

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
September 9, 2013

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

Lawrence J. Grogan
Township Manager

ACTION MEETING – 8:00 PM

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of the August 26, 2013 Meeting
6. Public Hearing – Proposed Ordinance #13-275Z – Amendment to Zoning Code Section 230-5 – Definition of Family
7. Consider Award of Bid for Police Uniforms
8. Consider Award of Bid – Leaf Waste Collection
9. Consider Authorization to Execute Year 2 Partner Agreement – Wissahickon Watershed MS4 Education Outreach Program
10. Consider Approval of Escrow Release Replacement Letter of Credit – LDS#608 675 Bethlehem Pike
11. Consider Approval of Escrow Release – LDS#657 - Keystone Homebrew
12. Consider Approval of 2013 Extra Curb and Sidewalk Concrete Work
13. Consider Change in Scope of Work – Friendship Park Site Grading/Paving Improvements
14. Consider Payment of Bills
15. Other Business
16. Adjournment

Future Public Hearings/Meetings:

9-11-13 @ 6:45 PM – Autumn Festival Committee
9-11-13 @ 7:00 PM – Senior Committee
9-11-13 @ 7:30 PM – Park & Recreation Board
9-16-13 @ 9:00 AM – Zoning Hearing Board Validity Challenge
9-17-13 @ 12:30 PM – Business Development Partnership

9-18-13 @ 6:00 PM – Sewer Authority
9-18-13 @ 7:30 PM – Public Safety Committee
9-18-13 @ 7:30 PM – Shade Tree Commission
9-19-13 @ 7:30 PM – Planning Commission
9-23-13 @ 8:00 PM – Board of Supervisors

NOTICE: Please be advised that all regular and special meetings of the Board of Supervisors are recorded for replay on the Township cable channels, Comcast 22 and Verizon 34.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: September 9, 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

GUIDELINES

PUBLIC PARTICIPATION IN BOARD OF SUPERVISORS' MEETINGS

1. All official action and deliberations by a quorum of the Board of Supervisors shall take place at meetings that are open to the public unless closed under Sections 707 (relating to exceptions to open meetings) or 708 (relating to executive sessions) of the Sunshine Act: Open Meetings Law. *See*, 65 Pa.C.S. §704 [Open meetings].
2. The Board of Supervisors shall provide a reasonable opportunity at each advertised regular meeting and advertised special meeting for residents and/or taxpayers of Montgomery Township to comment on matters of concern, official action or deliberation which are or may be before the Board of Supervisors prior to taking official action. The Board of Supervisors has the option to accept all public comment at the beginning of the meeting. If the Board of Supervisors determines that there is not sufficient time at a meeting for the residents and/or taxpayers of Montgomery Township to comment, the Board of Supervisors may defer the comment period to the next regular meeting or to a special meeting occurring in advance of the next regular meeting. *See*, 65 Pa.C.S. §710.1(a) [Public Participation. General Rule].
3. Montgomery Township residents and taxpayers are encouraged to contact the Township Manager in advance if they have an issue to raise with the Board of Supervisors so that it can be formally placed on an agenda and to better enable the Board to deal with the issue on the same evening at which it is initially raised.
4. In order to participate in a meeting, members of the audience are asked to raise their hand and wait to be acknowledged by the Chairperson of the Board of Supervisors prior to addressing the Board of Supervisors. Once acknowledged of the Chair of the Board, state your name and address. At times, the Board of Supervisors may require a signature on a sign-in sheet in order to be recognized to speak. This may be required when the Board of Supervisors is faced with a major issue, there is a large public attendance or it is facing time constraints.
5. A recognized speaker is to come to the front of the room and use a microphone for speaking so that they can be heard by other members of the audience and the Board of Supervisors. This will also ensure that a summary of their comments can be reflected in the written minutes of the open meeting.
6. The Board of Supervisor's meeting minutes must include date, time and place of the meeting, the names of the members present, the substance of all official actions and a record of all votes, and the name and address of all citizens who appear officially at the meeting and the subject of their testimony. Minutes will include the nature of each individual(s) discussion, not word for word statements. The minutes are not meant to be a transcript of a public meeting and will provide only a summary of each individual(s) comments.
7. Anyone wishing to speak at a public meeting will be asked to state their name and address.

8. The Board of Supervisors hereby sets a time limit for each individual speaker of five (5) minutes and may also set an overall time limit for all comments by the audience when there is a complex issue or a large turnout. This is done to permit the greatest number of individuals to express their views in a reasonable time frame. If appropriate, the Board of Supervisors may waive the time limit.
9. Members of the audience are requested to limit their statements to comments which have not already been made by others.
10. Please refrain from making personal attacks or statements about Board Members or other members of the public or Township staff.
11. You may be asked to sign a sign-in sheet if you wish to be recognized to speak. This may be required by the Board when it is faced with a major issue, there is a large public attendance or it is facing time constraints.
12. Please refrain from calling out or speaking out of turn. When more than one person speaks at a time, neither the Board nor other members of the audience can benefit from hearing your comments and it is difficult to record your comments for the minutes.
13. Please be advised that all regular and special meetings of the Board of Supervisors are recorded for replay on the Township cable channels.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Announcement of Executive Session

MEETING DATE: September 9, 2013

ITEM NUMBER: #4

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:

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 August 26, 2013 Meeting

MEETING DATE: September 9, 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 Shirley Snyder on Monday, September 9, 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
AUGUST 26, 2013**

Chairman Joseph Walsh called the executive session to order at 7:00 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 8:05 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, Kevin Costello, Bruce Shoupe, Shannon Drosnock, Ann Shade, Deb Rivas and Shirley Snyder.

Following the Pledge of Allegiance, Chairman Joseph Walsh called for public comment from the audience. Ed Buttner, a Montgomery Township resident made a request for financial support for the North Wales Area Library. Mr. Buttner stated that this library serves residents of Montgomery Township as well as the North Wales Community, while receiving financial support only from North Wales Borough and Upper Gwynedd Township. Chairman Joseph Walsh stated that Montgomery Township has committed its population and financial support to the Norristown Montgomery County Library, and the Township may be limited in its support to another local library. The Board will review Mr. Buttner's request when working on the 2014 budget.

Township Solicitor Frank Bartle, Esquire reported that the Board met in an executive session earlier in the evening at 7:00 p.m. Mr. Bartle reported that three litigation matters and three personnel matters were discussed. 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 August 12, 2013 Board meeting, and Supervisor Michael Fox seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Township Solicitor Frank Bartle stated that Board is required to render a written decision on the Conditional Use Application-Decision and Order for Capital Telecom Acquisitions, LLC after the hearing on the application. When approved, the Decision and Order will grant the approval of the requested conditional use for this project. Resolution #1, made by Supervisor Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously, approved the Memorandum, Findings of Fact, Opinion and Order regarding the Conditional Use application of Capital Telecom Acquisitions, LLC, at 608 Upper State Road for the construction of a 134 foot cell tower.

Bruce Shoupe, Director of Planning and Zoning stated that PennDOT has made an offer of "just compensation" for right-of-way for land owned by the Township along along County Line Road in order to perform road improvements for the County Line Road WD-2 Widening Project. Parcel #507 is Township owned right-of-way, located on County Line Road across the frontage of the Bharatiya Temple and the Kingston Knoll Development. The parcel compromises an area of .892 acres of land. The compensation being offered by PennDOT is \$9,000.00. Resolution #2, made by Supervisor Robert Birch, seconded by Candyce Fluehr Chimera and adopted unanimously accepted the offer of "just compensation" in the amount of \$9,000 from PennDOT for Parcel #507.

Resolution #3, made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, approved the request of Bharatiya Temple to waive all permit fees associated with their special event to be held from September 8, 2013 to September 18, 2013.

Resolution #4, made by Chairman Joseph Walsh, seconded by Supervisor Robert Birch and adopted unanimously approved Construction Escrow Release #3 for Montgomery Preserve Phase I – LDS#653A in the amount of \$72,272.45.

Bruce Shoupe reported that Select Properties has a pending land development plan - LDS#639, which proposes development of 36 townhomes at Crystal Road and Maple Drive.

The Developer has submitted an application for Sewage Facility Planning Module approval from the Pennsylvania Department of Environmental Protection. This Planning Module Application has been approved by the Township Municipal Sewer Authority and recommended for approval by the Montgomery Township Planning Commission. Resolution #5, made by Supervisor Robert Birch, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously approved the application for the Sewage Facility Planning Module for LDS#639, Crystal Road Townhouse Development.

Township Manager Lawrence Gregan reported that as a condition of the approval of the Wegmans Land Development Plan – LDS#660, the Township required Simon Properties to perform a traffic impact study to determine what traffic improvements would be needed as a result of the development. During the review of the study, PennDOT has required changes to the Traffic Signal Plan at the intersection of North Wales Road and Knapp Road to provide for timing optimization, installation of a GPS clock, revisions to timing programs and additional system notes. Resolution #6, made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized the Township Manager to submit an application to PennDOT for these revisions to the Traffic Signal Permit and Plans for the Traffic Signal at Knapp Road and North Wales Road.

Lawrence Gregan reported that the 2013 Capital Budget included funding to perform the design, bidding and construction administration work needed to install approximately 250 feet of sidewalk improvements along the north side of North Wales Road between Bethlehem Pike and Horsham Road. Resolution #7, made by Supervisor Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously, approved the proposal from Gilmore & Associates, Inc, dated May 23, 2013 to perform the design, bidding and construction administration work needed to install approximately 250 feet of sidewalk improvements along the north side of North Wales Road between Horsham Road and Bethlehem Pike at a cost of \$15,000.

Resolution #8 made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, awarded the contract for the purchase of replacement office furniture to Lizell Office Furniture at a cost of \$13,307.00 per the quote and specifications dated August 16, 2013.

Resolution #9 made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox, awarded the purchase and installation of the replacement carpeting in the Police Department to About All Floors, a vendor under the COSTARS Cooperative Purchasing program Contract #008-099 at a cost of \$17,370.93 per the quote and specifications dated August 16, 2013.

Ann Shade, Director of Administration and Human Resources stated that in 2012 the Department of Labor implemented new fee disclosure regulations for certain pension benefit plans. To be in compliance with the new rules, the Administrator for the Townships 401a Pension Plan Benefit Consultants Group (BCG), has provided an updated Service Provider and Disclosure Agreement for approval and execution by the Township. This agreement confirms existing fees and services, and does not include any new fees or rate increases. Resolution #10 made by Supervisor Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously adopted the updated Service Provider and Disclosure Agreement with BCG Consultants Group.

Jonathan Trump, P.E. of Kimmel-Bogrette Architecture+Site provided an update on the design of the Community and Recreation Center. Mr. Trump stated that several meetings have taken place with the structural, mechanical, electrical and plumbing engineers, civil engineer, other consultants, Montgomery Township staff and the Township Steering Committee to keep the project moving forward. He presented the Draft Site Plan showing the proposed location of the building and parking areas. As part of the project, the plan also proposes construction of a half mile long walking trail, and a combination water spray park and accessible playground.

Mr. Trump stated that there are four proposed exterior building materials/finishes being used in the building: glass; phenolic wood tone panels; blue metal panels; and synthetic stucco (Dryvit system). Mr. Trump provided information and samples of the various materials for the Board's consideration and approval. The Board was in agreement with the exterior building materials being proposed. John Lopuszanski, a North Wales resident, inquired about the specifics of the Dryvit system. Mr. Trump provided the answers to his questions concerning this system.

The discussion then moved on to the type of heating and cooling system to be used in the facility – natural gas vs. geothermal. Mr. Trump provided detailed information on both systems, stating that natural gas is readily available at the site and currently inexpensive. The Board discussed the fact that while the cost may presently be low for natural gas, the cost could rise over the next ten years. With the natural gas system (conventional system) the unit(s) would use gas heating and electric cooling units which would be roof mounted.

The geothermal system, which would add an additional \$400,000 to the project, would require about 40 bore holes, about 450 feet deep, to be drilled on the site for this application. Piping, heat pumps and manifolds would also be required. A test bore hole will have to be completed and evaluated prior to proceeding with this system. A geothermal system would provide a "green" system for heating and cooling for this facility.

The Steering Committee has recommended the natural gas application for the facility based on cost. After considerable discussion, the Board decided to proceed with a geothermal system with the provision that if the test bore hole indicates that additional holes would need to be drilled or if they exceeded 450' in depth, which would increase the cost significantly, the Board would have to revisit this matter. Resolution #11 made by Chairman Joseph Walsh, seconded by Supervisor Robert Birch and adopted unanimously, approved submission of the site plan for Preliminary Land Development approval; approved the proposed exterior finishes

for the proposed Community and Recreation Center and approved a geothermal HVAC system for the building.

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.

There being no further business to come before the Board, the meeting adjourned at 9:15 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Hearing - Proposed Zoning Code Amendments -- Ordinance #13-275-Z -
Section 230-5 – Definition of Family

MEETING DATE: September 9, 2013

ITEM NUMBER: #6

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe
Director of Planning and Zoning

BOARD LIAISON: Joseph P. Walsh
Chairman

BACKGROUND:

This Public Hearing has been authorized and advertised to consider adoption of a proposed Ordinance to amend the Zoning Code, Section 230-5 – Definition of Family. This proposed ordinance has been developed by the Township Solicitor and staff to provide for a definition of Family that is consistent with Fair Housing Amendments Act of 1988.

The proposed definition proposed defines *family* as follows: "Any group of individuals living together permanently or long-term, as opposed to transiently or short-term, as the functional equivalent of a family where the residents may share living expenses, chores, eat meals together and are a close group with social, economic and psychological commitments to each other." This would not include institutional group living situations such as student housing, dormitories, fraternities, sororities, monasteries or nunneries.

Recommendations from the Township and County Planning Commissions are also attached.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

That the ordinance be adopted.

MOTION/RESOLUTION:

The Resolution is attached.

MOTION _____

SECOND _____

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Candyce 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

Resolution #

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township this 9th day of September 2013, that we hereby approve Ordinance #13-275-Z , which amends Section 230-5 of the Zoning Code regarding the Definition of Family.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: F. Bartle, B. Shoupe, MCPC, MTPC, M. Stoerrle, Minute Book, Resolution File, File

DRAFT

MONTGOMERY TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE #13-275-Z

**AN ORDINANCE AMENDING ARTICLE II [DEFINITIONS] §230-5 OF THE
MONTGOMERY TOWNSHIP ZONING ORDINANCE, AS AMENDED,
PROVIDING A NEW DEFINITION OF "FAMILY"**

ENACTED: _____

MONTGOMERY TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE #13-275-Z

AN ORDINANCE AMENDING ARTICLE II [DEFINITIONS] §230-5 OF THE MONTGOMERY TOWNSHIP ZONING ORDINANCE, AS AMENDED, PROVIDING A NEW DEFINITION OF “FAMILY”

WHEREAS, the Board of Supervisors has determined that it is in the best interests of the Township to ensure that the definition of “Family” contained in Article II [Definitions] §230-5 of the Montgomery Township Zoning Ordinance, as amended, is in accord with applicable fair housing laws.

NOW, THEREFORE, it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors that the definition of “Family” contained in Article II [Definitions] §230-5 of the Montgomery Township Zoning Ordinance, as amended, shall be amended as follows to ensure the Township meets its obligations applicable fair housing laws:

Section 1. AMENDMENT TO ARTICLE II [DEFINITIONS] §230-5.

Article II [Definitions] §230-5 of the Montgomery Township Zoning Ordinance, as amended, shall be amended to provide the following revised definition of “Family”:

FAMILY—Any group of individuals living together permanently or long-term, as opposed to transiently or short-term, as the functional equivalent of a family where the residents may share living expenses, chores, eat meals together and are a close group with social, economic and psychological commitments to each other. A family includes, for example, the residents of residential care facilities and group homes for people with disabilities. A family does not include larger institutional group living situations such as student-housing, dormitories, fraternities, sororities, monasteries or nunneries.

Section 2. Severability. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision herein shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not effect or impair the remaining sections, sentences, clauses, parts or provisions of the Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted

DRAFT

as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 3. Repealer. All other ordinances or resolutions or parts thereof insofar as they are inconsistent with this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this _____ day of August 2013, by the Board of Supervisors.

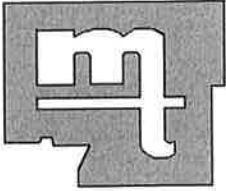
**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

JOSEPH P. WALSH, *Chairperson*

[Seal]

Attested by:

LAWRENCE J. GREGAN
Township Manager/ Secretary



MEMORANDUM

TO: Board of Supervisors

FROM: Planning Commission
Jonathan Trump, Chairman

DATE: August 15, 2013

RE: Ordinance #13-275-Z
Definition of Family

The Planning Commission has reviewed the proposed ordinance amendment regarding the definition of "family" and would like to recommend to the Board of Supervisors that the ordinance be approved.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

JOSHUA D. SHAPIRO, CHAIR

LESLIE S. RICHARDS, VICE CHAIR

BRUCE L. CASTOR, JR., COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO BOX 311
NORRISTOWN, PA 19404-0311
610-278-3722

FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG/PLANNING

JODY HOLTON, AICP
EXECUTIVE DIRECTOR

AUGUST 29, 2013

Mr. Lawrence Gregan, Manager
Montgomery Township
1001 Stump Road
Montgomeryville, Pennsylvania 18936

Re: MCPC #13-0153-001
Amend Article II (Definitions), §230-5 of the
Zoning Ordinance—To Provide a New
Definition of “Family”
Montgomery Township

Dear Mr. Gregan:

We received a request to review the above referenced zoning text amendment in accordance with Section 609 of Act 247, “The Pennsylvania Municipalities Planning Code,” as requested by Marita Stoerrle, Township Development Coordinator on July 31, 2013. We forward this letter as a report of our review and recommendations.

Background

The application is a new proposal put forward by the township to define the meaning of “Family” as it pertains to the municipality’s land use and zoning regulations. The proposed definition states that a family is a group of individuals living together “permanently or long term” and it states its functions and characteristics of “a close group with social, economic, and psychological commitments to each other. The definition provides an example that, “A family includes, for example, the residents of residential care facilities and group homes for people with disabilities.” In addition it gives an example of what is not a family, “A family does not consist of group living situations such as student-housing, dormitories, fraternities, sororities, monasteries or nunneries.

Review Comment

The proposed definition is consistent with the Fair Housing Amendments Act of 1988 which extended housing protection to individuals with disabilities in virtually every housing activity and transactions. The purpose of the Act us to prohibit practices that, “restrict the choice’s” of people with disabilities to live where they wish or “that discourage or obstruct choices in a community, neighborhood or development. The Act prohibits local governments from making housing opportunities unavailable to people with disabilities through discriminatory land use and zoning regulations or practices. We support the township initiative to implement these goals and policies.

Recommendation

We recommend approval of the proposed amendment of "Family" to the Definitions Section of the township's Zoning Code as submitted.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and the final disposition for the approval of any proposal will be made by the municipality.

Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Barry W. Jeffries, ASLA
Senior Design Planner
610-278-3444 – bjeffrie@montcopa.org

- c: Jonathan Trump, Chrm., Township Planning Commission
Frank A. Bartle, Township Solicitor
Russell Dunlevy, Township Engineer
Bruce Shoupe, Township Zoning Officer
Marita Stoerrle, Township Development Coordinator

Proof of Publication of Notice in The Reporter

Under Newspaper Advertising 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, September 9, 2013, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a hearing on the following zoning ordinance amendments:

ORDINANCE 1: An Ordinance Amending Article II (Definitions) §230-5 of the Montgomery Township Zoning Ordinance, as amended, providing a new definition of "Family." This Definition will read as follows:

FAMILY: Any group of individuals living together permanently or long-term, as opposed to transiently or short-term, as the functional equivalent of a family where the residents may share living expenses, chores, eat meals together and are a close group with social, economic and psychological commitments to each other. A family includes, for example, the residents of residential care facilities and group homes for people with disabilities. A family does not include larger institutional group living situations such as student housing, dormitories, fraternities, sororities, monasteries or nunneries. The full text of this ordinance amendment may be examined without charge, and copies may be obtained for a charge no greater than the cost thereof, at the Montgomery County Law Library, the Montgomery Township Building, during normal business hours, Monday through Friday 8:30AM until 4:30PM, and the Offices of this Newspaper.

The public is invited to attend and will be given an opportunity to provide comments regarding this proposed ordinance. 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. At the conclusion of the hearings, the Board of Supervisors will consider enactment of these ordinances, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public hearing/meeting at an announced date and time for that purpose.

LAWRENCE J. GREGAN
Township Manager

Leisha Shaffer, designated agent of THE REPORTER being duly sworn, deposes and says that THE REPORTER, a daily newspaper of general circulation as defined in the above-mentioned Act, published at Lansdale, Montgomery County, Pennsylvania, was established in the year 1870, and has been regularly issued and published in Montgomery County continuously thereafter and for a period of more than six months immediately prior hereto, and further says that the printed notice or publication attached hereto is an exact copy of a notice or publication printed and published in the regular edition and issues of THE REPORTER on the following dates, viz:

the	26th	day of	August
and the	2nd	day of	September A.D., 2013

and that said advertising was inserted in all respects as ordered.

Affiant further deposes that he/she is the proper person duly authorized by THE REPORTER, a newspaper of general circulation, to verify the foregoing statement under oath and that affiant is not interested in the subject matter of the notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Leisha Shaffer

9/4/13

Sworn to and subscribed before me this date

Beverly A. Wolfe

Notary Public STATE OF PENNSYLVANIA

Notarial Seal
Beverly A. Wolfe, Notary Public
East Bradford Twp., Chester County
My Commission Expires June 04, 2017
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..... \$ 810.38

Notary Fee..... \$ 5.00

Total..... \$ 815.38

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Award of Bid for Police Uniforms

MEETING DATE: September 9, 2013 ITEM NUMBER: #7

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Scott Bendig, Chief of Police BOARD LIAISON: Joseph P. Walsh, Chairman

BACKGROUND:

This matter requests approval for the award of the contract for New Police Uniforms.

The request for bids for Police Uniforms was authorized by the Board at the meeting on August 12, 2013. The bid specifications were prepared and advertised twice in The Reporter, on August 14th and again on August 17th as required. The bid opening was held on August 29, 2013 at 10:00 a.m.

Township staff also posted the legal notice and bid specifications on the website for ease of access. The Township was contacted by vendors who were directed to the website for access to the bid specifications.

As of the bid opening, the Township received one bid, from Red the Uniform Tailor. The prices submitted were under the budgeted amount allowed for the purchase of new uniforms. Red the Uniform Tailor has been our vendor for Police Uniforms for many years.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

The Board authorized advertisement to solicit bids at the August 12, 2013 meeting.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

Budgeted amount for new uniforms and accessories is \$45,000.

RECOMMENDATION:

Staff is recommending that the Board award the bid to Red the Uniform Tailor for the year 2013 for new uniforms in the amount of \$40,856.00.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby award the contract for new police uniforms to Red the Uniform Tailor in accordance with the Unit Prices in their bid dated August 19, 2013 with a total contract cost of \$40,856.00.

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.

BID OR PROPOSAL FORM

Submit this form to Montgomery Township in a sealed envelope, clearly and prominently marked: **Bid for Purchase of New Police Uniforms.**

Bids are due **Thursday, August 29, 2013 at 10:00 a.m.** and shall be addressed to:

Montgomery Township Board of Supervisors
1001 Stump Road
Montgomeryville, PA 18936

Bids will either be delivered by US mail to the above address or hand delivered to the Township Administration Building during regular business hours. Bids will not be accepted at the Police Station.

Bids will be considered for award at the next scheduled Board of Supervisors meeting or Monday, September 9, 2013 after 8:00 p.m.

The undersigned hereby agrees to sell and deliver to the Township of Montgomery Police Uniforms to be utilized by the Police Department, per your minimum specifications.

Approximate delivery date or days required after order is placed: 90 Days

Uniform Type Piece	Quantity	Unit Price	Total Price
Long Sleeve Shirts	130	73.95	9,613.50
Short Sleeve Shirts	130	69.95	9,093.50
Pants Light Weight	99	92.50	9,157.50
Pants Heavy Weight	99	96.50	9,553.50
Caps	36	74.50	2,682.00
Ties	72	10.50	756.00

Total Price for Order: \$ 40,856.00

Bidder agrees to furnish the above unit pricing for any supplemental orders which may occur from one year of the date of the award of the contract.

Name of Bidder RED THE UNIFORM TAILOR

Signature Patricia Ke

Address 475 OBERLIN AVE SOUTH LAKEWOOD, NJ 08701

Phone Number 800-272-7337 Email: rtutbucks@aol.com

Date 8/19/13

Exception to Bid See ATTACHED LETTER

(Further exceptions may be noted on a separate sheet.)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Award of Bid- Leaf Waste Collection

MEETING DATE: September 9, 2013

ITEM NUMBER: #8

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Stacy Crandell
Assistant to the Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman
Liaison to Environmental Advisory Committee

BACKGROUND:

Staff received and opened bids on September 5, 2013 for the Leaf & Yard Waste Collection. The bids were reviewed and staff is recommending that the bid be awarded to the lowest responsible bidder, Republic Services, Inc. The bid is based on a three year contract at \$29,023.44 per year and a total cost of \$87,070.32 for the three year period.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

On July 22, 2013, the Board of Supervisors authorized the advertisement of the bid for Municipal Residential Leaf and Yard Waste Collection.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The cost for this was included in the 2013 budget and will be discussed and budgeted for the 2014 Budget Workshop sessions.

RECOMMENDATION:

Award the bid as recommended to Republic Services for a three year contract, at a cost of \$29,023.44 per year, \$87,070.32 for the three year period.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby award the bid for Leaf and Yard Waste Collection Services for a three year contract to Republic Services, at a cost of \$29,023.44 per year, with a total three year cost of \$87,070.32.

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.

Bid Tabulations for Leaf Waste Collection & Disposal for September 5, 2013

	<u>Republic Services</u>	<u>J.P. Mascaro & Sons</u>
Year 1	\$29,023.44	\$30,240.00
Year 2	\$58,046.88 (\$29,023.44 a year)	\$61,248(\$30,624 a year)
Year 3	\$87,070.32 (\$29,023.44 a year)	\$93,024 (\$31,008 a year)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Authorization to Execute Year 2 Partner Agreement-Wissahickon Watershed MS4 Education Outreach Program

MEETING DATE: September 9, 2013

ITEM NUMBER: #9

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Stacy Crandell
Assistant to the Township Manager

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

BACKGROUND:

In December 2012, the Board of Supervisors gave the Township approval to participate in the Wissahickon Watershed Multi-Municipal MS4 Education Outreach Program. Participation in this program helps satisfy requirements in our Pennsylvania's municipal stormwater permit (PAG-13). This multi-municipal collaboration was initiated by the Pennsylvania Environmental Council (PEC), along with Greentreks, Wissahickon Valley Watershed Association, and Audubon. This collaboration seeks to coordinate and expand educational programming related to the PAG-13 permit and new pollution discharge requirements. The program seeks to facilitate stormwater management efforts among municipalities that share political boundaries and the water resources that flow through them.

This multi-municipal stormwater program is designed to complement this MS4 permit, which requires extensive community education and staff training. PEC and its partner organizations are able to provide these resources to support education, outreach, and community engagement efforts. In 2013, Montgomery Township participated in employee training for best practices for pollution prevention as well as attended various meetings regarding the formation of this program.

Unlike year one, where there was no charge for activities, there may be costs associated with certain events but it will be optional fees only if we would like to participate in the certain activities.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

On December 17, 2012, the Board of Supervisors gave authorization for the Township to participate in the Wissahickon Multi-Municipal MS4 Education Program.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Township staff recommends that the Board of Supervisors authorize the Township to participate in the Year 2 Wissahickon Multi-Municipal MS4 Stormwater Education Outreach Program.

MOTION/RESOLUTION:

Please see attached and read highlighted 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.

WHEREAS, Montgomery Township:

- Is engaged in activities and programs to educate community members, train appropriate target audiences about stormwater management and watershed protection in an effort to better manage stormwater runoff and comply with National Pollutant Discharge Elimination System (NPDES) program requirements;
- Is committed to participating in a collaborative multi-municipal program led by the Pennsylvania Environmental Council to implement relevant education, outreach and training activities required in Pennsylvania General Permit-13 (PAG-13) Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s);
- Seeks to improve efficiencies and the effectiveness of municipal programming related to PAG-13 compliance and water resource protection;

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the Township to participate in the Wissahickon Multi-Municipal MS4 Stormwater Education Outreach Program Year 2 Agreement which includes:

- Participating cooperatively with the Pennsylvania Environmental Council and its partners in Wissahickon Multi-Municipal MS4 Stormwater Education-Outreach Program;
- Working on a multi-municipal basis with PEC to plan and execute Wissahickon Multi-Municipal MS4 Education-Outreach Program activities consistent with municipal PAG-13 requirements;
- Identifying one municipal representative as a point of contact with PEC and program liaison to attend at least two annual Program planning meetings;

- Hosting, promoting, and/or endorsing agreed upon PAG-13 Program activities to include training, education, outreach events, community meetings and activities, workshops and forums for PAG-13 target audiences such as schools, businesses, and builders.
- Participating in Program activities to help ensure successful implementation of PAG-13 education and outreach and Program success;
- Providing PEC with periodic input and feedback on Program activities; and
- Providing a letter of commitment indicating readiness to participate in this multi-municipal Program.

MOTION BY:

SECOND BY:

VOTE:

DATE:

cc: Stacy Crandell, Minute Book, Resolution File, File



Wissahickon Watershed Multi-Municipal MS4 Education-Outreach Program

PARTNER AGREEMENT

PROGRAM-YEAR-TWO (2013-JUNE 2014)

BETWEEN PENNSYLVANIA ENVIRONMENTAL COUNCIL (PEC)

AND

MUNICIPALITY: _____

MUNICIPALITY AGREES TO:

- ◆ Work on a multi-municipal basis with PEC to plan and execute **Wissahickon Watershed Multi-Municipal MS4 Education-Outreach Program** activities consistent with PA General Permit 13 (PAG-13)
- ◆ Identify at least one municipal official to (1) represent municipality for at least two program meetings (2) coordinate internally with staff/contractors working on the MS4 permit, and (3) disseminate program information as necessary
- ◆ Host, promote, and/or participate in agreed upon program activities including trainings, meetings, workshops, events and surveys conducted to support municipal PAG-13 compliance
- ◆ Provide input to PEC regarding program activity needs, design, scheduling and conduct
- ◆ Accept responsibility for the cost of municipal staff or contractor labor associated with program participation and discretionary costs (i.e., postage)
- ◆ Pay discretionary fees for optional participation in program activities, only as requested and as agreed to by municipality
- ◆ Adopt updated resolution supporting program participation

PEC AGREES TO:

- ◆ Coordinate program activities to educate, engage, and train target audiences to assist with PAG-13 compliance
- ◆ Facilitate collaboration among all partners
- ◆ Schedule and conduct activities consistent with agreed upon program activities and a published schedule
- ◆ Lead collaborative effort to review and report to municipal partners on program activities conducted and plan future program activities
- ◆ Undertake program activities between August 2013 and June 2014 and notify municipal partners of any anticipated cost for activity participation in advance
- ◆ Record activity participation and evaluate activity effectiveness using survey tools to help guide future activities and provide information and data to municipal partners to assist with PAG-13 reports

DATE

SIGNATURE OF MUNICIPAL MANAGER

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Construction Escrow Release Replacement Letter of Credit – Raymond Au –
675 Bethlehem Pike – LDS#608

MEETING DATE: September 9, 2013

ITEM NUMBER: #10

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe
Director of Planning and Zoning

BOARD LIAISON: Joseph P. Walsh
Chairman

BACKGROUND:

This is a construction escrow release requested by Raymond Au for 675 Bethlehem Pike. They have submitted a new Letter of Credit to be used as surety for the public improvements still incomplete at this location. They are asking that the original Letter of Credit, held by ESSA Bank, be returned. The original amount of the escrow was \$1,102,889.10. Normal escrow releases have been made over the course of development and the current balance is \$25,478.11. This action would authorize the release of the original Letter of Credit as the new Letter of Credit has been submitted. This has been reviewed by the Township Solicitor.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

Approve or not approve the construction escrow release.

BUDGET IMPACT:

None.

RECOMMENDATION:

That this construction escrow be released.

MOTION/RESOLUTION:

The Resolution is attached.

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 #

WHEREAS, a request for release of escrow was received from Raymond Au for 675 Bethlehem Pike on the representation that work set forth in the land development agreement to that extent had been completed; and

WHEREAS, a replacement Letter of Credit, in the amount of \$25,478.11, has been submitted for the public improvements which remain incomplete; and

WHEREAS, a final inspection of this site will need to be conducted by the Township Engineer prior to release of this Letter of Credit.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we authorize the release of \$25,478.11, held as a Letter of Credit, by ESSA Bank, in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to release this Letter of Credit.

BE IT FURTHER RESOLVED that all Township fees must be paid before this release can be made.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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

Bruce S. Shoupe
Director of Planning and Zoning

IRREVOCABLE STANDBY LETTER OF CREDIT NO.: 13-31

ISSUE DATE: August 19, 2013

EXPIRY DATE: August 19, 2014

AMOUNT: \$25,478.11

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

APPLICANT: RAYMOND C. AU AND FELICE AU

PROJECT: OFFICE BUILDING

LOCATION: 675 BETHLEHEM PIKE PA 18915

PARCEL NO.: 46-00-00232-00-1

We hereby issue our Irrevocable Standby Letter of Credit (No.13.31) to MONTGOMERY TOWNSHIP for any sum or sums not exceeding \$25,478.11 (Twenty-Five Thousand Four Hundred Seventy- Eight Dollars and 11/100) for the account of Raymond C. AU and Felice Au.

Intending to be legally bound, we hereby agree:

1. This Letter of Credit is posted, and shall be callable, in accordance with Montgomery Chase Land Development Agreement.
2. That demands, in an aggregate amount not to exceed \$25,478.11 (Raymond C. Au and Felice Au), accompanied by a document in the form attached hereto and marked Exhibit "A" (executed by the Chairman of the MONTGOMERY TOWNSHIP Board of Supervisors) shall be duly

honored if presented to Wilmington Savings Fund Society, FSB, 500 Delaware Avenue, 12th Floor, Wilmington DE 19801.

3. The expiration date of this Letter of Credit shall be automatically extended for additional one (1) year periods beginning with the expiration date and upon each anniversary of such date, unless at least sixty (60) days prior to such expiration date or each anniversary of such date we notify the MONTGOMERY TOWNSHIP in writing, by certified mail, return receipt, addressed to the Township at 1001 Stump Road Montgomeryville, PA 18936, that we elect not to renew this Letter of Credit.
4. From time to time as portions of the improvements are completed, and upon written notice from MONTGOMERY TOWNSHIP, the Letter of Credit amount shall be reduced based upon the amounts paid for by developer in connection with work completed to the satisfaction and certification of the township engineer. Such reductions shall be in accordance with applicable Pennsylvania law.
5. Wilmington Savings Fund Society, FSB shall honor all drafts drawn under and in compliance with the terms of this Letter of Credit and the Land Development Agreement, if presented as specified in accordance with the terms of this Letter of Credit.
6. Payment of the Letter of Credit shall be made without determination of conditions or facts pertaining to related contractual agreements between MONTGOMERY TOWNSHIP and Raymond C. Au and Felice AU.
7. If cancellation of this standby Letter of Credit is required before the expiry date herein or any extended expiry date, the original of this standby Letter of Credit and all amendments, if any, must be returned to us with MONTGOMERY TOWNSHIP's letter requesting cancellation.
8. Any correspondence regarding this standby Letter of Credit should be addressed to: Wilmington Savings Fund Society, FSB, 500 Delaware Avenue, 12th Floor, Wilmington DE 1980. Telephone inquiries regarding this Letter of Credit should be directed to (267)-708-7892.

9. This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits, International Standby Practices, International Chamber of Commerce Publication No. #600, as amended. This Letter of Credit shall be deemed to be issued under the laws of the Commonwealth of Pennsylvania, and, matters, not governed by the Uniform Customs and Practices, shall be governed and construed in accordance with the laws of the Commonwealth of Pennsylvania.

Intending to be legally bound hereby, this Letter of Credit has been executed by the following duly authorized officer of Wilmington Saving Fund Society, FSB:

Wilmington Saving Fund Society, FSB



Dae Young Kwak, Vice President

DRAFT

EXHIBIT "A"

TO: Wilmington Savings Fund Society, FSB

RE: **IRREVOCABLE LETTER OF CREDIT NO. 13-31**

LOCATION: 675 BETHLEHEM PIKE PA 18915
[PARCEL NO.: 46-00-00232-00-1

DRAFT

We hereby demand payment in the sum of \$25,478.11, and certify that pursuant to the Letter of Credit and the Land Development Agreement in this matter, this demand is made because Raymond C. and Felice Au, either failed to complete the required site improvements and/or failed to reimburse the Township for any legal, engineering, inspection, consultant and administrative fees required to be paid under the Land Development Agreement.

Accordingly, this demand payment is required to enable the Township to complete, to our satisfaction, site improvements, and/or other improvements required to be installed in connection with the site improvements for the OFFICE BUILDING located at 675 BETHLEHEM PIKE PA 18915, further identified as PARCEL NO. 46-00-00232-00-1. It includes any legal, engineering, inspection, consultant and administrative fees not reimbursed by Raymond C. and Felice Au, as well as any fees and costs incurred because of Raymond C. and Felice Au's failure to satisfy the terms of the Land Development Agreement as set forth in the Land Development Agreement between MONTGOMERY TOWNSHIP and Raymond C. and Felice Au.

MONTGOMERY TOWNSHIP

JOSEPH P. WALSH, *Chairman*

DATE: _____

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Construction Escrow Release #2 - Keystone Homebrew LDS#657

MEETING DATE: September 9, 2013

ITEM NUMBER: # //

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe
 Director of Planning and Zoning

BOARD LIAISON: Joseph P. Walsh
 Chairman

BACKGROUND:

Attached is a construction escrow release for Keystone Homebrew, as recommended by the Township Engineer. The original amount of the escrow was \$534,362.95, held as a Letter of Credit. This is the second escrow release for this project. The current release is in the amount of \$ 96,519.00. The new balance would be \$ 414,917.95.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

Approve or not approve the construction escrow release.

BUDGET IMPACT:

None.

RECOMMENDATION:

That this construction escrow be released.

MOTION/RESOLUTION:

The Resolution is attached.

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.

RELEASE OF ESCROW FORM

Russell S. Dunlevy, P.E.
Executive Vice President
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 8/21/13

Development Name: Keystone Homebrew Parking Expansion LD/S#657

G&A Project #: 2013-05010

Release #: 2

Dear Mr. Dunlevy:

This is an escrow release request in the amount of \$ 96,519.00. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Mr. Lawrence Grogan
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 9/4/13

Dear Mr. Grogan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$ 96,519.00 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

For RSA

Russell S. Dunlevy, P.E., Executive VP, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from EUGENE T. PARZYCH, INC. for KEYSTONE HOMEBREW SUPPLY, INC., in the amount of \$ 96,519.00, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$ 96,519.00; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$ 96,519.00; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum. BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via LETTER OF CREDIT with Montgomery Township in total sum of \$ 534,362.95 pursuant to a signed Land Development Agreement and that \$ 22,926.00 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$ 414,917.95 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

September 4, 2013

File No. 2013-05010

Mr. Lawrence Gregan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Reference: Financial Security Release 2
Keystone Homebrew Parking Expansion LD/S#657

Dear Larry:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of \$96,519.00 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Please be advised that these improvements will be subject to a final inspection prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.
Gilmore & Associates, Inc.
Borough Engineers

JPD/sl

Enclosures: As Referenced

cc: Bruce S. Shoupe, Director of Planning and Zoning
Marita A. Stoerrle, Development Coordinator - Montgomery Township
Kevin Johnson, P.E. - Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. - Boucher & James, Inc.
Jason Harris, Keystone Homebrew Supply, Inc.
Eugene T. Parzych, Eugene T. Parzych, Inc.

BUILDING ON A FOUNDATION OF EXCELLENCE

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

ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

PROJECT NAME:	Keystone Homebrew - LD/S#657	TOTAL CONSTRUCTION:	\$ 485,784.50	ORIGINAL ESCROW AMOUNT:	\$ 534,362.95
PROJECT NO.:	2013-05010	TOTAL CONSTRUCTION CONTINGENCY:	\$ 48,578.45	AMOUNT OF THIS RELEASE:	\$ 96,519.00
PROJECT OWNER:	Keystone Homebrew Supply, Inc.	TOTAL ESCROW POSTED:	\$ 534,362.95	PRIOR ESCROW RELEASED:	\$ 22,926.00
MUNICIPALITY:	Montgomery Township	TOTAL ENG/INSP/LEGAL:	\$ 30,000.00	TOTAL ESCROW RELEASED TO DATE:	\$ 119,445.00
ESCROW AGENT:	Letter of Credit	MAINTENANCE BOND AMOUNT FOR THIS PROJECT:	\$ 72,867.68	BALANCE AFTER CURRENT RELEASE:	\$ 414,917.95
TYPE OF SECURITY:		RELEASE NO.:	2		
AGREEMENT DATE:		RELEASE DATE:	09/04/13		

ESCROW TABULATION			CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 1
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
I. EROSION CONTROL									
1. Stone Construction Entrance	EA	1	\$ 1,250.00	\$ 1,250.00					
2. 18" Silt Fence	LF	100	\$ 1.80	\$ 180.00					
3. Super Silt Fence	LF	180	\$ 8.50	\$ 1,530.00	180.00	\$ 1,530.00	100.00	\$ 180.00	
4. Inlet Filters	EA	4	\$ 115.00	\$ 460.00					
5. Stone Filters	EA	1	\$ 154.00	\$ 154.00					
6. Temporary Seeding - Stockpile Only	LS	1	\$ 775.00	\$ 775.00	1.00	\$ 775.00	1.00	\$ 154.00	
II. DEMOLITION									
1. Rail Road Tie Removal	LS	1	\$ 13,740.00	\$ 13,740.00					
2. Existing Storm Sewer Removal	LF	145	\$ 6.00	\$ 870.00					
3. Tree Removal	LS	1	\$ 2,950.00	\$ 2,950.00	100.00	\$ 600.00	45.00	\$ 270.00	
4. Existing Pavement Removal	SY	2,100	\$ 2.65	\$ 5,565.00					
5. Remove Existing Septic System	LS	1	\$ 1,075.00	\$ 1,075.00	1.00	\$ 1,075.00	2100.00	\$ 5,565.00	
6. Utility Pole Removal	EA	3	\$ 425.00	\$ 1,275.00			3.00	\$ 1,275.00	
III. ROUGH GRADE SITE									
1. Strip Topsoil	CY	520	\$ 2.80	\$ 1,456.00					
2. Site Cut / Fill	CY	602	\$ 4.50	\$ 2,709.00	400.00	\$ 1,800.00	202.00	\$ 909.00	
3. Cut to Excess	CY	930	\$ 4.25	\$ 3,952.50	500.00	\$ 2,125.00	430.00	\$ 1,827.50	
4. Dispose of Excess	CY	930	\$ 15.00	\$ 13,950.00	500.00	\$ 7,500.00	430.00	\$ 6,450.00	
IV. STORM SEWER (INTERIOR)									
1. RCP 15" CI 3 M/J	LF	144	\$ 45.00	\$ 6,480.00	144.00	\$ 6,480.00			
2. RCP 18" CI M/J	LF	42	\$ 47.00	\$ 1,974.00	42.00	\$ 1,974.00			
3. RCP 18" (Combo Drain)	LF	190	\$ 52.00	\$ 9,880.00			190.00	\$ 9,880.00	
4. 4" Type C Inlet	EA	1	\$ 2,360.00	\$ 2,360.00	1.00	\$ 2,360.00			
5. 4" Type M Inlet	EA	5	\$ 1,975.00	\$ 9,875.00	4.00	\$ 7,900.00	1.00	\$ 1,975.00	
6. 4" Type C Inlet (PennDOT)	EA	2	\$ 1,875.00	\$ 3,750.00			2.00	\$ 3,750.00	
7. Outlet Structure	EA	1	\$ 5,600.00	\$ 5,600.00	1	\$ 5,600.00	1.00	\$ 5,600.00	
8. Inlet Protection	EA	1	\$ 115.00	\$ 115.00					
9. Dispose of Excess Exc. Material	CY	240	\$ 15.00	\$ 3,600.00	240	\$ 3,600.00	240.00	\$ 3,600.00	



Gilmore & Associates, Inc.
Engineering and Consulting Services

ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

PROJECT NAME:	Keystone Homebrew - LD/S#657	TOTAL CONSTRUCTION:	\$ 485,784.50	ORIGINAL ESCROW AMOUNT:	\$ 534,362.95
PROJECT NO.:	2013-05010	TOTAL CONSTRUCTION CONTINGENCY:	\$ 48,578.45	AMOUNT OF THIS RELEASE:	\$ 96,519.00
PROJECT OWNER:	Keystone Homebrew Supply, Inc.	TOTAL ESCROW POSTED:	\$ 534,362.95	PRIOR ESCROW RELEASED:	\$ 22,926.00
MUNICIPALITY:	Montgomery Township	TOTAL ENG/INSP/LEGAL:	\$ 30,000.00	TOTAL ESCROW RELEASED TO DATE:	\$ 119,445.00
ESCROW AGENT:	Letter of Credit	MAINTENANCE BOND AMOUNT FOR THIS PROJECT:	\$ 72,867.68	BALANCE AFTER CURRENT RELEASE:	\$ 414,917.95
TYPE OF SECURITY:					
AGREEMENT DATE:					
		RELEASE NO.:	2		
		RELEASE DATE:	09/04/13		

CONSTRUCTION ITEMS			ESCROW TABULATION			CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 1
			UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	AMOUNT
VI. UNDERGROUND STORAGE BASIN												
1.	Underground Storage Basin	LS	1		\$ 111,010.00	\$ 111,010.00	0.5	\$ 55,505.00	0.50	\$ 55,505.00	0.50	\$ 55,505.00
VII. ROAD WIDENING												
1.	Boxout Excavation	LS	1		\$ 750.00	\$ 750.00					1.00	\$ 750.00
2.	Saw Cut	LF	185		\$ 3.00	\$ 555.00					185.00	\$ 555.00
3.	Fine Grade	SY	72		\$ 5.00	\$ 360.00					72.00	\$ 360.00
4.	18" Concrete Curb	LF	180		\$ 15.00	\$ 2,700.00					180.00	\$ 2,700.00
5.	6" 2A Modified Stone Base	SY	72		\$ 10.50	\$ 756.00					72.00	\$ 756.00
6.	6" 25mm Superpave Base	SY	72		\$ 34.00	\$ 2,448.00					72.00	\$ 2,448.00
7.	2" 19mm Superpave Binder	SY	72		\$ 16.00	\$ 1,152.00					72.00	\$ 1,152.00
8.	12" Cutback	LF	185		\$ 2.00	\$ 370.00					185.00	\$ 370.00
9.	1.5" 9.5mm Superpave Wearing	SY	94		\$ 12.00	\$ 1,128.00					94.00	\$ 1,128.00
10.	Seal Pavement Joint	LF	370		\$ 1.25	\$ 462.50					370.00	\$ 462.50
11.	Traffic Control	LS	1		\$ 1,925.00	\$ 1,925.00					1.00	\$ 1,925.00
VIII. ONSITE PAVING												
1.	Fine Grade	SY	2964		\$ 1.15	\$ 3,408.60					2964.00	\$ 3,408.60
2.	4" 2A Modified Stone Base	SY	2964		\$ 4.80	\$ 14,227.20					2964.00	\$ 14,227.20
3.	5" BCBC Base Course	SY	2964		\$ 23.00	\$ 68,172.00					2964.00	\$ 68,172.00
4.	Sweep & Tack Coat	SY	2964		\$ 2.25	\$ 6,669.00					2964.00	\$ 6,669.00
5.	1.5" ID-2 Wearing Course	SY	2964		\$ 8.15	\$ 24,156.60					2964.00	\$ 24,156.60
6.	Pavement Line Striping	LS	1		\$ 1,620.00	\$ 1,620.00					1.00	\$ 1,620.00
7.	Traffic Signage	EA	10		\$ 132.50	\$ 1,325.00					10.00	\$ 1,325.00
8.	Parking Bumpers	EA	5		\$ 58.00	\$ 290.00					5.00	\$ 290.00
9.	Bollards	EA	10		\$ 710.00	\$ 7,100.00					10.00	\$ 7,100.00
IX. CONCRETE WORK												
1.	18" Concrete Curb	LF	1170		\$ 14.35	\$ 16,789.50					1170.00	\$ 16,789.50
2.	4" Concrete Sidewalk	SF	2030		\$ 5.25	\$ 10,657.50					2030.00	\$ 10,657.50

ESCROW STATUS REPORT



SUMMARY OF ESCROW ACCOUNT

PROJECT NAME: Keystone Homebrew - LD/S#657
 PROJECT NO.: 2013-05010
 PROJECT OWNER: Keystone Homebrew Supply, Inc.

TOTAL CONSTRUCTION: \$ 485,784.50
 TOTAL CONSTRUCTION CONTINGENCY: \$ 48,578.45
 TOTAL ESCROW POSTED: \$ 534,362.95

ORIGINAL ESCROW AMOUNT: \$ 534,362.95
 AMOUNT OF THIS RELEASE: \$ 96,519.00

MUNICIPALITY: Monticorty Township
 ESCROW AGENT: Letter of Credit
 TYPE OF SECURITY: Letter of Credit
 AGREEMENT DATE:

TOTAL ENG/INSP/LEGAL: \$ 30,000.00
 MAINTENANCE BOND AMOUNT FOR THIS PROJECT: \$ 72,867.68

PRIOR ESCROW RELEASED: \$ 22,926.00
 TOTAL ESCROW RELEASED TO DATE: \$ 119,445.00
 BALANCE AFTER CURRENT RELEASE: \$ 414,917.95

RELEASE NO.: 2
 RELEASE DATE: 09/04/13

ESCROW TABULATION				CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 1	
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY	TOTAL AMOUNT	QUANTITY
X. LANDSCAPING											
1. Maple Red Sunset 3" Cal.	EA	7	\$ 625.00	\$ 4,375.00					7.00	\$ 4,375.00	
2. Rebud 2.5" Cal.	EA	1	\$ 425.00	\$ 425.00					1.00	\$ 425.00	
3. Tulip Trees 3" Cal.	EA	3	\$ 650.00	\$ 1,950.00					3.00	\$ 1,950.00	
4. Zelkova 3" Cal.	EA	5	\$ 650.00	\$ 3,250.00					5.00	\$ 3,250.00	
5. Maple Hedge 3"	EA	3	\$ 600.00	\$ 1,800.00					3.00	\$ 1,800.00	
6. White Pine 5'-6"	EA	3	\$ 490.00	\$ 1,470.00					3.00	\$ 1,470.00	
7. Arborvitae Emerald Green 8'-9"	EA	25	\$ 300.00	\$ 7,500.00					25.00	\$ 7,500.00	
8. Holly Nellie Stevens 8'-9"	EA	4	\$ 600.00	\$ 2,400.00					4.00	\$ 2,400.00	
9. Blueberry 30"	EA	63	\$ 85.00	\$ 5,355.00					63.00	\$ 5,355.00	
10. Enkianthus Redvein 30"	EA	13	\$ 65.00	\$ 845.00					13.00	\$ 845.00	
11. Deutzia Slender 30"	EA	38	\$ 65.00	\$ 2,470.00					38.00	\$ 2,470.00	
12. Spiraea Little Princess 30"	EA	16	\$ 87.00	\$ 1,400.00					16.00	\$ 1,400.00	
13. Azalea Hershey Red 18"	EA	8	\$ 87.00	\$ 696.00					8.00	\$ 696.00	
14. Holly Heller Japanese 24"	EA	13	\$ 110.00	\$ 1,430.00					13.00	\$ 1,430.00	
15. Laurel Cherry Otto Luyken 24"	EA	83	\$ 82.00	\$ 6,806.00					83.00	\$ 6,806.00	
16. Yew Dense Spreading 24"	EA	8	\$ 108.00	\$ 864.00					8.00	\$ 864.00	
17. Viburnum Leatherleaf 36"	EA	15	\$ 90.00	\$ 1,350.00					15.00	\$ 1,350.00	
18. Winterberry Winter Red 36"	EA	20	\$ 65.00	\$ 1,300.00					20.00	\$ 1,300.00	
19. Juniper Youngstown Andorra 24"	EA	9800	\$ 0.65	\$ 6,370.00					9800.00	\$ 6,370.00	
20. Mulch Dbl Ground Shredded Bark	SF										
XI. LAWN RESTORATION											
1. Respread Topsoil	CY	250	\$ 5.75	\$ 1,437.50					250.00	\$ 1,437.50	
2. Rake & Seed	SF	10000	\$ 0.12	\$ 1,200.00					10000.00	\$ 1,200.00	
3. Erosion Control Matting	SF	10000	\$ 0.20	\$ 2,000.00					10000.00	\$ 2,000.00	
XII. MISCELLANEOUS											
1. Site Layout	LS	1	\$ 10,878.00	\$ 10,878.00			0.23	\$ 2,475.00	0.77	\$ 8,403.00	
2. As-Built Drawings	LS	1	\$ 4,275.60	\$ 4,275.60					1.00	\$ 4,275.60	
3. Modular Block Retaining Wall	LS	1	\$ 16,080.00	\$ 16,080.00					1.00	\$ 16,080.00	
4. Concrete Patio 4" with Stone	SF	640	\$ 5.70	\$ 3,648.00					640.00	\$ 3,648.00	
5. Site Lighting	LS	1	\$ 21,300.00	\$ 21,300.00					1.00	\$ 21,300.00	
XIII. CONTINGENCY											
		1	\$ 48,578.45	\$ 48,578.45					1.00	\$ 48,578.45	

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of the 2013 Extra Curb and Sidewalk Concrete Work

MEETING DATE: September 9, 2013

ITEM NUMBER: #12

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:

As part of the 2013 approved budget, \$20,000.00 was allocated for extra curb and sidewalk concrete work throughout the Township. This is in addition to the work done on roads in anticipation of resurfacing. The criteria for this work is based on the Public Works Departments inspection to identify sidewalks that could be potential tripping hazards or have significant deterioration. The work will be performed under our current contract with Drumheller Construction, based on unit prices in their approved contract.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

The Board of Supervisors previously awarded the 2013 contract for curb/sidewalk repair and replacement to Drumheller Construction in accordance with the attached schedule of unit prices.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

A total of \$20,000.00 is appropriated in the 2013 approved budget for this work. Total cost estimate for the repairs is \$20,797.00, a difference of \$797.00.

RECOMMENDATION:

Authorize the expenditure in the amount of \$20,797.00 to perform repairs/replacement of sidewalks throughout the Township under the contract with Drumheller Construction in accordance with the approved 2013 Budget.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the expenditure in the amount of \$20,797.00 to perform repairs/replacement of sidewalks throughout the Township under the contract with Drumheller Construction in accordance with the approved 2013 Budget.

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.

G GILMORE & ASSOCIATES, INC.

&A BASE BID B CONTRACT COST SUMMARY

CLIENT:

MONTGOMERY TOWNSHIP

PROJECT NAME:

2013 CURB AND SIDEWALK REPLACEMENT

PROJECT NUMBER:

2012-08075

DATE: 29-Aug-13

BASE BID B				UNIT	
#	DESCRIPTION	UNITS	QUANTITY	PRICE	AMOUNT
B 1	REMOVE & REPLACE VERTICAL/DEPRESSED CONCRETE CURB (7"x8"x18") 0-40 LF	LF	50	\$ 45.00	\$ 2,250.00
B 1A	REMOVE & REPLACE VERTICAL/DEPRESSED CONCRETE CURB (7"x8"x18") 40-100 LF	LF	0	\$ 45.00	\$ -
B 1B	REMOVE & REPLACE VERTICAL/DEPRESSED CONCRETE CURB (7"x8"x18") 100-200 LF	LF	0	\$ 45.00	\$ -
B 2	REMOVE & REPLACE CONCRETE SIDEWALK (4") 0-100 SF	SF	0	\$ 12.00	\$ -
B 2A	REMOVE & REPLACE CONCRETE SIDEWALK (4") 100-200 SF	SF	0	\$ 12.00	\$ -
B 2B	REMOVE & REPLACE CONCRETE SIDEWALK (4") 200-500 SF	SF	1256	\$ 12.00	\$ 15,072.00
B 3	REMOVE & REPLACE CONCRETE HANDICAP RAMPS (4") 0-256 SF	SF	0	\$ 12.00	\$ -
B 4	REMOVE & REPLACE REINFORCED CONCRETE SIDEWALK (6")	SF	180	\$ 14.00	\$ 2,520.00
B 5	REMOVE & REPLACE REINFORCED CONCRETE APRON (6")	SF	68.25	\$ 14.00	\$ 955.50
B 6	REMOVE & REPLACE CONCRETE FOR BELGIAN BLOCK CURB (4"x20")	LF	0	\$ 20.00	\$ -

Total Estimated Contract: \$ 20,797.50

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Change in Scope of Work - Friendship Park Site Grading/ Paving Improvements

MEETING DATE: September 9, 2013

ITEM NUMBER *#13*

MEETING/AGENDA:

ACTION **xx**

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager *[Signature]*

BOARD LIAISON: Michael J. Fox, Township Supervisor
Board Liaison – Park and Recreation Committee

BACKGROUND:

In September 2012, the Cutler Group authorized its contractor, Wolverine Constructors, to proceed with certain improvements to the Township's Friendship Park located on Enclave Blvd, between Hartman Road and Bethlehem Pike. The work involves site grading and paving improvements on the Park property in accordance with plans prepared by Chambers and Associates and in compliance with the approved NPDES permit for this work.

The cost for construction of the improvements is being paid by the Cutler Group. The total cost for this scope of improvement to the park was originally \$546,463.82 but was revised via three changes orders reducing the project cost to \$543,680.37.

During a recent inspection of the project, the need for additional storm drainage improvements was identified to eliminate two groundwater problem areas that are impacting final stabilization of the site and the final paving of the asphalt trail around the perimeter of the park. The Township Engineer has recommended that two areas of the site be piped directly to storm sewer inlets rather than drain via grass swales.

Change order #4 has been submitted by Wolverine Constructor, Inc. proposing to perform the following additional work on the project:

- Swale "C" – installation of an additional Type M Inlet, 12 inch HDPE plastic pipe, 4 inch perforated HDPE pipe, connection to existing inlet, replacement of a portion of the trail paving and restoration of disturbed areas at a cost of \$16,476.00.
- Swale "D" – installation of an additional Type M Inlet, 12 inch HDPE plastic pipe, connection to existing inlet, replacement of a portion of the trail paving and restoration of disturbed areas at a cost of \$14,306.00.

The Township Engineer has reviewed change order #4, found the costs to be reasonable for the scope of work to be performed and recommends the change in the scope of the project per this change order.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

The Board of Supervisors previously approved Change Orders #1, 2 and 3 resulting in a reduction in project cost by \$2,782.45.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Accept Township Engineer's recommendation.

MOTION/RESOLUTION:

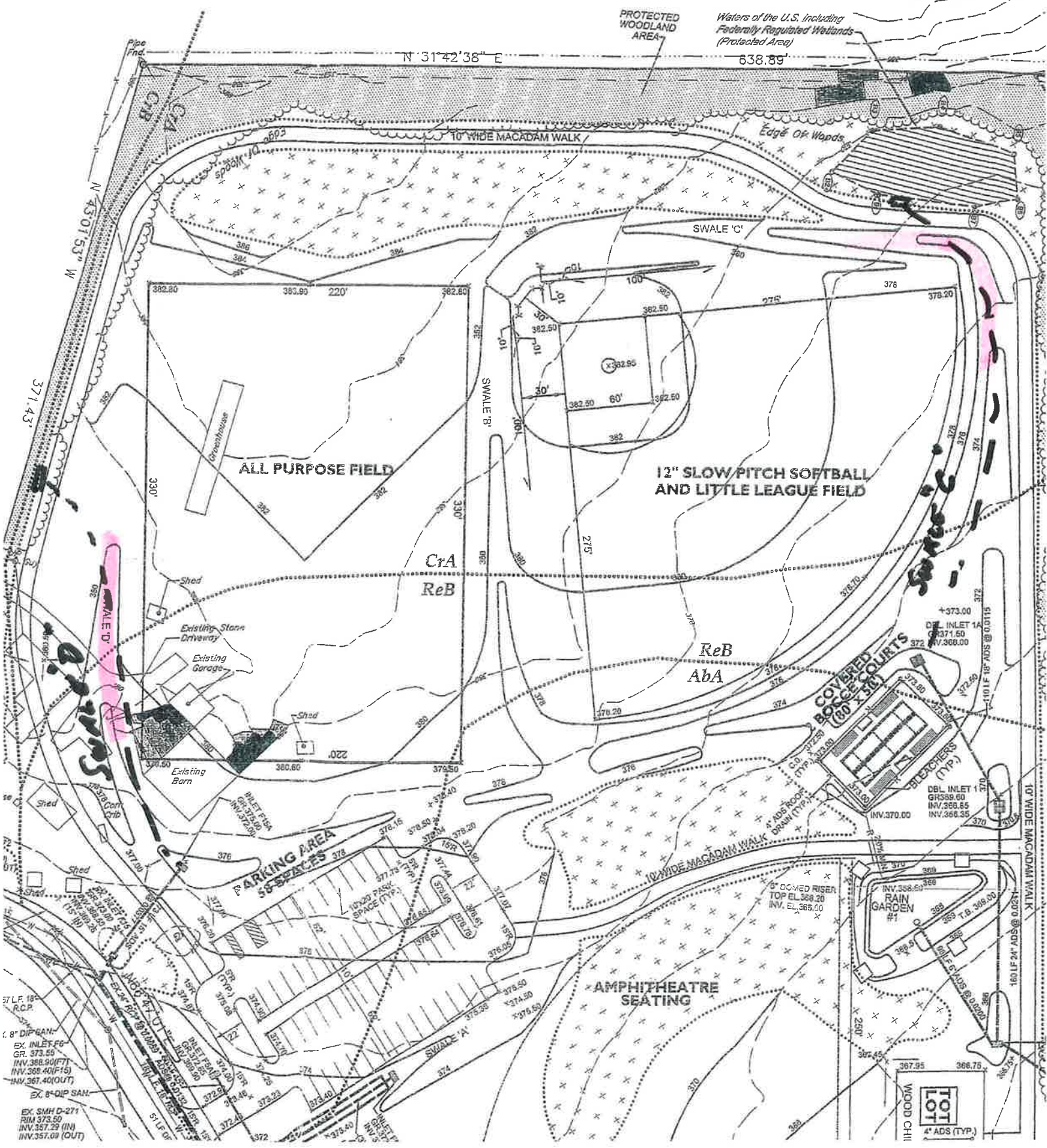
Now Therefore Be It Resolved by the Board of Supervisors that we hereby accept the Township Engineer's recommendation that the scope of the site work for Friendship Park be revised per Change Order # 4 for a total increase in the project cost of \$3,782.00.

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.





PROPOSAL WOLVERINE CONSTRUCTORS INC.

145 PACIFIC DRIVE
QUAKERTOWN, PA. 18951
215-536-7370 FAX 215-538-5476

DAVID CUTLER GROUP

2749

8/12/2013

PROPOSAL SUBMITTED TO 191 COMMERCE DRIVE		ESTIMATE NUMBER FRIENDSHIP PARK		DATE
STREET MONTGOMERYVILLE PA 18936		JOB NAME MONTGOMERYVILLE, PA		
CITY, STATE and ZIP CHUCK SPLENDORE		JOB LOCATION CHAMBERS R4 6-10-11		
CONTACT	PHONE	FAX	DATE OF PLANS	

WOLVERINE CONSTRUCTORS INC.

We hereby submit specifications and estimates for:

COST CODE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
	CHANGE ORDER #4				
	ADDITIONAL STORM SYSTEM PER JIM DOUGHERTY EMAIL				
	SWALE "C"				
	TYPE M INLET	EA	1	\$1,200.00	\$1,200.00
	12" SOLID HDPE	LF	300	\$18.00	\$5,400.00
	CONNECT TO INLET 1A - CUT INLET BOX & GROUT	EA	1	\$606.00	\$606.00
	REMOVE & REPLACE TRAIL (FULL WIDTH)	LF	150	\$38.00	\$5,700.00
	RESTORE SWALE ECB	LF	130	\$9.00	\$1,170.00
	4" PERF HDPE W/ FABRIC, STONE	LF	200	\$12.00	\$2,400.00
	SWALE "D"				
	TYPE M INLET	EA	1	\$1,200.00	\$1,200.00
	12" SOLID HDPE	LF	420	\$18.00	\$7,560.00
	CONNECT TO INLET 1A - CUT INLET BOX & GROUT	EA	1	\$606.00	\$606.00
	REMOVE & REPLACE TRAIL - 3' WIDE	LF	40	\$38.00	\$1,520.00
	RESTORE SWALE ECB	LF	380	\$9.00	\$3,420.00

CHANGE ORDER #4 SUBTOTAL= \$30,782.00

EXCLUSIONS:**WE PROPOSE** hereby to furnish material and labor in accordance with specifications above, for the sum of:

dollars \$ 30,782.00

CONDITIONS: All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary Insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Note: This Proposal may be
withdrawn by us if not accepted within

30

Authorized
Signature

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. you are authorized to do the work as specified. Payment will be made within 30 days.

SIGNATURE:

Date:

ACCEPTANCE OF PROPOSAL: The above conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. Date of Acceptance: _____ Signature: _____

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Payment of Bills

MEETING DATE: September 9, 2013

ITEM NUMBER: #14

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:

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 Check Register

Check Number	Check Date	Vendor No	Payee	Amount
25333	8/28/13	00000499	MONTGOMERY TWP. PROFESSIONAL	209.26
25334	8/28/13	1264	MORGAN STANLEY SMITH BARNEY INC	5,951.97
25335	9/6/13	00000967	DELAWARE VALLEY HEALTH INSURANCE	1,121.38
55295	9/5/13	00000371	HOT FROG PRINT MEDIA, LLC	3,737.35
55296	9/9/13	00000723	A TO Z RENTAL CENTER	636.08
55297	9/9/13	00000006	ACME UNIFORMS FOR INDUSTRY	653.25
55298	9/9/13	00000068	ADAM WEBSTER	30.00
55299	9/9/13	00000340	ADVENT SECURITY CORPORATION	183.00
55300	9/9/13	LST00039	ALAN R. FRIEBIS	78.00
55301	9/9/13	00000053	ALLIED WASTE SERVICES #320	2,313.71
55302	9/9/13	00000455	ARMEL-LEFTWICH VISTOR CENTER	1,150.00
55303	9/9/13	00000031	AT&T	238.21
55304	9/9/13	00000561	ATLANTIC TACTICAL	459.72
55305	9/9/13	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	221.76
55306	9/9/13	00000999	BCG-BENEFIT CONSULTANTS GROUP	4,369.00
55307	9/9/13	00000043	BERGEY'S	88.52
55308	9/9/13	00001938	BILL WIEGMAN	60.00
55309	9/9/13	00000544	BRANDI MCCOY	1,765.06
55310	9/9/13	LST00040	BREANA A. YOST	18.02
55311	9/9/13	00001903	BRIAN JANSSENS	15.00
55312	9/9/13	00001370	A. BRUCE WEIKEL	105.00
55313	9/9/13	00000423	BURGER KING #2513	63.92
55314	9/9/13	00000380	CARL HERR	45.00
55315	9/9/13	00001601	CDW GOVERNMENT, INC.	88.86
55316	9/9/13	00000024	DAVID P. BENNETT	15.00
55317	9/9/13	00001945	DAVID S. WOLFE	15.00
55318	9/9/13	00001941	DAVID W. VASCONEZ	45.00
55319	9/9/13	00001756	BOB PALIO	695.00
55320	9/9/13	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	1,733.60
55321	9/9/13	00000208	DELL MARKETING L.P.	8,708.89
55322	9/9/13	00001166	DRUMHELLER CONSTRUCTION, INC.	37,744.17
55323	9/9/13	00000967	DELAWARE VALLEY HEALTH INSURANCE	138,053.65
55324	9/9/13	00000146	E.A. DAGES, INC.	174.00
55325	9/9/13	00001873	EGOV STRATEGIES LLC	2,434.00
55326	9/9/13	00000568	ELECTRO-FAST DISTRIBUTION	221.97
55327	9/9/13	00000161	EUREKA STONE QUARRY, INC.	59,456.52
55328	9/9/13	00001852	G.L. SAYRE, INC.	79.95
55329	9/9/13	00001504	GALETON GLOVES	32.45
55330	9/9/13	00000188	GALLS, AN ARAMARK CO., LLC	64.00
55331	9/9/13	00000012	GEOVENTURES PROGRAMMING &	2,125.00
55332	9/9/13	00000198	GLASGOW, INC.	187.00
55333	9/9/13	00001842	GLEN ROETMAN	15.00
55334	9/9/13	00000060	GRAF ENGINEERING, LLC	4,500.00
55335	9/9/13	00000211	HAGEY COACH INC.	900.00

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
55336	9/9/13	00000213	HAJOCA CORPORATION	9.37
55337	9/9/13	00000787	IAFC - INTERNATIONAL ASSOCIATION OF	120.00
55338	9/9/13	00902807	JAY RANA	29.00
55339	9/9/13	00902809	JING LI	10.00
55340	9/9/13	00000522	JOE BIFOLCO	45.00
55341	9/9/13	00001964	JOHN CATALDI	15.00
55342	9/9/13	00000890	JOHN H. MOGENSEN	30.00
55343	9/9/13	00001581	JOSEPH J. SIMES	180.00
55344	9/9/13	00001843	JOSEPH M. BENNETT	80.00
55345	9/9/13	00901785	KAREN MACK-WILSON	1,200.00
55346	9/9/13	00000264	KENCO HYDRAULICS, INC.	489.14
55347	9/9/13	00000571	LEE WAGNER	1,131.50
55348	9/9/13	00000283	WILLIAM A. CRANE, V.M.D.,P.C.	266.00
55349	9/9/13	BT006001	LITTLE WOMEN DESIGN	9.64
55350	9/9/13	BT003479	LYON, CONKLIN & COMPANY, INC.	18,400.48
55351	9/9/13	00001854	MARGARET STEINBACHER	100.00
55352	9/9/13	00901458	MARTIN BAKER	730.71
55353	9/9/13	00000201	LAWRENCE J. MURPHY	587.12
55354	9/9/13	00001330	MCCALLION STAFFING SPECIALISTS	360.00
55355	9/9/13	00902606	MICHAEL G. BARR	27.50
55356	9/9/13	00001920	MICHAEL H. BEAN	60.00
55357	9/9/13	00001961	MICHAEL LONG	60.00
55358	9/9/13	00000867	MICHAEL SHEARER	15.00
55359	9/9/13	00002016	MICHAEL SHINTON	15.00
55360	9/9/13	00902811	MJE BUILDERS INC.	1,200.00
55361	9/9/13	00000367	P.K. MOYER & SONS, INC.	78,473.50
55362	9/9/13	00000186	JAROTH INC.	178.12
55363	9/9/13	00902808	PAUL & ALINE D'AGOSTINO	1,200.00
55364	9/9/13	00000379	PAUL B. MOYER & SONS, INC.	68.00
55365	9/9/13	00000095	PAUL SMITH	20.00
55366	9/9/13	00000381	PBPMTCA-PA BUSINESS PRIVILEGE &	100.00
55367	9/9/13	00000397	PECO ENERGY	1,568.03
55368	9/9/13	00000825	COMMONWEALTH OF PA	30.00
55369	9/9/13	00000009	PETTY CASH	300.00
55370	9/9/13	00000345	PRINTWORKS & COMPANY, INC.	197.48
55371	9/9/13	00001630	PSI - PROTECTION SERVICES INC.	763.50
55372	9/9/13	00000252	SUNG K. KIM	604.35
55373	9/9/13	00000519	RACHEL TROUTMAN	15.00
55374	9/9/13	00000117	RIGGINS INC	3,339.12
55375	9/9/13	00000115	RIGGINS, INC	4,048.51
55376	9/9/13	00001815	SAMUEL A. ROSS, JR.	300.00
55377	9/9/13	00000465	SHAPIRO FIRE PROTECTION COMPANY	136.77
55378	9/9/13	1264	MORGAN STANLEY SMITH BARNEY INC	104,428.00
55379	9/9/13	00001745	SONIA ISABEL THOMSON	2,232.60

Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
55380	9/9/13	BT005932	SREEPADRAJ VENKATARAO, PC	13.91
55381	9/9/13	00001847	STAPLES CONTRACT & COMMERCIAL, INC	330.11
55382	9/9/13	00902490	STEPHANIE MESSLER	6.00
55383	9/9/13	00000939	SUNGARD PUBLIC SECTOR	1,365.49
55384	9/9/13	00001781	SUPPLEE BROS. INC.	684.28
55385	9/9/13	00001860	TAYLOR JONES	785.60
55386	9/9/13	00001164	THE GOOSE GUYS INC.	250.00
55387	9/9/13	00001783	THE HOMER GROUP	4,150.00
55388	9/9/13	LST05328	THE MALVERN SCHOOL	14.00
55389	9/9/13	00001005	THE RHOADS GARDEN	150.00
55390	9/9/13	00000065	TIMOTHY MURRAY	15.00
55391	9/9/13	00001776	US SPORTS INSTITUTE, INC.	3,741.12
55392	9/9/13	00000040	VERIZON PENNSYLVANIA INC	627.82
55393	9/9/13	00000170	VERIZON COMMUNICATIONS, INC.	129.99
55394	9/9/13	00000170	VERIZON COMMUNICATIONS, INC.	129.99
55395	9/9/13	00000038	VERIZON WIRELESS SERVICES, LLC	841.57
55396	9/9/13	00000038	VERIZON WIRELESS SERVICES, LLC	166.04
55397	9/9/13	00001839	VINAY SETTY	30.00
55398	9/9/13	00000442	VINCENT ZIRPOLI	135.00
55399	9/9/13	00001191	WARREN FUCHS	30.00
55400	9/9/13	00000760	WASTE MANAGEMENT OF	547.84
55401	9/9/13	00000456	CHESAPEAKE MARINE TOURS, INC.	147.12
55402	9/9/13	00902810	WEBB BUILDING GROUP II INC.	1,200.00
55403	9/9/13	00001329	WELDON AUTO PARTS	437.22
55404	9/9/13	00001948	WILLIAM H. FLUCK IV	20.00
55405	9/9/13	00000249	WILLIAM R. GOLTZ	60.00
55406	9/9/13	00001084	WITMER ASSOCIATES, INC.	89.76
55407	9/9/13	00000590	YOCUM FORD	298.52
55408	9/9/13	00901749	YOON K. PARK	30.00
TOTAL				520,402.09

MONTGOMERY TOWNSHIP ELECTRONIC PAYROLL TAX PAYMENTS

<u>DATE</u>	<u>VENDOR NAME</u>	<u>REASON FOR PAYMENT</u>	<u>AMOUNT</u>
08/29/2013	IRS	941 Payment	\$74,096.29
08/29/2013	BCG	401/457 Plan Payment	\$23,633.39
08/29/2013	SCDU	Withholding Payment	\$2,996.44
09/03/2013	IRS	945 Payment	\$3,898.41
09/03/2013	ICMA	DROP Plan Payment	\$16,922.39
09/04/2013	Commonwealth of PA	State Tax Payment	\$7,934.49
09/05/2013	City of Philadelphia	Aug Wage Tax Payment	\$991.32
Total Paid as of 09/09/2013			\$130,472.73