

**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**October 28, 2013**

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

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 October 15, 2013 Meeting
6. Recognition of MMR Wolf Den Pack 547
7. Announce Date of Fall 2013 Curbside Leaf Collection
8. Announce Board/Commission Appointment/Resignation
9. Public Hearing –Proposed Ordinance #13-274Z Expanding Limits of BLI Billboard Limited Industrial Overlay District
10. Consider Request for Waiver of Conflict – Representation of Somerville Montgomery, LP
11. Consider Construction Escrow Release #3 – Keystone Homebrew LDS#657
12. Consider Police Officer Pension Contribution Rate for 2014
13. Consider Approval of 3<sup>rd</sup> Quarter Budget Amendments
14. Consider Authorization to Advertise for Proposed Ordinance #13-276 – Amendment to Street Lighting Ordinance
15. Consider Authorization to Accept FY2012 Fire Prevention and Safety Grant
16. Consider Authorization to Participate in the Montgomery County Consortium 2013-2014 Cooperative Rock Salt Purchase Contract
17. Consider Payment of Bills
18. Other Business
19. Adjournment

**Future Public Hearings/Meetings:**

10-30-13 @ 7:00 PM. – Budget Work Session  
11-04-13 @ 7:00 pm – 300<sup>TH</sup> Committee  
11-05-13 - OFFICE CLOSED  
11-11-13 @ 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

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SUBJECT: Public Comment

MEETING DATE: October 28, 2013

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gegan  
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman

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BACKGROUND:

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

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT:      Announcement of Executive Session

MEETING DATE:      October 28, 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

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BACKGROUND:

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Approval of Minutes for October 15, 2013 Meeting

MEETING DATE: October 28, 2013

ITEM NUMBER: #5

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Grogan  
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman

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BACKGROUND:

Just a reminder – Please call Deb Rivas or Shirley Snyder on Monday, October 28, 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  
OCTOBER 15, 2013**

Chairman Joseph Walsh called the executive session to order at 7:30 p.m. In attendance were Supervisors Candyce Fluehr Chimera, Michael Fox and Jeffrey McDonnell. Supervisor Robert Birch was absent. Also in attendance were Lawrence Gregan and Robert Iannozzi, Esquire.

Chairman Joseph Walsh called the action meeting to order at 8:01 p.m. In attendance were Supervisors Candyce Fluehr Chimera, Michael Fox and Jeffrey McDonnell. Supervisor Robert Birch was absent. Also in attendance were Robert Iannozzi, Esquire, Lawrence Gregan, Chief J. Scott Bendig, Kevin Costello, Bruce Shoupe, Shannon Drosnock, Ann Shade, Richard Lesniak, Stacy Crandell, Rich Grier and Shirley Snyder.

Following the Pledge of Allegiance, Chairman Joseph Walsh called for public comment from the audience. Mike Starner of 3429 County Line Road stated that on Friday evening he heard what he thought were gunshots and called 911. When the police arrived and checked the area, they found that the Bharatiya Temple was holding an event that included fireworks. Mr. Starner requested that neighbors be notified of these types of activities prior to the event. Chief J. Scott Bendig reported that a few issues surrounding this event had been reported and a meeting will be scheduled with the leaders of the Bharatiya Temple to discuss and resolve these issues for future events.

Township Solicitor Robert Iannozzi, Esquire reported that the Board met in an executive session earlier in the evening at 7:30 p.m. Mr. Iannozzi reported that two potential litigation matters and an update on the Zehr matter were discussed. Mr. Iannozzi 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 September 23, 2013 Board meeting, and Supervisor Michael Fox seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Ann Shade, Director of Administration and Human Resources, acknowledged the 2013 Autumn Festival Workers and Volunteers who participated in the Autumn Festival celebration on Saturday, October 5, 2013. The following service groups and committees were recognized for their service: Residents of Montgomery Township, Pennbrook Middle School Volunteer Corps, North Penn High School Junior ROTC, Volunteer FDMT, Volunteer Medical Service Corps, 300<sup>th</sup> Anniversary Committee, Senior Committee, Park and Recreation Board, Environmental Advisory Committee, Autumn Festival Committee and the Employees of Montgomery Township. Mrs. Shade reported that a total of about 173 volunteers participated during the course of the day. Supervisor Michael Fox expressed his appreciation to the Public Works Department for the new "wider" path around Windlestrae Park. Chairman Joseph Walsh thanked Ann Shade, Director of Administration and Human Resources and Sharon Tucker, Recreation Coordinator and Stacy Crandell, Assistant to the Township Manager and the entire staff for their time and dedication in making Autumn Festival a success. Resolution #1 made by Supervisor Michael Fox, seconded by Chairman Joseph Walsh and adopted unanimously, acknowledged the volunteers and workers for their diligent contributions toward the success of Autumn Festival held on October 5, 2013.

J. Scott Bendig, Chief of Police reported that on September 7 through September 9, 2013, two Montgomery Township Canine Teams participated in the United States Police Canine Association Regional Trials in Delaware County, Pennsylvania. Officer Dan Rose and Canine Duke placed 1<sup>st</sup> in the Novice Class (4<sup>th</sup> overall), and Officer Brian Schreiber and Canine Bauer placed 2<sup>nd</sup> in the Novice Class (10<sup>th</sup> overall). Each team received a trophy in every evaluation category while also obtaining their Police Dog I Certifications. Officer Rose/Canine Duke were

unable to attend the meeting as they were assisting a neighboring municipality in a search. Resolution #2 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, recognized Officer Dan Rose/Canine Duke and Officer Brian Schreiber/Canine Bauer for their outstanding achievements at the 2013 United States Police Canine Association Regional Field Trials.

Chairman Joseph Walsh announced that Maryann Hermann has submitted her resignation from the Industrial Development Authority and the Montgomery Township Pension Committee as she will be moving out of the Township. In addition, Jackie Keenan has submitted her resignation as an alternate member of the Zoning Hearing Board due to other obligations, but will continue serving on the committee until the end of the year, if needed. Resolution #3 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, accepted the resignations of Maryann Hermann from the Montgomery Township Industrial Development Authority and the Pension Committee and Jackie Keenan from the Zoning Hearing Board and thanked them both for their contributions to Montgomery Township.

Shannon Drosnock, Director of Finance reported that in July 2013 the Board of Supervisors approved the request to solicit proposals to perform the annual audits of the financial statements of the Township, FDMT and FDMT Relief Association. The Finance Committee met several times to review the proposals and is recommending that the Board engage the firm of Maillie and Company to perform the audits for the next three years. Resolution #4 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, accepted the proposal from Maillie and Company to perform the annual audits of the financial statements of the Township, Fire Department of Montgomery Township and the Fire Department of Montgomery Township Relief Association for



the periods ending December 31, 2013, December 31, 2014 and December 31, 2015, at an annual cost of \$29,000 per year in accordance with their proposal dated August 9, 2013.

Shannon Drosnock reported that the annual General Municipal Pension System State Aid allocation for 2013 has been received in the amount of \$435,048.16, which is an increase of 14% from the 2012 allocation. Resolution #5 made by Supervisor Michael Fox, seconded by Chairman Joseph Walsh and adopted unanimously, accepted the recommendation to allocate the 2013 Act 205 General Municipal Pension System State Aid to the Police Pension Plan in the amount of \$240,147.16 and to the Non Uniformed Employee Pension Plan in the amount of \$194,901.00.

Richard Lesniak, Director of Fire Services reported that the annual share of the allocation from the Commonwealth of Pennsylvania Foreign Fire Insurance Tax has been received. These funds are allocated by the State to support the Volunteer Fire Relief Association that serves the Township. Fifty percent of the allocation is based on the population of the Township and fifty percent is determined by the market value of real estate in the Township compared to the state average. Alex Olimpo, President of FDMT, Joel Silver, Treasurer of the FDMT Relief Association and Bill Goltz, Battalion Chief were present to accept the check. Resolution #6 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously acknowledged the presentation of a check in the amount of \$268,316.79 from the Commonwealth of Pennsylvania to the Fire Department of Montgomery Township Fire Relief Association.

Richard Lesniak reported that an annual evaluation for compliance with the applicable provisions of NFPA Standard 1911, Inspection, Maintenance, Testing and Retirement of In-Service Automotive Fire Apparatus was completed on the fire service vehicles. During the inspection several items related to the operation of the aerial device on Ladder 18 are in need of repair. Glick Fire Equipment Company, Inc, submitted an estimate to perform the repairs. It is

expected that Ladder 18 will serve Montgomery Township for at least the next ten years. The Department is recommending that the damaged equipment be repaired. Resolution #7 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized Glick Fire Equipment Company, Inc. of Bird In Hand Pennsylvania to perform repairs to the hydraulic cylinders on Ladder 18 at a cost of \$6,864.00.

Richard Lesniak reported that a training seminar entitled "Fire Department Administrative Investigations and Firefighter Discipline" is being held in Wilmington, Delaware on November 6<sup>th</sup> and 7<sup>th</sup> 2013. Mr. Lesniak is requesting the Board's approval to attend this out-of-state seminar. Resolution #8 made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, authorized the Director of Fire Services, Richard Lesniak, to attend the Public Agency Training Council's "Fire Department Administrative Investigations and Firefighter Discipline" course to be held on November 6<sup>th</sup> and 7<sup>th</sup> 2013 in Wilmington, Delaware.

Richard Lesniak reported that approval to attend two out-of-state training courses for Firefighter Robert Hedden were being requested. These courses are being offered through the New Jersey Center for Services at no charge to the attendees. Resolution #9 made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, authorized Firefighter Robert Hedden to attend the "International Fuel Gas Code/international Mechanical Code Update" course on October 31, 2013 in Lambertville, New Jersey. Resolution #10 made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, authorized Firefighter Robert Hedden to attend the "UCC special Inspections Program Requirements" course on November 6, 2013 in Bordentown, New Jersey.

Resolution #11 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, approved the construction escrow release by the Pulte Group for Montgomery Pointe Phase IIB – LDS#651P-B in the amount of \$1,990.00.

Resolution #12 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, approved the 3<sup>rd</sup> construction Escrow Release by the Pulte Group for Montgomery Pointe Phase III, LDS#651P in the amount of \$7,584.96.

Lawrence Gregan, Township Manager reported that the Township's Traffic Engineer, Traffic Planning and Design (TPD) has conducted a review of the need for the addition of a "No Turn on Red" restriction for the north bound approach of Upper State Road to Horsham Road. Based on the recommendation from the Police Department, a geometric review, review of traffic speed on Horsham Road and site distance at the intersection, TPD has prepared an application to be submitted to PennDOT to revise the traffic signal permit plan for this intersection to include the addition of this restriction. Resolution #13 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 the addition of a "No Turn on Red" restriction for the north bound approach of Upper State Road to Horsham Road.

Lawrence Gregan reported that the Simon Property Group, owner of the Montgomery Mall, is completing the construction of a new Wegmans Supermarket at the Mall. As part of the development, Simon has agreed to fund certain traffic improvements including improvements to the traffic signal at the intersection of Knapp Road and North Wales Road. To accomplish the improvements at this intersection, Simon has agreed to contribute \$300,000 to the Township to be used toward the design, permitting, right of way acquisition and construction of improvements. Resolution #14 made by Supervisor Michael Fox, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized execution of the Agreement with Simon Properties providing for the contribution of \$300,000 to the township to be used for the design, permitting, right of way acquisition and construction of improvements at the intersection of North Wales Road and Knapp Road.

**DRAFT**

Minutes of Meeting of October 15, 2013

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Chairman Joseph Walsh made a motion to approve the payment of bills. Supervisor Candyce Fluehr Chimera 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 8:35 p.m.



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Recognition of MMR Wolf Den Pack 547

MEETING DATE: October 28, 2013

ITEM NUMBER: #6

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

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BACKGROUND:

Wolf Den Pack 547, based at Mary Mother of the Redeemer, has asked to have a tour of the Township Building and take part in a public meeting. The Wolf Cubs are required to visit a government building as part of their achievements towards rank advancement. The Wolf Den Pack 547 has the following members:

- Jeremy Banks
- William Bernal
- Ryan Caspar
- Luke Drelick
- Zachary Duhl
- Anthony Kremzoukou
- Michael Lagrutta
- Connor Thomson
- Evan Wescoe

Earlier this evening, the cubs were given a tour of the police department and brief overview of the Township.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION:

The Board should announce the Wolf Den Pack 547 and thank them for attending the meeting to learn more about the Township.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby recognize Wolf Den Pack 547 for their interest in taking an active role in learning more about the Township and how they can become further involved residents.

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

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SUBJECT: Announce Date of Fall 2013 Curbside Leaf Waste Collection

MEETING DATE: October 28, 2013

ITEM NUMBER: #7

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

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BACKGROUND:

In compliance with DEP regulations, the Township contracts with Republic Services, Inc. DBA BFI Waste Services of PA, LLC to provide curbside leaf and yard waste collection twice a year in the Fall and the Spring from residential properties in the Township. The Fall 2013 curbside leaf and yard waste collection is scheduled for Saturday, November 16, 2013.

In order to participate in the collection, residents must place the collected leaf and yard waste materials in biodegradable paper bags at the curb prior to 7:00AM that day for collection.

In addition to the curbside leaf waste collection on that day, the Township will be conducting their monthly leaf and yard waste drop off collection at William F. Maule Park at Windlestrae (Main Section/Kenas Road) from 8AM to Noon. This drop-off occurs monthly on the third Saturday of every month.

Leaf and yard waste materials collected are disposed of at the Barnside Farm Compost Facility (DEP approved compost facility) via a contract with the Northern Montgomery County Recycling Commission (NMCRC).

This information has been placed on the Township's website, cable channel and distributed by e-news to all registered participants.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT:

This is a budgeted item under the Environmental Fund, which allows for two yearly curbside collections along with a monthly dumpster drop-off.

RECOMMENDATION:

The Board is requested to announce the information regarding the collection program.

MOTION/RESOLUTION: None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Announce Board/Commission Appointments/Resignation

MEETING DATE: October 25, 2013

ITEM NUMBER: #8

MEETING/AGENDA: WORK SESSION      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

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BACKGROUND:

Vacancies currently exist on the Montgomery Township Industrial Development Authority and the Zoning Hearing Board.

Edward Diasio, resident of 132 Summer Ridge Drive has expressed an interest in serving as an Alternate on the Zoning Hearing Board. Mr. Diasio currently serves as an Elected Auditor for the Township and has submitted his resignation as Elected Auditor effective October 25<sup>th</sup> to accept this appointment.

Dan Baker, resident at 194 Pinecrest Lane has expressed an interest in serving on the Montgomery Township Industrial Development Authority.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Accept the resignation of Edward A. Diasio from his position as Elected Township Auditor and approve his appointment to serve as an "Alternate" on the Zoning Hearing Board for a term to expire on January 1, 2014; and, approve the appointment of Dan Baker to the Montgomery Township Industrial Development Authority for a term to expire on January 1, 2015.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept the resignation of Edward A. Diasio from his position as Elected Township Auditor and approve his appointment to serve as an "Alternate" on the Zoning Hearing Board for a term to expire on January 1, 2014; and,

BE IT FURTHER RESOLVED by the Board of Supervisor of Montgomery Township that we hereby approve the appointment of Dan Baker to the Montgomery Township Industrial Development Authority for a term to expire on January 1, 2015.

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

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SUBJECT: Public Hearing - Change of Zoning Request – Terra Vista, LLC – Billboard Limited Industrial Overlay District – Extension – Ordinance #13-274-Z

MEETING DATE: October 28, 2013

ITEM NUMBER: #9

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

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

BOARD LIAISON: Joseph P. Walsh  
Chairman

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BACKGROUND:

Attached is an application for a change of zoning submitted by Terra Vista, LLC. They are proposing that the Township consider extending the Billboard Overlay District further north on Bethlehem Pike toward the intersection of Stump Road. The application identifies four properties which are located south of Stump Road along southbound Bethlehem Pike. The request is that the Billboard Overlay District be allowed on the southbound side of Bethlehem Pike starting approximately 420 feet south of the centerline of Stump Road for a distance of 990 feet with a depth of 150 feet from the centerline of Bethlehem Pike. A copy of the proposed ordinance which would provide for the zoning amendment is attached, as well as review letters from the Township consultants.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

Public hearing was advertised for this date.

ALTERNATIVES/OPTIONS:

The Board could approve or deny this request.

BUDGET IMPACT:

None

RECOMMENDATION:

That the rezoning request be approved.

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 B. Bartle, Esq.

Resolution #

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township this 28<sup>th</sup> day of October 2013, that we hereby approve Ordinance #13-274-Z, which amends the Zoning Map by extending the Billboard Limited Industrial Overlay District along the frontages of the following parcels: 460000301004; 460000304001; 460000295001; 460000298007 on the southbound side of Bethlehem Pike starting approximately 420 feet south of the centerline of Stump Road and extending the overlay district 990 lineal feet.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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



(# M-13-53)

ORDINANCE # 13-274-2

## Application for Change in Zoning

Montgomery Township, Montgomery County, Pennsylvania

Date of Application: June 7, 2013

Application is hereby made for an amendment to the Code of the Township of Montgomery, Chapter 230 and the Montgomery Township Zoning Map.

Applicant's name: (Corporation) Terra Vista LLC

Person making application: John Antonucci

Applicant's address: 320 Stump Rd.  
North Wales, PA 19454

Phone # 215-416-4718 Fax # \_\_\_\_\_

E-Mail j.saland@comcast.net

Owner's name (title holder) Terra Vista LLC  
- Attach copy of Deed

Owner's Address 320 Stump Rd.  
North Wales, PA 19454

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_

E-Mail \_\_\_\_\_

Equitable owner: \_\_\_\_\_  
- Attach copy of Deed and Agreement of Sale

Applicant's Attorney Robert J. Kerns

Attorney's Address 298 Wissahickon Ave.  
North Wales, PA 19454

Phone # 215-855-9521 Fax # 215-855-9121

E-Mail rjkerns@kernslaw.com

Description of Property Involved:

Location 320 Stump Rd., North Wales, PA 19454: 1010 Bethlehem  
Block & Unit # Block 19, Units 20, 17, 49 and 3 Pike, North  
Present Zoning Classification LI (Limited Industrial) and C (Commercial) Wales, PA  
Parcel Size 15.39 Acres; 14,306 square feet 19454

Applicant's Reasons for Rezoning Request:

see attached.

Applicant requests that above referenced tract be changed in zoning classification from a

LI (Limited Industrial) and C (Commercial) district to a  
BLI (Billboard Limited Industrial Overlay) district.

Montgomery Township Rezoning Application Checklist:

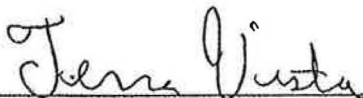
1. Plans attached to Petitions for Rezoning shall contain the following information:
  - a) Plans to be prepared by a Registered Land Surveyor or Professional Engineer.
  - b) Name, date, address of the Surveyor or Engineer preparing the plans and description.
  - c) Complete scaled dimensions of property involved (all bearings and distances).
  - d) Block and unit number of property involved
  - e) Owners of record of all adjoining properties, including deed book and page number. Attach a separate list to petition.
  - f) Zoning classification of all adjoining properties.
  - g) Existing use of all adjoining properties regardless of zoning classification.
  - h) Existing use of subject property involved regardless of zoning classification.

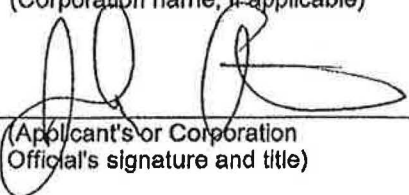
- i) Description using the dimensions as shown on this plan.
  - j) Area of property involved to be shown in acreage and square feet.
  - k) If owner of tract, include a copy of the Deed with the application. If equitable owner, include a copy of the Deed and latest Agreement of Sale.
  - l) Width of abutting roadway (right-of-way, cartway, improved or unimproved).
  - m) If lot is in subdivision, show lot number(s), section number, name and recording information of the subdivision.
- 2. Any other information as may be required by the Zoning Officer of Montgomery Township.
  - 3. Twenty (20) sets of plans and descriptions, attached to the Rezoning Petition, and folded to no larger than 8.5" x 11".
  - 4. Four (4) copies of a traffic study for the site (see Chapter 205, Article XVI for details).
  - 5. Two checks made payable to "Montgomery Township".

- Filing Fee	\$2,000.00
- Escrow Deposit	\$5,000.00
- Administrative fee of 7% of charges incurred in conjunction therewith; if none incurred, minimum administrative fee of \$50.00.	

All application fees paid are non-refundable and intended to cover all overhead, administrative and miscellaneous expenses of the Township. Escrow deposits will be returned to the applicant, without interest, after the proceedings are complete and after all appropriate charges have been made to the escrow account.

I verify that the statements made in the above application are true and correct. I understand that false statements herein are made subject to penalties of 18PACS S4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
(Corporation name, if applicable)

  
\_\_\_\_\_  
(Applicant's or Corporation  
Official's signature and title)

Revised 1-2012

**Applicant's Reasons for Rezoning Request:**

Applicant seeks to extend the BLI (Billboard Limited Industrial Overlay District) to parcels 46-00-00301-00-4, 46-00-00304-00-1, 46-00-00295-00-1; 46-00-00298-007. This is an extension of the BLI allowing applicant to construct a billboard on his property. Due to the spacing requirements in the BLI, the extension to the above-mentioned parcels only, will mean that this is the only billboard to be constructed in the newly extended BLI. The extension will be consistent with the zoning and uses of the surrounding area.

**MONTGOMERY TOWNSHIP**  
Montgomery County, Pennsylvania

ORDINANCE #13-274-Z

---

AN ORDINANCE AMENDING THE MONTGOMERY TOWNSHIP ZONING MAP TO EXTEND THE LIMITS OF THE BLI-BILLBOARD LIMITED INDUSTRIAL OVERLAY DISTRICT ONTO THE FOLLOWING FOUR PROPERTIES TO A DEPTH OF 150 FEET (FROM AND MEASURED PARALLEL TO THE CENTERLINE OF ROUTE 309/BETHLEHEM PIKE) FOR AN OVERALL LENGTH OF 990-FEET: 46-00-00301-00-4; 46-00-00304-00-1; 46-00-00295-00-1; 46-00-00298-00-7

---

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

**MONTGOMERY TOWNSHIP**  
Montgomery County, Pennsylvania

ORDINANCE #13-274-Z

---

AN ORDINANCE AMENDING THE MONTGOMERY TOWNSHIP ZONING MAP TO EXTEND THE LIMITS OF THE BLI-BILLBOARD LIMITED INDUSTRIAL OVERLAY DISTRICT ONTO THE FOLLOWING FOUR PROPERTIES TO A DEPTH OF 150 FEET (FROM AND MEASURED PARALLEL TO THE CENTERLINE OF ROUTE 309/BETHLEHEM PIKE) FOR AN OVERALL LENGTH OF 990-FEET: 46-00-00301-00-4; 46-00-00304-00-1; 46-00-00295-00-1; 46-00-00298-00-7

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**NOW, THEREFORE,** it is hereby **ENACTED** and **ORDAINED** by the Montgomery Township Board of Supervisors that the Township's Zoning Map shall be shall be amended as follows:

**SECTION 1. Amendment to Township's Zoning Map.**

The following four properties (designated below by tax parcel number) are hereby classified on the Zoning Map as having a "BLI-Billboard Limited Industrial Overlay District" to a depth of 150 feet (from and measured parallel to the centerline of Route 309/Bethlehem Pike) for an overall length of 990-feet, and as such, are incorporated in and made a part of the Township's Zoning Ordinance:

46-00-00301-00-4  
46-00-00304-00-1  
46-00-00295-00-1  
46-00-00298-00-7

The Township Engineer is directed to revise the Zoning Map, as last revised, to incorporate these parcels into the "BLI-Billboard Limited Industrial Overlay District", at the depth and length set forth above, and more fully identified in the BLI-Billboard Limited Industrial Overlay District" plan attached Appendix 1.

**Note:** The ordinance is an extension of the BLI-Billboard Limited Industrial Overlay District, it is not a rezoning of the above parcels. Specifically, the provisions and requirements of the "BLI-Billboard Limited Industrial Overlay District" now extended to these parcels shall be supplemental to the applicable provisions and requirements of the Limited Industrial District, the underlying zoning district in which the above properties are located.

**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. This Ordinance shall in no other way alter or modify Chapter 230 of the Montgomery Township Code. Any other terms and provisions of the Chapter 230 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 THE NEXT PAGE]



**DRAFT**

**ORDAINED AND ENACTED** this \_\_\_\_\_ day of October 2013, by the  
Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

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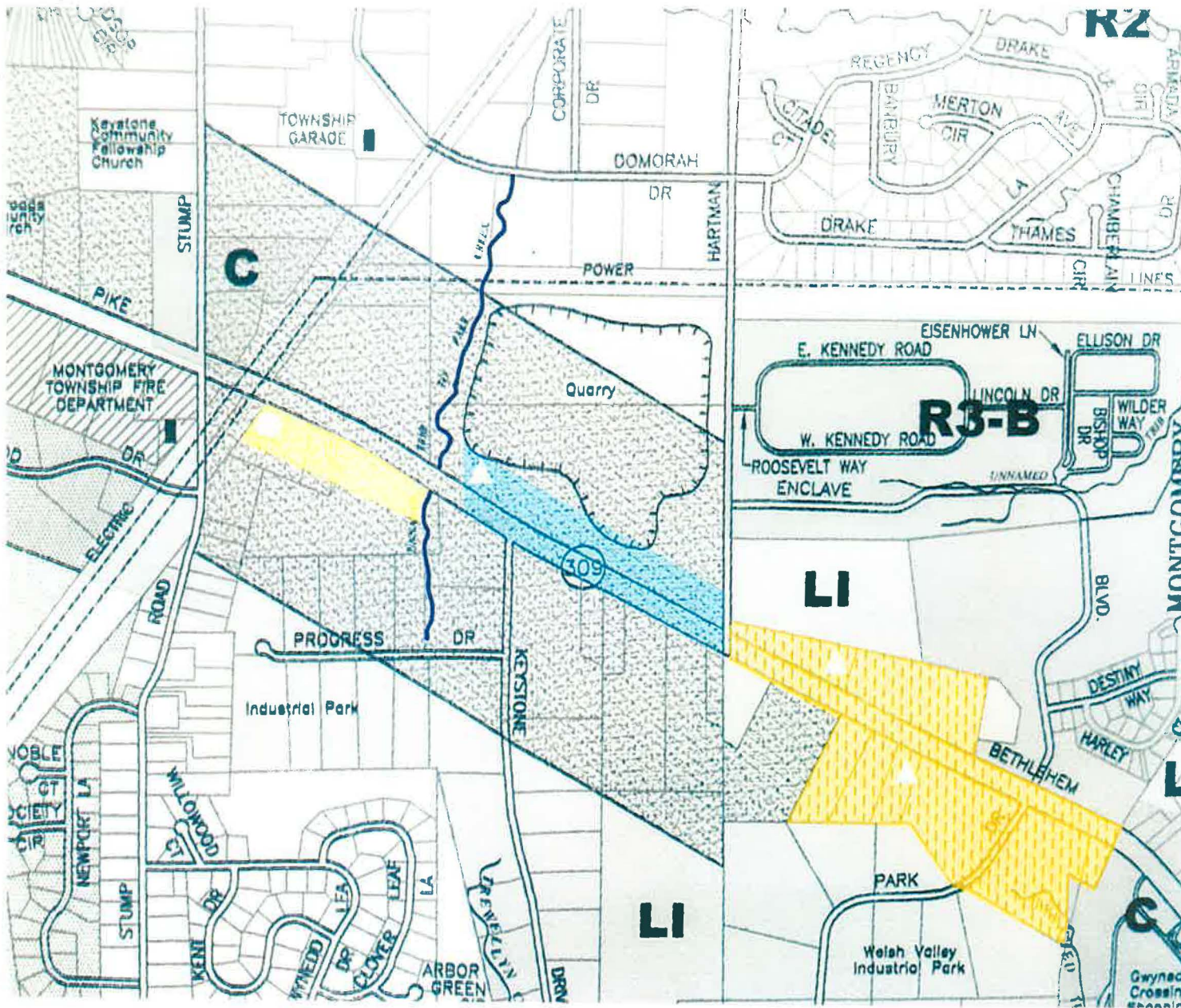
JOSEPH P. WALSH  
*Chairperson*

[Seal]

Attested by:

---

LAWRENCE J. GREGAN  
*Township Manager/ Secretary*



## Legend

- EXTENDED BILLBOARD DISTRICT
- EXISTING BILLBOARD OVERLAY
- NEWLY ADOPTED BILLBOARD OVERLA
- CREEK
- PROPOSED BILLBOARD
- EXISTING BILLBOARD

# 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, October 28, 2013, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a hearing on the following ordinance amendment:

**ORDINANCE 1:** An ordinance amending the Montgomery Township Zoning Map to extend the limits of the BLI-Billboard Limited Industrial Overlay District on the following four properties to a depth of 150 feet (from and measured parallel to the centerline of Route 309/Bethlehem Pike) for an overall length of 990 feet:

46-00-00301-00-4

46-00-00304-00-1

46-00-00295-00-1

46-00-00298-00-7

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.

At the conclusion of the hearing, 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. 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.  
**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 14th, 21st day of October A.D., 2013

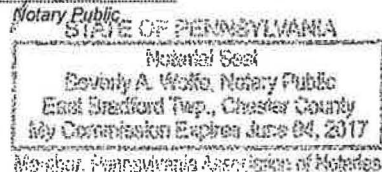
and that said advertising was inserted in all respects as ordered.

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*

Sworn to and subscribed before me this date

*Beverly A. Wolfe*



My Commission Expires:

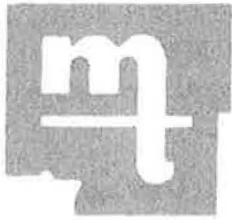
## Statement of Advertising Costs

MONTGOMERY TOWNSHIP  
1001 STUMP ROAD  
MONTGOMERYVILLE, PA 18936

For publishing the notice or advertisement attached hereto on

the above stated date.....	\$	670.38
Notary Fee.....	\$	5.00
Total.....	\$	675.38





**MONTGOMERY TOWNSHIP  
DEPARTMENT OF PLANNING AND  
ZONING**

1001 STUMP ROAD  
MONTGOMERYVILLE, PA 18936-9605  
Telephone: 215-393-6920 • Fax: 215-855-1498  
[www.montgomerytp.org](http://www.montgomerytp.org)

**BRUCE S. SHOUPÉ**  
Director of Planning and Zoning

**MARIANNE J. McCONNELL**  
Deputy Zoning Officer

September 24, 2013

re: Amendment to BLI-Billboard Overlay District Ordinance

Dear Neighbor:

This letter is to advise you that the Montgomery Township Board of Supervisors has received an application for a change of zoning submitted by Terra Vista, LLC. They are proposing that the Township consider extending the Billboard Overlay District further north on Bethlehem Pike toward the intersection of Stump Road. The application identifies four properties which are located south of Stump Road along southbound Bethlehem Pike. The request is that the Billboard Overlay District be allowed on the southbound side of Bethlehem Pike starting approximately 420 feet south of the centerline of Stump Road for a distance of 990 feet with a depth of 150 feet from the centerline of Bethlehem Pike.

In order to receive public comment on this request, the Board of Supervisors has set **Monday, October 28, 2013**, after 8:00 p.m., in the Township Building as the date, time and place for a public hearing.

As you are a nearby property owner, or had previously expressed interest in this application, we wanted to advise you of this hearing date. Copies of this application are available for inspection in the Township Building during normal office hours.

Sincerely,

Bruce S. Shoupe  
Director of Planning  
and Zoning



10/18/2013



No. \_\_\_\_\_

ORDINANCE # 13-274-2

20 13

# ZONING NOTICE

TERRA VISTA, LLC

has appealed to the [REDACTED] for con-

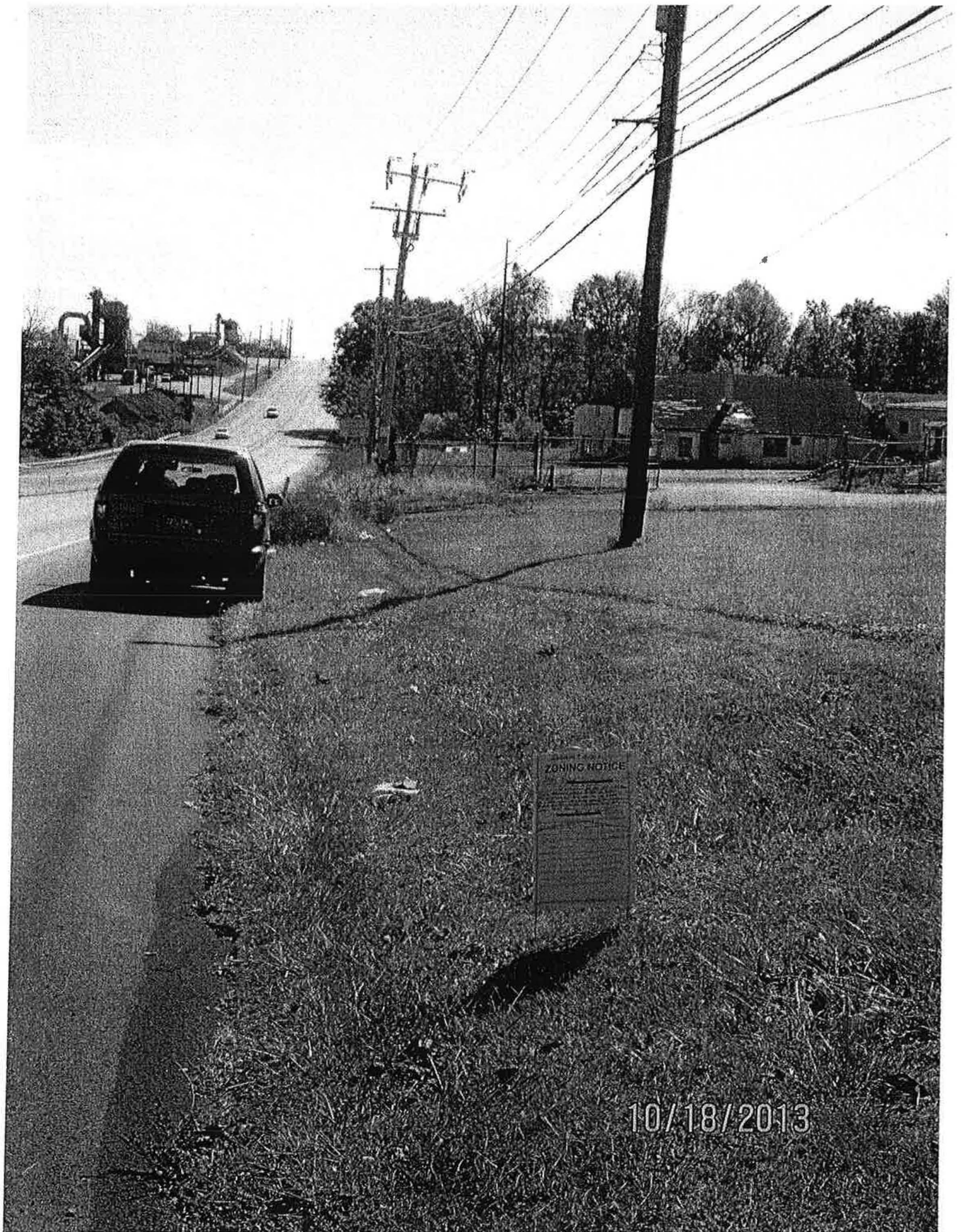
sideration of an extension of the B-1 District  
located in the District to parcels 46-0-034-0-4,  
46-0-034-0-1, 46-0-035-0-1, 46-0-038-0-1.  
This would permit the construction of a  
Billboard at this location along Route 309  
near Stump Road.

The [REDACTED] Board of Supervisors under authority  
of the MONTGOMERY TOWNSHIP ZONING ORDINANCE  
invites all interested parties to appear and be heard at a  
PUBLIC HEARING to be held in the Montgomery Township  
Building located at 1001 Stump Road, on October 18, 2013  
at 7:00 p.m.

THIS ZONING NOTICE must be displayed in a conspicuous  
place in FRONT of the premises PLAINLY VISIBLE TO  
PASSERSBY and kept there for the Seven Days preceding  
the PUBLIC HEARING. The applicant is responsible for  
the maintenance of this notice and should it be destroyed or  
removed, must immediately obtain another copy.

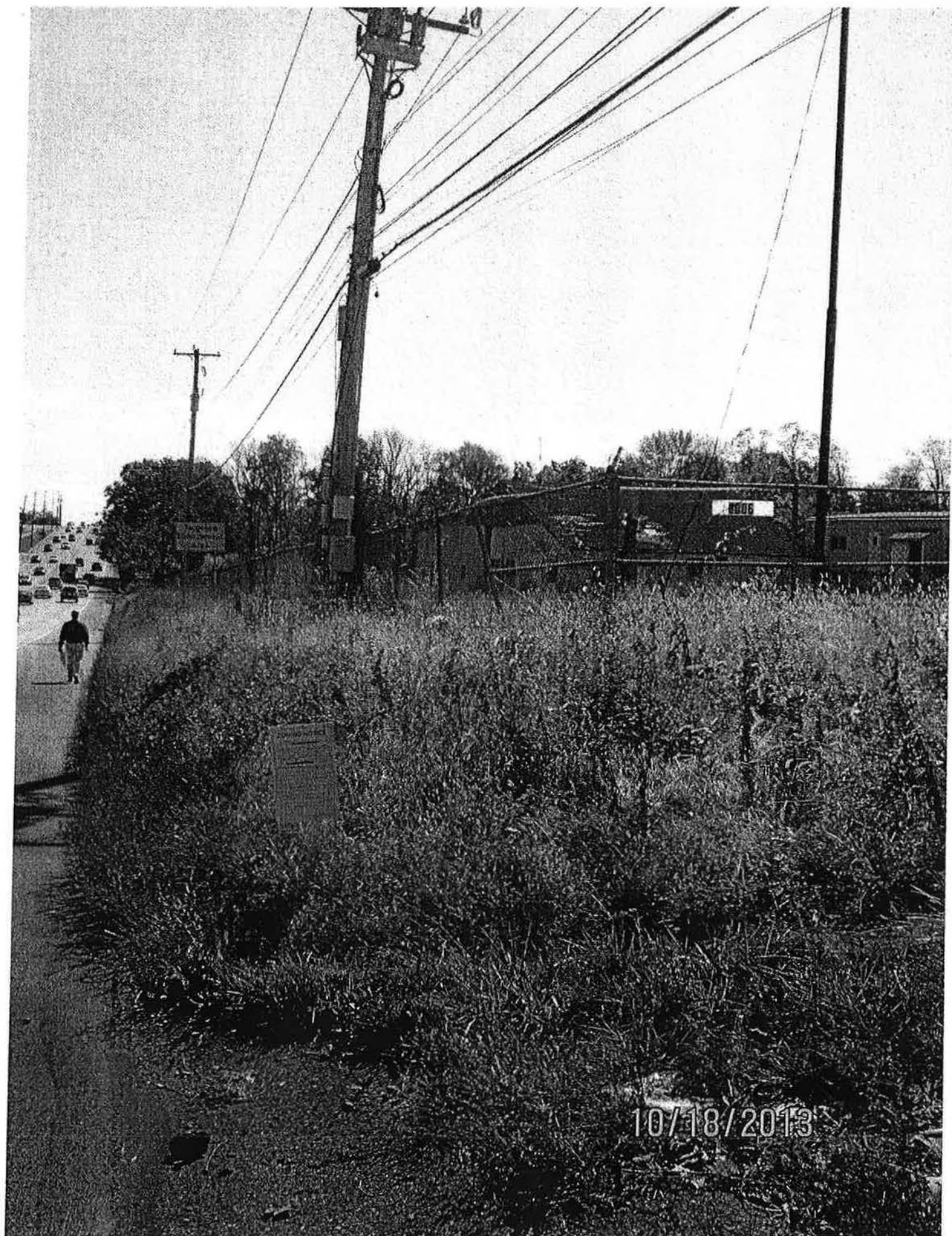
[Signature]  
Zoning Officer

10/18/2013



10/18/2013







10/18/2013



**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](http://WWW.MONTCOPA.ORG/PLANNING)

JODY HOLTON, AICP  
EXECUTIVE DIRECTOR

July 17, 2013

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

Re: MCPC # 07-0161-003  
Amend the Billboard Limited Industrial  
District Overlay District Map  
Montgomery Township

Dear Mr. Gregan:

We have reviewed the above-referenced zoning map amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as requested by Marita Stoerrle, Township Development Coordinator on June 17, 2013. We forward this letter as a report of our review and recommendations.

### **Background**

The application is a new proposal put forward by the applicant, Terra Vista, LLC. that would amend the Township's Zoning Map by extending the BLI-Billboard Limited Industrial Overlay District to four tax parcels along Route 309 (Bethlehem Pike). The proposal would change the designation to BLI- Billboard Limited Industrial District for the parcels which are currently zoned LI-Limited Industrial District.

The map amendment is proposed for the following tax parcels all located on the south side of Bethlehem Pike, US Rt. 309:

- Tax Parcel # 46-00-00301-00-4, a 2.144 acres; 170 ft. of roadway frontage
- Tax Parcel # 46-00-00304-00-1, a 22,000 sq. ft.; 146 ft. of roadway frontage
- Tax Parcel # 46-00-00295-00-1, 68,126 sq. ft., with 123 ft. of roadway frontage
- Tax Parcel #46-00-00298-00-7, 11.18 acres. with 607 ft. of roadway frontage

The BLI District Overlay currently extends along Route 309 south of the subject parcels for approximately +/- 4250 ft. In the area immediately south of the subject parcels, the overlay designation is on the north side of US Route 309.

The applicant's documentation states the reason for the change in the zoning map designation is their desire to construct a billboard on the property. In their view, due to the required spacing setbacks between billboard signs, only one billboard is permitted within the four parcels' roadway frontage.

## Review Comments

### 1. Compatibility with the Township Vision and Plans for this area of Bethlehem Pike

The BLI- Billboard Limited Industrial Overlay District is proposed for extension in an area of the Rt. 309 corridor which currently has four under-utilized and/or vacant properties. The parcels total 15.38 acres which we believe provides the township with a good opportunity for future economic redevelopment and reinvestment potential which could produce greater value in the corridor's highway/commercial land uses. We suggest that extending the BLI District to this area runs counter to the goal of attracting a higher quality land use that the township may be seeking for this gateway area.

We consider the extension of the BLI-District Overlay as incompatible with the township's stated vision for future land use as documented in its Comprehensive Plan. The vision map of this document designates this area as a special area designated as - "C". It states "*for most people, this is the entry driveway into Montgomery Township*"; adding that "*older buildings in this area should be improved or replaced and the streetscape significantly improved.*" We believe that permitting a billboard use does not advance the township's adopted vision for an improved streetscape, and may actually hinder the reinvestment that is needed to promote the stated vision.

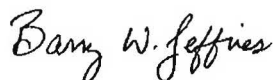
## Recommendation

We do not support the proposed map amendment to extend the BLI-Billboard Limited Industrial Overlay Map Amendment to the four parcels detailed above and recommend the Township not approve the amendment 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.

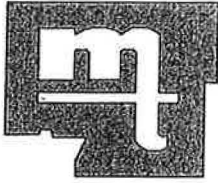
Should the governing body approve this amendment, Section 607 and 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Barry W. Jeffries, ASLA  
Senior Design Planner

c: Marita Stoerrle, Township Development Coordinator  
Jonathan Trump, Chrm., Township Planning Commission  
Bruce Shoupe, Township Zoning Officer  
Frank A. Bartle, Township Solicitor  
Ken Amy, Township Planning Consultant



## **MEMORANDUM**

**TO:** Board of Supervisors

**FROM:** Planning Commission  
Jonathan Trump, Chairman

**DATE:** October 3, 2013

**RE:** Ordinance #13-276-Z  
Extension of BLI – Billboard Limited Industrial Overlay District  
Terra Vista

The Planning Commission has reviewed the proposed ordinance amendment regarding the extension of the BLI-billboard Limited Industrial Overlay District as submitted by Terra Vista and would like to recommend to the Board of Supervisors that the ordinance be approved.



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

September 6, 2013

File No. 13-06050

Bruce S. Shoupe  
Director of Planning and Zoning  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936-9605

Reference: Rezoning Application  
Terra Vista, LLC

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the proposed Zoning Ordinance Text Amendment. The Applicant seeks to extend the BLI – Billboard Limited Industrial Overlay District a depth of 150 feet from the centerline of Bethlehem Pike within parcels 46-00-00301-00-4, 46-00-00304-00-1, 46-00-00295-00-1 and 46-00-00298-00-7. The subject parcels are located along the south bound side of Bethlehem Pike (S.R. 309) between Stump Road and Keystone Drive and are within LI – Limited Industrial District and the HLI - Highway Limited Industrial Overlay District. If adopted, the proposed rezoning will allow for an additional billboard sign along Bethlehem Pike.

The 2008 Montgomery Township Comprehensive Plan Update identifies the subject area as Area C and notes the area has the potential for streetscape improvements but does not specifically address the BLI overlay. From an engineering perspective we do not have comments regarding the requested rezoning.

If you have any questions regarding the above, please contact this office.

Sincerely,

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

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

RSD/JPD/si

cc: Lawrence J. Gegan, Manager - Montgomery Township  
Marita A. Stoerle, Development Coordinator - Montgomery Township  
Kevin Johnson, P.E. - Traffic Planning & Design, Inc.  
Judith Stern Goldstein, ASLA, R.L.A. - Boucher & James, Inc.  
Ken Amey, AICP  
John Antonucci, Terra Vista, LLC  
Robert J. Kerns, Kerns, Pearlstine, Onorato & Hladik, LLP





# TRAFFIC PLANNING AND DESIGN, INC.

2500 EAST HIGH STREET, STE 650  
POTTSTOWN, PA 19464

PHONE: 610.326.3100  
FAX: 610.326.9410

TPD@TRAFFICPD.COM  
WWW.TRAFFICPD.COM

September 9, 2013

Mr. Bruce S. Shoupe  
Township Director of Planning and Zoning  
Montgomery Township  
1001 Stump Road  
Montgomeryville, PA 18936-9605

Re: Terra Vista, LLC  
BLI Rezoning Application Review  
TPD# MOTO-A-0007

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the application for rezoning made by Terra Vista, LLC. The application proposes to extend the Billboard Limited Industrial Overlay District (BLI) to parcels 46-00-00301-00-4, 46-00-00304-00-1, 46-00-00295-00-1 and 46-00-00298-00-7.

Without a site specific sign application, TPD cannot offer comments relative to sign placement, visibility and/or legibility. The following comments are general comments relative to the four (4) parcels and their frontage to Bethlehem Pike.

## Traffic Engineering Comments

1. Extending the BLI overlay to the four (4) identified parcels would not create conflicts with PennDOT regulations regarding outdoor advertising (PA Code Title 67, Chapter 445)
2. The parcels considered in the application have approximately 990 feet of frontage along Bethlehem Pike (Route 309). As stated in the BLI ordinance, no billboards may be erected within 1,500 feet of any other billboard on the same side of the public street or road. Such spacing limits the number of potential billboards that could be erected as a result of this extension of the BLI overlay to one (1).

We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,

Kevin L. Johnson, P.E.  
President

cc: Larry Gegan, Township Manager  
Marita Stoerrle, Township Development Coordinator  
Kevin Costello, Township Public Works Director  
Russ Dunlevy, P.E., Township Engineer  
Joseph Platt, P.E., TPD



## MONTGOMERY TOWNSHIP POLICE DEPARTMENT

J. Scott Bendig  
Chief of Police

1001 Stump Road • P.O. Box 68 • Montgomeryville, PA 18936  
215-362-2301 • Fax 215-362-6383

To: Montgomery Township Board of Supervisors  
Marita Stoerrle, Development Coordinator  
From: Scott Bendig, Chief of Police *JSB*  
Date: June 19, 2013  
Re: Rezoning Application Review  
Terra Vista, LLC

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A review of the above referenced rezoning application has been conducted on this date. There are no major areas of concern to the police department at this time.

Thank you for the opportunity to review this rezoning application. Please contact me if you have any issues or concerns.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Request for Waiver of Conflict - Representation of Somerville Montgomery, LP

MEETING DATE: October 28, 2013

ITEM NUMBER: #10

MEETING/AGENDA: ACTION XX

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

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BACKGROUND:

Robert Brandt, Esq. has advised that he has been requested to represent Somerville Montgomery, LP. in connection with an application for Zoning Relief associated with an application for conversion of the Signature Furniture store at 640 Cowpath Road to a BJ's Wholesale Club. Mr. Brandt currently serves as special counsel to the Township in two Eminent Domain proceedings relating to the Township's acquisition of the Zehr Tract. Mr. Brandt has submitted the attached request asking the Board for a waiver of any conflict so that he can proceed to represent Somerville Montgomery, LP on this project in the Township.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION: Subject to advice and concurrence of the Township Solicitor, approve the requested waiver of conflict.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the waiver of any conflict of interest for Robert Brandt, Esq. to represent Somerville Montgomery, LP in connection with any applications for conversion of the Signature Furniture store at 640 Cowpath Road to a BJ's Wholesale Club.

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.

*Robert L.*  
**Brant**  
**& ASSOCIATES**  
*attorneys at law*

572 West Main Street · P.O. Box 26865 · Trappe PA 19426 · Phone: 610.489.9199 · Fax: 610.489.6815

*Robert L. Brant · Wendy Feiss McKenna · Blake E. Dunbar, Jr. · Robert D. Reber, Jr.*

October 22, 2013

**Via E-mail lgregan@montgomerytp.org & First Class Mail**

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

**Re: Application of Somerville Montgomery LP to  
the Montgomery Township Zoning Hearing Board;  
Premises: 640 Cowpath Road, Montgomery Township,  
Montgomery County, Pennsylvania**

Dear Larry:

I have been asked by Somerville Montgomery, LP (hereinafter, "Somerville") to represent them in connection with an Application to the Montgomery Township Zoning Hearing Board regarding the premises at 640 Cowpath Road, Montgomery Township, Montgomeryville, Pennsylvania, for a project known as "BJ's Wholesale Club". As you know, I am currently representing the Montgomery Township Board of Supervisors as special counsel in two Eminent Domain proceedings relating to the Zehr tract: Condemnation Proceedings of Montgomery Township and the Zehr Family Limited Partnership No. 1; Montgomery County C.C.P. No. 2010-31644; and Condemnation Proceedings of Montgomery Township and the Zehr Family Limited Partnership No. 2; Montgomery County C.C.P. No. 2010-31650. I would like to represent Somerville but any representation of that company would be subject to obtaining a waiver by the Supervisors of any conflict of interest. Clearly the matters are unrelated but it is prudent for me to request permission of the Board to waive such a conflict. Somerville has already waived my conflict.

Lawrence J. Gregan, Manager  
Montgomery Township  
October 22, 2013  
Page 2

Accordingly, this will serve as my request to have the Board of Supervisors waive any conflict in my representation of Somerville in connection with their Application before the Zoning Hearing Board. Obviously, I would not undertake representation of Somerville should the Board not waive the conflict. Thank you for your cooperation and courtesies.

Very truly yours,

Robert L. Brant

RLB/mke

cc: Frank R. Bartle, Esquire

Mr. Richard Birdoff, Somerville Montgomery, LP

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Construction Escrow Release #3 - Keystone Homebrew LDS#657

MEETING DATE: October 28, 2013

ITEM NUMBER: # 11

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 third escrow release for this project. The current release is in the amount of \$225,397.30. The new balance would be \$ 189,520.65.

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
Candye 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: 9/24/13

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

G&A Project #: 2013-05010

Release #: 3

Dear Mr. Dunlevy:

This is an escrow release request in the amount of \$ 225,397.30. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

**ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.**

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

Date: 10/22/13

Dear Mr. Gegan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$ 225,397.30 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.

Jan P. Day 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 \$ 225,397.30, 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 \$ 225,397.30; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$ 225,397.30; 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 \$ 119,445.00 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$ 189,520.65 in escrow.

MOTION BY: \_\_\_\_\_

VOTE: \_\_\_\_\_

SECOND BY: \_\_\_\_\_

DATED: \_\_\_\_\_

RELEASED BY: \_\_\_\_\_

Department Director



**GILMORE & ASSOCIATES, INC.**

ENGINEERING & CONSULTING SERVICES

October 22, 2013

File No. 2013-05010

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

Reference: Financial Security Release 3  
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 \$225,397.30 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](http://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		
PROJECT OWNER:	Keystone Homebrew Supply, Inc.	TOTAL ESCROW POSTED:	\$ 534,362.95	AMOUNT OF THIS RELEASE:	\$ 225,397.30
MUNICIPALITY:	Mongtomery Township	TOTAL ENG/INSP/LEGAL:	\$ 30,000.00	PRIOR ESCROW RELEASED:	\$ 119,445.00
ESCROW AGENT:				TOTAL ESCROW RELEASED TO DATE:	\$ 344,842.30
TYPE OF SECURITY:	Letter of Credit	MAINTENANCE BOND AMOUNT FOR THIS PROJECT:	\$ 72,867.68		
AGREEMENT DATE:				BALANCE AFTER CURRENT RELEASE:	\$ 189,520.65
			RELEASE NO.:	3	
			RELEASE DATE:	10/23/13	

ESCROW TABULATION					CURRENT RELEASE	RELEASED TO DATE	AVAILABLE FOR RELEASE	RELEASE REQ # 1
					TOTAL	TOTAL	TOTAL	
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
<b>I. EROSION CONTROL</b>								
1. Stone Construction Entrance	EA	1	\$ 1,250.00	\$ 1,250.00		\$ -	1.00	\$ 1,250.00
2. 18" Silt Fence	LF	100	\$ 1.80	\$ 180.00		\$ -	100.00	\$ 180.00
3. Super Silt Fence	LF	180	\$ 8.50	\$ 1,530.00		\$ -		\$ -
4. Inlet Filters	EA	4	\$ 115.00	\$ 460.00		\$ -	4.00	\$ 460.00
5. Stone Filters	EA	1	\$ 154.00	\$ 154.00		\$ -	1.00	\$ 154.00
6. Temporary Seeding - Stockpile Only	LS	1	\$ 775.00	\$ 775.00		\$ -		\$ -
<b>II. DEMOLITION</b>								
1. Rail Road Tie Removal	LS	1	\$ 13,740.00	\$ 13,740.00		\$ -		\$ -
2. Existing Storm Sewer Removal	LF	145	\$ 6.00	\$ 870.00	45.00	\$ 270.00	1.00	\$ 13,740.00
3. Tree Removal	LS	1	\$ 2,950.00	\$ 2,950.00		\$ -	145.00	\$ 870.00
4. Existing Pavement Removal	SY	2,100	\$ 2.65	\$ 5,565.00		\$ -	1.00	\$ 2,950.00
5. Remove Existing Septic System	LS	1	\$ 1,075.00	\$ 1,075.00	2100.00	\$ 5,565.00		\$ -
6. Utility Pole Removal	EA	3	\$ 425.00	\$ 1,275.00		\$ -	2100.00	\$ 5,565.00
<b>III. ROUGH GRADE SITE</b>								
1. Strip Topsoil	CY	520	\$ 2.80	\$ 1,456.00		\$ -	3.00	\$ 1,275.00
2. Site Cut / Fill	CY	602	\$ 4.50	\$ 2,709.00		\$ -		\$ -
3. Cut to Excess	CY	930	\$ 4.25	\$ 3,952.50	45.00	\$ 270.00	1.00	\$ 13,740.00
4. Dispose of Excess	CY	930	\$ 15.00	\$ 13,950.00		\$ -	145.00	\$ 870.00
<b>IV. STORM SEWER (INTERIOR)</b>								
1. RCP 15" CI 3 M/J	LF	144	\$ 45.00	\$ 6,480.00		\$ -		\$ -
2. RCP 18" CI M/J	LF	42	\$ 47.00	\$ 1,974.00	202.00	\$ 909.00	602.00	\$ 2,709.00
3. RCP 18" (Combo Drain)	LF	190	\$ 52.00	\$ 9,880.00		\$ -		\$ -
4. 4' Type C Inlet	EA	1	\$ 2,360.00	\$ 2,360.00	430.00	\$ 1,827.50	1.00	\$ 2,950.00
5. 4' Type M Inlet	EA	5	\$ 1,975.00	\$ 9,875.00		\$ -		\$ -
6. 4' Type C Inlet (PennDOT)	EA	2	\$ 1,875.00	\$ 3,750.00		\$ -	1.00	\$ 1,075.00
7. Outlet Structure	EA	1	\$ 5,600.00	\$ 5,600.00	3.00	\$ 1,275.00		\$ -
8. Inlet Protection	EA	1	\$ 115.00	\$ 115.00		\$ -		\$ -
9. Dispose of Excess Exc. Material	CY	240	\$ 15.00	\$ 3,600.00		\$ -		\$ -



**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		
PROJECT OWNER:	Keystone Homebrew Supply, Inc.	TOTAL ESCROW POSTED:	\$ 534,362.95	AMOUNT OF THIS RELEASE:	\$ 225,397.30
MUNICIPALITY:	Mongtomery Township	TOTAL ENG/INSP/LEGAL:	\$ 30,000.00	PRIOR ESCROW RELEASED:	\$ 119,445.00
ESCROW AGENT:				TOTAL ESCROW RELEASED TO DATE:	\$ 344,842.30
TYPE OF SECURITY:	Letter of Credit	MAINTENANCE BOND AMOUNT FOR THIS PROJECT:	\$ 72,867.68		
AGREEMENT DATE:				BALANCE AFTER CURRENT RELEASE:	\$ 189,520.65
			RELEASE NO.:	3	
			RELEASE DATE:	10/23/13	

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 1
					TOTAL		TOTAL		TOTAL		
CONSTRUCTION ITEMS	UNITS	QUANTITY	UNIT PRICE	TOTAL AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY
<b>VI. UNDERGROUND STORAGE BASIN</b>											
1. Underground Storage Basin	LS	1	\$ 111,010.00	\$ 111,010.00	0.5	\$ 55,505.00	1.00	\$ 111,010.00		\$ -	
<b>VII. ROAD WIDENING</b>											
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	
<b>VIII. ONSITE PAVING</b>											
1. Fine Grade	SY	2964	\$ 1.15	\$ 3,408.60	2964	\$ 3,408.60	2964.00	\$ 3,408.60		\$ -	
2. 4" 2A Modified Stone Base	SY	2964	\$ 4.80	\$ 14,227.20	2964	\$ 14,227.20	2964.00	\$ 14,227.20		\$ -	
3. 5" BCBC Base Course	SY	2964	\$ 23.00	\$ 68,172.00	2964	\$ 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	
<b>IX. CONCRETE WORK</b>											
1. 18" Concrete Curb	LF	1170	\$ 14.35	\$ 16,789.50	1170	\$ 16,789.50	1170.00	\$ 16,789.50		\$ -	
2. 4" Concrete Sidewalk	SF	2030	\$ 5.25	\$ 10,657.50	2030	\$ 10,657.50	2030.00	\$ 10,657.50		\$ -	



# 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:	\$ 225,397.30
PROJECT OWNER:	Keystone Homebrew Supply, Inc.	TOTAL ESCROW POSTED:	\$ 534,362.95	PRIOR ESCROW RELEASED:	\$ 119,445.00
MUNICIPALITY:	Montgomery Township	TOTAL ENG/INSP/LEGAL:	\$ 30,000.00	TOTAL ESCROW RELEASED TO DATE:	\$ 344,842.30
ESCROW AGENT:		MAINTENANCE BOND AMOUNT FOR THIS PROJECT:	\$ 72,867.68	BALANCE AFTER CURRENT RELEASE:	\$ 189,520.65
TYPE OF SECURITY:	Letter of Credit	RELEASE NO.:	3		
AGREEMENT DATE:		RELEASE DATE:	10/23/13		

ESCROW TABULATION					CURRENT RELEASE		RELEASED TO DATE		AVAILABLE FOR RELEASE		RELEASE REQ # 1
					TOTAL		TOTAL		TOTAL		
CONSTRUCTION ITEMS	UNITS	QUANTITY	PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY
<b>X. LANDSCAPING</b>											
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	\$ 65.00	\$ 4,095.00		\$ -		\$ -	63.00	\$ 4,095.00	
10. Enkianthus Redvein 30"	EA	9	\$ 108.00	\$ 972.00		\$ -		\$ -	9.00	\$ 972.00	
11. Deutzia Slender 30"	EA	13	\$ 65.00	\$ 845.00		\$ -		\$ -	13.00	\$ 845.00	
12. Spiraea Little Princess 30"	EA	38	\$ 65.00	\$ 2,470.00		\$ -		\$ -	38.00	\$ 2,470.00	
13. Azalea Hershey Red 18"	EA	16	\$ 65.00	\$ 1,040.00		\$ -		\$ -	16.00	\$ 1,040.00	
14. Holly Heller Japanese 24"	EA	8	\$ 87.00	\$ 696.00		\$ -		\$ -	8.00	\$ 696.00	
15. Laurel Cherry Otto Luyken 24"	EA	13	\$ 110.00	\$ 1,430.00		\$ -		\$ -	13.00	\$ 1,430.00	
16. Yew Dense Spreading 24"	EA	83	\$ 82.00	\$ 6,806.00		\$ -		\$ -	83.00	\$ 6,806.00	
17. Viburnum Leatherleaf 36"	EA	8	\$ 108.00	\$ 864.00		\$ -		\$ -	8.00	\$ 864.00	
18. Winterberry Winter Red 36"	EA	15	\$ 90.00	\$ 1,350.00		\$ -		\$ -	15.00	\$ 1,350.00	
19. Juniper Youngstown Andorra 24"	EA	20	\$ 65.00	\$ 1,300.00		\$ -		\$ -	20.00	\$ 1,300.00	
20. Mulch Dbl Ground Shredded Bark	SF	9800	\$ 0.65	\$ 6,370.00		\$ -		\$ -	9800.00	\$ 6,370.00	
<b>XI. LAWN RESTORATION</b>											
1. Respread Topsoil	CY	250	\$ 5.75	\$ 1,437.50	200	\$ 1,150.00	200.00	\$ 1,150.00	50.00	\$ 287.50	
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	
<b>XII. MISCELLANEOUS</b>											
1. Site Layout	LS	1	\$ 10,878.00	\$ 10,878.00	0.7725	\$ 8,403.00	1.00	\$ 10,878.00		\$ -	
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	\$ 3,648.00	640.00	\$ 3,648.00		\$ -	
5. Site Lighting	LS	1	\$ 21,300.00	\$ 21,300.00	1	\$ 21,300.00	1.00	\$ 21,300.00		\$ -	
<b>XIII. CONTINGENCY</b>		1	48578.45	\$48,578.45		\$ -		\$ -	1.00	\$ 48,578.45	

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

---

SUBJECT: Consider Police Officer Pension Contribution Rate in 2014

MEETING DATE: October 28, 2013

ITEM NUMBER: #12

MEETING/AGENDA:

ACTION **xx**

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

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

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BACKGROUND:

Resolution #6, dated November 8, 1976, which established the Police Pension Plan, states the following under Section 9:

"The monthly contributions of the participants may be reduced or eliminated if an actuarial study annually indicates that such reduction or elimination for that year will not adversely affect the actuarial soundness of the Fund. If the actuarial study so indicates, the reduction or elimination shall be affected by an annual resolution and it shall be effective for one year. No reduction or elimination shall be made if any contribution by Montgomery Township will be required to keep the pension fund actuarially sound."

Attached is a copy of the Minimum Municipal Obligation calculated for the Police Pension Plan that establishes the minimum funding requirements for the Police Pension Plan for 2014 based upon January 1, 2011 Actuarial Valuation study of the plan.

The MMO calculation has determined that for 2014, a combination of State Aid (estimated \$240,100), Township contributions ( \$370,918) and Police Officer Contributions (Base, Longevity and Holiday pay at 5%) estimated at \$150,850, will be required to meet the funding obligations of the Plan and keep the pension fund actuarially sound.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Contributions from Police Officers in the amount of 5% have been withheld from Police Officers pay in the years 2006, through and including 2013.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

Waiving the Police Officer contribution requirement for 2013 would require that the Township contribute an additional \$150,850 to meet the funding requirements for Pension Plan for 2014.



RECOMMENDATION:

Based on the Minimum Municipal Obligation calculation of the Police Pension Plan for 2014, contributions by the Township will be required to meet the funding obligations of the plan and keep the pension fund actuarially sound. Therefore, it is recommended that the Board of Supervisors continue to require Police Officer contributions to the Police Pension Plan in the mount of 5% of Base Salary, Longevity and Holiday pay for the year 2014.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby require Police Officer contributions to the Police Pension Plan in the amount of 5% of Base Salary, Longevity and Holiday pay for the year 2014 and direct that notice of the contribution be provided to the representatives of the Police Collective Bargaining Unit.

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 3<sup>rd</sup> Quarter 2013 Budget Amendments

MEETING DATE: October 28, 2013

ITEM NUMBER: *#13*

MEETING/AGENDA:

ACTION

xx

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director *[Signature]*

BOARD LIAISON: Robert J. Birch, Supervisor  
Liaison – Finance Committee *[Signature]*

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BACKGROUND:

Two major capital expenditures approved in the 2013 budget will not be incurred during fiscal year 2013; the replacement of Engine 18-1 in the Fire Department (\$450,000) and the replacement of an ERP software system in the Finance Department (\$200,000). These expenditures will be presented to the Board for consideration in the fiscal year 2014 budget.

Given the significant dollar amount of these expenditures, it would be appropriate to amend the 2013 budget and remove these expenditures in an effort to maintain the accuracy of the actual to budget comparison for the year.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

Approval of the expenditures in the 2013 budget.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

With the approval of these Budget Amendments, the Township will continue to operate in accordance with all internal and external controls and maintain the accuracy of the actual to budget expense comparison for the year.

RECOMMENDATION:

Staff recommends that the Board approved the amendments as presented.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the 2013 3<sup>rd</sup> Quarter Budget Amendments to the General Fund, the Fire Services Fund and the Capital Reserve Fund as per attached Exhibit A.

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**  
**Proposed 2013 3rd Quarter Budget Amendments**

<b>Fund/Org</b>	<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Expense/Revenue Change</b>	<b>Amended Budget</b>
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**Capital Reserve Fund**

30-492	4001	Transfer to General Fund Remove ERP Software Replacement	\$ 432,220.00	\$ (200,000.00)	\$ 232,220.00
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30-492	4004	Transfer to Fire Services Fund Remove Engine 18-1 Replacement	\$ 452,400.00	\$ (450,000.00)	\$ 2,400.00
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**General Fund**

01-392	3030	Transfer from Capital Reserve Fund Remove ERP Software Replacement	\$ 432,220.00	\$ (200,000.00)	\$ 232,220.00
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**Fire Services Fund**

04-392	3030	Transfer from Capital Projects Fund Remove Engine 18-1 Replacement	\$ 452,400.00	\$ (450,000.00)	\$ 2,400.00
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MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Authorization to Advertise Street Light Ordinance #13-276

MEETING DATE: October 28, 2013

ITEM NUMBER: #14

MEETING/AGENDA:

ACTION

xx

NONE

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

INITIATED BY: Shannon Q. Drosnock  
Finance Director

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

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BACKGROUND:

The Township Code includes regulations governing the requirements for installation, maintenance responsibility and assessment of the costs for Residential Street Lighting. Specifically, Chapter 205 of the Code, Subdivision and Land Development, authorizes the Township to require installation of street lighting as part of the Subdivision/Land Development process and Chapter 237 establishes district boundaries, method of assessment for costs and maintenance responsibilities.

The Finance Department periodically reviews the Codes of the Township that pertain to revenues and expenditures and recommends amendments to improve or clarify the current language. As a result of this review, staff has identified amendments to be made to Chapters 205 and A237 of the Township Code in an effort to make the language clearer and more consistent with the current practices. These proposed amendments include reducing the number of districts from five to three, clarifying the descriptions of the three districts, and removing redundant and outdated language.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Authorize the advertisement of the Proposed Ordinance #13-276 which will amend Chapters 205 and A237 of the Montgomery Township Code governing street lighting.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the advertisement of Proposed Ordinance #13-276 which will amend Chapters 205 and A237 of the Montgomery Township Code governing street lighting.

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-\_\_\_\_\_

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AN ORDINANCE (1) AMENDING CHAPTER A237 [STREET LIGHTING DISTRICTS] OF THE MONTGOMERY TOWNSHIP CODE BY RETITLING THE CHAPTER "STREET LIGHTING" AND MAKING PROVISIONS FOR PAYMENT OF COSTS AND INITIAL MAINTENANCE RESPONSIBILITY (PRE-DEDICATION); OWNERSHIP AND OPERATION OF STREET LIGHTING (POST-DEDICATION); ASSESSMENTS; COLLECTION OF ASSESSMENTS; REDUCTION OF ASSESSMENTS; AND (2) AMENDING CHAPTER 205, §205-24 [SUBDIVISION AND LAND DEVELOPMENT/STREET LIGHTING] OF THE TOWNSHIP CODE QUANTIFYING THE STREET LIGHTING REQUIREMENTS CONTAINED THEREIN AS "TOWNSHIP STREET LIGHTING SPECIFICATIONS"

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

# MONTGOMERY TOWNSHIP

Montgomery County, Pennsylvania

ORDINANCE #13-\_\_\_\_\_

AN ORDINANCE (1) AMENDING CHAPTER A237 [STREETLIGHTING DISTRICTS] OF THE MONTGOMERY TOWNSHIP CODE BY RETITLING THE CHAPTER "STREET LIGHTING" AND MAKING PROVISIONS FOR PAYMENT OF COSTS AND INITIAL MAINTENANCE RESPONSIBILITY (PRE-DEDICATION); OWNERSHIP AND OPERATION OF STREET LIGHTING (POST-DEDICATION); ASSESSMENTS; COLLECTION OF ASSESSMENTS; REDUCTION OF ASSESSMENTS; AND (2) AMENDING CHAPTER 205, §205-24 [SUBDIVISION AND LAND DEVELOPMENT/STREETLIGHTING] OF THE TOWNSHIP CODE QUANTIFYING THE STREET LIGHTING REQUIREMENTS CONTAINED THEREIN AS "TOWNSHIP STREET LIGHTING SPECIFICATIONS"

**NOW, THEREFORE,** it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors that Chapter A237 [Street Lighting Districts] Code of the Township of Montgomery shall be amended as follows:

**SECTION 1.      AMENDMENT TO CHAPTER A237 [STREETLIGHTING].**

Chapter A237 [Street Lighting Districts] of the Township Code shall be re-titled "Street Lighting" and amended to read as follows:

**Chapter A237  
Street Lighting**

**§ A237-1. Montgomery Township Street Lighting Specification.**

- A. Street Lighting shall be installed along each street in each subdivision and along each street front abutting a public street in each land development by the developer and at the expense of the developer, unless specifically waived by the Board of Supervisors.
- B. A developer shall submit a plan showing compliance with the Montgomery Township Street Lighting Specification, as amended, and any other applicable Township Code requirements, including the type and location of each streetlight to be installed. This plan shall also specify the supplier and installer of such lights. The plan will be submitted for review and approval by the Township. No streetlights shall be installed prior to such review and approval. The Montgomery Township Street Lighting Specification may be amended and/or

supplemented from time to time by Board resolution, without further revision to this Chapter.

- C. Upon final approval of construction and dedication of all public improvements, the developer shall dedicate the street lights to the Township and shall assign all applicable warranties to the Township.
- D. All street lights shall be mounted on metal street light standards or poles designed for such purpose and shall be constructed in accordance with Montgomery Township Street Lighting Specifications.

**§ A237-2. Payment of costs; initial maintenance responsibility.**

- A. Any developer installing street lighting, including lamps, lights, and associated equipment (collectively "street lighting"), shall pay for street lighting service, including the electricity consumed, in accordance with the electric utility provider's current rate and electric service tariff from the date each lamp is energized until such time as the Township shall, upon written notice to the electric utility provider and upon formal resolution of the Township, accept a dedication of such street lighting.
- B. Until such time as the Township approves a formal resolution accepting dedication of the street lighting the developer shall be responsible for all charges and costs for operation of the street light system.
- C. Until the aforesaid dedication, the developer shall arrange for the maintenance and operation of the street lighting.

**§ A237-3. Ownership and operation of street lighting.**

After the developer's street lighting dedication to the Township, all aspects of street lighting, including lamps, lights, and associated equipment shall be owned, maintained, and operated by the Township. Street lighting that is not dedicated to the Township is not the responsibility of the Township.

**§ A237-4. Assessments.**

After dedication, the Township shall cause to be assessed, by resolution, the cost, expense, and maintenance of the street lighting, equipment, and facilities, including reimbursements for the billing of the energy costs, the cost of maintenance and operation by the Township, as well as an administrative charge, by a uniform annual assessment of each property benefited by the Township-owned street lights as follows:

- A. District 1: All single-family dwelling within residential developments benefiting from Township-owned street lights.



- B. District 2: All multi-family units within residential developments where any or all of the roads within the development are benefiting from Township-owned, street lights.
- C. District 3: Any residential development as may be determined adopted from time to time by Board resolution.

**§ A237-5. Assessment Collection.**

All such assessments for street lighting shall be filed with the Township Tax Collector, who shall give 30-days written notice that the assessments are due and payable, stating the due date to each party assessed, either by service on the owner of the property or by mailing such notice to the owner at his last known post office address. If any assessments remain unpaid at the end of the fiscal year, the Tax Collector will turn the matter over to the Township. At which time, the Township may attempt to collect the debt by giving the delinquent owner written notice setting forth (1) the amount owing; (2) when the assessments were initially due; and (3) a cure-period with the due date for payment. Such notice and cure-period shall not exceed 60-days. If the assessment remains unpaid at the expiration of the 60-days, the Township may file a municipal claim filed against the property of the delinquent owner, as provided by law, for the amount owing, interest, and associated costs. Where an owner has two or more lots against which there is an assessment for the same year, all such lots shall be embraced in one claim. All assessments, when collected, shall be paid over to the Township Treasurer. The Treasurer shall make a report and/or supply information to the Township auditors when requested.

**SECTION 2.      AMENDMENT TO CHAPTER 205, §205-24 [SUBDIVISION AND LAND DEVELOPMENT/STREETLIGHTING]**

Chapter 205, §205-24 [Subdivision and Land Development/Street lighting] of the Township Code shall amended to read as follows:

- A. Streetlighting shall be installed along each street in each subdivision and along each street front abutting a public street in each land development by the developer and at the expense of the developer, unless specifically waived by the Board of Supervisors.
- B. A developer shall submit a plan showing compliance with this Chapter the Montgomery Township Street Lighting Specification, including the type and location of each streetlight to be installed. This plan shall also specify the supplier and installer of such lights. The plan will be submitted for review and approval by the Township. No streetlights shall be installed prior to such review and approval. The Township's Streetlighting Specifications may be amended and/or supplemented from time to time by Board resolution.

- C. Upon final approval of construction and dedication of all public improvements, the developer shall dedicate the streetlights to the Township and shall assign all applicable warranties to the Township.
- D. All streetlights shall be mounted on metal streetlight standards or poles designed for such purpose and shall be constructed in accordance with Township Streetlighting Specifications

**SECTION 3. 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 as if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

**SECTION 4. REPEALER.**

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

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall become effective January 1, 2014.

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**ORDAINED AND ENACTED** this \_\_\_\_\_ day of June 2013, by the Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP**

\_\_\_\_\_  
JOSEPH P. WALSH, *Chairperson*

[Seal]

Attested by:

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LAWRENCE J. GREGAN

*Township Manager/ Secretary*

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Consider Authorization to Accept FY2012 Fire Prevention and Safety Grant

MEETING DATE: October 28, 2013

ITEM NUMBER: #15

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Richard M. Lesniak  
Director of Fire Services

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

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BACKGROUND:

The Department of Homeland Security (DHS) offers a number of grant opportunities including, but not limited to the Assistance to Firefighters Grants (AFG), Fire Prevention and Safety Grants (FP&S), and Staffing for Adequate Fire and Emergency Response Grants (SAFER).

At the end of 2012, the Department of Homeland Security opened the application period for the Fire Prevention and Safety (FP&S) Grant program. FP&S Grants are offered to support projects in two activities:

1. Activities designed to reach high-risk target groups and mitigate the incidence of death and injuries caused by fire and fire-related hazards ("Fire Prevention and Safety Activity")
2. Projects aimed at improving firefighter safety, health and wellness through research and development that reduces firefighter fatalities and injuries ("Firefighter Safety Research and Development Activity")

The Department of Fire Services submitted an application under the Fire Prevention and Safety Activity category to provide and install traditional smoke alarms, units with voice notification for children and strobe/bed-shaker alarm kits will be made available to the deaf, hard of hearing and deaf-blind communities. In addition, as part of this grant, we will partner with an experienced FEMA training partner to develop specialized outreach and training programs to ensure our distribution efforts are completely accessible and relevant to the D/deaf, hard of hearing, and deaf-blind communities.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

If authorized to accept this grant, the Township's required 10% share of the grant would be \$8,520.00.

RECOMMENDATION:

Respectfully request the Board authorize the Department of Fire Services to accept the FY2012 Fire Prevention and Safety Grant (FP&S) Grant from the Department of Homeland Security in the amount of \$85,200.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the Department of Fire Services to accept the FY2012 Fire Prevention and Safety (FP&S) Grant from the Department of Homeland Security in the amount of \$85,200.

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**

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**SUBJECT:** Consider Authorization to Participate in the Montgomery County Consortium  
2013 – 2014 Cooperative Rock Salt Purchase Contract

**MEETING DATE:** October 28, 2013      **ITEM NUMBER:** #16

**MEETING/AGENDA:**                      **ACTION**   **XX**                      **NONE**

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

**INITIATED BY:** Kevin Costello      **BOARD LIAISON:** Joseph P. Walsh, Chairman  
Public Works Director                      Board of Supervisors

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**BACKGROUND:**

Annually, the Township does a cost analysis to determine the most cost effective way to purchase bulk salt for deicing roadways during the winter months. In the past, we have participated in the Montgomery County Consortium 2013 – 2014 Cooperative Rock Salt Purchase Contract that is administered by Upper Dublin Township.

It has been our experience that the cost per ton through the Consortium has been lower than administering our own bid or participating with the State Co-Stars Contract. Additionally, under the Co-Stars contract you are required to take 60% of the tonnage bid whether you need it or not. Under the Montgomery County Consortium Contract there is no minimum or maximum for tonnage purchased.

The Consortium recently completed the public bidding process for the purchase of bulk salt for 2013 – 2014 and has awarded the contract to International Salt Company, LLC of Clarks Summit, Pennsylvania, at the price of \$51.43 per ton delivered.

**ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:**

None

**PREVIOUS BOARD ACTION:**

None

**ALTERNATIVES/OPTIONS:**

None

**BUDGET IMPACT:**

The Montgomery County Consortium bid of \$51.43 per ton is 3% lower than the 2012-2013 bid price of \$52.75.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors approve the Township's participation in the Montgomery County Consortium Cooperative Rock Salt Purchase Contract for 2013 - 2014 for the purchase of rock salt from International Salt Company, LLC of Clarks Summit, Pennsylvania, at the price of \$51.43 per ton delivered.

MOTION/RESOLUTION:

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Township's participation in the Montgomery County Consortium Cooperative Rock Salt Purchase Contract for 2013 - 2014 for the purchase of rock salt from International Salt Company, LLC of Clarks Summit, Pennsylvania, at the price of \$51.43 per ton delivered.

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.



INTERNATIONAL SALT  
an SPL company

September 25, 2013

Mr. Gerard Smith  
Public Works Administrator  
Upper Dublin Township  
801 Loch Alsh Avenue  
Fort Washington, PA 19034-1697

RE: Montgomery County Consortium 2013-14 Rock Salt Bid

Dear Mr. Smith:

We are pleased to learn you have awarded your rock salt requirements to International Salt Company, LLC.

Orders may be placed by calling, writing or faxing to:

International Salt Company, LLC  
655 Northern Boulevard  
Clarks Summit, PA 18411  
Telephone: 888-388-4726 (toll free) and press extension 2001  
Fax: 570-586-6463

Remittance address:

International Salt Company, LLC  
P. O. Box 641944  
Pittsburgh, PA 15264-1944

Attached are our Performance Bond in the amount of \$2,043,056.75 (100% of the total contract) as well as Form Section F, and a copy of the Certificate of Insurance you requested (original will be mailed directly to the Township under separate cover. If you need anything else please let me know.

We appreciate the opportunity of supplying your rock salt needs.

Best regards,

Betsy Davis  
Contract Specialist

Enclosures

Upper  
Dublin

801 LOCH ALSH AVENUE  
FORT WASHINGTON, PA 19034-1697  
Phone: (215) 643-1600  
Fax: (215) 542-0797  
www.upperdublin.net



IRA S. TACKEL  
*President*

September 12, 2013

RONALD P. FELDMAN  
*Vice President*

CHESTER H. DERR, III

STANLEY J. ROPSKI

SHARON L. DAMSKER

REBECCA A. GUSHUE

JOHN R. MINEHART

PAUL A. LEONARD  
*Township Manager*

GILBERT P. HIGH, JR.  
*Solicitor*

Daniel P. Thompson, CEO  
International Salt  
401 Nichols Street  
Clarks Summit, PA 18411

RE: Montgomery County Consortium 2013-14 Rock Salt Bid

Dear Mr. Thompson:

On behalf of the Board of Commissioners, I am pleased to inform you that you were awarded the bid for the Montgomery County Consortium 2013-14 Rock Salt. Your Bid in the amount of \$51.43 per ton delivered was approved by the Commissioners at their meeting on September 10, 2013.

Please forward a Performance Bond equal to 100 percent of the total bid price (\$2,043,056.75) to the Township within the next 20 days. We will also require an updated Certificate of Insurance.

Enclosed are two (2) copies of a contract form for the referenced contract. We would ask that you execute both copies and return to this office. Once signed by the appropriate Township Officials, an executed original will be returned to you.

Thank you for your prompt attention to this request.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Gerard F. Smith".

Gerard Smith  
Public Works Administrator

GS/ln

CC: P. Leonard  
D. Supplee

## SECTION F

### CONTRACT FORM

#### ROCK SALT FOR MONTGOMERY COUNTY CONSORTIUM COMMUNITIES

This contract made on September 20<sup>th</sup>, 2013 between UPPER DUBLIN TOWNSHIP, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania, 19034, Montgomery County, Pennsylvania, party of the first part (hereinafter referred to as the "Township") and International Salt Company, LLC, party of the second part (hereinafter referred to as the "Buyer").

#### WITNESSETH

That Seller, for and in consideration of the payments hereinafter specified and agreed to by Township, covenants, contracts and agrees as follows:

Seller does hereby agree to sell and the Township does hereby agree to purchase during the term of this Contract the goods hereinafter set forth, in accordance with the Bid Documents which consist of the Bid Notice, Instructions to Bidders, General Conditions, Proposal and Forms, Technical Specifications, and all Addenda and Specifications which are particularly referred to and made a part hereof.

Township reserves the right to purchase upon the terms set forth herein any less than or in addition to the quantities, which are specified during the term of the Contract. Deliveries of goods are to be made at locations specified in the Bid Documents.

This contract and all the terms, covenants and conditions herein set forth, and contained shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

This contract shall be governed by and construed according to the laws of the Commonwealth of Pennsylvania.



IN WITNESS WHEREOF the parties hereto have caused this contract to be duly executed the day and year indicated below.

UPPER DUBLIN TOWNSHIP

BY: [Signature]  
President

ATTEST: [Signature]  
Secretary

DATE: September 30, 2013

SELLER.

INTERNATIONAL SALT COMPANY, LLC

BY: [Signature]  
DANIEL P. THOMPSON  
CHIEF EXECUTIVE OFFICER

ATTEST: [Signature]  
ELIZABETH J. DAVIS

DATE: September 20, 2013

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
BOARD ACTION SUMMARY

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SUBJECT: Payment of Bills

MEETING DATE: October 28, 2013

ITEM NUMBER: #17

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Gegan  
Township Manager

BOARD LIAISON: Joseph P. Walsh, Chairman



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BACKGROUND:

Please find attached a list of bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

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

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
25417	10/24/13	00000499	MONTGOMERY TWP. PROFESSIONAL	196.26
25418	10/24/13	1264	MORGAN STANLEY SMITH BARNEY INC	5,777.83
55716	10/28/13	00000842	911 SAFETY EQUIPMENT	69.00
55717	10/28/13	00000723	A TO Z RENTAL CENTER	2,783.07
55718	10/28/13	00001752	AARP	164.00
55719	10/28/13	00001752	AARP	154.00
55720	10/28/13	00000187	ABOUT FLAGS, INC.	1,660.00
55721	10/28/13	00000340	ADVENT SECURITY CORPORATION	246.96
55722	10/28/13	00001020	AIR CLEANING SYSTEMS INC.	449.50
55723	10/28/13	00000053	ALLIED WASTE SERVICES #320	3,735.57
55724	10/28/13	00000881	AMERICAN OFFICE SYSTEMS	40.00
55725	10/28/13	00000553	AMERICAN PUBLIC WORKS ASSOC.	169.00
55726	10/28/13	00000030	ASSOCIATED TRUCK PARTS	781.40
55727	10/28/13	00000999	BCG-BENEFIT CONSULTANTS GROUP	1,765.50
55728	10/28/13	00001938	BILL WIEGMAN	90.00
55729	10/28/13	00001903	BRIAN JANSSENS	45.00
55730	10/28/13	00001336	BRIAN SCHREIBER	100.00
55731	10/28/13	00000380	CARL HERR	45.00
55732	10/28/13	00000218	COMMONWEALTH OF PENNSYLVANIA	50.00
55733	10/28/13	00000602	CONRAD SIEGEL	4,075.00
55734	10/28/13	00000108	COUNTY ELECTRIC SUPPLY COMPANY, I	429.90
55735	10/28/13	00000326	COUNTY OF MONTGOMERY	47.37
55736	10/28/13	00001891	CREATIVE PRODUCT SOURCING, INC.	23.00
55737	10/28/13	00000086	DAVID D. DUNLAP	273.17
55738	10/28/13	00000024	DAVID P. BENNETT	45.00
55739	10/28/13	00001945	DAVID S. WOLFE	45.00
55740	10/28/13	00001941	DAVID W. VASCONEZ	75.00
55741	10/28/13	00001627	DEER PARK DIRECT	90.95
55742	10/28/13	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	482.10
55743	10/28/13	00000208	DELL MARKETING L.P.	1,502.09
55744	10/28/13	00001675	DON JOHNSON	100.00
55745	10/28/13	00000146	E.A. DAGES, INC.	18.40
55746	10/28/13	00001957	EDMOND SKRZAT	60.00
55747	10/28/13	00000161	EUREKA STONE QUARRY, INC.	157.36
55748	10/28/13	00001669	FIRST HOSPITAL LABORATORIES, INC.	201.15
55749	10/28/13	00001852	G.L. SAYRE, INC.	1,094.01
55750	10/28/13	00001842	GLEN ROETMAN	15.00
55751	10/28/13	00001323	GLICK FIRE EQUIPMENT COMPANY INC	1,500.58
55752	10/28/13	00000219	GLOBAL EQUIPMENT COMPANY	863.66
55753	10/28/13	00001709	GOULDEY WELDING & FABRICATIONS, I	119.25
55754	10/28/13	00000060	GRAF ENGINEERING, LLC	7,855.00
55755	10/28/13	00902830	HERMINA STAHL	5.00
55758	10/28/13	00000903	HOME DEPOT CREDIT SERVICES	2,004.73
55759	10/28/13	00000787	IAFC - INTERNATIONAL ASSOCIATION OF	234.00

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
55760	10/28/13	00000522	JOE BIFOLCO	100.00
55761	10/28/13	00001964	JOHN CATALDI	30.00
55762	10/28/13	00000890	JOHN H. MOGENSEN	90.00
55763	10/28/13	00001581	JOSEPH J. SIMES	210.00
55764	10/28/13	00001843	JOSEPH M. BENNETT	105.00
55765	10/28/13	00000107	KENNEDY CULVERT & SUPPLY CO., INC.	310.00
55766	10/28/13	00000932	KIMMEL BOGRETTE	66,871.78
55767	10/28/13	00000870	MAACO AUTO PAINTING & COLLISION	1,406.03
55768	10/28/13	00000194	MARK HOCKMAN	74.95
55769	10/28/13	00000578	MARVIN MOSEBY	90.00
55770	10/28/13	00001968	MATTHEW VITUCCI	45.00
55771	10/28/13	00001330	MCCALLION STAFFING SPECIALISTS	540.00
55772	10/28/13	00000974	MCCARTHY AND COMPANY, PC	1,035.94
55773	10/28/13	00001920	MICHAEL H. BEAN	60.00
55774	10/28/13	00001961	MICHAEL LONG	40.00
55775	10/28/13	00000867	MICHAEL SHEARER	45.00
55776	10/28/13	00002016	MICHAEL SHINTON	30.00
55777	10/28/13	00000356	NORTH WALES WATER AUTHORITY	2,639.69
55778	10/28/13	00001134	OFFICE DEPOT, INC	544.00
55779	10/28/13	00001840	PAUL R. MOGENSEN	45.00
55780	10/28/13	00000095	PAUL SMITH	60.00
55781	10/28/13	00000397	PECO ENERGY	1,406.44
55782	10/28/13	00000595	PENN VALLEY CHEMICAL COMPANY	444.13
55783	10/28/13	00000726	PENN-HOLO SALES & SERVICES	397.69
55784	10/28/13	00000586	PESTICIDE TRAINING & CONSULTING	140.00
55785	10/28/13	00000447	PETTY CASH - POLICE	177.40
55786	10/28/13	00000446	PHISCON ENTERPRISES, INC.	450.00
55787	10/28/13	00000945	PIPERSVILLE GARDEN CENTER, INC.	84.60
55788	10/28/13	00001155	PITNEY BOWES GLOBAL FINANCIAL	222.24
55789	10/28/13	00000657	PUBLIC AGENCY TRAINING COUNCIL, INC.	275.00
55790	10/28/13	00000140	R.F. DESIGN & INTEGRATION INC.	866.48
55791	10/28/13	00000519	RACHEL TROUTMAN	45.00
55792	10/28/13	00000439	RED THE UNIFORM TAILOR	269.50
55793	10/28/13	00000430	REM-ARK ALLOYS, INC.	349.91
55794	10/28/13	00001146	RESERVE ACCOUNT	1,500.00
55795	10/28/13	00000117	RIGGINS INC	2,465.94
55796	10/28/13	00000115	RIGGINS, INC	4,320.62
55797	10/28/13	00000441	ROBERT HART	40.00
55798	10/28/13	00000653	SCATTON'S HEATING & COOLING, INC.	1,286.52
55799	10/28/13	00000833	THE SHERWIN WILLIAMS COMPANY	31.74
55800	10/28/13	00000005	SHRED ONE SECURITY CORP.	357.36
55801	10/28/13	00000468	SIRCHIE FINGER PRINT	203.50
55802	10/28/13	00000467	SNAP-ON INDUSTRIAL	618.53
55803	10/28/13	00001656	SOSMETAL PRODUCTS INC.	382.78

## Montgomery Township Check Register

Check Number	Check Date	Vendor No	Payee	Amount
55804	10/28/13	00000588	SOUTHWEST PUBLIC SAFETY	139.18
55805	10/28/13	00001394	STANDARD INSURANCE COMPANY	6,884.13
55806	10/28/13	00001847	STAPLES CONTRACT & COMMERCIAL, IN	1,070.77
55807	10/28/13	00000502	THOMAS W. MCCAULEY	161.00
55808	10/28/13	00000065	TIMOTHY MURRAY	15.00
55809	10/28/13	00000506	TRANS UNION LLC	25.00
55810	10/28/13	00000327	U.S. MUNICIPAL SUPPLY, INC.	87.47
55811	10/28/13	00000032	VISA	917.49
55812	10/28/13	00000328	USA MOBILITY WIRELESS, INC	208.29
55813	10/28/13	00000520	VALLEY POWER, INC.	495.94
55814	10/28/13	00000040	VERIZON PENNSYLVANIA INC	455.48
55815	10/28/13	00001033	VERIZON CABS	542.02
55816	10/28/13	00001839	VINAY SETTY	75.00
55817	10/28/13	00000442	VINCENT ZIRPOLI	130.00
55818	10/28/13	00001191	WARREN FUCHS	45.00
55819	10/28/13	00001329	GENUINE PARTS COMPANY - NAPA	592.25
55820	10/28/13	00001948	WILLIAM H. FLUCK IV	60.00
55821	10/28/13	00000249	WILLIAM R. GOLTZ	160.00
55822	10/28/13	00001084	WITMER ASSOCIATES, INC.	6,314.65
55823	10/28/13	00000550	ZEP MANUFACTURING COMPANY	573.15
55824	10/28/13	00000152	ECKERT SEAMANS CHERIN &	302.50
55825	10/28/13	00001902	ELLIOTT GREENLEAF &	947.38
55826	10/28/13	00001282	KENNETH AMEY	1,020.00
55827	10/28/13	00001972	ROBERT L. BRANT	777.50
<b>TOTAL</b>				<b>152,345.78</b>



**MONTGOMERY TOWNSHIP ELECTRONIC PAYROLL TAX PAYMENTS**

<u>DATE</u>	<u>VENDOR NAME</u>	<u>REASON FOR PAYMENT</u>	<u>AMOUNT</u>
10/16/2013	Commonwealth of PA	State Tax Payment	\$7,689.49
10/24/2013	IRS	941 Payment	\$73,470.66
10/24/2013	BCG	401/457 Plan Payment	\$23,450.14
10/24/2013	SCDU	Withholding Payment	\$2,975.27
<b>Total Paid as of 10/28/2013</b>			<b>\$107,585.56</b>