of disaster is a shared responsibility of various levels of local government, businesses, and residents. Responsibility for land use planning and regulating development such that the public health and safety is preserved and impact of disasters are avoided can be exercised through the authority granted to municipal officials under the Municipal Planning Code (MPC) and various federally and state funded initiatives. Plans for community development, infrastructure, and emergency management are developed at the local level. Powers to enact or enforce construction, property maintenance, and fire prevention standards are derived from the individual municipal codes, i.e. township (first and second class), borough, or home rule charter and the Pennsylvania Uniform Construction Code. The county has a big role in coordinating initiatives that span municipal boundaries. State and federal resources will be required to implement various initiatives. The cooperation of the private sector and each resident of the county will also be essential to ensure that mitigation actions addressed in this plan are effective.

In the past several decades, the impact of various hazards on the nation has resulted in deaths, injuries, property damage and the interruption of business and government services. The resources required to recover from disasters caused by human, technological, and natural hazards have increased to the point where it is placing a strain on other government services. Since 1955, there have been 47 emergency declarations proclaimed in Pennsylvania that have impacted Montgomery County. Sixteen of these also resulted in Presidential Declarations. A full list of all of the declarations can be found in Appendix J.

1.2. Purpose

This plan is intended to provide the county and each municipality with a strategy for mitigation of natural and human caused disasters that could occur in Montgomery County at any time. It addresses the local government planning responsibilities established by the Stafford Act, (P.L. 106-390, the Disaster Mitigation Act of 2000) which requires state and local governments to develop and adopt an approved mitigation plan as a condition for receiving federal disaster grants and loans. This plan revises and updates the Montgomery County Natural Hazards Mitigation Plan prepared in 2007 and adopted by all 62 municipalities in the county.

Montgomery County 2012 Hazard Mitigation Plan

The hazard mitigation plan can serve as a valuable single source of information about the threat from various natural and human caused hazards to Montgomery County and various strategies to take to reduce the threat. Prior to the development of the original plan in 2007, no single source of information about floods and other natural and human caused hazards was available for reference. Instead, information was scattered about in municipal and county departments. Subsequent revisions to this document are intended to further expand and update the information about hazards in the county. With clear goals about future mitigation approaches and defined mitigation projects, this plan provides a framework for future action at all levels of government and private business to reduce the impact of future disaster conditions.

1.3. Scope

The plan contains several chapters which describe relevant information about hazards in the county, the planning process, recommendations for mitigating hazards and future plan maintenance responsibilities. The Community Profile Chapter of the plan describes the county and the 62 municipalities that comprise it. More detailed information about the physical and demographic features of the county are contained in Appendix H. The planning process used for this plan is documented in the next chapter. The Risk Assessment Chapter is a significant part of the plan where each potential hazard to the county is described and evaluated. Historic information, best available research information, and predictive models are used in the risk assessment for the county. As part of the process to evaluate hazard threats, attempts are made at estimating future losses and evaluating future trends that could change the vulnerability of the county to any of the threats. The next chapter describes the current capability of the county and municipal organizations to address all hazards. Chapter 6 itemizes the mitigation strategies needed to address potential threats based on community goals. Attempts are made to determine the economic, social, and environmental costs and benefits associated with each potential action given the limitations of available data. Also the county and local governmental capacities are taken into account in the development of appropriate strategies. The remainder of this chapter identifies action strategies with cost effective and technically feasible disaster loss reduction measures. The final chapter of the plan discusses the future plan maintenance procedures that the county will undertake with the help of each of the 62 municipalities and other key partners. Appendices containing important data and summaries of the planning process steps are also included.

1.4. Authority and Reference

Authority for this plan originates from the following federal sources:

[Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C., Section 322, as amended](#)

[Code of Federal Regulations \(CFR\), Title 44, Parts 201 and 206](#)

[Disaster Mitigation Act of 2000, Public Law 106-390, as amended](#)

[National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4001 et seq.](#)

Montgomery County 2012 Hazard Mitigation Plan

Authority for this plan originates from the following Commonwealth of Pennsylvania sources:

Pennsylvania Emergency Management Services Code. Title 35, Pa C.S. Section 101 (currently under revision)

[Pennsylvania Municipalities Planning Code of 1968, Act 247 as reenacted and amended by Act 170 of 1988](#)

[Pennsylvania Stormwater Management Act of October 4, 1978. P.L. 864, No. 167](#)

The following Federal Emergency Management Agency (FEMA) guides and reference documents were used to prepare this document:

- [FEMA 386-1: *Getting Started*. September 2002](#)
- [FEMA 386-2: *Understanding Your Risks: Identifying Hazards and Estimating Losses*. August 2001](#)
- [FEMA 386-3: *Developing the Mitigation Plan*. April 2003](#)
- [FEMA 386-4: *Bringing the Plan to Life*. August 2003](#)
- [FEMA 386-5: *Using Benefit-Cost Review in Mitigation Planning*. May 2007](#)
- [FEMA 386-6: *Integrating Historic Property and Cultural Resource Considerations into Hazard Mitigation Planning*. May 2005](#)
- [FEMA 386-7: *Integrating Manmade Hazards into Mitigation Planning*. September 2003](#)
- [FEMA 386-8: *Multijurisdictional Mitigation Planning*. August 2006](#)
- [FEMA 386-9: *Using the Hazard Mitigation Plan to Prepare Successful Mitigation Projects*. August 2008](#)
- [FEMA Local Multi-Hazard Mitigation Planning Guidance. July 1, 2008](#)
- [FEMA National Fire Incident Reporting System 5.0: *Complete Reference Guide*. January 2008](#)

The following Pennsylvania Emergency Management Agency (PEMA) guides and reference documents were used to prepare this document:

- PEMA: *Hazard Mitigation Planning Made Easy!*
- PEMA Mitigation Ideas: *Potential Mitigation Measures by Hazard Type: A Mitigation Planning Tool for Communities*. March 6, 2009
- PEMA: *Draft Standard Operating Guide*. October 9, 2009

The following document produced by the National Fire Protection Association (NFPA) provided additional guidance for updating this plan:

- [NFPA 1600: *Standard on Disaster/Emergency Management and Business Continuity Programs*. 2007](#)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Designation of Agent – Hurricane Sandy Disaster Assistance

MEETING DATE: February 11, 2013

ITEM NUMBER: #12

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, Chairman
Liaison – Public Safety Committee

BACKGROUND:

FEMA had announced that Montgomery County and its municipalities have met the criteria to be eligible for "disaster" status and public assistance for its costs incurred during the events of Hurricane Sandy in October. Montgomery Township will be applying for reimbursement of Public Works, Fire and Administrative expenses that were a direct result of the Hurricane.

The Township's first step in the application process is to adopt a resolution adopting PEMA– DAP -2 "Designation of Agent" authorizing an agent to execute all required forms and documents for the purposes of obtaining financial assistance for Hurricane Sandy.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: The amount of eligible Public Works, Fire and Administrative expenses incurred as a result of the storm is projected to be between \$6,000 - \$10,000.

RECOMMENDATION: It is recommended that the Board of Supervisors adopt PEMA– DAP -2 Resolution designating the Emergency Management Coordinator as the Township's agent to execute all required forms and documents for the purposes of obtaining financial assistance for Hurricane Sandy.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors that we hereby adopt PEMA– DAP -2 Resolution designating the Emergency Management Coordinator, Richard M. Lesniak, as the Township's agent to execute all required forms and documents for the purposes of obtaining financial assistance for Hurricane Sandy.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

DESIGNATION OF AGENT RESOLUTION

FOR: DR-4099
(Enter Name of Disaster or Number)BE IT RESOLVED BY Board of Supervisors OF Montgomery Township
(Governing Body) (Public Entity)
THAT Richard M. Lesniak Director of Fire Services
(Name of Applicant Agent) (Title)
Emergency Management Coordinator

IS HERBY AUTHORIZED TO EXECUTE FOR AND IN BEHALF OF

Montgomery Township, Montgomery County,
(Public Entity) (County)

a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

Passed and approved this 11th day of February, 20 13.Joseph P. Walsh, Chairman,
(Name) (Title) (Signature)Jeffrey W. McDonnell, Vice Chairman,
(Name) (Title) (Signature)Robert J. Birch, Supervisor,
(Name) (Title) (Signature)Candace Fluehr Chimera, Supervisor,
(Name) (Title) (Signature)Michael J. Fox, Supervisor,
(Name) (Title) (Signature)

CERTIFICATION

I, Lawrence J. Grogan, duly appointed and Township Manager/Secretary
(Name) (Title)of Montgomery Township, do hereby certify that the above is a true and correct copy of
(Public Entity)a resolution passed and approved by the Board of Supervisors
(Governing Body)of Montgomery Township on the 11th day of February, 20 13.
(Public Entity)Township Manager/Secretary 2/11/13
(Signature) (Official Position) (Date)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Adoption of Proposed Ordinance #13-269 Sewer Ordinance Amendment – Grease, Sand, Soil and Oil Interceptor Regulations

MEETING DATE: February 11, 2013

ITEM NUMBER: #13

MEETING/AGENDA: ACTION XX CONSENT NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman
Board of Supervisors

BACKGROUND:

The Montgomery Township Municipal Sewer Authority has requested that the Township adopt an amendment to the Township Code of Ordinances amending Chapter 187 Sewers , Article XIV-Building Sewers and Connections. The proposed ordinance would establish new standards for the materials used and construction methods employed for construction of building sewers, laterals, and appurtenant facilities.

The proposed ordinance would also require certain commercial customers to install external grease interceptors and sand, soil and oil separators, require regular maintenance and cleaning of such grease interceptors and separators, and require such users to regulate the contributions to and disposal of waste from grease interceptors and separators

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

The Board of Supervisors authorized advertisement of this proposed ordinance at its Public Meeting on January 25, 2013 and was advertised in the Lansdale Reporter on February 1, 2013.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approve Adoption of Ordinance #13-269 - Sewer Ordinance Amendment – Grease, Sand, Soil and Oil Interceptor Regulations

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby adopt Ordinance #13-269 amending Chapter 187 of the Township Code of Ordinances, Sewers , Article XIV- Building Sewers and Connections to establish new standards for the materials used and construction methods employed for construction of building sewers, laterals, and appurtenant facilities and requiring certain commercial customers to establish external grease interceptors and sand, soil and oil separators, requiring regular maintenance and cleaning of such grease interceptors and separators and regulating contribution to and disposal of waste from such grease interceptors and separators.

MOTION: _____

SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce F. Chimera	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

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

**MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA
ORDINANCE NO. 13-269**

AN ORDINANCE ESTABLISHING STANDARDS FOR THE MATERIALS USED AND CONSTRUCTION METHODS EMPLOYED FOR CONSTRUCTION OF BUILDING SEWERS, LATERALS, AND APPURTENANT FACILITIES AND REQUIRING CERTAIN COMMERCIAL CUSTOMERS TO ESTABLISH EXTERNAL GREASE INTERCEPTORS AND SAND, SOIL AND OIL SEPARATORS, REQUIRING REGULAR MAINTENANCE AND CLEANING OF SUCH GREASE INTERCEPTORS AND SEPARATORS, AND REGULATING CONTRIBUTIONS TO AND DISPOSAL OF WASTE FROM SUCH GREASE INTERCEPTORS AND SEPARATORS

IT IS HEREBY ENACTED AND ORDAINED By the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, as follows:

**SECTION I. SECTION 187-74 OF THE MONTGOMERY TOWNSHIP
CODE OF ORDINANCES IS HEREBY REVISED TO
READ AS FOLLOWS:**

187-74. Conformance to Codes

The size, slope, alignment, materials of construction of a building sewer, lateral and appurtenant facilities, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall conform to the requirements of the building and plumbing codes and/or other applicable rules and regulations of the MTMSA and Montgomery Township. In the event of any inconsistencies between the rules and regulations of the MTMSA and Montgomery Township and the International Plumbing Code, the rules and regulations of the MTMSA and Montgomery Township shall control.

**SECTION II. SECTION 187-75 OF THE MONTGOMERY TOWNSHIP
CODE OF ORDINANCES IS HEREBY REVISED TO
READ AS FOLLOWS:**

187-75. Grease Interceptors and Sand, Soil and Oil Separators

A. DEFINITIONS

(1) Food Service Facilities.

Those establishments engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, or poaching. Also included are infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing. These facilities include restaurants, cafeterias, hotels, motels, hospitals, nursing homes, schools, grocery stores, churches, camps, caterers, manufacturing plants, or any other industrial or commercial establishments which discharge, or are likely to discharge, grease into the public sewer system.

(2) Grease.

Material composed primarily of fats, oil, and grease from animal or vegetable sources. The term “fats, oil and grease” shall be deemed as grease by definition. Grease does not include petroleum based products.

(3) Grease Interceptor.

A device for separating and retaining waterborne greases and grease complexes prior to the wastewater exiting the interceptor and entering the public sewer system. These devices also serve to collect settleable solids, generated by and from food preparation activities, prior to the wastewater exiting the interceptor and entering the public sewer system.

(4) Oil/Water Separator.

A device that is specifically designed and manufactured to separate oil from water, and permits the oil to be collected and removed on a regular basis so as to prevent it from being discharged into the public sewer system.

B. CONTROL PLAN FOR GREASE AND FOOD WASTE

(1) Any person who constructs, renovates or expands a Food Service Facility shall be required to submit to MTMSA a grease and food waste control plan that will effectively control the discharge of undesirable materials into the public sewer system.

(2) Any owner of an existing Food Service Facility shall also be required to submit a grease and food waste control plan that will effectively control the discharge of undesirable materials into the public sewer system.

C. GREASE INTERCEPTOR INSTALLATION, CONNECTION AND LOCATION REQUIREMENTS

(1) Installation requirements

All owners of existing, proposed or newly renovated or expanded Food Service Facilities within the MTMSA Wastewater Service Area shall be required to install, at the owner's expense an approved, properly operated and maintained grease interceptor.

(2) Sanitary sewer flows

Sanitary sewer flows from toilets, urinals, lavatories, etc. shall not be discharged into the grease interceptor. These flows shall be conveyed separately to the sanitary sewer service lateral.

(3) Floor drains

Only floor drains which discharge or have the potential to discharge grease shall be connected to a grease interceptor.

(4) Garbage grinders/disposers

Solid food waste products shall be disposed of through normal solid waste/garbage disposal means, and not the sanitary sewer system.

(5) Dishwashers

Commercial dishwashers must be connected to the grease interceptor. Dishwashers discharge soap and hot water which can melt grease and allow it to pass through an undersized grease interceptor. Interceptors must be sized accordingly to allow enough detention time to allow water to cool and grease to solidify and float to the top of the interceptor.

(6) Location

The grease interceptor shall be installed outside the building upstream from the sanitary sewer service lateral connection unless MTMSA allows an interior installation. This will allow easy access for inspection, cleaning and removal of the intercepted grease at any time. A grease interceptor may not be installed inside any part of a building without written approval by MTMSA.

D. DESIGN CRITERIA

(1) Construction

Grease interceptors shall be constructed in accordance with the standards of the MTMSA and shall have a minimum of two compartments with fittings designed for grease retention. All grease removal devices or technologies shall be subject to the written approval of MTMSA. Such approval shall be based on demonstrated removal efficiencies of the proposed technology.

(2) Access

Access to grease interceptors shall be available at all times, to allow for their maintenance and inspection. Access to grease traps shall be provided by two manholes (one on each compartment) terminating at finished grade with cast iron frame and cover.

(3) Load-Bearing Capacity

In areas where additional weight loads may exist, the grease interceptor shall be designed to have adequate load-bearing capacity.

(4) Inlet and Outlet Piping

Wastewater discharging to a grease interceptor shall enter only through the inlet pipe of the interceptor. Each grease interceptor shall have only one inlet and one outlet pipe.

(5) Grease Trap Sizing

The required size of the grease interceptor shall be calculated using the EPA-2 model. All grease interceptors shall have a capacity of not less than 1,000 gal. nor exceed a capacity of 3,000 gal. If the calculated required capacity exceeds 3,000 gal., multiple units plumbed in series shall be installed.

E. GREASE INTERCEPTOR CLEANING/MAINTENANCE

(1) Cleaning/Pumping

The owner of a Food Service Facility shall, at such owner's expense, maintain and keep in good repair all grease interceptors to assure the proper operation and efficiency thereof. Cleaning of grease interceptors shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids. This work shall be performed by a qualified and licensed hauler. Decanting or discharging of removed waste back into the grease interceptor from which it was removed or any other grease trap, for the purpose of reducing the volume to be disposed, is prohibited. Cleaning shall also include a thorough inspection of the interceptor and its components. Any needed repairs shall be noted, and repairs shall be made at the owner's expense.

(2) Cleaning/Pumping Frequency

The grease interceptor must be cleaned/pumped out completely a minimum of once every four months, or more frequently, as determined by MTMSA, as needed to prevent carryover of grease into the MTMSA sewer system.

(3) Disposal

All materials removed from each grease interceptor must be disposed of at a facility approved to receive such waste in accordance with the provisions of this program. In no way shall the pumpage be returned to any private or public portion of the public sewer system. All pumpage from grease interceptors must be tracked by a manifest, which confirms pumping, hauling and disposal of the waste. The owner of the Food Service Facility must obtain and retain a copy of the original manifest from the hauler.

(4) Maintenance Log

A grease interceptor cleaning/maintenance log indicating each cleaning/pumping for the previous 24 months shall be maintained for each Food Service

Facility by the owner thereof. This log shall include the date, time, amount pumped, hauler and disposal site and shall be kept in a conspicuous location for inspection. Said log shall be made available to MTMSA or its representative, upon request.

(5) Submittal of Records

Each owner of a Food Service Facility shall submit all cleaning and maintenance records to MTMSA. The maintenance records shall include the following information:

- (a) Facility name, address, contact person and phone number;
- (b) Company name, address, phone number and contact name of person responsible for performing the maintenance, cleaning pumping or repair of grease interceptor;
- (c) Types of maintenance performed;
- (d) Dates maintenance was performed;
- (e) Date of next scheduled maintenance; and
- (f) Copies of manifests.

The owner shall be required to submit maintenance records to MTMSA on a biannual basis (twice per year). Records shall be submitted by March 1st and September 1st of each year. The records shall be submitted to:

**Manager
Montgomery Township Municipal Sewer Authority
1001 Stump Road
Montgomeryville, PA 18936**

The MTMSA will perform periodic inspections of Food Service Facilities and shall notify the owner thereof any additional required maintenance or repairs. Upon written notification by the MTMSA, the owner shall be required to perform the specified maintenance within fourteen (14) calendar days. Upon inspection by the MTMSA, the owner may be required to install, at his expense, additional controls to provide a complete system which prevents discharges of undesirable materials into the public sewer system.

F. ADDITIVES

Any biological additive(s) placed into the grease interceptor or building discharge line including but not limited to, enzymes, commercially available bacteria, or other additives designed to absorb, purge, consume, treat or otherwise eliminate grease shall require written approval by the MTMSA prior to use. The use of such additives shall in no way be considered as a substitution for the maintenance procedures and/or cleaning procedures required herein.

G. CHEMICAL TREATMENT

Chemical treatments such as drain cleaners, acid or other chemical solvents designed to dissolve or remove grease shall not be allowed to enter the grease interceptor.

H. SAND, SOIL AND OIL SEPARATORS

All owners of car washes, truck washes, garages, service stations, car and truck maintenance facilities, fabricators, utility equipment shops and other facilities (as determined by the MTMSA) that have sources of sand, soil and oil shall install effective sand, soil and oil traps, interceptors and/or oil/water separators. These systems shall be sized to effectively remove sand, soil and oil at the expected flow rates. These systems shall be designed in accordance with the criteria established within the latest edition of the International Plumbing Code. These systems shall be, at the owner's expense, cleaned or pumped on a regular basis to prevent impact upon the MTMSA sewer system. Users whose systems are deemed to be ineffective by the MTMSA shall be asked to change the cleaning frequency and/or to increase the size of the system. Owners of washing facilities will be required to prevent the inflow of detergents and rainwater into the MTMSA sewer system. Oil/water separator installations shall be required at facilities that accumulate petroleum oils and greases.

I. LAUNDRIES

Owners of commercial laundries shall equip them with an interceptor with a wire basket or similar device, removable for cleaning, that prevents passage into the MTMSA sewer system of solids ½" or larger in size such as rags, strings, buttons, or other solids detrimental to said system.

J. BOTTLING ESTABLISHMENTS

Bottling plants shall discharge wastewater into an interceptor that will provide for the separation of broken glass or other solids before discharging into the MTMSA sewer system.

K. PERMIT REQUIREMENT

Every person who is required to install a grease interceptor or a sand, soil and oil separator shall apply for and be issued a permit setting forth required specifications for said interceptor and separator and cleaning, maintenance, disposal and reporting requirements.

L. COST REIMBURSEMENT

If MTMSA is required to repair and/or clean out its sewer lines as a result of a stoppage resulting from a poorly maintained grease interceptor, repair and/or sand, soil and oil separator, the owner thereof shall be required to refund the labor, equipment, materials and overhead costs incurred by MTMSA and any fines incurred by MTMSA due to any sanitary sewer overflow caused by the stoppage. Additionally, the owner shall also pay the reasonable costs and fees incurred by the MTMSA by having to engage the services of its consulting engineers and solicitor in connection with the administration of the requirements of this section.

M. INSPECTION

MTMSA or its representatives shall have the right at reasonable times to inspect any grease interceptor or sand, soil and oil separator.

N. ALTERATION OF CONTROL METHODS

MTMSA reserves the right to request additional control measures if existing control equipment is shown to be insufficient to protect the MTMSA sewer system from interference due to the discharge of grease, sand, soil, oil or any other undesirable materials.

SECTION III. CONSTRUCTION AND SEVERABILITY

In the event any provisions, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional, such invalidity, illegality or unconstitutionality shall not effect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being intended that such remainder shall remain in full force and effect.

SECTION IV. REPEALER

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed as of the effective date of this Ordinance.

SECTION V. EFFECTIVE DATE

This Ordinance shall become effective immediately upon the date of enactment.

ENACTED AND ADOPTED, this _____ day of _____, 2013 by
the Board of Supervisors of Montgomery Township.

**BOARD OF SUPERVISORS
MONTGOMERY TOWNSHIP**

By: _____
Joseph P. Walsh, Chairman

Attest: _____
Lawrence J. Gegan, Secretary

Proof of Publication of Notice in The Reporter

Under Act No. 587, Approved May 16, 1929

Copy of notice or publication

State of Pennsylvania,
County of Montgomery

SS:

MONTGOMERY TOWNSHIP LEGAL NOTICE

On Monday February 11, 2013, after 7:30PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will consider enacting an ordinance amending the Montgomery Township Code amending Chapter 187, Article XIV [Building Sewers and Connections], Sections 187-74 [Conformance to Codes] and 187-75 [Grease traps] to (1) establish standards for the materials used and construction methods employed for construction of building sewers, laterals, and appurtenant facilities; (2) require certain commercial customers to establish external grease interceptors, sand, soil, and oil separators; (3) require regular maintenance and cleaning of such grease interceptors and separators; and (4) regulate contributions to and disposal of waste from such grease interceptors and separators. The full text of this ordinance may be examined, without charge, and copies may be obtained for a charge no greater than the cost thereof, at the offices of this newspaper, and the Montgomery Township Building during normal business hours, Monday through Friday 8:30AM until 4:30PM.

The public is invited to attend and will be given an opportunity to provide comments regarding this proposed ordinance. The Board of Supervisors will render a decision on the enactment of this ordinance, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public meeting at an announced date and time for that purpose.

Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900.

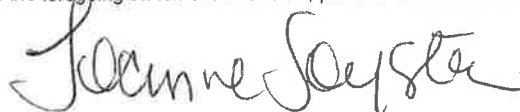
LAWRENCE J. GREGAN
Township Manager

Controller or Ad Manager, of the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a PENNSYLVANIA corporation, being duly sworn, deposes and says that THE REPORTER is a daily newspaper published at Lansdale, County and State aforesaid, which was established in the year 1870, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice or publication is attached hereto exactly as the same was printed and published in the regular editions and issues of the said daily newspaper on the following dates,

viz:

.....
the 1st day of February A.D., 2013

Affiant further deposes he is an officer duly authorized by the GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, to verify the foregoing statement under oath and also declares that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

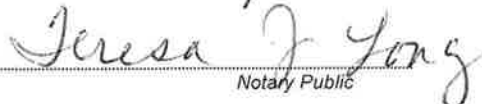


Controller or Ad Manager

Goodson Holding Company D/B/A LRPa, LLC.,

Sworn to and subscribed before me this date

2/1/13



Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Teresa J. Long, Notary Public
Lansdale Boro, Montgomery County
My Commission Expires June 1, 2015

MEMBER PENNSYLVANIA ASSOCIATION OF NOTARIES

My Commission Expires:

Statement of Advertising Costs

MONTGOMERY TOWNSHIP
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936

For publishing the notice or advertisement attached hereto on

the above stated date.....	\$	357.69
Notary Fee.....	\$	5.00
Total.....	\$	362.69

Publisher's Receipt for Advertising Costs

GOODSON HOLDING COMPANY D/B/A LRPa, LLC., a corporation, publisher of THE REPORTER, a daily newspaper, hereby acknowledges receipt of the aforesaid advertising and publication, and certifies that the same have been fully paid.

By

Lansdale, Pa.
Established 1870

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Adoption of Proposed Ordinance #13-270 – Amendment to Increase Tax Collector Compensation

MEETING DATE: February 11, 2013

ITEM NUMBER: ~~#13~~ **#14**

MEETING/AGENDA: ACTION NONE

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

INITIATED BY: Shannon Q. Drosnock
Finance Director *SCD* *for* BOARD LIAISON: Robert J. Birch, Supervisor
Liaison – Finance Committee

BACKGROUND:

At the January 28, 2013 Board of Supervisors public meeting, the Board authorized the advertisement of Ordinance #13-270 which would increase the compensation for the Tax Collector of Montgomery Township beginning fiscal year 2014 by approximately \$1,380. The Ordinance also changes the structure of the compensation by eliminating the percentage based portion of the compensation and increasing the flat fee portion of the compensation.

The PA Tax Collector's Manual (section attached) states that:

Any action by a taxing district to raise or reduce the compensation of the tax collector must be finally passed or adopted prior to the fifteenth day of February of the year of the municipal election where the office is filled (i.e. this February 15th).

In order for this Ordinance to be effective for the 2014 fiscal year, the Board must adopt the Ordinance at the February 11, 2013 public meeting.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

The Board authorized the advertisement of the Ordinance at the January 28th Board meeting and it was subsequently advertised in the North Penn Reporter on February 1st.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The adoption of the Ordinance to increase the Tax Collector Compensation will not be effective until 2014 and therefore will not impact the 2013 budget.

RECOMMENDATION:

Staff recommends that the Board adopt Ordinance #13-270 to increase the compensation of the Tax Collector.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby adopt Ordinance #13-270 to Increase the Compensation of the Tax Collector for Montgomery Township commencing January 1, 2014.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

DRAFT

MONTGOMERY TOWNSHIP
Montgomery County, Pennsylvania

ORDINANCE # 13-270

An Ordinance amending the Montgomery Township Code by amending Chapter 43, Article 1 [Salaries Compensation/Tax Collector's Salary], §43-1 [Salary Established] to increase the Township Tax Collector's total annual compensation for the collection of Township taxes and streetlight assessments from \$15,355 to \$16,735 commencing January 1, 2014

ENACTED: _____

MONTGOMERY TOWNSHIP
Montgomery County, Pennsylvania

ORDINANCE # 13-270

An Ordinance amending the Montgomery Township Code by amending Chapter 43, Article 1 [Salaries Compensation/Tax Collector's Salary], §43-1 [Salary Established] to increase the Township Tax Collector's total annual compensation for the collection of Township taxes and streetlight assessments from \$15,355 to \$16,735 commencing January 1, 2014

WHEREAS, the Second Class Township Code authorizes the Township tax collector to collect Township taxes and streetlight assessments;¹

WHEREAS, under the Local Tax Collecting Law the Montgomery Township Board of Supervisors is permitted to increase the Township tax collector's compensation by ordinance, insofar as such ordinance is finally passed/adopted prior to the fifteenth day of February in a municipal election year;² and

WHEREAS, the Township tax collector's compensation for the collection of Township taxes and streetlight assessments has not changed since 2006, and as such, the Montgomery Township Board of Supervisors has determined that such compensation should be increased from \$15,355 to \$16,735 commencing January 1, 2014.

NOW THEREFORE, BE IT ORDAINED by the Montgomery Township Board of Supervisors that the following Ordinance is hereby enacted prior to February 15, 2013, in this a municipal election year:

SECTION 1. Amendment to Chapter 43, Article 1 [Salaries Compensation/Tax Collector's Salary], §43-1 [Salary Established]

Chapter 43, Article 1 [Salaries Compensation/Tax Collector's Salary], §43-1 [Salary Established] is amended to read as follows:

¹ See Article X, §1001 [Tax Collector/Powers, Duties, Liabilities and Article XXXIII [Collection of Assessments/Assessments Collected by Tax Collector].

² See Local Tax Collection Law, §36a [Increase or reduction of compensation].

§43-1. Salary established.

The Montgomery Township Tax Collector shall receive a total annual salary of \$16,735 as compensation for the collection of Township taxes and streetlight assessments, commencing January 1, 2014.

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.

[Signatures on Next Page]

DRAFT

ORDAINED AND ENACTED this _____ day of February 11, 2013, by
the Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

JOSEPH P. WALSH, *Chairperson*

[Seal]

Attested by:

LAWRENCE J. GREGAN
Township Manager/ Secretary

DRAFT

MONTGOMERY TOWNSHIP
LEGAL NOTICE

On Monday February 11, 2013, after 7:30PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will consider enacting an ordinance amending the Montgomery Township Code by amending Chapter 43, Article 1 [Salaries Compensation/Tax Collector's Salary], §43-1 [Salary Established] to increase the Township Tax Collector's total annual compensation for the collection of Township taxes and streetlight assessments from \$15,355 to \$16,735 commencing January 1, 2014.

The full text of this ordinance may be examined, without charge, and copies may be obtained for a charge no greater than the cost thereof, at the offices of this newspaper, and the Montgomery Township Building during normal business hours, Monday through Friday 8:30AM until 4:30PM.

The public is invited to attend and will be given an opportunity to provide comments regarding this proposed ordinance. The Board of Supervisors will render a decision on the enactment of this ordinance, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public meeting at an announced date and time for that purpose.

Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900.

LAWRENCE J. GREGAN
Township Manager

TO BE INSERTED in The Reporter on Friday, February 1, 2013. Please send proof of Publication to Montgomery Township, Attn.: Bruce Shoupe 1001 Stump Road, Montgomeryville, PA 18936

The commission does not apply to lien taxes, except where the tax collector serves as delinquent tax collector; the commission received for the collection of delinquent taxes is established by the taxing district.⁸ The tax collector receives no compensation for taxes returned to the county tax claim bureau.⁹

Challenging Compensation Level

While the legislature has given taxing districts the power to set the tax collector's compensation, this power is not absolute. Courts can intervene in cases of abuse of discretion.¹⁰ The public interest is affected whether the collector's compensation is grossly excessive or entirely inadequate; both constitute capricious action on the part of the taxing body. Courts can both raise and lower compensation levels set by the taxing districts.

The courts can intervene in setting the tax collector's salary where the governing body is guilty of a misapplication of law, a clear abuse of discretion or arbitrary and capricious action resulting in an unlawful expenditure of public funds. Intervention is not warranted by a mere difference in opinion on the judgment exercised by the taxing body.¹¹

Compensation levels should be challenged by citizens or candidates for the office of tax collector immediately after they are set. Candidates have been advised to file a statement with the clerk of courts indicating they do not agree with the compensation level. They should subsequently seek legal assistance, either on their own or with other persons affected by the compensation level set by the taxing body. In cases where tax collectors were aware of the change in compensation, stood as candidates and were elected, sworn into office, accepted duplicates and collected taxes, these actions were seen as tacit acceptance of the compensation level as set.¹² Appeals to the court after taking office must prove clear abuse of discretion by the taxing body. In a case where tax collectors demonstrated the new rate of compensation set by a school district would be financially detrimental to them, the court held this did not establish bad faith or lack of authority on the part of the district.¹³ The tax collectors failed to present evidence that the district acted with improper motive or intent, but solely differed on what they considered adequate compensation.

Changing Compensation

Any action by a taxing district to raise or reduce the compensation of the tax collector must be finally passed or adopted prior to the fifteenth day of February of the year of the municipal election where the office is filled.¹⁴ The intent of this section is to prevent a change in the arrangement a taxing body has with its tax collector during the term of office. Where compensation is set on a commission basis, the actual amount can vary depending on the size of the duplicate, as long as the commission rate is unchanged.¹⁵ A special exception enacted in 1996 allows supervisors of second class townships with a population of less than 3,000 to increase the commission level of the tax collector during the term of office to prevent the compensation from dropping when the millage rate is cut.¹⁶

The February 15 deadline for changing compensation has also been extended to taxing district actions to alter fringe benefits and other costs, including office space, telephone, hospitalization insurance and the employer's share of Social Security.¹⁷ A recent court decision found that a township treasurer's receipt of rent-free office space from the school district for 23 years, in conjunction with his duties as tax collector for the school district, constituted compensation of the office of township treasurer, which could only be withdrawn by ordinance or resolution before the February 15th deadline.¹⁸ The taxing district's termination of payment for these items was held to reduce indirectly the compensation of the tax collector.

The term of office of an elected official ends when a vacancy occurs. The taxing body may change the tax collector's compensation before the vacancy is filled by appointment. The new rate would apply to the newly appointed tax collector.¹⁹ When a first class township treasurer is incapacitated and unable to serve, the

township board of commissioners can petition the court to appoint a deputy to serve instead. When a deputy treasurer is appointed, compensation is fixed by the court and deducted from the amount otherwise payable to the elected treasurer.²⁰

In cases where tax collectors have been reelected and their compensation has been changed for the succeeding term, they should receive their previous term's compensation for finishing out the final school tax duplicate from their previous term, even though this activity may continue several months after the new term begins on the first Monday of January. Payment on the basis of the new compensation schedule begins with the issuance of the first duplicate of the succeeding term.

Paying Compensation

The tax collector is prohibited from deducting any compensation from the taxes collected.²¹ All funds collected and any interest accrued must be paid over to the taxing districts.²² All compensation must be paid directly by the taxing district with proper warrant or orders drawn upon its treasurer. Before any compensation is paid on the basis of a new duplicate, the tax collector must submit an affidavit affirming that the taxpayers have been properly notified.²³

City treasurers are paid on a monthly or semi-monthly basis, the same as other officers of the city.²⁴ Arrangements for paying the salary are made by joint agreement between the city, school district and, where applicable, county. There is no legal stipulation on how tax collectors are paid in boroughs and townships. Commissions were customarily paid when the tax collector's monthly or periodic reports of collections were received. Salaries can be paid in even intervals throughout the year, even though the bulk of the work comes at certain times of the year. A taxing district should not be arbitrary and capricious when making payment to the tax collector. Payment should occur on a reasonable and timely basis. Taxing bodies must withhold federal, state and local income taxes from compensation payments to elected tax collectors.

Commissions on Noncode Taxes

If the elected tax collector is appointed to collect one or more Act 511 taxes, the taxing authority has full power to set the compensation and alter it at any time.²⁵ The tax collector acts as an appointed official when collecting Act 511 taxes and protections guaranteed by the Local Tax Collection Law to elected tax collectors do not apply to this role.

The tax collector in second class townships receives the same compensation for collecting street lighting and fire hydrant assessments as paid for township taxes, and where garbage collection assessments are levied in a village district the tax collector receives the same commission as for collecting per capita taxes.²⁶ A first class township treasurer collecting street light assessments is compensated at the same rate as for collecting taxes.²⁷

Fringe Benefits

Health/Hospitalization Insurance. Under the terms of the Public School Code, the power of the school board to provide health and hospitalization insurance is limited to school employees.²⁸ Similar clauses in the borough and township codes limit coverage to employees and elected members of the governing bodies and the mayor.²⁹ Tax collectors are excluded from the authorization to provide health and hospitalization insurance. The authorization for cities to purchase life, health, hospitalization, medical or accident insurance specifically includes elected officers, making the city treasurer eligible for participation.³⁰

Social Security. The Federal Omnibus Budget Reconciliation Act of 1990 brought certain classes of public officials, including elected tax collectors, under Social Security and Medicare coverage. In 1991, the Social

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

SUBJECT: Consider Authorization to Advertise Ordinance #13-271 to Increase the Indebtedness of the Township

MEETING DATE: February 11, 2013

ITEM NUMBER: *#15*

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Shannon Q. Drosnock *(signature)*
Finance Director

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

BACKGROUND:

In February of 2012, the Board authorized the purchase of approximately 12 acres of land immediately adjacent the Township building for a cost of \$1.5M. During the next several months a feasibility study was conducted to determine if a Recreation/Community Center could be constructed on the newly purchased site and several public meetings were held to discuss the potential of a Center in the Township.

Also during that time, the Board contracted with RBC Capital Markets to assist with a potential bond issuance for the Township to fund the construction of the Center. RBC worked with Township staff and the Finance Committee to review several financing options and strategies.

At the January 28, 2013 public Board meeting, the Board resolved to move forward with the construction of the Recreation/Community Center and accepted the Finance Committee's recommendation to move forward with a bond issue for \$10M to be used for financing the construction of the Center and to refund a portion of the debt that was acquired for the purchase of recreation and open space land acquisitions.

The bond issuance requires a Township Ordinance increasing the indebtedness of the Township by \$10M for the above described purposes. The Township's internal policy is for the Board to approve the advertisement of the intended ordinance prior to the adoption of said Ordinance.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

January 28, 2013 approval of the Finance Committee's recommendation to issue a bond for \$10M for refunding the open space loan and construction of the Center.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The new debt is expected to yield an annual debt service payment of between \$500K and \$550K. It will reduce the current interest only payment of \$142K down to \$71K on the on the open space loan thus allowing the total debt service payment to be funded by current year revenues and existing fund balance with no additional funding needed.

RECOMMENDATION:

Staff recommends that the Board authorize the advertisement of attached Ordinance #13-271 to increase the indebtedness of the Township by \$10M.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the advertisement of Ordinance #13-271 to Increase the Indebtedness of Montgomery Township by Ten Million Dollars.

MOTION: _____ SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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

MONTGOMERY TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE # 13-271

AN ORDINANCE AUTHORIZING THE INCURRENCE BY THE TOWNSHIP OF MONTGOMERY OF NONELECTORAL DEBT BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES OF 2013 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$_____ FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE A CAPITAL PROJECT, CURRENTLY REFUND A PORTION OF THE TOWNSHIP'S GENERAL OBLIGATION NOTE, SERIES OF 2012 AND TO PAY THE COSTS OF ISSUING THE BONDS; AUTHORIZING THE PREPARATION OF A DEBT STATEMENT AND OTHER DOCUMENTATION; PROVIDING FOR THE CURRENT REFUNDING OF THE DEBT BEING REFUNDED; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE PROMPT AND FULL PAYMENT OF THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS; SETTING FORTH THE STATED PRINCIPAL MATURITY OR SINKING FUND REDEMPTION DATES AND AMOUNTS, INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS AND OTHER DETAILS OF THE BONDS; APPROVING THE CONTENT AND FORM OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE DISTRIBUTION THEREOF AND AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT OR SUPPLEMENT; FINDING THAT A PRIVATE NEGOTIATED SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER NECESSARY ACTION.

ENACTED: February __, 2013

Township of Montgomery

Montgomery County, Pennsylvania

ORDINANCE NO. 13-271

AN ORDINANCE AUTHORIZING THE INCURRENCE BY THE TOWNSHIP OF MONTGOMERY OF NONELECTORAL DEBT BY THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES OF 2013 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$_____ FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE A CAPITAL PROJECT, CURRENTLY REFUND A PORTION OF THE TOWNSHIP'S GENERAL OBLIGATION NOTE, SERIES OF 2012 AND TO PAY THE COSTS OF ISSUING THE BONDS; AUTHORIZING THE PREPARATION OF A DEBT STATEMENT AND OTHER DOCUMENTATION; PROVIDING FOR THE CURRENT REFUNDING OF THE DEBT BEING REFUNDED; COVENANTING TO CREATE A SINKING FUND AND TO BUDGET, APPROPRIATE AND PAY DEBT SERVICE ON THE BONDS; PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE TOWNSHIP FOR THE PROMPT AND FULL PAYMENT OF THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS; SETTING FORTH THE STATED PRINCIPAL MATURITY OR SINKING FUND REDEMPTION DATES AND AMOUNTS, INTEREST RATES AND INTEREST PAYMENT DATES, PLACE OF PAYMENT, SINKING FUND PROVISIONS AND OTHER DETAILS OF THE BONDS; APPROVING THE CONTENT AND FORM OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE DISTRIBUTION THEREOF AND AUTHORIZING THE PREPARATION, EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT OR SUPPLEMENT; FINDING THAT A PRIVATE NEGOTIATED SALE OF THE BONDS IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; ACCEPTING A PROPOSAL FOR THE PURCHASE OF THE BONDS; APPOINTING A PAYING AGENT AND SINKING FUND DEPOSITORY; AND AUTHORIZING OTHER NECESSARY ACTION.

WHEREAS, pursuant to the Local Government Unit Debt Act, 53 Pa. Cons. Stat. §8001 *et seq.* (the "Act"), the Township of Montgomery, Montgomery County, Pennsylvania (the "Township") may incur indebtedness for the purposes of financing capital projects and refunding outstanding indebtedness; and

WHEREAS, pursuant to the Act, the Township has determined to undertake a capital project (the "Project"), including the design, construction and equipping of a community recreation center; and

WHEREAS, the Township previously issued its General Obligation Note, Series of 2012 (the "2012 Note") in the original principal amount of \$5,500,000 of which \$ _____ remains outstanding; and

WHEREAS, the portion of the 2012 Note remaining outstanding was issued to finance the costs of the acquisition of real estate; and

WHEREAS, the Township has determined to undertake a refinancing program (the "Refinancing Program") consisting of the current refunding of a portion of the outstanding 2012 Note (the "2012 Refunded Note"); and

WHEREAS, the Township has determined to issue its General Obligation Bonds, Series of 2013 (the "Bonds") in the aggregate principal amount of \$ _____ to finance: (i) the costs of the Project; (ii) the Refinancing Program; and (iii) the payment of the costs and expenses of issuing the Bonds; and

WHEREAS, the Township has determined that it is in the best financial interest of the Township to sell the Bonds at private negotiated sale, and the Township has received a proposal for the purchase of the Bonds (the "Bond Purchase Proposal") from RBC Capital Markets, LLC, of Philadelphia, Pennsylvania (the "Underwriter"), which it desires to accept; and

WHEREAS, the Board of Supervisors of the Township (the "Board") desires to approve the issuance of the Bonds, approve the Refinancing Program, and accept the Bond Purchase Proposal of the Underwriter.

NOW, THEREFORE, BE IT ENACTED by the Board of Supervisors of the Township of the Montgomery and IT IS HEREBY ENACTED, as follows:

1. Authorization of the Project and the Refinancing Program and Incurrence of Indebtedness; Statement of Useful Life of the Project; and Purpose of the Refinancing Program. The Township hereby authorizes and shall undertake the Project and the Refinancing Program, as described in the preambles to this Ordinance. The Township shall incur indebtedness pursuant to the Act in the aggregate principal amount of \$ _____ to finance the costs of the Project, the Refinancing Program and the costs and expenses of issuing the Bonds.

It is hereby determined and declared that: (i) the estimated date of completion of the Project is [December 31, 2013]; (ii) the Project has a useful life of _____ years; and (iii) the Township has obtained a realistic estimate of the costs of the project through bid prices or estimates from persons qualified by experience to provide such estimates.

The Township hereby reserves the right to undertake the individual components of the Project in such order and at such time or times as it shall determine and to allocate a portion of the proceeds of the Bonds and other available moneys to the final costs of the projects in such amounts and order of priority as it shall determine; but the proceeds of the Bonds shall be used

solely to pay “costs” as defined in the Act, of the Project or, upon appropriate amendments to this Ordinance, to pay the costs of other capital projects for which the Township is authorized to incur indebtedness.

It is hereby determined and stated that the Bonds are scheduled to mature in accordance with the limitations set forth in Section 8142(a)(2) of the Act taking into account the useful life of the Project.

It is hereby determined and set forth that the purpose of the Refinancing Program is to substitute bonds for notes as provided in Section 8241(b)(5) of the Act.

It is hereby determined and stated that the useful lives of the projects financed or refinanced with the proceeds of the 2012 Refunded Note are in excess of the term of the Bonds related to the Refinancing Program. The 2012 Note financed the costs of the acquisition of real estate with a useful life of not less twenty-two (22) years (Ordinance enacted January 23, 2012).

2. Authorization of Issuance of the Bonds. The Township shall issue, pursuant to the Act and this Ordinance, its General Obligation Bonds, Series of 2013, in an aggregate principal amount of \$_____, in order to provide funds for and toward the costs of the Project, the Refinancing Program and paying the costs of issuing the Bonds as authorized and provided in Section 1 hereof.

3. Type of Indebtedness. The indebtedness evidenced by the Bonds is nonelectoral debt.

4. Execution of Debt Statement, Bonds and Other Documents. The Chairman or Vice Chairman and the Secretary or Assistant Secretary of the Board of Supervisors of the Township and their successors are hereby authorized and directed to file the Debt Statement required by Section 8110 of the Act, to execute and deliver the Bonds in the name and on behalf of the Township and to take all other action required by the Act or this Ordinance in order to effect the issuance of the Bonds. Said officers or any of them are further authorized to apply to the Department of Community and Economic Development for approval of the debt herein authorized and to file with such application a transcript of the proceedings including a certified copy of this Ordinance, the Debt Statement, a Borrowing Base Certificate signed by the appropriate officials of the Township or by the accountants of the Township responsible for auditing its financial affairs, and to take any and all such further action and to execute and deliver such other documents as may be necessary or proper to comply with all requirements of the Act or to carry out the intent and purpose of this Ordinance. Said officers and their successors are further hereby authorized if, in their opinion, it is advisable to do so, to prepare and file such statements and documents as may be required by Section 8024 of the Act in order to qualify all or any portion of the existing indebtedness of the Township or of the Bonds as subsidized debt or self-liquidating debt.

5. Type of Bonds. The Bonds when issued will be general obligation bonds.

6. Covenant to Pay Debt Service - Pledge of Taxing Power. The Township hereby covenants with the registered owners of the Bonds outstanding pursuant to this Ordinance as follows: (a) that the Township will include in its budget for each fiscal year during the life of

the Bonds, the amount of the debt service on the Bonds issued hereunder which will be payable in each such fiscal year so long as any of the Bonds shall remain outstanding; (b) that the Township shall appropriate from its general revenues such amounts to the payment of such debt service; (c) that the Township shall duly and punctually pay or cause to be paid from the Sinking Fund (as hereinafter defined) or any of its other revenues or funds the principal of every Bond and the interest thereon at the dates and places and in the manner stated in the Bonds according to the true intent and meaning thereof; and (d) for such budgeting, appropriation and payment the Township hereby pledges its full faith, credit and taxing power. The covenant contained in this Section 6 shall be specifically enforceable. The amounts to be budgeted, appropriated and paid pursuant to the foregoing covenant are those set forth in **Exhibit B** attached hereto and made a part hereof which are hereby incorporated in the foregoing covenant with the same effect as if the same were specified in the text of such covenant.

7. **Form of Bonds.** The Bonds shall be substantially in the form set forth in **Exhibit A** hereto, with appropriate omissions, insertions and variations.

8. **Terms of Bonds.** The Bonds shall be issued in fully registered form, in the denomination of \$5,000 or any integral multiple thereof and shall be dated the date of issuance thereof or such other date as the Township and the Underwriter shall agree. The Bonds shall be issued in the aggregate principal amount of \$_____. The Bonds shall bear interest from the date thereof payable semiannually on June 1 and December 1 of each year, commencing June 1, 2013, at the rates and shall mature on December 1 of the years as set forth in the Bond Amortization Schedule attached hereto as **Exhibit B** and made a part hereof.

The principal of the Bonds shall be payable in lawful money of the United States of America at the corporate trust office of _____ in _____, _____ (the "Paying Agent"), which is hereby appointed paying agent and registrar for the Bonds and the sinking fund depository. Interest on the Bonds shall be payable in the manner provided in the form of Bonds set forth in **Exhibit A** hereto.

9. **Redemption of Bonds.** The Bonds maturing on or after December 1, 20__ are subject to redemption prior to maturity at the option of the Township as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township on December 1, 20__ or any date thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire maturity of Bonds is to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds stated to mature on December 1, 20__ (the "Term Bonds") are subject to mandatory redemption prior to their stated maturity by lot by the Township from monies to be deposited in the Sinking Fund established under this Ordinance at a redemption price of 100% of the principal amount thereof plus accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under this Ordinance) on December 1 of the year and in the annual principal amount set forth in the following schedule (or

such lesser principal amount as shall at the time represent all Term Bonds which shall then be outstanding):

<u>Mandatory Redemption Schedule</u>		
<u>Redemption Date</u> <u>(December 1)</u>	<u>Principal Amount to be</u> <u>Redeemed or Purchased</u>	<u>Maturity From Which</u> <u>Redeemed</u>
	\$	

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than \$5,000 shall be treated as representing such number of separate Bonds, each of the denomination of \$5,000, as is obtained by dividing the actual principal amount of such Bond by \$5,000. Any Bond which is to be redeemed only in part shall be surrendered at the corporate trust office of the Paying Agent in _____, _____, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent, and the registered owner of such Bond shall receive, without service charge, a new Bond or Bonds, of any authorized denomination as requested by such registered owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

On the date designated for redemption, and upon deposit with the Paying Agent of funds sufficient for payment of the principal of and accrued interest on the Bonds called for redemption, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and the Bonds or portions thereof so called for redemption shall cease to be entitled to any benefit of security hereunder, and registered owners of the Bonds so called for redemption shall have no rights with respect to the Bonds or portions thereof so called for redemption, except to receive payment of the principal of and accrued interest on the Bonds so called for redemption to the date fixed for redemption.

Notice of any redemption shall be given by first class mail, postage prepaid, mailed to the Paying Agent not less than 30 or more than 60 days before the redemption date to the registered owners of the Bonds at their addresses as they appear on the bond register maintained by the Paying Agent. Such notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption, of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the corporate trust office of the Paying Agent in _____, _____, and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and that reliance may be placed only on the identification numbers prefixed "R-" Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

With respect to any optional redemption Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent monies sufficient to

redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption monies with the Paying Agent not later than the redemption date, and such notice shall be of no effect unless such monies are so deposited.

10. Appointment of Securities Depository. The Depository Trust Company, New York, New York (“DTC”), shall act as securities depository for the Bonds on behalf of the firms which participate in the DTC book-entry system (“DTC Participants”). The ownership of one fully registered Bond for each maturity of the Bonds will be registered in the name of Cede & Co., as nominee for DTC. Each Bond will be in the aggregate principal amount of such maturity. The Township shall cause the Bonds to be delivered to DTC for the benefit of the purchaser on or before the date of issuance of the Bonds.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the “Beneficial Owner”) will not receive bond certificates and will not be the registered owner thereof. Ownership interest in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant’s interest in the Bonds, which will be confirmed in accordance with DTC’s standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Township nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The Township is authorized to execute such documents as may be necessary or desirable in connection with DTC’s services as securities depository including a blanket letter of representation obligating the Township to give certain notices to DTC and to meet certain requirements relating to Bond payments.

If DTC determines to discontinue providing its services as securities depository with respect to the Bonds at any time, the Chairman or Vice Chairman of the Board of Supervisors of the Township is hereby authorized to designate a successor securities depository or to deliver certificates to or upon the order of the registered owners of the Bonds.

11. Sale of Bonds. The Bonds shall be sold at private sale by negotiation as hereinafter set forth in Section 14. After due consideration, the Board hereby finds and determines, on the basis of all available information, that a private negotiated sale of the Bonds is in the best financial interest of the Township.

12. Creation of and Deposits in Sinking Fund. The Township covenants that there shall be and there is hereby established and that it shall hereafter maintain a sinking fund (the “Sinking Fund”) designated “Sinking Fund – General Obligation Bonds, Series of 2013” for the Bonds to be held by the Paying Agent (or such substitute or successor Paying Agent which shall hereafter be appointed in accordance with the provisions of the Act) in the name of the Township, but subject to withdrawal only by the Paying Agent.

The Township covenants and agrees to deposit in the Sinking Fund no later than each June 1 and December 1 (each, an "Interest Payment Date") the debt service payable on the Bonds on such dates, which shall not exceed the amounts set forth in **Exhibit B** hereto.

Pending application to the purpose for which the Sinking Fund is established, the Chairman or Vice Chairman of the Board of Supervisors of the Township or the Finance Director of the Township is hereby authorized and directed to cause the monies therein to be invested or deposited and insured or secured as permitted and required by Section 8224 of the Act. All income received on such deposits or investments of monies in the Sinking Fund during each applicable period shall be added to the Sinking Fund and shall be credited against the deposit next required to be made in the Sinking Fund.

The Paying Agent is hereby authorized and directed, without further action by the Township, to pay from the Sinking Fund the principal of and interest on the Bonds as the same become due and payable in accordance with the terms thereof and the Township hereby covenants that such monies, to the extent required, will be applied to such purpose.

All monies deposited in the Sinking Fund for the payment of the Bonds which have not been claimed by the registered owners thereof after two years from the date when payment is due, except where such monies are held for the payment of outstanding checks, drafts or other instruments of the Paying Agent, shall be returned to the Township. Nothing contained herein shall relieve the Township of its liability to the registered owners of the unrepresented Bonds.

13. No Taxes Assumed. The Township shall not assume the payment of any tax or taxes in consideration of the purchase of the Bonds.

14. Award and Sale of Bonds. The Township hereby awards and sells the Bonds to the Underwriter, at a price of \$ _____ (representing the face amount of the Bonds plus a net reoffering premium of \$ _____, less the underwriter's discount of \$ _____) plus accrued interest and in accordance with the terms and conditions contained or incorporated in the proposal of the Underwriter dated February __, 2013, which is hereby approved and accepted. A copy of said proposal shall be attached to this Ordinance and lodged with the official minutes of this meeting and is hereby incorporated herein by reference. The proper officers of the Township are hereby authorized and directed to endorse the acceptance of the Township on said proposal and to deliver a copy thereof to the Underwriter. Delivery of the accepted proposal to the Underwriter shall constitute conclusive evidence that the award and sale of the Bonds under this Ordinance have become final.

15. Contract with Paying Agent. The proper officers of the Township are authorized to contract with _____, _____, _____, in connection with the performance of its duties as the Paying Agent and Sinking Fund Depository on usual and customary terms, including an agreement to observe and comply with the provisions of this Ordinance and of the Act

16. Redemption of Refunded Note. The Township hereby calls the 2012 Refunded Note for redemption on or after _____, 2013. The Finance Director of the Township is authorized to set the exact redemption date, but such date shall be within ninety (90) days of the

issuance date of the Bonds. The Township shall deposit with the paying agent for the Refunded Note (the "Refunded Note Paying Agent"), the amounts required to pay the principal of and interest on the 2012 Refunded Note to the date of redemption. The officers of the Township are hereby authorized and directed to execute all documents and to take such other action as may be necessary or advisable to effect the redemption and payment of the 2012 Refunded Note. Upon redemption of the 2012 Refunded Note, any excess moneys shall be transferred by the Refunded Note Paying Agent to the Paying Agent, and the Paying Agent shall deposit the same in the Sinking Fund.

17. Federal Tax Covenants. The Township hereby covenants not to take or omit to take any action so as to cause interest on the Bonds to be no longer excluded from gross income for purposes of federal income taxation and to otherwise comply with the requirements of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended (the "Code"), and all applicable regulations promulgated with respect thereto, throughout the term of the Bonds. The Township further covenants that it will make no investments or other use of the proceeds of the Bonds which would cause the Bonds to be "arbitrage bonds" as defined in Section 148 of the Code. The Township further covenants to comply with the rebate requirements (including the prohibited payment provisions) contained in Section 148(f) of the Code and any regulations promulgated thereunder, to the extent applicable, and to pay any interest or penalty imposed by the United States for failure to comply with said rebate requirements, to the extent applicable.

The Township hereby represents and warrants, after due investigation and to the best of its knowledge, that (i) the Bonds are not "private activity bonds" within the meaning of Section 141 of the Code and (ii) the aggregate face amount of "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)(B) of the Code (which includes qualified 501(c)(3) bonds but not any other private activity bonds) issued or to be issued by the Township (and all "subordinate entities" thereof) during the 2013 calendar year is not reasonably expected to exceed \$10,000,000 (other than certain other obligations not required to be taken into account for purposes of Section 265 of the Code). The Township hereby designates the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3)(B) of the Code. The Township hereby authorizes the proper officers of the Township to execute certificates to that effect at the time of closing.

18. Execution and Authentication of Bonds. As provided in Section 4, the Bonds shall be executed by the Chairman or the Vice Chairman of the Board of Supervisors of the Township and the Secretary or Assistant Secretary of the Township and each such execution shall be by manual or facsimile signature. If any officer whose signature appears on the Bonds shall cease to hold such office before the actual delivery date of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such person had remained in such office until the actual delivery date of the Bonds. The Bonds shall be authenticated by the manual signature of an authorized representative of the Paying Agent.

19. Application of Bond Proceeds. The balance of the purchase price for the Bonds, and any accrued interest payable by the Underwriter, shall be paid by the Underwriter to the Paying Agent on behalf of the Township. Upon receipt of the balance of such purchase price for the Bonds, including interest thereon accrued to the date of delivery, if any, the Paying Agent

shall deposit the same in a settlement account. From the settlement account, the Paying Agent shall pay, or establish reserves for payment of, the costs and expenses of the financing in the amounts presented to the Board of Supervisors which are hereby approved, and the proper officers of the Township are authorized to direct the Paying Agent to pay the issuance costs on behalf of the Township as set forth in written directions to the Paying Agent. The portion of the proceeds of the Bonds issued to finance the refinancing of the 2012 Refunded Note shall be deposited with Univest Bank and Trust Co., as Refunded Note Paying Agent, as provided in Section 16 hereof. The Township hereby approves the establishment of a segregated account for the net proceeds of the Bonds and the balance of the proceeds shall be deposited in such account pending disbursement to pay the costs of the Project as set forth in instructions from the Township to the Paying Agent. The moneys in such account will be invested in accordance with Section 8224 of the Act.

Any reserves in the above-described account shall be disbursed from time to time by the Paying Agent pursuant to written instructions from the Chairman or Vice Chairman of the Board of Supervisors of the Township and any balance ultimately remaining in any such reserve shall, upon written instructions of the Chairman or Vice Chairman of the Board of Supervisors of the Township, be deposited in the general fund of the Township.

20. Officers Authorized to Act. For the purpose of expediting the closing and the issuance and delivery of the Bonds, or in the event that the Chairman or the Secretary of the Board of Supervisors of the Township shall be absent or otherwise unavailable for the purpose of executing documents, or for the purpose of taking any other action which they or either of them may be authorized to take pursuant to this Ordinance, the Vice Chairman or the Assistant Secretary of the Board of Supervisors of the Township, respectively, are hereby authorized and directed to execute documents, or otherwise to act on behalf of the Township in their stead.

21. Approval of Official Statement. The Preliminary Official Statement for the Bonds dated February __, 2013, is hereby approved and “deemed final” by the Township as of its date for purposes of United States Securities and Exchange Commission Rule 15c2-12. A final Official Statement to be dated February __, 2013, substantially in the form of the Preliminary Official Statement presented to this meeting, and also containing the final terms of the Bonds, shall be prepared and delivered to the Underwriter within seven (7) business days from the date hereof, and the Township hereby approves the use thereof in connection with the public offering and sale of the Bonds.

22. Covenant to Pledge Sufficient Funds. The Township hereby covenants and agrees that, concurrently with the issuance of and payment for the Bonds, the Township will have irrevocably pledged with the Refunded Note Paying Agent, amounts sufficient, to pay all principal of and interest on the 2012 Refunded Note to the date of redemption thereof so that the 2012 Refunded Note will no longer be outstanding under the Act.

23. Continuing Disclosure. The Township hereby authorizes and directs the appropriate officers to execute and deliver a Continuing Disclosure Agreement or a supplement to an existing Continuing Disclosure Agreement of the Township (the “Continuing Disclosure Agreement”) if and to the extent required by law. The Township further covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure

Agreement. Notwithstanding any other provision of this Ordinance, failure of the Township to comply with the Continuing Disclosure Agreement shall not be considered an event of default hereunder or under the Bonds; however, the Paying Agent, any Participating Underwriters (as defined in the Continuing Disclosure Agreement), or any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section.

24. Bond Insurance. If deemed financially advantageous to the Township in connection with the issuance of the Bonds, the officers of the Township are hereby authorized to purchase a policy of insurance guaranteeing the payment of the principal of and interest on the Bonds, to pay the premium for such policy from the proceeds of the Bonds and to execute such documents as may be necessary to effect the issuance of such policy. If applicable, the Bonds issued under this Ordinance may include a statement of the terms of such insurance policy and the Authentication Certificate of the Paying Agent appearing on each Bond may include a statement confirming that the original or a copy of the insurance policy is on file with the Paying Agent.

25. Bond Counsel. The Township hereby confirms the appointment of Cozen O'Connor to act as Bond Counsel to the Township with respect to the transactions contemplated by this Ordinance.

26. Further Action. The proper officers of the Township are hereby authorized and directed to take all such action, execute, deliver, file and/or record all such documents, publish all notices and otherwise comply with the provisions of this Ordinance and the Act in the name and on behalf of the Township.

27. Act Applicable to Bonds. This Ordinance is enacted pursuant to, and the Bonds issued hereunder shall be subject to, the provisions of the Act and all of the mandatory provisions thereof shall apply hereunder whether or not explicitly stated herein.

28. Contract with Bond Owners. This Ordinance constitutes a contract with the registered owners of the Bonds outstanding hereunder and shall be enforceable in accordance with the provisions of the laws of the Commonwealth of Pennsylvania.

29. Severability. In case any one or more of the provisions contained in this Ordinance or in any Bond shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Ordinance or of said Bonds, and this Ordinance or said Bonds shall be construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained therein.

30. Repealer. All Ordinances and parts of Ordinances heretofore enacted to the extent that the same are inconsistent herewith are hereby repealed.

31. Effective Date. This Ordinance shall take effect on the earliest date permitted by the Act.

DRAFT

DULY ENACTED AND ORDAINED, this __ day of February, 2013, by the Board of Supervisors of the Township of Montgomery, Montgomery County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF MONTGOMERY,
Montgomery County, Pennsylvania

By _____
Chairman, Board of Supervisors

Attest: _____
Secretary

(SEAL)

DRAFT

EXHIBIT A

[FORM OF BOND]

UNITED STATES OF AMERICA

COMMONWEALTH OF PENNSYLVANIA

TOWNSHIP OF MONTGOMERY

GENERAL OBLIGATION BOND, SERIES OF 2013

No. R- _____ \$ _____

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
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	December 1, _____	_____, 2013	
--	-------------------	-------------	--

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ DOLLARS

The Township of Montgomery, Montgomery County, Pennsylvania (the "Township"), a political subdivision of the Commonwealth of Pennsylvania, for value received, hereby promises to pay to the registered owner hereof on the Maturity Date set forth above the Principal Sum set forth above, unless this Bond shall have been called for redemption and payment of the redemption price shall have been made or duly provided for, and to pay interest thereon from _____, 2013 or the most recent Interest Payment Date to which interest has been paid or duly, provided for, semiannually on June 1 and December 1 of each year, commencing June 1, 2013 (each, an "Interest Payment Date"), at the interest rate specified above, calculated on the basis of a 360-day year of twelve 30-day months until the principal sum is paid or has been provided for.

Interest is payable to the registered owner of this Bond from the Interest Payment Date next preceding the authentication date of the Bond, unless: (a) this Bond is authenticated as of an Interest Payment Date, in which event it shall bear interest from such Interest Payment Date; (b) this Bond is registered and authenticated after a Regular Record Date (hereinafter defined) and before the next succeeding Interest Payment Date, in which event it shall bear interest from such succeeding Interest Payment Date; (c) such Bond is registered and authenticated on or prior to the Regular Record Date preceding June 1, 2013, in which event it shall bear interest from _____, 2013; or (d) as shown by the records of the Paying Agent interest on this Bond

shall be in default, in which event it shall bear interest from the date on which interest was last paid on this Bond.

The principal of this Bond is payable upon presentation and surrender hereof at the corporate trust office of _____, in _____, _____ (the "Paying Agent"). Interest on this Bond will be paid on each Interest Payment Date by check mailed to the person in whose name this Bond is registered on the registration books of the Township maintained by the Paying Agent, as bond registrar, at the address appearing, thereon at the close of business on the fifteenth (15th) day (whether or not a day on which the Paying Agent is open for business) next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof as of the Regular Record Date, and shall be payable to the person who is the registered owner hereof at the close of business on a Special Record Date for the payment of such defaulted interest. Such Special Record Date shall be fixed by the Paying Agent whenever monies become available for payment of the defaulted interest, and notice of the Special Record Date and payment date for such interest shall be given by first class mail to the registered owners of the Bonds not less than ten (10) days prior to the Special Record Date. Such notice shall be mailed to the persons in whose names the Bonds are registered at the close of business on the fifth (5th) day preceding the date of mailing. The principal of and interest on this Bond are payable in lawful money of the United States of America.

Notwithstanding the foregoing, so long as this Bond is registered in the name of The Depository Trust Company ("DTC") or its nominee, Cede & Co., payment of principal and interest on this Bond shall be payable in the manner and at the respective times of payment provided for in DTC's Operational Arrangements, as they may be amended from time to time.

This Bond is one of a duly authorized issue of General Obligation Bonds, Series of 2013, of the Township in the aggregate principal amount of \$_____ (the "Bonds") issued in fully registered form in denominations of \$5,000 and integral multiples of \$5,000 in excess thereof, all issued in accordance with the Local Government Unit Debt Act, 53 Pa. Cons. Stat. §8001 et seq., as amended (the "Act"), and pursuant to an Ordinance of the Board of Supervisors of the Township duly enacted on February __, 2013 (the "Ordinance") and a Paying Agent Agreement between the Township and the Paying Agent dated as of _____, 2013 (the "Paying Agent Agreement"). The Bonds are issued for the purpose of financing a capital project, the current refunding of a portion of the Township's General Obligation Note, Series of 2012 and paying the costs of issuing the Bonds.

Under the laws of the Commonwealth of Pennsylvania, this Bond and the interest thereon shall at all times be free from taxation within the Commonwealth of Pennsylvania, but this exemption shall not extend to gift, estate, succession or inheritance taxes or to any other taxes not levied or assessed directly on this Bond or the interest thereon. Profits, gains or income derived from the sale, exchange, or other disposition of this Bond are subject to state and local taxation.

The Bonds maturing on or after December 1, 20__ are subject to redemption prior to maturity at the option of the Township as a whole or from time to time in part, in any order of maturity or portion of a maturity as selected by the Township on December 1, 20__ or any date thereafter, upon payment of a redemption price of 100% of principal amount plus interest accrued to the redemption date. If less than an entire maturity of Bonds is to be redeemed at any particular time, such Bonds so to be called for redemption shall be chosen by lot by the Paying Agent.

The Bonds stated to mature on December 1, 20__ (the "Term Bonds") are subject to mandatory redemption prior to their stated maturity by lot by the Township from monies to be deposited in the Sinking Fund established under the Ordinance at a redemption price of 100% of the principal amount thereof plus accrued interest to the date fixed for redemption. The Township hereby covenants that it will cause the Paying Agent to select by lot, to give notice of redemption and to redeem Term Bonds at said price from monies deposited in the Sinking Fund sufficient to effect such redemption (to the extent that Term Bonds shall not have been previously purchased from said monies by the Township as permitted under the Ordinance) on December 1 of the year and in the annual principal amount set forth in the following schedule (or such lesser principal amount as shall at the time represent all Term Bonds which shall then be outstanding):

<u>Mandatory Redemption Schedule</u>		
<u>Redemption Date</u> <u>(December 1)</u>	<u>Principal Amount to be</u> <u>Redeemed or Purchased</u> \$	<u>Maturity From Which</u> <u>Redeemed</u>

In the event that a portion, but not all of the Term Bonds are redeemed pursuant to optional redemption, then the principal amount of any remaining mandatory sinking fund redemptions applicable to the Term Bonds shall be proportionately reduced (subject to the Paying Agent making such adjustments as it deems necessary to be able to affect future redemptions of such Bonds in authorized denominations) unless the Township directs an alternate reduction of such mandatory sinking fund redemptions.

For the purpose of selection of Bonds for redemption, any Bond of a denomination greater than \$5,000 shall be treated as representing such number of separate Bonds, each of the denomination of \$5,000, as is obtained by dividing the actual principal amount of such Bond by \$5,000. Any Bond which is to be redeemed only in part shall be surrendered at the corporate trust office of the Paying Agent in _____, _____, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent, and the registered owner of such Bond shall receive, without service charge, a new Bond or Bonds, of any authorized denomination as requested by such registered owner in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

On the date designated for redemption, and upon deposit with the Paying Agent of funds sufficient for payment of the principal of and accrued interest on the Bonds called for redemption, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and the Bonds or portions thereof so called for redemption shall cease to be entitled to

any benefit of security hereunder, and registered owners of the Bonds so called for redemption shall have no rights with respect to the Bonds or portions thereof so called for redemption, except to receive payment of the principal of and accrued interest on the Bonds so called for redemption to the date fixed for redemption.

Notice of any redemption shall be given by first class mail, postage prepaid, mailed by the Paying Agent not less than 30 or more than 60 days before the redemption date to the registered owners of the bonds at their addresses as they appear on the Bond register maintained by the Paying Agent. Shall notice shall be given in the name of the Township, shall identify the Bonds to be redeemed (and, in the case of a partial redemption of any Bonds, the respective principal amounts thereof to be redeemed), shall specify the redemption date and the redemption price, and shall state that on the redemption date the Bonds called for redemption will be payable at the corporate trust office of the Paying Agent in _____, _____ and that from the date of redemption interest will cease to accrue. The Paying Agent shall use "CUSIP" numbers (if then generally in use) in notices of redemption as a convenience to Bond owners, provided that any such redemption notice shall state that no representation is made as to the correctness of such numbers either as printed on the Bonds or as contained in any notice of redemption and the reliance may be placed only on the identification numbers prefixed "R-" printed on the Bonds. Failure to mail any notice of redemption, or any defect therein, or in the mailing thereof, with respect to any Bond shall not affect the validity of any proceeding for redemption of other Bonds so called for redemption.

With respect to any optional redemption Bonds, if at the time of mailing such notice of redemption, the Township shall not have deposited with the Paying Agent monies sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption monies with the Paying Agent not later than the redemption date, and such notice shall be of no effect unless such monies are so deposited.

The Township and the Paying Agent may treat the person in whose name this Bond is registered on the Bond register maintained by the Paying Agent as the absolute owner of this Bond for all purposes and neither the Township nor the Paying Agent shall be affected by any notice to the contrary. The Bonds are being issued by means of a book-entry system, with actual bond certificates evidencing ownership of the Bonds immobilized at DTC, New York, New York (the "Securities Depository"), or its successor as Securities Depository. Transfers of beneficial ownership of the Bonds shall be effected on the records of the Securities Depository and its participants pursuant to the rules and procedures established by the Securities Depository.

So long as the Bonds are issued in book-entry form, actual bond certificates are not available for distribution to the beneficial owners and the principal and interest on the Bonds are payable to Cede & Co., as nominee of the Securities Depository. Transfer of principal and interest payments to participants of the Securities Depository is the responsibility of the Securities Depository; transfers of principal and interest to beneficial owners of the Bonds by participants of the Securities Depository will be the responsibility of such participants and other nominees of beneficial owners. The Township and the Paying Agent are not responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants. If the Bonds are no longer registered to a Securities Depository or its nominee, the Bonds are transferable by the

registered owners thereof, subject to payment of any required tax, fee or other governmental charge, upon presentation and surrender at the corporate trust office of the Paying Agent in, _____, _____, together with a duly executed instrument of transfer in form satisfactory to the Paying Agent. The Paying Agent shall not be required: (i) to issue, transfer or exchange any of the Bonds during a period beginning at the close of business on the fifteenth (15th) day next preceding the day of selection of Bonds to be redeemed and ending at the close of business on the day on which such notice is given, or (ii) to transfer or exchange any Bond selected for redemption in whole or in part.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon, against any supervisor, officer or employee, past, present or future, of the Township or of any successor body, as such, either directly or through the Township or through any such successor body under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such supervisors, officers or employees is released as a condition of and as consideration for the execution and issuance of this Bond.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the Commonwealth of Pennsylvania or in the jurisdiction in which the principal corporate trust office of the Paying Agent is located are authorized or required by law or executive order to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth of Pennsylvania for the Township to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the Township, is within every debt and other limit prescribed by the Constitution and the statutes of the Commonwealth of Pennsylvania; that the Township has established a sinking fund for the Bonds and shall deposit therein amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Bond, the full faith, credit and taxing power of the Township are hereby irrevocably pledged.

This Bond shall not be entitled to any benefit under the Ordinance or be valid or become obligatory for any purpose until this Bond shall have been authenticated by the Paying Agent by execution of the certificate endorsed hereon.

DRAFT

IN WITNESS WHEREOF, the Township of Montgomery, Montgomery County, Pennsylvania has caused this Bond to be signed in its name and on its behalf by the signature of the Chairman of its Board of Supervisors and an impression of its corporate seal to be hereunto affixed, duly attested by the signature of the Secretary of the Township.

TOWNSHIP OF MONTGOMERY

By: _____
Chairman, Board of Supervisors

Attest: _____
Secretary

(SEAL)

AUTHENTICATION CERTIFICATE

This Bond is one of the Township of Montgomery General Obligation Bonds, Series of 2013, described in the within mentioned Ordinance.

DATE OF AUTHENTICATION:

_____, Paying Agent

By: _____
Authorized Representative

[STATEMENT OF INSURANCE]

ASSIGNMENT AND TRANSFER

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR
EMPLOYER IDENTIFICATION NUMBER OF
ASSIGNEE

/_____

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

attorney to transfer said Bond on the
books of the within named Paying Agent, with full power of substitution in the premises.

Dated:

Signature Guaranteed by:

NOTICE: Signature(s) must be guaranteed
by an eligible guarantor institution, an
institution which is a participant in a
Securities Transfer Association recognized
signature guaranteed program.

NOTICE: The signature to this Assignment
must correspond with the name as it appears
upon the face of the within Bond in every
particular, without alteration or enlargement or
any change whatever.

(Authorized Signature)

[END OF BOND FORM]

EXHIBIT B

TOWNSHIP OF MONTGOMERY
Montgomery County, Pennsylvania
\$ _____ GENERAL OBLIGATION BONDS, SERIES OF 2013

Bond Amortization Schedule

Date	Principal	Coupon	Interest	Total P+I

Date	Principal	Coupon	Interest	Total P+I
Total				

*Mandatory sinking fund redemption

EXHIBIT C

CERTIFICATE OF SECRETARY

The undersigned, Secretary of the Township of Montgomery HEREBY CERTIFIES that:

The foregoing Ordinance authorizing the issuance of General Obligation Bonds, Series of 2013 of the Township was duly moved and seconded and enacted by a majority vote of all the Board of Supervisors of said Township at a duly called and convened meeting of said Board of Supervisors held on February __, 2013; that public notice of said meeting was given as required by law; and that the roll of the Board of Supervisors was called and such members voted or were absent as follows:

<u>Name</u>	<u>Vote</u>
Joseph P. Walsh, Chairman	_____
Jeffrey W. McDonnell, Vice Chairman	_____
Michael J. Fox	_____
Robert J. Birch	_____
Candyce Fluehr Chimera	_____

and that such Ordinance and the votes thereon have been duly recorded in the minutes.

WITNESS my hand and seal of the Township this __ day of February, 2013.

Lawrence J. Gegan, Township Manager/ Secretary

(TOWNSHIP SEAL)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Authorization to Advertise Proposed Ordinance #12-268 Appointing Delinquent Real Estate Tax Collector

MEETING DATE: February 11, 2013

ITEM NUMBER: *#16*

MEETING/AGENDA: ACTION XX CONSENT NONE

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

INITIATED BY: Lawrence J. Grogan
 Township Manager

BOARD LIAISON: Joseph P. Walsh Chairman
 Board of Supervisors

BACKGROUND:

In 2012, Montgomery County Commissioners adopted a Resolution authorizing the Montgomery County Tax Claim Bureau as alternate delinquent tax collector, with the authority to file liens and process the collection of delinquent real estate taxes in accordance with the procedures of the Municipal Claims and Tax Liens Act (MCTLA) in addition to the Real Estate Tax Sales Law (RETSL).

The new authority makes two changes to the delinquent real estate tax collection process:

1. Under RETSL, the delinquent real-estate taxes collected by the Tax Claim Bureau were remitted to the taxing authority net of fees. Under the MCTLA process, the Township would receive 100% of the tax and the taxpayer would be obligated to pay the fees to the Tax Claim Bureau; and,
2. Under MCTLA procedures, the County Tax Claim Bureau could prioritize the scheduling of parcels for collection action including tax sale in a manner more efficient in order to maximize County resources.

For the Township to participate in the new delinquent tax collection process, the Board would need to adopt this Proposed Ordinance appointing and authorizing the Montgomery County Tax Claim Bureau as alternative collector with the authority to file liens for existing delinquent real estate taxes with penalty, interest and fees for such collection in accord with the Municipal Claims and Tax Liens Act and the Real Estate Tax Sales Law by the end of the year.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

If the Township does not adopt the ordinance, the collection process would be in accordance with the Real Estate Tax Sales Law (RETSL) as previously in affect at the County.

BUDGET IMPACT:

On average, there is approximately \$30K in delinquent Township real estate taxes reported to the County Tax Claim Bureau at year end. The impact of this new program, to our Township, would be an increase in collections of approximately \$1,500 due to payment of the fees by the taxpayer.

RECOMMENDATION:

Consider authorization to advertise Proposed Ordinance #12-268 for consideration at the Board of Supervisors meeting on February 25, 2013.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize advertisement of Proposed Ordinance #12-268 which would appoint and authorize the Montgomery County Tax Claim Bureau as alternative collector with the authority to file liens for existing delinquent real estate taxes with penalty, interest and fees for such collection in accord with the Municipal Claims and Tax Liens Act and the Real Estate Tax Sales Law for consideration at the Board of Supervisors meeting on February 25, 2013.

MOTION: _____ SECOND: _____

ROLL CALL:

Candyce F. Chimera	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Robert J. Birch	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Joseph P. Walsh	Aye	Opposed	Abstain	Absent

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

DRAFT

MONTGOMERY TOWNSHIP
Montgomery County, Pennsylvania

ORDINANCE # 12-268

An Ordinance appointing and authorizing the Montgomery County Tax Claim Bureau as alternative collector, with the authority to file liens for existing delinquent real estate taxes with penalty, interest, and fees for such collection in accord with the Municipal Claims and Tax Liens Act and the Real Estate Tax Sales Law

ENACTED: _____

MONTGOMERY TOWNSHIP
Montgomery County, Pennsylvania

ORDINANCE # 12-268

An Ordinance appointing and authorizing the Montgomery County Tax Claim Bureau as alternative collector, with the authority to file liens for existing delinquent real estate taxes with penalty, interest, and fees for such collection in accord with the Municipal Claims and Tax Liens Act and the Real Estate Tax Sales Law

WHEREAS, it is necessary and prudent for municipalities to promptly recover its levied and unpaid delinquent real estate taxes, and if necessary, to accomplish such recovery through legal proceedings;

WHEREAS, the Municipal Claims and Tax Liens Act ("Act")¹ authorizes the addition of interest, costs, charges, expenses, and fees, including reasonable attorney fees, to the total payable with respect to unpaid taxes;

WHEREAS, Montgomery Township has determined that it is in the best interest of all Township taxpayers and residents to enforce the payment of delinquent real estate taxes;

NOW THEREFORE, BE IT ORDAINED by the Montgomery Township Board of Supervisors that the following Ordinance is hereby enacted:

SECTION 1. **Appointment and Authorization of Montgomery County Tax Claim Bureau as Alternative Collector, with the Authority to file Liens for Existing Delinquent Real Estate Taxes.**

1. In addition to the authorization for the collection of taxes and institution of tax sales authorized by Real Estate Tax Sales Law ("RETSL"),² the Montgomery County Tax Claim Bureau is appointed as alternative collector and is authorized and directed to file liens for existing delinquent real estate taxes with the Prothonotary of Montgomery County in accordance with the provisions of the Act;

¹ 53 P.S. §7101, *et seq.*

² 72 P.S. §5860.201, *et seq.*

2. In accordance with the Act and RETSL, interest shall be charged on taxes so returned from and after, but not before, the first day of the month following the return. Interest shall be charged at the rate of 9% per annum;
3. Pursuant to Section 7106 of the Act, it is hereby established that the reasonable charges, expenses and fees incurred in the collection of any delinquent account under the Act are hereby fixed at 5% of the total amount of the delinquent taxes (including interest and penalties), and that additional reasonable attorney's fees incurred in the collection of any delinquent taxes shall be fixed at 1% of the total amount of the delinquent taxes (including interest and penalties), and that said charges for attorney's fees and for all charges, expenses, and fees set forth herein, shall be paid to Montgomery County through the Montgomery County Tax Claim Bureau in lieu of payment of commission pursuant to Section 207 of RETSL;
4. The Montgomery Township Board of Supervisors are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Ordinance.

SECTION 2. **Failure to Enforce not a Waiver.**

The Township's failure to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement.

SECTION 3. **Amendment/Modification.**

The Montgomery Township Board of Supervisors does hereby reserve the right, from
time to time, to adopt amendments or modifications to this Ordinance.

SECTION 4. **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.

DRAFT

SECTION 5. **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 6. **Effective Date.**

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

ORDAINED AND ENACTED this _____ day of December 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

Inter-Office Memo

To: Larry Gregan, Township Manager

From: Shannon Q. Drosnock, Finance Director

Date: October 31, 2012

Subject: County Delinquent Real Estate Tax Collections

Larry,

Per the County's notification, they have adopted a resolution authorizing some changes in the fees associated with the collection of delinquent taxes.

"Earlier this year, the County Treasurer's Office undertook a comprehensive compliance review of delinquent tax collections. As a result, the County Commissioners adopted a Resolution authorizing the Tax Claim Bureau to perform its functions under a hybrid approach. Generally, the collection of real estate taxes in Montgomery County is governed by the Real Estate Tax Sale Law ("RETSL"), which establishes the County's Tax Claim Bureau as the agent for local taxing authorities for the collection of delinquent taxes. The recently adopted Resolution allows the County to incorporate the Municipal Claims and Tax Lien Act ("MCA") into its collection process. "

Currently Montgomery Township utilizes the County, not a third party collector, for collection of delinquent Real Estate taxes. As it currently stands, the Township receives 95% of the tax. The additional 5% goes to the County (Tax Claim Bureau) as their fee. The new program primarily changes two steps in the process:

1. It shifts the burden of that 5% fee to the taxpayer. Under the new program, the Township would receive 100% of the tax and the taxpayer would be obligated to pay 5% to the Tax Claim Bureau.
2. It changes the process for the County to move parcels to sale. The new process allows the County to prioritize parcels in a manner more efficient in order to maximize County resources.

Based upon the information I received at the meeting on October 19th, there still remains provisions in the language for the new program for hardship cases. For the Township to participate in the program, it needs to pass an Ordinance adopting the new provisions (sample draft provided to us) by the end of the year. If the Township does nothing, the collection process will remain the same for those taxpayers as it

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY


SUBJECT: Consider Approval of Resolution Approving the Act 192 Schedule of Costs for Delinquent Earned Income Taxes

MEETING DATE: February 11, 2013

ITEM NUMBER: #17

MEETING/AGENDA: ACTION XX CONSENT NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager 

BOARD LIAISON: Joseph P. Walsh Chairman
Board of Supervisors

BACKGROUND:

Act 32 of 2008 ("Act 32") amended the Local Tax Enabling Act to provide for county-wide collection of the Earned Income Tax ("EIT") levied by school districts and municipalities. The Montgomery County Tax Collection Committee ("MCTCC") was established to oversee the hiring of a contractor to perform the consolidated tax collection service. In 2011, following a competitive process, Berkheimer Tax Administrators was selected to be the Tax Collector for Earned Income Tax Collector and an agreement was entered into for this service.

The Tax Collection Agreement between the MCTCC and Berkheimer states that Berkheimer's sole compensation for the collection of delinquent taxes shall consist of the fees and costs contained in accordance with the Act 192 Schedule of Costs submitted by Berkheimer and adopted by the MCTCC, with subsequent adoption by the member municipalities and school districts. The MCTCC adopted the attached Act 192 schedule of fees at its meeting on July 16, 2013 and has requested that the member municipalities and school districts adopt this schedule and submit a copy to Berkheimer.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None. All fees are assessed to the delinquent taxpayer.

RECOMMENDATION:

Approve Resolution adopting the Act 192 Schedule of Costs for collection of delinquent Earned Income Taxes.

MOTION/RESOLUTION:

See Attached Resolution.

MOTION: _____ SECOND: _____

ROLL CALL:

Candyce F. Chimera	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Robert J. Birch	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Joseph P. Walsh	Aye	Opposed	Abstain	Absent

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

**MONTGOMERY TOWNSHIP
RESOLUTION APPROVING THE ACT 192 SCHEDULE OF COSTS
SUBMITTED BY TAX COLLECTOR**

WHEREAS, Act 32 of 2008 ("Act 32") amended the Local Tax Enabling Act to provide for county-wide collection of the Earned Income Tax ("EIT") levied by school districts and municipalities;

WHEREAS, Act 32 created the Montgomery County Tax Collection District ("TCD") and the Montgomery County Tax Collection Committee ("TCC") to govern the TCD and to retain a tax collector to collect the Earned Income Tax ("EIT") levied by municipalities and school districts within the TCD;

WHEREAS, Berkheimer Tax Administrator ("Berkheimer") has served as the TCD Tax Collector since January 1, 2011 for those municipalities and school districts that decided to commence EIT collection with Berkheimer on that date, and has acted in that capacity for all taxing authorities within the TCD since January 1, 2012;

WHEREAS, the Tax Collection Agreement between the TCC and Berkheimer states that Berkheimer's sole compensation for delinquent tax collections shall consist of the fees and costs contained in the Act 192 Schedule of Costs submitted by Berkheimer to the TCC.

WHEREAS, the Act 192 Schedule of Costs (a copy of which is attached hereto and incorporated herein by reference) was approved at a duly authorized meeting of the TCC on January 16, 2013, which Schedule of Costs will be effective as of January 1, 2013

Having been duly authorized by the Montgomery County Tax Collection Committee,
Montgomery Township hereby adopts the fees and costs contained in the Act 192
Schedule of Costs attached hereto as sole compensation for the collection of delinquent
taxes ,which costs shall be recovered by Berkheimer from any delinquent taxpayers as
allowed by law.

Any resolutions or parts thereof inconsistent herewith are hereby rescinded,
cancelled and annulled.

RESOLVED, this 11th day of February, 2013.

**MONTGOMERY TOWNSHIP BOARD OF
SUPERVISORS**

BY: _____
Joseph P. Walsh, Chairman

ATTEST:

Lawrence J. Gegan, Secretary

Schedule of Costs of Collection

Tax collection notices

Individual Failure to file or accurately complete Tax form	\$25.00
Individual Failed payment fee	\$30.00
Employer Failure to file or accurately complete Tax Form	\$3 0.00
Employer Failed payment fee	\$35.00
State List discrepancy letter	\$20.00
Paid Before Service (interim billing fee)	\$10.00
Establishment of Payment plan (monthly)	\$ 5.00

Known Place of employment

Notice before Wage attachment (certified)	\$20.00
Wage Attachment	\$20.00

Place of employment unknown

Pre collection letter	\$20.00
Delinquent tax notice	\$16.00
Final Notice	\$12.00
Complaint Letter	\$25.00

Real Estate Taxes

Pre collection letter	\$45.00
Delinquent tax notice	\$40.00
Final Notice	\$28.00
Lien Satisfaction Fee	\$30.00

Legal Notices

Preparation for District Justice	\$50,00
Court Appearance	\$75.00
Constable Execution Appearance	\$125.00
Arbitration appeal or complaint preparation	\$100.00
Attend Arbitration Trial	\$200.00
Enter Default judgment	\$75.00
Issue Writ of Execution	\$100.00
Attend Sheriff Sale	\$125.00

AUDIT OF EMPLOYERS HOLDING TAXES IN TRUST

<i>Tax Assessed</i>	<i>Cost</i>
\$40.00 - 100,00	\$31.25
\$101.00 - 500.00	\$62.50
\$501,00 - 1,000.00	\$125.00
\$1,001.00 - 5,000.00	\$312.50
Over \$5,000.00	\$1,000.00

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Award of Bid for Online Surplus Asset Sale

MEETING DATE: February 11, 2013

ITEM NUMBER: #18

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Kevin A. Costello
Director of Public Works

BOARD LIAISON: Joseph P. Walsh, Chairman

BACKGROUND:

The Second Class Township Code provides that personal property owned by the Township, with an estimated fair market value of one thousand dollars (1,000.00) or more, may only be sold by public bid or auction to the highest bidder after notice by advertisement.

On October 9, 2012, the Board authorized the sale of the Township's 1997 Elgin Geo Vac Street Sweeper through the online auction company Municibid. In accordance with the requirements under the Second Class Township Code, the equipment was advertised for sale on January 16, 2013 in a newspaper of general circulation. A total of 44 bids were received as of the close of bidding. The highest bid was received in the amount of \$22,600.00. In accordance with the terms and agreement with Municibid, the Board is required to pass a resolution authorizing the sale of equipment via the online auction.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The Township will receive a total of \$22,600.00 for the sale of the equipment within ten days of approval by the Board of Supervisors.

RECOMMENDATION:

It is recommended that the Board authorize the sale of the Township's 1997 Elgin Geo Vac Street Sweeper to West Brandywine Township, 198 Lafayette Road, West Brandywine, PA 19320, the highest bidder as of the close of bidding on February 5, 2013 at 10:00 a.m. EST, in the amount of \$22,600.00.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the sale of the Township's 1997 Elgin Geo Vac Street Sweeper to West Brandywine Township, 198 Lafayette Road, West Brandywine, PA 19320 the highest bidder as of the close of bidding on February 5, 2013 at 10:00 a.m. EST, in the amount of \$22,600.00.

MOTION: _____

SECOND: _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	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

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



Terms and Conditions

BIDDING:Bidding on an item Indicates your intent to purchase that item and is considered a legally binding contract between yourself and the seller of the item. Bids cannot be canceled once they are submitted. Upon receiving notification that you are the winning bidder you are obligated to purchase the item and pay the buyer's final sale fee.

PLEASE NOTE: Bids placed with less than 2 minutes will extend the auction for 2 minutes from the point of the last bid until no bids are received for the remaining time.

PLEASE NOTE: All auctions are subject to the terms and conditions of the seller and municibid.com, LLC. The governing bodies (sellers) have the right to reject any and all bids for any reason. Acceptance of winning bid generally will occur at the next official meeting of the governing body. The auction is not official until the governing body acts on the result. The high bidder is the bidder with the highest bid at the close of the auction even if the high bid is not more than the minimum bid increment.

FAILURE TO HONOR YOUR WINNING BID MAY BE CONSIDERED FRAUD AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. YOU MAY ALSO FACE CIVIL ACTION BY THE SELLING GOVERNMENT ENTITY AND/OR MUNICIBID.COM, LLC.

FAIR WARNING ALL SALES ARE FINAL. You are legally obligated to pay for your item per the terms of the seller if you are the high bidder at the close of auction. If you do not pay for your item, you will not receive a refund of your buyer's final sale fee, you will no longer be permitted to bid on municibid.com and will be subject to a penalty of 40% of the winning bid amount. If your credit card is declined for insufficient funds, you will be charged a \$50 fee.

ZERO TOLERANCE POLICY FOR BIDDERS WHO DO NOT HONOR THEIR WINNING BID: IF WE ARE NOTIFIED BY THE SELLER THAT APPROPRIATE MEASURES WERE TAKEN TO CONTACT THE WINNING BIDDER AND THE WINNING BIDDER HAS STILL NOT COME FORTH, THE WINNING BIDDER WILL BE REMOVED FROM MUNICIBID.COM 10 DAYS AFTER RECEIVING A NOTICE FROM MUNICIBID.COM REGARDING THE NON-PAYMENT. DURING THE 10 DAYS THE BIDDER'S ACCOUNT WILL BE DISABLED. IF WITHIN THE 10 DAYS PAYMENT ARRANGEMENTS ARE MADE WITH THE SELLING ENTITY, THE BIDDER'S ACCOUNT WILL BE REACTIVATED AND WILL HAVE ONE STRIKE AGAINST IT. IF WE NEED TO CONTACT THE BIDDER AGAIN FOR A FUTURE NON-PAYMENT, THE BIDDER WILL BE REMOVED.

PLEASE NOTE: For security reasons, all Credit Card information will be erased for users who have not logged in or placed a bid in 30 days.

DENIAL OF SERVICE:

municibid.com, LLC; reserves the right to refuse service to anyone for any reason. This right will be exercised when it becomes evident a user is in some way abusing the system.

TERMS OF SERVICE:

This comprises the entire agreement between the; Seller / Bidder; and municibid.com, LLC and supersedes all other agreements. By registering and participating as a user you are indicating your consent to be bound by this agreement.

DISCLAIMER:

EXCEPT AS SPECIFIED HEREIN, THE SERVICES ON THIS WEBSITE ARE PROVIDED SOLELY ON AN "AS IS" BASIS. MUNICIBID.COM, LLC HEREBY DISCLAIMS ALL EXPRESS OR IMPLIED REPRESENTATIONS, WARRANTIES, GUARANTEES, AND CONDITIONS, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE AND NON-INFRINGEMENT, EXCEPT TO THE EXTENT THAT SUCH DISCLAIMERS ARE HELD TO BE LEGALLY INVALID IN YOUR JURISDICTION. YOU ASSUME ALL RESPONSIBILITY FOR DETERMINING WHETHER THE PRODUCTS/SERVICES ARE SUFFICIENT FOR YOUR PURPOSES.; MUNICIBID.COM, LLC; DOES NOT MAKE ANY REPRESENTATIONS, WARRANTIES, GUARANTEES, OR CONDITIONS AS TO THE QUALITY, SUITABILITY, ACCURACY, OR COMPLETENESS OF ANY OF THE PRODUCTS/SERVICES CONTAINED ON THE WEBSITE.

LIMITATION OF LIABILITY:

MUNICIBID.COM, LLC; SHALL NOT BE LIABLE FOR ANY DIRECT OR INDIRECT DAMAGES SUFFERED AS A RESULT OF PURCHASING OR SELLING ITEMS ON THIS WEBSITE. IN NO EVENT SHALL MUNICIBID.COM, LLC BE LIABLE FOR ANY DIRECT, INDIRECT, PUNITIVE, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES (INCLUDING BUT NOT LIMITED TO LOSS OF BUSINESS, REVENUE, PROFITS, USE, DATA OR OTHER ECONOMIC ADVANTAGE), HOWEVER ARISING, WHETHER IN AN ACTION OF CONTRACT, NEGLIGENCE OR OTHER TORTIOUS ACTION, ARISING OUT OF OR IN CONNECTION WITH THE USE OR PERFORMANCE OF INFORMATION AVAILABLE FROM THIS WEBSITE, EVEN IF MUNICIBID.COM, LLC HAS BEEN PREVIOUSLY ADVISED OF THE POSSIBILITY OF SUCH DAMAGE. YOU AGREE TO HOLD SITE OWNER HARMLESS FROM, AND YOU COVENANT NOT TO TAKE ANY LEGAL OR OTHER ACTION AGAINST SITE OWNER, ASSERTING ANY CLAIMS BASED ON OR RELATED TO THE USE OF THIS WEBSITE.

GENERAL USE PROVISIONS: This site is provided only as a venue for bidders and auction posters. municibid.com, LLC. is not involved in the actual transaction between these parties and assumes no control or liability over any issues that may arise as a result of this transaction. Government agencies (sellers) agree not to accept sealed bids when items are posted for auction on municibid.com. Bidders and Sellers shall not engage in activities intended to avoid municibid.com fees.

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PLEASE AGAIN NOTE:: All auctions are subject to the terms and conditions of the seller and Municibid.com, LLC.; The governing bodies (sellers) have the right to reject any and all bids for any reason.; Acceptance of winning bid; generally will occur at the next official meeting of the governing body.

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System Time 2/5/2013 4:14:24 PM EST

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MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Payment of Bills

MEETING DATE: February 11, 2013

ITEM NUMBER: #19

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Grogan
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman

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>
01/31/2013	IRS	941 Payment	\$72,715.69
01/31/2013	BCG	401/457 Plan Payment	\$23,013.75
01/31/2013	PA-SCDU	Withholding Payment	\$3,382.15
01/31/2013	Berkheimer	4 th Qtr EIT Payment	\$18,411.17
02/01/2013	IRS	945 Payment	\$3,397.65
02/01/2013	ICMA	DROP Plan Payment	\$12,228.24
02/01/2013	City of Philadelphia	Jan Wage Tax Payment	\$565.36
02/06/2013	Commonwealth of PA	State Tax Payment	\$7,743.99
02/08/2013	PA UC Fund	4 th Qtr UC-2 Payment	\$1,330.84
Total Paid as of 02/11/2013			\$142,788.84

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
24893	1/31/13	1264	MORGAN STANLEY SMITH BARNEY INC	6,110.81
24894	1/31/13	398	UNITED STATES TREASURY	-2,140.27
24895	1/31/13	398	UNITED STATES TREASURY	2,140.27
24896	2/1/13	00000967	DELAWARE VALLEY HEALTH INSURANCE	1,121.38
53311	2/7/13	00000125	DISCHELL, BARTLE, YANOFF & DOOLEY	104.00
53312	2/7/13	00000817	GILMORE & ASSOCIATES, INC.	19,585.66
53313	2/7/13	00000031	AT&T	228.40
53314	2/7/13	00000739	BERGEY'S ELECTRIC, INC.	2,950.00
53315	2/7/13	00000295	AVAYA, INC	106,923.70
53316	2/7/13	00001902	ELLIOTT GREENLEAF &	1,027.75
53317	2/7/13	00000458	GREEN EDGE LANDSCAPING, INC.	140.00
53318	2/7/13	00000264	KENCO HYDRAULICS, INC.	306.72
53319	2/7/13	00000355	NORTH PENN WATER AUTHORITY	69.00
53320	2/7/13	00000375	PFS CORPORATION	450.00
53321	2/7/13	00000345	PRINTWORKS & COMPANY, INC.	629.93
53322	2/7/13	00000425	PSATS - UC GROUP TRUST FUND	531.17
53323	2/7/13	00001860	TAYLOR JONES	2,247.15
53324	2/7/13	00000496	GOODSON HOLDING COMPANY	842.07
53325	2/7/13	00001317	WIRELESS COMMUNICATIONS &	488.00
53326	2/7/13	00001084	WITMER ASSOCIATES, INC.	498.25
53327	2/7/13	00000258	YIS/COWDEN GROUP, INC.	312.00
53328	2/11/13	00000068	ADAM WEBSTER	30.00
53329	2/11/13	00000340	ADVENT SECURITY CORPORATION	60.90
53330	2/11/13	00000443	ALL STATE DESIGN GROUP INC	684.75
53331	2/11/13	00000053	ALLIED WASTE SERVICES #320	1,989.44
53332	2/11/13	00902680	ANNA MORAN	2.00
53333	2/11/13	00000455	ARMEL-LEFTWICH VISTOR CENTER	200.00
53334	2/11/13	00000031	AT&T	241.63
53335	2/11/13	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	110.88
53336	2/11/13	LST00001	MILLICENT P. BESSO	52.00
53337	2/11/13	BT005177	BENJAMIN J. GULINELLO	16.33
53338	2/11/13	00000043	BERGEY'S	369.71
53339	2/11/13	00001938	BILL WIEGMAN	60.00
53340	2/11/13	00000448	BISHOP WOOD PRODUCTS, INC	69.30
53341	2/11/13	00000141	AMERICAN BUILDERS & CONTRACTORS	69.54
53342	2/11/13	00000069	C L WEBER CO INC.	264.58
53343	2/11/13	00000072	CANON FINANCIAL SERVICES, INC	1,197.00
53344	2/11/13	00000380	CARL HERR	60.00
53345	2/11/13	00000231	CARROT-TOP INDUSTRIES INC.	201.85
53346	2/11/13	00000080	MAG TEM PLAN SYSTEMS, INC.	132.20
53347	2/11/13	00000181	NCH CORPORATION	393.05
53348	2/11/13	00001937	CONCOURS AUTOMOTIVE	157.14
53349	2/11/13	00000108	COUNTY ELECTRIC SUPPLY COMPANY, INC	155.28
53350	2/11/13	00000159	SSL GROUP LP	381.57

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
53351	2/11/13	00000024	DAVID P. BENNETT	75.00
53352	2/11/13	00001945	DAVID S. WOLFE	45.00
53353	2/11/13	00000350	AJK INC.	550.00
53354	2/11/13	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	83.50
53355	2/11/13	00000208	DELL MARKETING L.P.	3,020.99
53356	2/11/13	00000967	DELAWARE VALLEY HEALTH INSURANCE	140,309.61
53357	2/11/13	00000146	E.A. DAGES, INC.	357.50
53358	2/11/13	00001957	EDMOND SKRZAT	30.00
53359	2/11/13	00000099	EQUITY APPRAISAL COMPANY, INC.	750.00
53360	2/11/13	00001669	FIRST HOSPITAL LABORATORIES, INC.	94.25
53361	2/11/13	00902679	FOX CHASE CANCER CENTER	100.00
53362	2/11/13	00001504	GALETON GLOVES	145.09
53363	2/11/13	00001524	GEMPLER'S	234.95
53364	2/11/13	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	552.00
53365	2/11/13	00001842	GLEN ROETMAN	30.00
53366	2/11/13	00000229	GRAINGER	4,312.78
53367	2/11/13	00001825	GUARDIAN PROTECTIVE DEVICES	35.00
53368	2/11/13	00000211	HAGEY COACH INC.	200.00
53369	2/11/13	00000213	HAJOCA CORPORATION	133.90
53370	2/11/13	00902681	HELEN DAVIS	66.00
53371	2/11/13	00001964	JOHN CATALDI	30.00
53372	2/11/13	00000890	JOHN H. MOGENSEN	15.00
53373	2/11/13	00001581	JOSEPH J. SIMES	60.00
53374	2/11/13	00001843	JOSEPH M. BENNETT	60.00
53375	2/11/13	BT003187	JULIA BERARDO	104.00
53376	2/11/13	00000271	LANSDALE CHRYSLER PLYMOUTH INC.	13.88
53377	2/11/13	BT002266	LESLIE'S POOLMART	14.00
53378	2/11/13	00001065	MAILLIE, FALCONIERO & COMPANY, LLP	3,000.00
53379	2/11/13	00000440	MARY NEWELL	30.00
53380	2/11/13	00000201	LAWRENCE J. MURPHY	1,722.56
53381	2/11/13	00000290	MCATO-MONTG CO ASSOC OF TWNSHP N	248.00
53382	2/11/13	00001920	MICHAEL H. BEAN	60.00
53383	2/11/13	00001961	MICHAEL LONG	80.00
53384	2/11/13	00000867	MICHAEL SHEARER	30.00
53385	2/11/13	00002016	MICHAEL SHINTON	30.00
53386	2/11/13	BT001884	MOLLY JAGER	92.00
53387	2/11/13	00000315	MONTG CO CONSORTIUM OF COMMUNITI	250.00
53388	2/11/13	00000324	MOYER INDOOR / OUTDOOR	158.40
53389	2/11/13	00902677	MUDASIRU A. ADEDOKUN	1,000.00
53390	2/11/13	00001849	NORTH PENN LIFE	37.95
53391	2/11/13	00000250	AIMEE L. HEAVENER	71.20
53392	2/11/13	00000175	OCEANPORT, LLC	7,507.93
53393	2/11/13	00001134	OFFICE DEPOT, INC	154.29
53394	2/11/13	00000186	JAROTH INC.	178.12

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
53395	2/11/13	00001840	PAUL R. MOGENSEN	45.00
53396	2/11/13	00000095	PAUL SMITH	60.00
53397	2/11/13	00000595	PENN VALLEY CHEMICAL COMPANY	441.62
53398	2/11/13	00001358	PENNSYLVANIA RECREATION AND PARK	2,532.00
53399	2/11/13	00000009	PETTY CASH	300.00
53400	2/11/13	00001158	PITNEY BOWES INC.	90.62
53401	2/11/13	00001630	PSI - PROTECTION SERVICES INC.	157.13
53402	2/11/13	00000251	PSI PERSONNEL, LLC	1,078.14
53403	2/11/13	00000252	SUNG K. KIM	635.00
53404	2/11/13	00000430	REM-ARK ALLOYS, INC.	332.05
53405	2/11/13	00902678	RICH ROMANO REMODELING INC	750.00
53406	2/11/13	00001662	RICHARD GRIER	78.10
53407	2/11/13	00000117	RIGGINS INC	4,448.34
53408	2/11/13	00000115	RIGGINS, INC	4,427.40
53409	2/11/13	00002013	RR DONNELLEY	457.27
53410	2/11/13	00000653	SCATTON'S HEATING & COOLING, INC.	1,298.69
53411	2/11/13	00000365	SCOTT BENDIG	420.51
53412	2/11/13	00000833	THE SHERWIN WILLIAMS COMPANY	129.66
53413	2/11/13	00000467	SNAP-ON INDUSTRIAL	4,229.45
53414	2/11/13	BT006003	SOOK HEE SHIRAKI	69.82
53415	2/11/13	00001847	STAPLES CONTRACT & COMMERCIAL, INC	1,688.01
53416	2/11/13	BT000040	TAFFORD UNIFORMS, LLC	1,883.62
53417	2/11/13	00001872	TERRE HILL SILO COMPANY, INC.	155.00
53418	2/11/13	BT004452	THE FENCE GUYS	2,371.23
53419	2/11/13	00001666	THE FENCE GUYS, INC.	60.84
53420	2/11/13	00001164	THE GOOSE GUYS INC.	250.00
53421	2/11/13	00902466	THE NEHER GROUP INC.	109.00
53422	2/11/13	00000496	GOODSON HOLDING COMPANY	5,291.66
53423	2/11/13	00000065	TIMOTHY MURRAY	15.00
53424	2/11/13	00000327	U.S. MUNICIPAL SUPPLY, INC.	1,329.83
53425	2/11/13	00000040	VERIZON PENNSYLVANIA INC	399.28
53426	2/11/13	00001033	VERIZON CABS	192.46
53427	2/11/13	00000170	VERIZON COMMUNICATIONS, INC.	129.99
53428	2/11/13	00000170	VERIZON COMMUNICATIONS, INC.	129.99
53429	2/11/13	00000038	VERIZON WIRELESS SERVICES, LLC	421.62
53430	2/11/13	00000038	VERIZON WIRELESS SERVICES, LLC	173.14
53431	2/11/13	00001839	VINAY SETTY	75.00
53432	2/11/13	00000442	VINCENT ZIRPOLI	55.00
53433	2/11/13	00001289	W. BYRON BATTLE, RPR	366.00
53434	2/11/13	00001191	WARREN FUCHS	15.00
53435	2/11/13	00000456	CHESAPEAKE MARINE TOURS, INC.	522.13
53436	2/11/13	00001329	WELDON AUTO PARTS	144.41
53437	2/11/13	00000632	WEST GENERATOR SERVICES INC.	551.95
53438	2/11/13	00001948	WILLIAM H. FLUCK IV	60.00

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
53439	2/11/13	00000249	WILLIAM R. GOLTZ	120.00
53440	2/11/13	00000590	YOCUM FORD	212.95
53441	2/11/13	00001157	YOUNGS	56.40
TOTAL				356,298.35