

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
February 22, 2016

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

Lawrence J. Gregan
Township Manager

www.montgomerytp.org

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 February 8, 2016 Meeting
6. Welcome New Employee-Police Department
7. Consider Adoption of Proposed Ordinance #15-292-Z – Amending Article IV (Floodplain Conservation District) of the Township Zoning Code
8. Consider Award of Bid for 2016 Curb & Sidewalk Repair/Replacement Project
9. Consider Award of Bids for Annual Public Works Equipment Rental, Materials & Services
10. Authorize Acceptance of 2016 Pennsylvania State Fire Commissioner's Grant
11. Consider Waiver of Land Development - #M15-73 - 776 Bethlehem Pike
12. Consider Payment of Bills
13. Other Business
14. Adjournment

Future Public Hearings/Meetings:

02-23-2016 @7:00 p.m. – Environmental Advisory Committee
03-01-2016 @7:00 p.m. – Zoning Hearing Board
03-09-2016 @7:30 p.m. – Park and Recreation Board
03-14-2016 @8:00 p.m. – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: February 22, 2016 ITEM NUMBER: # 3

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan BOARD LIAISON: Joseph P. Walsh, Chairman
Township Manager of the Board of Supervisors

BACKGROUND:

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

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

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Minutes for February 8, 2016

MEETING DATE: February 22, 2016 ITEM NUMBER: # 5

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

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

BACKGROUND:

Please contact Deb Rivas on Monday, February 22, 2016 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
FEBRUARY 8, 2016**

At 7:00 p.m. Chairman Joseph P. Walsh called to order the executive session. In attendance were Supervisors Robert J. Birch, Michael J. Fox and Jeffrey W. McDonnell. Vice Chairman Candyce Fluehr Chimera was absent. Also in attendance were Lawrence Gregan and Frank Bartle, Esquire.

Chairman Joseph P. Walsh called the action meeting to order at 8:00 p.m. In attendance were Supervisors Robert J. Birch, Michael J. Fox and Jeffrey W. McDonnell. Vice Chairman Candyce Fluehr Chimera was absent. Also in attendance were Frank Bartle, Esquire, Lawrence Gregan, Chief Scott Bendig, Richard Lesniak, Ann Shade, Stacy Crandell, Bruce Shoupe, Kevin Costello, Brian Forman, Rich Grier and Deb Rivas.

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

Solicitor Frank Bartle announced that the Board had met in an executive session prior to this meeting and discussed four personnel matters, including a Fire Union labor negotiations update. The Board also discussed one matter of litigation, the RD Management vs. Montgomery Township zoning matter. Mr. Bartle stated that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Supervisor Michael Fox made a motion to approve the minutes of the January 25, 2016 Board of Supervisors meeting, and Supervisor Robert Birch seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Chief of Police J. Scott Bendig reported that in 2015 the Hilltown Dog Training Club contacted the Police Department to inquire about donating funds for a ballistic vest for one of the police canines. The canine ballistic vests are similar to those worn by officers and provide the canine a level of protection from traumatic injuries, including gunfire. The training club was referred to Vested Interest in K9's Inc., a non-profit organization from Massachusetts that works to provide the vests to eligible agencies. In November 2015, canine "Major" received a ballistic

vest from Vested Interest in K9's Inc. The purchase and receipt of this ballistic vest was made possible through the generous donation of the Hilltown Dog Training Club and also made on behalf of former Montgomery Township Canine Police Officer Ward Thomas. Members of the dog training club and family of Officer Ward Thomas were present. The Board appreciated the kind generosity of the dog training club and canine "Major" tried on his vest for a photo opportunity. Resolution #1 made by Chairman Joseph P. Walsh, seconded by Supervisor Michael J. Fox and adopted unanimously, recognized the Hilltown Dog Training Club for their generous donation which was used to provide a ballistic vest to the Police Department's Canine Unit.

Director of Recreation and Community Center Brian Forman reported that a new fee schedule for outdoor facilities, including fields, pavilions and courts had been approved by the Board of Supervisors at their November 23, 2015 meeting. The effective date of the new schedule was January 1, 2016. At the December 9, 2015 Park Board meeting, the Montgomery Township Baseball and Softball Association (MTBSA) requested more time to evaluate their usage needs and financial impacts of the fees. A recommendation was made at that meeting to delay implementing the fees for both MTBSA and Montgomery United Soccer (Mon U) until January 1, 2017 to provide those organizations the opportunity to assess any impact the negotiated fees may have. Resolution #2 made by Supervisor Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously, approved the requests of MTBSA and MonU to waive the scheduled fees of the Township's outdoor facilities for the 2016 calendar year.

Director of Recreation and Community Center Brian Forman presented the 2016 Spring and Summer Recreation programs and fees. These programs will be offered to the public during the months of April through August, 2016 and will be advertised in the Recreation Newsletter which will be distributed to Township residents by the middle of March. Resolution #3 made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted

unanimously, approved the 2016 Spring and Summer Recreation Programs and Fee Schedule amendment as submitted.

Director of Recreation and Community Center Brian Forman reported that the Park and Recreation Board had received a request from a resident asking the Township to consider revising the hours of operation of the Bark Park due to complaints about noise levels at the park. The resident submitted a petition to the Park and Recreation Board in support of this request. At its meeting on December 9, 2015, the Park and Recreation Board voted to recommend to the Board of Supervisors the adoption of an amendment to the Township Code, Chapter 166, Parks and Recreation Areas, Section 1 – Hours, to revise the hours of operation of the Township's Bark Park to open at 8:00 a.m. The current approved hours are from sunrise to one hour after sunset. Resolution #4 made by Supervisor Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously, approved Ordinance #16-294 – Hours of Operation of Bark Park, amending Chapter 166 of the Township Code, Parks and Recreation Areas, Section 1 – Hours, setting the hours of operation of the Township's Bark Park from 8:00 a.m. to one hour after sunset.

Director of Recreation and Community Center Brian Forman reported that the Township is ready to move forward with the solicitation of bids for the Spring Valley Tennis Court Repair Project. The project will include removing a 65' x 40' section of failing asphalt, base repair, asphalt crack repair, asphalt paving, acrylic color coating and line striping for all four courts at Spring Valley Park. The Park Board unanimously endorsed the project and it was included as part of the 2016 Approved Capital Budget. Resolution #5 made by Supervisor Michael Fox, seconded by Supervisor Robert Birch and adopted unanimously, authorized the Township Manager to advertise for bids for the Spring Valley Tennis Court Repair Project. Bids will be received on or before March 2, 2016 at 10:00 a.m. and will be opened at that time. Bids will be considered for award on March 14, 2016.

Director of Planning and Zoning Bruce Shoupe reported that the Township has received a request from the Bharatiya Temple to waive the building permit fee for the interior bathroom

renovations for the temple. The fee is \$549.00. In the past, it has been the policy of the Board of Supervisors to waive nominal value permit fees for non-profit and religious organizations. Resolution #6 made by Chairman Joseph Walsh, seconded by Supervisor Michael Fox and adopted unanimously, approved the request for a waiver of building permit fees for the Bharatiya Temple at 1612 County Line Road.

Resolution #7 made by Chairman Joseph Walsh, seconded by Supervisor Robert Birch and adopted unanimously, approved the construction escrow release #1 for LDS #677 for the Narayan Guest House at 1630 County Line Road in the amount of \$28,611.26.

A motion to approve the payment of bills was made by Chairman Joseph Walsh, seconded by Supervisor Robert J. Birch, and adopted unanimously, approved the payment of bills as submitted.

Under other business, Chairman Joseph Walsh acknowledged a member of the Boy Scouts in the audience. Christopher Loftus, a member of Boy Scout Troop 547 from Mary, Mother of the Redeemer Church was present for the meeting, earning his Citizenship of the Community Badge.

There being no further business to come before the Board, the meeting adjourned at 8:20 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Welcome New Police Department Employee-Lauren Hill

MEETING DATE: February 22, 2016

ITEM NUMBER: #6

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: J. Scott Bendig, Chief of Police

BOARD LIAISON: Joseph P. Walsh, Chairman

BACKGROUND:

This evening we would like to welcome and introduce new employee Lauren Hill to Montgomery Township as a Police Dispatcher.

Lauren began her employment on February 8, 2016, and comes to the township with a background in customer service. Lauren is a graduate of North Penn High School and attends Montgomery County Community College. Prior to accepting a position with Montgomery Township Lauren worked in retail sales as a store manager overseeing approximately 10 employees.

Lauren will be responsible for all operations within the Police Department's Communication Center and clerical duties during her assigned shift.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

Welcome new employee Lauren Hill to Montgomery Township, effective February 8, 2016.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby welcome new employee Lauren Hill to Montgomery Township, effective February 8, 2016.

MOTION: _____

SECOND: _____

ROLL CALL:

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

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

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

SUBJECT: Consider Adoption of Ordinance #15-292-Z – Amending Article IV (Floodplain Conservation District) of the Township Zoning Code

MEETING DATE: February 22, 2016

ITEM NUMBER: # 7

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: Candyce Fluehr Chimera
Liaison to Planning Commission

BACKGROUND:

The attached Proposed Ordinance proposes amendment to the Township Zoning Code repealing and replacing provisions regulating Floodplain Conservation Districts in Montgomery Township. This Proposed Ordinance has been developed by the Township Solicitor, Township Engineer and staff as part of FEMA's Map Modernization Program.

The Proposed Ordinance repeals Article IV of the Township Zoning Code in its entirety and replacing it with a new article adopting the new FEMA regulations. The Township and County Planning Commissions have reviewed this ordinance and their comments are attached. The Proposed Ordinance has also been reviewed by the Pennsylvania State Flood Insurance Coordinator to insure its compliance with the National Flood Insurance Program Regulations.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION: A public hearing has been advertised for consideration of this ordinance at this meeting.

ALTERNATIVES/OPTIONS: None, FEMA has established a deadline of March 2, 2016, for adoption of the new regulations in order for the Township to remain in compliance with the National Flood Insurance Program.

BUDGET IMPACT: None

RECOMMENDATION: That the ordinance 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.

MONTGOMERY COUNTY
BOARD OF COMMISSIONERS

JOSH D. SHAPIRO, CHAIR

VALERIE A. ARKOOSH, MD, MPH, COMMISSIONER

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

JODY L. HOLTON, AICP

EXECUTIVE DIRECTOR

January 19, 2016

Montgomery Township
Draft Floodplain Ordinance

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

Dear Mr. Shoupe:

The Montgomery Township Floodplain Ordinance language (Draft) has been reviewed by planning commission staff. The revised version of the Township's ordinance, submitted 12-15-15 was the subject of this review. Our review also constitutes the county review in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code".

COMMENTS

There are 4 definitions that are required by FEMA that are not in the Township's draft ordinance. They are: **Development, Lowest Floor, Structure, and Violation**. The first three terms are defined in Section 230-5 of the Township's code, according to the ecode website (<http://www.ecode360.com/11516283>). The last term, Violation, is not found in either Section 230-5 or in the draft ordinance.

It is our understanding through a phone conversation with the Township that it intends to add the definitions to the draft ordinance. The definitions for Development, Lowest Floor, and Structure, should of course agree with the definitions in Section 230-5, if the terms are to appear in both that section and the Floodplain Ordinance. A sample definition for Violation from the DCED's Suggested Provisions is included here for the Township's consideration.

Violation - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

FEMA REGION III ORDINANCE REVIEW CHECKLIST

The completed checklist is attached.

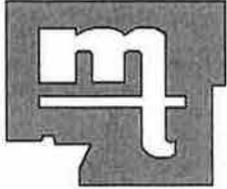
ORDINANCE COMPLIANCE

The draft ordinance in its current state is nearly compliant with the FEMA checklist. Once the township has made changes according to the comments found in this letter, please resubmit the ordinance to the county planning commission. We will review the changes, and if the ordinance meets FEMA requirements, we will submit the ordinance to DCED for review (item #4 on the Ordinance Review Process enclosed). Should there be any questions or comments on the contents of this letter, please contact me. My contact information is included below.

Sincerely,

Drew Shaw, AICP
Environmental Planning Section Chief
dshaw@montcopa.org
(610) 278-3733

c. Dan Fitzpatrick, DCED



MEMORANDUM

TO: Board of Supervisors

FROM: Planning Commission
Jonathan Trump, Chairman

DATE: December 17, 2015

RE: Floodplain Conservation Ordinance

The Planning Commission has reviewed the above named ordinance and would like to recommend to the Board of Supervisors that this ordinance be approved as written.

FLOOD PLAIN

U.S. Department of Homeland Security
500 C Street, SW
Washington, DC 20472



FEMA

JAN 15 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael J. Fox
Chairperson, Board of Supervisors
Township of Montgomery
1001 Stump Road
Montgomeryville, Pennsylvania 18936

Dear Mr. Fox:

I am writing this letter as an official reminder that the Township of Montgomery, Pennsylvania, has until March 2, 2016, to adopt and have the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Regional Office approve floodplain management measures that satisfy 44 Code of Federal Regulations (CFR) Section 60.3(d) of the National Flood Insurance Program (NFIP) regulations.

The Township of Montgomery must adopt floodplain management measures, such as a floodplain management ordinance, that meet or exceed the minimum NFIP requirements (copy enclosed) by March 2, 2016, to avoid suspension from the NFIP. If suspended, your community becomes ineligible for flood insurance through the NFIP, new insurance policies cannot be sold, and existing policies cannot be renewed.

The NFIP State Coordinating Office for your State has verified that Pennsylvania communities may include language in their floodplain management measures that automatically adopt the most recently available flood elevation data provided by FEMA. Your community's floodplain management measures may already be sufficient if the measures include suitable automatic adoption language and are otherwise in accordance with the minimum requirements of the NFIP. The NFIP State Coordinator can assist you further in clarifying questions you may have about automatic adoption.

Under the Flood Disaster Protection Act of 1973, as amended, flood insurance must be purchased by property owners seeking any Federal financial assistance for construction or acquisition of buildings in Special Flood Hazard Areas (SFHAs). This financial assistance includes certain federally guaranteed mortgages and direct loans, federal disaster relief loans and grants, as well as other similarly described assistance from FEMA and other agencies.

In addition, all loans individuals obtain from Federally regulated, supervised, or insured lending institutions that are secured by improved real estate located in SFHAs are also contingent upon the borrower obtaining flood insurance coverage on the building. However, purchasing and maintaining flood insurance coverage on a voluntary basis is frequently recommended for properties located outside SFHAs.

Michael J. Fox

JAN 15 2016

Page 2

Your NFIP State Coordinator and FEMA would like to assist the Township of Montgomery to ensure it remains in good standing with the NFIP and avoids suspension from the Program. If your community is suspended, it may regain its eligibility in the NFIP by enacting the floodplain management measures established in 44 CFR Section 60.3 of the NFIP regulations. As stated in my previous correspondence, I recommend you contact your NFIP State Coordinator or the FEMA Regional Office if the Township of Montgomery is encountering difficulties in enacting its measures.

I recognize that your community may be in the final adoption process or may have recently adopted the appropriate floodplain management measures. Please submit these measures to the Floodplain Management Program at the Pennsylvania Department of Community and Economic Development. Daniel Fitzpatrick, CFM, the NFIP State Coordinator, is accessible by telephone at (717) 720-7445, in writing at the Commonwealth Keystone Building, 400 North Street, Fourth Floor, Harrisburg, Pennsylvania 17120-0225, or by electronic mail at dafitzpatr@pa.gov.

The FEMA Regional staff in Philadelphia, Pennsylvania, is also available to assist you with your floodplain management measures. The FEMA Regional Office may be contacted by telephone at (215) 931-5500 or in writing. Please send your written inquiries to the Director, Federal Insurance and Mitigation Division, FEMA Region III, at 615 Chestnut Street, One Independence Mall, Sixth Floor, Philadelphia, Pennsylvania 19106-4404.

In the event your community does not adopt and/or submit the necessary floodplain management measures that meet or exceed the minimum NFIP requirements, I must take the necessary steps to suspend your community from the NFIP. This letter is FEMA's final notification before your community is suspended from the Program.

Sincerely,



Rachel Sears, Chief
Floodplain Management Branch
Federal Insurance and Mitigation Administration

Enclosure

cc: MaryAnn Tierney, Regional Administrator, FEMA Region III
Daniel Fitzpatrick, CFM, NFIP State Coordinator, Pennsylvania Department of Community and Economic Development
Bruce Shoupe, Director, Planning and Zoning Department, Township of Montgomery

Resolution #

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township this 22nd day of February, 2016, that we hereby approve Ordinance #15-292-Z, which is the Montgomery Township Floodplain Conservation District Ordinance, which amends Article IV.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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

Proof of Publication of Notice in *The Reporter*

COPY OF NOTICE in PUBLICATION

LEGAL NOTICE

On Monday, February 22, 2016, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will hold a public hearing to consider enacting the following ordinance:

AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE BY (1) AMENDING ARTICLE II [DEFINITIONS] AND (2) REPEALING ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT] IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT WITH PROVISIONS FOR STATUTORY AUTHORIZATION; GENERAL PROVISIONS; IDENTIFICATION OF FLOODPLAIN AREAS; USE REGULATIONS; PROCEDURES AND CONDITIONS FOR VARIANCES AND SPECIAL EXCEPTIONS; TECHNICAL PROVISIONS; ADMINISTRATION; CERTIFICATE OF COMPLIANCE; MUNICIPAL LIABILITY; AND RESERVED SECTIONS FOR FUTURE AMENDMENT.

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

The public is invited to attend and will be given an opportunity to provide comments regarding this proposed ordinance. Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900.

At the conclusion of the hearings, the Board will consider enactment of this ordinance, unless it deems additional time is required for consideration and discussion, in which case it will hold an additional public hearing/meeting at an announced date and time for that purpose.

LAWRENCE J. GREGAN
Township Manager
LAN Feb 5, 12 - 1a

State of Pennsylvania } ss
County of Montgomery

Maureen Schmid

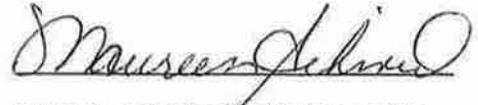
designated agent of *THE REPORTER*, being duly sworn, deposes and says that *THE REPORTER*, a daily newspaper of general circulation, published at Lansdale, Montgomery County, Pennsylvania, was established in the year of 1870, and has been regularly issued and published in Montgomery County continuously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

February 5, 2016

February 12, 2016

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 aforesaid notice or advertisement, and that all allegations in the foregoing statements as to time, place and character of publication are true.



Sworn to and subscribed before me this

12th day of February, 2016

Marcia B. Burns
Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
MARCIA B. BURNS, Notary Public
Lansdale Borough, Montgomery County
My Commission Expires November 20, 2019

MONTGOMERY TOWNSHIP

ORDINANCE #15-292

AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE BY (1) AMENDING ARTICLE II [DEFINITIONS] AND (2) REPEALING ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT] IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT WITH PROVISIONS FOR STATUTORY AUTHORIZATION; GENERAL PROVISIONS; IDENTIFICATION OF FLOODPLAIN AREAS; USE REGULATIONS; PROCEDURES AND CONDITIONS FOR VARIANCES AND SPECIAL EXCEPTIONS; TECHNICAL PROVISIONS; ADMINISTRATION; CERTIFICATE OF COMPLIANCE; MUNICIPAL LIABILITY; AND RESERVED SECTIONS FOR FUTURE AMENDMENT.

ENACTED: _____

MONTGOMERY TOWNSHIP

ORDINANCE #15-292

AN ORDINANCE AMENDING THE TOWNSHIP'S ZONING ORDINANCE BY (1) AMENDING ARTICLE II [DEFINITIONS] AND (2) REPEALING ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT] IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT WITH PROVISIONS FOR STATUTORY AUTHORIZATION; GENERAL PROVISIONS; IDENTIFICATION OF FLOODPLAIN AREAS; USE REGULATIONS; PROCEDURES AND CONDITIONS FOR VARIANCES AND SPECIAL EXCEPTIONS; TECHNICAL PROVISIONS; ADMINISTRATION; CERTIFICATE OF COMPLIANCE; MUNICIPAL LIABILITY; AND RESERVED SECTIONS FOR FUTURE AMENDMENT.

IT IS HEREBY ENACTED AND ORDAINED by the Montgomery Township Board of Supervisors that the Township's Zoning Ordinance is hereby amended as follows:

SECTION 1. Amendment of Article II [Definitions].

- A. The following terms and definitions shall be added to Article II [Definitions], §230-5 [Word usage; definitions]:

BASE FLOOD – a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood").

BASE FLOOD ELEVATION (BFE) – the elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE and A1-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. The BFE is also shown on the FIS profile, and can be determined for Zone A Floodplains.

BASEMENT – any area of the building having its floor below ground level on all sides.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION – a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXISTING STRUCTURE/EXISTING CONSTRUCTION – a structure for which the “start of construction” commenced before the effective date of the FIRM,

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION – the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD INSURANCE RATE MAP (FIRM) – the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

FLOODWAY – the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FLOODWAY FRINGE – That part of the floodplain adjacent to and extending from the floodway and subject to inundation by the 100-year flood.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURES – any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Pennsylvania Historical and Museum Commission (PHMC) as meeting the criteria for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Pennsylvania Historical and Museum Commission (PHMC) as contributing to the historical significance of a National Register historic district or a district preliminarily determined by the PHMC to be eligible to qualify for listing in the National Register, or;
- (3) Designated as historic by a municipal ordinance:

- (a) Identified individually or as part of a local historic district by a zoning ordinance under the authority of the Pennsylvania Municipalities Planning Code or
- (b) Located in a local historic district that has been certified by the Pennsylvania Historical and Museum Commission as meeting the requirements of the Pennsylvania Historic District Act.

MANUFACTURED HOME PARK OR SUBDIVISION – a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MINOR REPAIR – the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

NEW CONSTRUCTION – structures for which the start of construction commenced on or after May 15, 1984, and includes any subsequent improvements thereto.

NEW MANUFACTURED HOME PARK OR SUBDIVISION – a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

ONE HUNDRED-YEAR FLOOD – The flood having a 1% chance of being equaled or exceeded in any one year. Also referred to as the '1% frequency flood', or the 'Base Flood', as defined by FEMA in the Flood Insurance Study for Montgomery Township.

PERSON – an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

POST-FIRM STRUCTURE – A structure for which construction or substantial improvement occurred after December 31, 1974, or on or after the community's initial FIRM dated May 15, 1984, whichever is later, and, as such would be required to be compliant with the regulations of the NFIP.

PRE-FIRM STRUCTURE – A structure for which construction or substantial improvement occurred on or before December 31, 1974, or before the community's initial FIRM dated May 15, 1984, and, as such would not be required to be compliant with the regulations of the NFIP.

RECREATIONAL VEHICLE – a vehicle which is

- (1) built on a single chassis;
- (2) not more than 400 square feet, measured at the largest horizontal projections;
- (3) designed to be self-propelled or permanently towable by a light-duty truck,
- (4) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REDEVELOPMENT AREA – A census tract or group of census tracts eligible for the Montgomery County Revitalization Program and identified in the adopted municipal revitalization plan.

REGULATORY FLOOD ELEVATION – The regulatory flood elevation is the elevation to which development is regulated for purposes of elevation and/or dry floodproofing. It is equal to the base flood elevation (BFE) plus a freeboard of 1½ feet.

REPETITIVE LOSS – flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

SPECIAL FLOOD HAZARD AREA (SFHA) – means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, A1_ A30, AE, or A99.

SPECIAL FLOODPLAIN AREA – the areas identified as Zone AE in the Flood Insurance Study, where one hundred (100) year flood elevations have been provided, but no floodway has been delineated.

START OF CONSTRUCTION – includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit and shall be completed within 12 months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator/Building Code Official. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as

dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

SUBDIVISION – the division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBSTANTIAL DAMAGE – damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage (or "repetitive loss" when a repetitive loss provision is used) regardless of the actual repair work performed. The term does not, however include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. For alteration of historic structures, see §230-13.E.5

UNIFORM CONSTRUCTION CODE (UCC) – The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the State floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.

VIOLATION —

- (1) The failure of a structure or other development to be fully compliant with the requirements of this Chapter.
- (2) The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3),

(e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

- B. The definitions of the following terms shall be replaced in their entirety with the following definitions in Article II [Definitions], §230-5 [Word usage; definitions]:

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation or drilling operations.

MOBILE HOME - A transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days. This term includes but is not limited to the definition of a mobile home, as set forth in regulations governing Mobile Home Safety and Construction Standards Program (23 CFR 3282.7a).

LOWEST FLOOR - The lowest floor of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure usable solely for the parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

STRUCTURE - Any form or arrangement of materials involving the necessity of providing proper support, bracing, tying, anchoring (whether above, below or partially above and partially below ground) or other protection against the forces of the elements.

SECTION 2. Repeal and Replacement of Article IV [Floodplain Conservation District].

Article IV [Floodplain Conservation District] shall be repealed in its entirety and replaced with a new Article IV [Floodplain Conservation District] which will read as follows:

Article IV. FP FLOODPLAIN CONSERVATION DISTRICT

§ 230-10. Statutory Authorization

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Board of Montgomery Township does hereby order in the FP Floodplain Conservation District the following regulation shall apply.

§ 230-11. General Provisions

A. Intent

In addition to the purpose stated in Article I, §230-2, of the Montgomery Township Zoning Ordinance, the specific intent of this article shall be to protect areas of floodplain subject to and necessary for the containment of floodwaters. Furthermore, in light of the Township's certification as eligible for federal flood insurance, it is the intent of this article to provide adequate protection for flood-prone properties within Montgomery Township. In advancing these principles and the general purposes of the Zoning Ordinance and the adopted Township Comprehensive Plan, the following shall be the specific objectives in the FP Floodplain Conservation District:

1. Protect areas of the floodplain necessary to contain floodwaters.
2. To permit only those uses in the floodplain that are compatible with preserving natural conditions and stream flow.
3. To combine with present zoning requirements certain restrictions made necessary for flood-prone areas to promote the general health, welfare and safety of the Township.
4. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
5. To minimize danger to public health by protecting the quality and quantity of surface and subsurface water supplies adjacent to and underlying flood hazard areas and promoting safe and sanitary drainage.
6. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
7. Comply with federal and state floodplain management requirements.
8. To prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions or other hazards.
9. To provide retention areas for the temporary storage of floodwaters.
10. To permit only those uses which can be appropriately located in the floodplain, as herein defined, and which will not impede the flow or storage of floodwaters or otherwise cause danger to life and property at, above or below their locations along the floodplain.

11. To provide sufficient drainage courses to carry abnormal flows of stormwater in periods of heavy precipitation.
12. To protect those individuals who, despite the flood dangers, develop or occupy land on a floodplain resulting from a use which is nonconforming by virtue of this article.
13. To protect adjacent landowners and those both upstream and downstream from damages resulting from development within a floodplain and the consequent obstruction or increase in flow of floodwaters.
14. To protect the entire Township from individual uses of land which may have an effect upon subsequent expenditures for public works and disaster relief and adversely affect the economic well-being of the Township.
15. To protect other municipalities within the same watershed from the impact of improper development and the consequent increased potential for flooding.
16. To provide areas for the deposition of flood-borne sediment.
17. To require that uses vulnerable to floods, including public facilities, be constructed so as to be protected from damage in accordance with the requirements of the Federal Flood Insurance Program, P.L. 90-448, and the Pennsylvania Flood Plain Management Act, P.L. 851, No. 166 of 1978, and as either is amended. *Editor's Note: See 32 P.S. § 679.101 et seq.*

B. Abrogation and Greater Restriction

This ordinance supersedes any other conflicting provisions which may be in effect in the Floodplain Conservation District. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

C. Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

D. Warning and Disclaimer Liability

The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside the Floodplain Conservation District, or that land uses permitted within such areas, will be free from flooding or flood damages.

This Ordinance shall not create liability on the part of Montgomery Township or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

§ 230-12. Identification of Floodplain Areas

A. District Established

The Floodplain Conservation District is defined and established as follows:

1. The Floodplain Conservation District is defined and established as a district applicable to those areas of Montgomery Township classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) dated April 4, 2014 (and all subsequent revisions and amendments), and the accompanying Flood Insurance Rate Maps (FIRMs) dated March 2, 2016 (and all subsequent revisions and amendments), and issued by the Federal Emergency Management Agency (FEMA), or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study. Said floodplains shall be comprised of the following specific areas:
 - a. The Floodway Area/District shall be those areas identified as Floodway on the FIRM as well as those floodway areas which have been identified in other available studies or sources of information for those special floodplain areas where no floodway has been identified in the FIS. The floodway represents the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than one (1) foot at any point.
 - i. Within any floodway area, no encroachments, including fill, new construction, substantial Improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 - ii. No new construction or development shall be allowed, unless a permit is obtained from the Department of Environmental Protection Regional Office.
 - b. Community Identified Flood Hazard Areas shall be those areas where Montgomery Township has identified local flood hazard or ponding areas, as delineated and adopted on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high water marks, soils or approximate study methodologies.
 - c. The A Area/District shall be the areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one-percent (1%) annual chance flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable source shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the Floodplain Conservation District which is nearest the construction site.
 - d. In lieu of the above, Montgomery Township may require the applicant to determine the elevation with hydrologic and hydraulic engineering

techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality.

e. (Reserved)

f. Alluvial Soils.

i. Soils with a frequency of flooding of 1% or greater per year, as delineated by the Natural Resources Conservation Service, United States Department of Agriculture Web-Based Soil Survey (available online at <http://websoilsurvey.nrcs.usda.gov/>), including, but not limited to, the following soils:

- Bowmansville (Bo)
- Knauers (Bo)
- Rowland (Rt)

ii. Any party wishing to develop in such areas shall supply engineering studies to the Township sufficient so that the Township Engineer may determine if said area(s) are to be considered as a one-hundred-year floodplain. If said area(s) is not part of the area proposed for building, the Township may not require such studies at the advice of the Township Engineer, but the Township shall require said soil areas to be appropriately identified on all subdivision, development or building plans to be submitted to the Township.

2. The Floodplain Conservation District shall be delineated on the Floodplain Overlay Map of Montgomery Township, which is hereby made a part of this chapter and is available for inspection at the Township office. Whenever there is a difference between said Map and the data contained in the sources described in Section 230-11.A.1 of this section, the data contained in said sources shall determine the boundary of the District.
3. Studies used to establish the floodplain boundaries shall be available in the Township Building for reference.
4. Use of information. The Township Code Enforcement Officer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source as criteria for requiring that all new construction, substantial improvements or other developments in Zone A shown on the FEMA Flood Insurance Rate Maps adhere to the requirements under the NFIP § 60.3(c)(2), (3), (5) and (6) and § 60.3(d)(3).
5. The Floodplain Conservation District shall be deemed an overlay on any zoning district now or hereafter applicable to any lot.
6. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within Montgomery Township unless a Permit has been obtained from the Floodplain Administrator.

7. A Permit shall not be required for minor repairs to existing buildings or structures.

B. Changes in the FP Floodplain Conservation District Area

The Floodplain Conservation District may be revised or modified by the Board where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from FEMA. Additionally, as soon as practicable, but not later than six (6) months after the date such information becomes available, a community shall notify FEMA of the changes by submitting technical or scientific data.

C. Boundary Disputes: Appeals Procedure

1. In case of any dispute concerning the boundaries of a Floodplain Conservation District, initial determination shall be made by the Township Code Enforcement Officer, who shall seek the advice of the Township Engineer as necessary in making said determination.
2. Any party aggrieved by the decision of the Code Enforcement Officer as to the boundaries of the Floodplain Conservation District, as defined above, which may include the grounds that said map referred to therein is or has become incorrect because of changes due to natural or other causes or changes indicated by future detailed hydrologic and hydraulic studies, may appeal to the Zoning Hearing Board as provided in Article XXIII, §§ 230-182 to 230-185 of this chapter. The burden of proof in such an appeal shall be on the applicant.
3. Whether a proposed use is within the Floodplain Conservation District shown on the Floodplain Overlay Map shall, upon appeal from the decision of the Code Enforcement Officer, be determined by the Zoning Hearing Board upon receipt of the findings of the detailed on-site survey by the petitioner. The Zoning Hearing Board, in addition to other evidence and standards, shall request the review and recommendations of the Township Planning Commission and other Township agencies or officials at least 45 days before the public hearing.
4. The Zoning Hearing Board may request the review and recommendations of the following agencies, on a case-by-case basis, to be determined by a consultation with the Code Enforcement Officer and the appropriate agency or individual: the United States Army Corps of Engineers, Philadelphia District; the Soil Conservation Service; the Township Engineer; the Montgomery County Planning Commission; the Neshaminy or Wissahickon Watershed Associations; and other technical agencies as necessary. Such request shall be made 45 days prior to the public hearing.
5. All changes to the boundaries of the Floodplain Conservation District are subject to the review and approval of the Federal Insurance Administrator.

D. Overlay Concept

The Floodplain Conservation District shall be deemed an overlay on any zoning district now or hereafter applicable to any lot.

1. Should the Floodplain Conservation District be declared inapplicable to any tract by reason or action of the Township Board of Supervisors in amending

this article; or the Code Enforcement Officer, the Zoning Hearing Board or any court of competent jurisdiction in interpreting the same; or the Zoning Hearing Board or any court of competent jurisdiction in determining a legal effect of the same, the zoning applicable to such lot shall be deemed to be the district in which it is located without consideration of this article.

2. Should the zoning of any parcel or any part thereof in which the Floodplain Conservation District is located be changed through any legislative or administrative actions or judicial discretion, such change shall have no effect on the Floodplain Conservation District unless such change was included as part of the original application.
3. Where this article does not define the boundaries of the floodplain as defined in § 230-12 herein, the minimum setback from any watercourse for a structure shall be equal to the horizontal distance from the top of the bank of the watercourse extended to a point at which the elevation is one foot above the elevation of the top of the bank, as verified by the Township Engineer, or 50 feet, whichever is greater. All such changes to the boundaries of the Floodplain Conservation District are subject to the review and approval of the Federal Insurance Administrator.

E. Corporate Boundary Changes

Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, the community shall review flood hazard data affecting the lands subject to boundary changes. The community shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes which meet or exceed those in CFR 44 60.3.

§ 230-13. Use Regulations

A. Permitted Uses

The following uses and no other will be permitted in a Floodplain Conservation District. All such uses shall be subject to the floodproofing requirements as stipulated in this article, as well as the Township Building Code and Subdivision and Land Development Ordinance, both as amended.

1. Agricultural uses conducted in compliance with methods prescribed in the latest version of the Department of Environmental Protection's Erosion and Sediment Pollution Control Manual.
2. Pasture and grazing land in accordance with recognized soil conservation practices.
3. Outdoor plant nursery or orchard in accordance with recognized soil conservation practices, but permitting no structures.
4. Harvesting of any wild crops, such as marsh hay, ferns, moss, berries or wild rice.

5. Open space uses that are primarily passive in character shall be permitted to extend into the floodplain including: Wildlife sanctuary, nature preserves, woodland preserve, fishing areas, passive areas of public and private parklands, reforestation, and arboretum. Any construction, development or grading shall only be permitted in strict compliance with the provisions of this article.
6. Streambank stabilization.
7. Game farm, fish hatchery (if approved and supervised by the Pennsylvania Fish and Game Commission) or hunting and fishing preserve for the preservation or propagation of wildlife, but permitting no structures.
8. Forestry, lumbering and reforestation operations in accordance with recognized natural resource conservation practices and reviewed by the Montgomery County Conservation District, but permitting no structures; provided, however, that the provisions of § 230-14 are adhered to.
9. Utility transmission lines.
10. The following floodplain crossings are permitted, provided disturbance to any existing woodlands and degradation of water quality are minimized to the greatest extent practicable: Agricultural crossings by farm vehicles and livestock, driveways serving single family detached dwelling units, roadways, recreational trails, railroads, and utilities.
11. Sealed public water supply wells, with the approval of the Township Engineer.
12. Sealed sanitary sewers, with the approval of the Township Engineer.
13. Culverts, with the approval of the Township Engineer and the Commonwealth of Pennsylvania, Department of Environmental Resources, when applicable.
14. Front, side or rear yards and required lot area for any district, provided that such yards are not to be used for on-site sewage disposal systems or for fence or any other structure; further provided, however, that if it is not feasible, due to the amount of the floodplain, to provide adequate buildable area in accordance with the setbacks prescribed by the underlying district, the lot area shall be required to be increased an amount commensurate with that portion of the floodplain area which renders it impossible to achieve adequate buildable area.

B. Prohibited Uses

Any use or activity not authorized within Section 230-13.A, herein, shall be prohibited within the Floodplain Conservation District and the following activities and facilities are specifically prohibited.

1. The following uses shall be specifically prohibited in a Floodplain Conservation District, except where permitted by variance:

- a. Construction, alterations, or improvements to freestanding structures, buildings, retaining walls, or any other permanent structure including fences with the exception of flood-retention dams and bridges, as approved by the Pennsylvania Department of Environmental Resources.
 - b. The encroachment, alteration, improvement or relocation of any watercourse.
 - c. On-site/subsurface sewage disposal systems.
 - d. Private water supply wells.
 - e. Roads or driveways, except where permitted as corridor crossings in compliance with Section 230-13.A, herein.
 - f. Motor or wheeled vehicle traffic in any areas not designed to accommodate adequately the type and volume.
 - g. Parking lots.
 - h. Sod farming.
2. The following uses shall be specifically prohibited in a Floodplain Conservation District and shall not be subject to further consideration, in accordance with the Pennsylvania Flood Plain Management Act, P.L. 851, No. 166 of 1978, as amended.
- a. Sanitary landfills, dumps, junkyards, outdoor storage of vehicles and materials and toxic chemicals and hazardous wastes as defined in Act 97 of 1980, the Solid Waste Management Act.
 - b. Development Which May Endanger Human Life
- In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances; or, will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or, will involve the production, storage, or use of any amount of radioactive substances; shall be subject to the provisions of this section, in addition to all other applicable provisions. The following list of materials and substances are considered dangerous to human life:
- Acetone.
 - Ammonia.
 - Benzene.

- Calcium carbide.
 - Carbon disulfide.
 - Celluloid.
 - Chlorine.
 - Hydrochloric acid.
 - Hydrocyanic acid.
 - Magnesium.
 - Nitric acid and oxides of nitrogen.
 - Petroleum products (gasoline, fuel oil, etc.).
 - Phosphorus.
 - Potassium.
 - Sodium.
 - Sulphur and sulphur products.
 - Pesticides, including insecticides, fungicides and rodenticides.
 - Radioactive substances, insofar as such substances are not otherwise regulated.
- c. All manufactured homes, manufactured home parks and manufactured home subdivisions.
- d. Hospitals (public or private).
- e. Nursing homes (public or private).
- f. Jails or prisons.
- g. Clearing of all existing vegetation, except where such clearing is necessary to prepare land for a use permitted under Section 230-13.A, herein, and where the effects of these actions are mitigated by reestablishment of vegetation.
- h. Placement of fill within the 100 year floodplain
- i. Use of fertilizers, pesticides, herbicides and/or other chemicals in excess of prescribed industry standards.

C. Uses Permitted by Special Exception

The following special exceptions shall be allowed or denied by the Zoning Hearing Board after recommendations by the Planning Commission pursuant to the standards set forth in this article:

1. Sewage treatment plant, outlet installations for sewage treatment plants and sewage pumping stations, with the approval of the Township Engineer and pertinent sewer authorities.

2. Dams and bridges approved by the Commonwealth of Pennsylvania, Department of Environmental Resources.
3. Paved roads and driveways and parking lots, where required by the regulations of the zoning district applicable to the property without consideration of this article, provided that:
 - a. In the case of roads and driveways, no such facilities shall be permitted as a special exception if alternative non-floodplain alignments are feasible, as determined by the Township Engineer.
 - b. In the case of parking lots, no such lot shall be permitted as a special exception unless satisfactory evidence is submitted that such parking will not be used during periods of flood flow, thus posing no threat to the safety of the vehicles, their occupants and/or to downstream properties. Temporary parking for periods not to exceed one hour and/or parking for recreation uses would be examples of such exceptions.
 - c. Any road, driveway or parking lot located within the Floodplain Conservation District shall, to the extent feasible, upon the review and recommendation of the Township Engineer, be constructed of paving materials in accordance with the provisions of the Montgomery Township Subdivision and Land Development Ordinance.
4. Grading or regrading of lands, including the deposit of topsoil and the grading thereof. The application for a special exception for such a use shall be accompanied by the following:
 - a. Detailed engineering studies indicating the effects on drainage and streams on all adjacent properties as well as the property in question, including the necessary data to determine whether the boundaries of the Floodplain Conservation District would be affected if the application was granted.
 - b. An application for amending the boundaries of the Floodplain Conservation District if the boundaries are affected by the grading or regrading of land.
 - c. A plan indicating the deposition of any fill or materials proposed to be deposited by the grading or regrading of land; such fill or other materials shall be protected against erosion by riprap, vegetative cover or bulkheading.
 - d. Fences of wood, wire or other materials which will not impede the flow of floodwaters.
5. Storm sewers or detention/retention basins, with the approval of the Township Engineer.

6. Any other similar uses not listed herein are to be considered special exceptions and subject to the requirements herein.

D. Nonconforming Uses and Structures

Following the adoption of this article, any use or structure which is situated within the boundaries of the FP Floodplain Conservation District and which does not conform to the permitted uses specified in § 230-13.A herein shall become a nonconforming use or structure, regardless of its conformance to the district in which it is located, without consideration of this article.

1. The expansion or continuance of a nonconforming use or structure which is nonconforming with respect to the district in which it is located, without consideration of this article, shall be governed by the requirements of Article XX of this chapter. However, the Zoning Hearing Board shall ensure that the standards contained in § 230-14.D herein are applied to the expansion or continuance of said nonconforming use or structure.
2. The expansion or continuance of a nonconforming use or structure which is rendered nonconforming by the adoption of this article shall be governed by the standards contained in § 230-14.D herein. The Zoning Hearing Board shall ensure that these standards are enforced with respect to said nonconforming use or structure.

E. Improvements to Existing Structures

The following provisions shall apply whenever any improvement is made to an existing structure located within any Floodplain Conservation District:

1. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the base flood elevation.
2. No expansion or enlargement of an existing structure shall be allowed within any AE Area/District with floodway, as defined in Section 230-12.A.1.b that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
3. No expansion or enlargement of an existing structure shall be undertaken in the direction of the streambank.
4. Any modification, alteration, reconstruction, or improvement, of any kind to an existing structure, to an extent or amount of fifty (50) percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.
5. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance must comply with all ordinance requirements that do not preclude the structure's continued designation as an historic structure. Documentation that a specific ordinance

requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic Places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from the ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

6. The above activity shall also address the requirements of §230-15.C(14).
7. Any modification, alteration, reconstruction, or improvement of any kind that meets the definition of "repetitive loss" shall be undertaken only in full compliance with the provisions of this ordinance.

§ 230-14. Procedures and Conditions for Variances and Special Exceptions

A. Application and Procedure for Considering Special Exceptions and Variances

1. A floodplain use permit shall be required for all construction and development in the floodplain. An application for a floodplain use permit shall be filed with the Code Enforcement Officer who shall make the initial determination on the application. For uses other than those permitted in Section 230-13.A, an application seeking approval of special exception or variance shall be forwarded to the Zoning Hearing Board along with required studies or information and the findings of the Zoning Officer.
2. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the BFE.
3. Any application involving the use of fill, the construction of structures or the storage of materials shall be accompanied by the following:
 - a. A plan certified by a registered professional engineer which accurately locates the proposed floodplain use with respect to the floodplain district limits, channel or stream, existing floodplain developments, together with all pertinent information such as the nature of the proposal; legal description of the property fill limits and elevations; and proposed floodproofing measures, including those required by the Township Building Code, as amended, and the provisions of this article.
 - b. Such of the following additional information as is deemed necessary by either the Code Enforcement Officer or the Zoning Hearing Board for evaluation of the effects of the proposal upon flood flows and floodplain storage and to render a decision on the proposed floodplain use:
 - c. A typical valley cross section showing the channel of the stream, the floodplain adjoining each side of the channel, the cross-sectional area to be occupied by the proposed development and high-water information.
 - d. A plan surface view showing the elevation or contours of the ground at vertical intervals of two feet; pertinent structures, fill or storage elevation;

the size, location and spatial arrangement of all proposed and existing structures on the site; the location and elevation of streets, water supply, sanitary facilities and soil types and other pertinent information.

- e. A profile showing the slope of the bottom of the channel.
 - f. Specifications for building construction and materials floodproofing, filling, dredging, grading, channel improvement, storage of materials, water supply and sanitary facilities in accordance with the provisions contained in the Montgomery Township code, as amended.
4. The application for special exception or use by variance shall be accompanied by detailed engineering studies indicating the effects on drainage and streams on all adjacent properties as well as on the property in question.

B. Procedures for Considering Special Exceptions and Variances.

1. All applications for approval of special exceptions or variances shall be considered using standards listed in Section 230-14.D of this ordinance.
- a. The Zoning Hearing Board shall hold a public hearing within 60 days after an application is filed. Public notice of the hearing shall be given in accordance with Section 230-171 of this Zoning Ordinance.
 - b. The Zoning Hearing Board, in addition to other evidence and standards, shall request the review and recommendations of the Township Planning Commission and other Township agencies or officials as least 45 days before the public hearing.
 - c. The Zoning Hearing Board may request, at least 45 days prior to a public hearings, the review and recommendations of following agencies on a case-by-case basis to be determined by a consultation with the Code Enforcement Officer and appropriate agency or individual: the Montgomery County Planning Commission, the Neshaminy or Wissahickon Watershed Association, the United States Army Corps of Engineers, the Soil Conservation Services, the Township Engineer or other planning agencies, groups or individuals to assist in determining the impact of the proposed use.
 - d. The Zoning Hearing Board shall render a decision within 45 days after the public hearing. In rendering a decision, the Zoning Hearing Board may impose special measures or conditions are deemed reasonably necessary and appropriate for the use to conform with the intent of this article.

C. Special Requirements

1. All subdivision proposals and development proposals containing at least 50 lots or at least 5 acres, whichever is the lesser, in flood hazard areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and

floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision or Letter of Map Revision.

2. Within the Floodplain Conservation District, manufactured homes shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
3. Where permitted by variance within the Floodplain Conservation District, all manufactured homes, and any improvements thereto, shall be:
 - a. Placed on a permanent foundation
 - b. Elevated so that the lowest floor of the manufactured home is at least one and one half (1 ½) feet above the Base Flood Elevation.
 - c. Anchored to resist flotation, collapse, or lateral movement
4. Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the International Residential Building Code or the U.S. Department of Housing and Urban Development's Permanent Foundation for Manufactured Housing, 1984 Edition, draft or latest revision thereto shall apply and the 34 PA Code Chapter 401-405.
5. Consideration shall be given to the installation requirements in § 230-15A.(14).
6. Recreational vehicles in Zones A1-30 and AE must either
 - a. Be on the site for fewer than 180 consecutive days, and
 - b. Be fully licensed and ready for highway use, or
 - c. Meet the permit requirement for manufactured homes in this section.

D. Standards for Granting Special Exceptions and Variances

1. The Zoning Hearing Board shall exercise discretion in allowing only those uses which are substantially in accord with the stated provisions in § 230-11 herein. The Zoning Hearing Board, in considering special exceptions or variance applications, shall consider the following:
 - a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located.

- b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
 - c. That such unnecessary hardship has not been created by the appellant.
 - d. That the variance will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
 - e. The effect of the use shall not alter the carrying capacity of the stream and floodplains at the location of the proposed use.
 - f. Lands abutting the waterway, both upstream and downstream, shall not be adversely affected by the proposed use.
 - g. The general welfare or public interest of Montgomery Township or of other municipalities in the same watershed shall not be adversely affected. Nor create nuisances, causer fraud on, or victimize the public, or conflict with any other applicable state or local ordinances or regulations.
 - h. Any new or substantially improved structures permitted by special exception or by variance shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have no effect upon the flow and height of floodwater on other properties. Such structures shall be elevated in accordance with the provisions contained in the Montgomery Township Building Code, as amended.
 - i. Any new or substantially improved structure permitted as a special exception or by variance shall be floodproofed in accordance with the provisions contained in the Montgomery Township Building Code, as amended.
2. All new or substantially improved structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement.
 - a. All such structures shall be constructed so as to prevent the entrance of floodwaters into the water supply and waste treatment systems as well as other utility systems. In addition, waste treatment systems shall be designed to minimize or eliminate discharges from such systems into the floodwaters.
 - b. In all such structures, there shall be provision in all fully enclosed areas below the base flood elevation of a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers or

other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

- c. In all such structures, the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and located so as to prevent water from entering or accumulating within the components during conditions of flooding.
3. Any additions to existing structures permitted as a special exception or by a variance shall be elevated to the greatest extent possible according to the provisions contained in the Montgomery Township Building Code, as amended.
 4. An affirmative decision shall not be issued by the Zoning Hearing Board for an application within the designated floodway if any increase in the flood levels during the base flood discharge would result.
 5. If granted, a variance shall involve only the least modification necessary to provide relief.
 6. In granting any variance, the Zoning Hearing Board shall notify the applicant in writing that.
 - a. The granting of the variance may result in increased premium rates for floor insurance.
 - b. Such variances may increase the risks to life and property.
 - c. Such notification shall be maintained with a record of all decisions as required in this section.
 7. The Zoning Hearing Board shall maintain a complete record of all variance requests and decisions affecting the Floodplain Conservation District, including the written justification of the reason for the issuance of any special exception or variance, and report such decisions in the Township's biennial report submitted to the Federal Insurance Administration and FEMA.

E. Additional Standards for Granting Variances

A property owner of a lot of record, as of the date of the enactment of this article, who is able to prove that the strict enforcement of this article would create undue hardship by denying a reasonable use of an existing lot which is situated either wholly or partially in the Floodplain Conservation District, may seek relief by applying for a variance from the Zoning Hearing Board.

1. The Zoning Hearing Board, after deciding upon the merits of the application, may permit the applicant to make some reasonable use of the property in question, while ensuring that such use will not violate the basic objectives of this article as specified in § 230-11 herein.
2. In considering a use as a variance, the Zoning Hearing Board shall consider

those standards outlined in § 230-14 herein.

3. Requests for variances shall be considered by the Zoning Hearing Board in accordance with the following:
 - a. Affirmative decisions shall only be issued by the Zoning Hearing Board upon a determination that failure to grant the appeal would result in exceptional hardship to the applicant and a determination that the granting of an appeal will not result in increased flood heights, additional threats to public safety or extraordinary public expense or create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
 - b. Affirmative decisions shall only be issued upon determination that it is the minimum necessary, considering the flood hazard, to provide relief.

§ 230-15. Technical Provisions

A. General

In granting any variance, Montgomery Township Zoning Hearing Board shall attach the following technical provisions to the proposal for which the variance has been granted. These conditions and safeguards are necessary in order to protect the public health, safety, and welfare of the residents of the municipality.

1. Pertaining to The Alteration or Relocation of Watercourse
 - a. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Protections Regional Office.
 - b. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.
 - c. In addition, the FEMA and Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.
2. The municipality shall require technical or scientific data to be submitted to FEMA for a Letter of Map Revision (LOMR) within six (6) months of the completion of any new construction, development, or other activity resulting in changes in the BFE. A LOMR or Conditional Letter of Map Revision (CLOMR) is required for:
 - a. Any development that causes a rise in the base flood elevations within the floodway; or

- b. Any development occurring in Zones A1-30 which will cause a rise of more than one foot in the base elevation; or
 - c. Alteration or relocation of a stream (including but not limited to installing culverts and bridges).
3. Any new construction, development, uses or activities allowed by variance within any Floodplain Conservation District shall be undertaken in strict compliance with the provisions contained in this Ordinance and any other applicable codes, ordinances and regulations. In addition, when such development is proposed within the area measured fifty (50) feet landward from the top of bank of any watercourse, a permit shall be obtained from the Department of Environmental Protection Regional Office.

B. Elevation and Floodproofing Requirements

1. Residential Structures

- a. In AE and A1-30 Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.
- b. In A Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with 230-12.A.1.d of this ordinance.
- c. The design and construction standards and specifications shall address the requirements of § 230-15.C(14)

2. Non-residential Structures

- a. In AE and A1-30 Zones, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
 - is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and,
 - has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- b. In A Zones, where there no Base Flood Elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with 230-12.A.1.d of this ordinance.
- c. Any non-residential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the WI or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers

(June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.

- d. The design and construction standards and specifications shall address the requirements of § 230-15.C(14).
3. Space below the lowest floor
 - a. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
 - b. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - the bottom of all openings shall be no higher than one (1) foot above grade.
 - openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. Accessory structures

Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

- a. The structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
- b. Floor area shall not exceed 100 square feet.
- c. The structure will have a low damage potential.
- d. The structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
- e. Power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
- f. Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. are prohibited.
- g. Sanitary facilities are prohibited.
- h. The structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of

floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

- a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
- the bottom of all openings shall be no higher than one (1) foot above grade.
- openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

C. Design and Construction Standards

The following minimum standards shall apply for all construction and development proposed within any Floodplain Conservation District:

1. Fill

a. If fill is used, it shall:

- extend laterally at least fifteen (15) feet beyond the building line from all points;
- consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
- be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
- be no steeper than one (1) vertical to two (2) horizontal, feet unless substantiated data, justifying steeper slopes are submitted to, and approved by the Floodplain Administrator; and
- be used to the extent to which it does not adversely affect adjacent properties.

2. Drainage Facilities

Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

3. Water and Sanitary Sewer Facilities and Systems

- a. All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
- b. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
- c. No part of any on-site sewage system shall be located within any Floodplain Conservation District except in strict compliance with all State and local

regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.

- d. The design and construction provisions of the UCC and FEMA #348, Protecting Building Utilities From Flood Damages and The International Private Sewage Disposal Code shall be utilized.

4. Other Utilities

All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.

5. Streets

The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.

6. Storage

All materials that are buoyant, flammable, explosive, or in times of flooding could be injurious to human, animal, or plant life, and not listed in Section 230-13.B.2.b, Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or flood proofed to the maximum extent possible.

7. Placement of Buildings and Structures

All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.

8. Anchoring

- a. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
- b. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

9. Floors, Walls and Ceilings

- a. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
- b. Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
- c. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.
- d. Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other "water-resistant" material.

10. Paints and Adhesives

- a. Paints and other finishes used at or below the regulatory flood elevation shall be of "marine" or "water-resistant" quality.
- b. Adhesives used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
- c. All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or "water resistant" paint or other finishing material.

11. Electrical Components

- a. Electrical distribution panels shall be at least three (3) feet above the base flood elevation.
- b. Separate electrical circuits shall serve lower levels and shall be dropped from above.

12. Equipment

Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the Regulatory Flood Elevation.

13. Fuel Supply Systems

All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

14. Uniform Construction Code Coordination

The Standards and Specifications contained in ASCE 24 and 34 PA Code (Chapters 401-405), as amended and not limited to the following provisions shall apply to the above and other sections and sub-sections of this ordinance, to the extent that they are more restrictive and/or supplement the requirements of this ordinance.

- a. International Building Code (IBC) the latest edition thereof: Sections 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G.
- b. International Residential Building Code (IRC) the latest edition thereof: Sections R104, R105, R106, R109, R323, Appendix AE101, Appendix E and Appendix J.

§ 230-16. Administration

A. Designation of the Floodplain Administrator

The Planning and Zoning Director within the Planning and Zoning Department is hereby appointed to administer and enforce this ordinance and is referred to herein as the Floodplain Administrator.

B. Duties and Responsibilities of the Floodplain Administrator

1. The Floodplain Administrator shall issue a Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
2. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.
3. In the case of existing structures, prior to the issuance of any Development/Permit, the Floodplain Administrator shall review the history of repairs to the subject building, so that any repetitive loss issues can be addressed before the permit is issued.
4. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. The Floodplain Administrator shall make as many inspections during and upon completion of the work as are necessary.
5. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the Floodplain Conservation District, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.
6. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the Permit and report such fact to the Board for whatever action it considers necessary.
7. The Floodplain Administrator shall maintain all records associated with the requirements of this ordinance including, but not limited to, permitting, inspection and enforcement.
8. The Floodplain Administrator shall consider the requirements of § 230-15.C(14).

C. Application Procedures and Requirements

1. Application for such a Permit shall be made, in writing, to the Floodplain Administrator on forms supplied by the Township of Montgomery. Such application shall contain the following:
 - a. Name and address of applicant.
 - b. Name and address of owner of land on which proposed construction is to occur.
 - c. Name and address of contractor.

- d. Site location including address.
 - e. Listing of other permits or variances required.
 - f. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred where appropriate.
2. If any proposed construction or development is located entirely or partially within any Floodplain Conservation District, applicants for Permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
 - a. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - b. all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 - c. adequate drainage is provided so as to reduce exposure to flood hazards.
 - d. structures will be anchored to prevent floatation, collapse, or lateral movement.
 - e. building materials are flood-resistant.
 - f. appropriate practices that minimize flood damage have been used.
 - g. electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and/or located to prevent water entry or accumulation.
 3. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:
 - a. A completed Permit Application Form.
 - b. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:
 - c. north arrow, scale, and date;
 - d. topographic contour lines, if available;
 - e. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;
 - f. the location of all existing streets, drives, and other access ways; and
 - g. the location of any existing bodies of water or watercourses, the Floodplain Conservation District, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
 4. Plans of all proposed buildings, structures and other improvements, drawn at a scale of one (1) inch being equal to one hundred (100) feet or less showing the following:

- a. the proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
 - b. the elevation of the base flood;
 - c. supplemental information as may be necessary under § 230-15.C(14).
5. The following data and documentation:
- a. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood elevation; and detailed information concerning any proposed floodproofing measures and corresponding elevations.
 - b. a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood elevation. Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.
 - c. detailed information needed to determine compliance with Section 230-15.C.6, Storage, and Section 230-13.B.2.b, Development Which May Endanger Human Life, including:
 - i. the amount, location and purpose of any materials or substances referred to in 230-13.B.2.b. and 230-15.C.6 which are intended to be used, produced, stored or otherwise maintained on site.
 - ii. a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in 230-13.B.2.b during a base flood.
 - d. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
 - e. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.
6. Applications for Permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the Floodplain Administration.

D. Review by County Conservation District

A copy of all applications and plans for any proposed construction or development in any Floodplain Conservation District to be considered for approval shall be submitted by the Floodplain Administrator to the County Conservation District for review and comment prior to the issuance of a Permit. The recommendations of the Conservation District shall be considered by the Floodplain Administrator for possible incorporation into the proposed plan.

E. Review of Application by Others

A copy of all plans and applications for any proposed construction or development in any Floodplain Conservation District to be considered for

approval may be submitted by the Floodplain Administrator to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

F. Changes

After the issuance of a Permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. Requests for any such change shall be in writing, and shall be submitted by the applicant to Floodplain Administrator for consideration.

G. Placards

In addition to the Permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the Permit the date of its issuance and be signed by the Floodplain Administrator.

H. Start of Construction

Work on the proposed construction shall begin within 180 days after the date of issuance and shall be completed within twelve (12) months after the date of issuance of the Permit or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator. The term, 'start of construction' shall be understood as defined in Section 230-05 of this ordinance.

Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request.

§ 230-17. Enforcement

A. Violation

A structure or other development not fully compliant with the community's flood plain management regulations is in violation of this Article. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b) (5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

B. Notice

Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Article, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall be in accordance with Article XXV of this chapter.

C. Penalties

1. Any person who fails to comply with any or all of the requirements or provisions of this Article or who fails or refuses to comply with any notice, order of direction of the Floodplain Administrator or any other authorized employee of the municipality shall pay a fine in accordance with Article XXV of this chapter.
2. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or noncompliance with, this Article shall not excuse the violation or noncompliance or permit it to continue and all such persons shall be required to correct or remedy such violations and noncompliance within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this Article may be declared by the Board of Supervisors to be a public nuisance and abatable as such.

§ 230-18. (Reserved)

§ 230-19. (Reserved)

§ 230-20. (Reserved)

§ 230-21. (Reserved)

§ 230-22. (Reserved)

§ 230-23. Certificate of Compliance

No vacant land shall be occupied or used and no building hereafter erected, altered or moved on the floodplains of any creek or stream shall be occupied until a certificate of compliance shall have been issued by the Code Enforcement Officer. The Code Enforcement Officer shall request the applicant to submit a certification by a registered professional engineer or land surveyor that the finished fill and building floor elevations, floodproofing measures or other flood protection factors were accomplished in compliance with the provisions of this chapter. The Code Enforcement Officer shall, within 10 days after receipt of such certification from the applicant, issue a certificate of compliance only if the building or premises and the proposed use thereof conform with all the requirements of this article.

§ 230-24. Municipal Liability

The granting of a zoning permit or approval of a subdivision or land development plan in or near the Floodplain Conservation District shall not constitute a representation, guaranty or warranty of any kind by the municipality or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon Montgomery Township, its officials or employees. The degree of flood protection intended to be provided by this article is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. This article is not intended to imply that areas outside Floodplain Conservation District boundaries

or land uses permitted within such districts will always be totally free from flooding or flood damages.

SECTION 3. Repeal and Ratification.

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

SECTION 4. 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 5. Effective Date.

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

[Signatures on Next Page]

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

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

JOSEPH P. WALSH, *Chairman*

[Seal}

Attested by:

LAWRENCE J. GREGAN
Township Manaager/ Secretary

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Award of Bid for 2016 Curb and Sidewalk Project

MEETING DATE: February 22, 2016

ITEM NUMBER: # 8

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Kevin A. Costello
Director of Public Works

BOARD LIAISON: Joseph P. Walsh, Chairman



BACKGROUND:

The staff received and opened bids on February 11, 2016 at 10:00 a.m. Our Engineer, Gilmore & Associates, Inc., reviewed the bids and made a recommendation to award the bid to the lowest responsible bidder, Drumheller Construction, Inc. with a bid of \$166,840.50. Attached are the bid tabulation sheets and the award recommendation letter.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

The Board authorized the advertisement of the bid on January 25, 2016.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

The allocation in the Approved 2016 Budget, based on the Engineer's estimate, is \$309,100.00. The bids ranged from a high of \$398,184.90 to a low of \$166,840.50 with an average bid of \$249,556.50.

RECOMMENDATION:

Award bid as recommended to Drumheller Construction, Inc. for a total projected cost of \$166,840.50.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby award the bid for the 2016 Curb & Sidewalk Project to Drumheller Construction, Inc. for a total projected cost of \$166,840.50.

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.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

February 16, 2016

Project No. 2015-08007

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

Reference: 2016 Curb and Sidewalk Project
Bid Tabulation & Award Recommendation

Dear Mr. Gregan:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the bids for the above referenced project. Bids were received and publicly opened on February 11, 2016 at 10:00 AM at the Township Building. A total of four (4) bids were received and a copy of the bid tabulation is attached for your review.

Upon review, we recommend the contract for the 2016 Curb and Sidewalk Project be awarded to **Drumheller Construction, Inc.** for all items included under Bid A in the amount of **\$166,840.50**, subject to review by the Township Solicitor.

As always, please call us if you have any questions or if we can be of any assistance regarding this project.

Sincerely,

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

Erin M. von Hacht, E.I.T.
Civil Designer
Gilmore & Associates, Inc.

JPD/EVH/sl

Enclosure: Bid Tabulation

cc: Kevin Costello, Director of Public Works, Montgomery Township
Stacey A. Rymkiewicz, Public Works Department Administrative Assistant, Montgomery Township
Deb Rivas, Administration Supervisor, Montgomery Township
Russell Dunlevy, P.E., Senior Executive V.P., Gilmore & Associates, Inc.

G GILMORE & ASSOCIATES, INC.
&A BID TABULATION - A BID

CLIENT:

Montgomery Township

PROJECT NAME:

2016 Curb & Sidewalk Project

PROJECT NUMBER:

2015-08007

PROJECT BID DATE:

February 11, 2016

Drumheller Construction 1176 Commerce Drive Pottstown PA 19464 Jody Zeleznick 610-326-8945 610-326-9065	Albert G. Cipolloni 719 Highland Ave Morton PA 19070 Carol Cipolloni 610-543-6144 610-543-1816	Reamstown Excavating 560 N 5th Street, PO Box 147 Denver PA 17517 Marty Guris 717-336-3925 717-336-0596	Heim Construction Company 1020 Chestnut Road Orwigsburg PA 17961 Frank Thomas 570-968-4445 570-968-4441
---	---	--	--

#	DESCRIPTION	QUANTITY & UNITS		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Remove & Replace Vertical/Depressed Concrete Curb (7"X8"X18")	LF	410	\$ 55.00	\$ 22,550.00	\$ 56.00	\$ 22,960.00	\$ 75.00	\$ 30,750.00	\$ 136.45	\$ 55,944.50
2	Remove & Replace Concrete for Belgian Block Curb	LF	493	\$ 34.00	\$ 16,762.00	\$ 45.00	\$ 22,185.00	\$ 65.00	\$ 32,045.00	\$ 69.15	\$ 34,090.95
3	Remove & Replace ADA/PennDOT Compliant Curb Ramps (4")	SF	5926	\$ 13.50	\$ 80,001.00	\$ 16.50	\$ 97,779.00	\$ 18.00	\$ 106,668.00	\$ 40.70	\$ 241,188.20
4	Remove & Replace Concrete Sidewalk (4")	SF	2440	\$ 11.00	\$ 26,840.00	\$ 11.00	\$ 26,840.00	\$ 15.00	\$ 36,600.00	\$ 12.70	\$ 30,988.00
5	Remove & Replace Reinforced Concrete Sidewalk (6")	SF	715	\$ 11.50	\$ 8,222.50	\$ 15.00	\$ 10,725.00	\$ 16.00	\$ 11,440.00	\$ 20.15	\$ 14,407.25
6	Remove & Replace Concrete Driveway Apron (6")	SF	910	\$ 11.50	\$ 10,465.00	\$ 15.00	\$ 13,650.00	\$ 16.00	\$ 14,560.00	\$ 21.70	\$ 19,747.00
7	Concrete Testing	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00	\$ 5,000.00	\$ 1,819.00	\$ 1,819.00
Total Amount Bid, Based on Estimated Quantities, for Items #1-7, Inclusive					\$ 166,840.50	\$	196,139.00	\$	237,063.00	\$	398,184.90

COMPLETENESS REVIEW	Drumheller Construction	Albert G. Cipolloni	Reamstown Excavating	Heim Construction Company
A. Bid Bond	X	X	X	X
B. Agreement of Surety	X	X	X	X
C. Bidder's Qualification Form	X	X	X	X
D. Non-Collusion Affidavit	X	X	X	X
E. Public Works Verification Form	X	X	X	X
F. Addendum Acknowledgement	X	X	X	X

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Award of Bids for 2016 Annual Highway Materials, Services & Equipment Rental

MEETING DATE: February 22, 2016

ITEM NUMBER: #9

MEETING/AGENDA:

ACTION XX NONE

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

INITIATED BY: Kevin A. Costello
Public Works Director

BOARD LIAISON: Joseph P. Walsh, Chairman
J.P. Walsh

BACKGROUND: Annually, the Public Works Department requests bids for materials, services & rentals which are utilized throughout the year. These bids were opened on February 11, 2016 at 10:30 a.m. by staff. The bids are for Asphalt, Stone Aggregate, Lawn Care Treatments, Equipment with Operator and Crack Sealer.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

The Board authorized the advertisement of the bids on January 25, 2016.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

The Public Works Annual Materials, Services and Rentals are budgeted for each year and vary based on actual usage.

RECOMMENDATION:

Award the bids as recommended by staff to the lowest responsible bidders.

MOTION/RESOLUTION:

WHEREAS, bids were requested by the Montgomery Township Board of Supervisors for Public Works Department Annual Materials, Services and Rentals; and

WHEREAS, bids were opened on February 11, 2016 at 10:30 am and reviewed by the Township staff. The following contractors listed below were found to be the lowest responsible bidders:

<u>Item Bid</u>	<u>Contract Awarded To:</u>	
Asphalt/Bituminous Concrete	Eureka Stone Quarry	Not to Exceed \$355,000
Stone Aggregate	Glasgow, Inc.	Various Unit Pricings
Lawn Care Treatments	Moyer & Son, Inc.	\$17,310 Annually
Equipment Rental w/Operator	P.K. Moyer & Sons, Inc.	Not to Exceed \$236,700
Crack Sealer	Crafco, Inc.	\$.52 per unit / \$5,200

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize contracts with the above listed companies on the condition that performance bonds are received within twenty (20) days of the awarding of the bids.

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.

ASPHALT/BITUMINOUS CONCRETE BID TABULATIONS – 2016

	EUREKA STONE QUARRY, INC.			GLASGOW, INC.		
	Billable Pickup Price	Plant Pickup w/Transport Unit/Total	Delivered Unit/Total	Billable Pickup Price	Plant Pickup w/Transport Unit/Total	Delivered Unit/Total
Superpave Asphalt Mixture Design*						
HMA Fine Course, PG 64 - 22, 9.5 mm, SRL H – 100 +/- tons	41.00	43.50 / 4,350	45.00 / 4,500	47.50	48.00 / 4,800	52.50 / 5,250
HMA Wearing Course, PG 64 - 22, 9.5 mm, 1 ½" Depth, SLR H – 6700+	41.00	<u>43.50 / 291,450</u>	45.00 / 301,500	45.50	<u>46.00 / 308,200</u>	50.50 / 338,350
HMA Binder Course, PG 64, 19 mm, 2-3" Depth – 500+ tons	38.00	40.50 / 20,250	42.00 / 21,000	41.90	42.40 / 21,200	46.90 / 23,450
HMA Binder Course, PG 64, 25 mm, 3-4" Depth – 100+ tons	39.00	41.50 / 4,150	43.00 / 4,300	38.50	39.00 / 3,900	43.50 / 4,350
HMA Base Course, PG 64, 25mm 3: Depth – 100+ tons	39.00	41.50 / 4,150	43.00 / 4,300	38.50	39.00 / 3,900	43.50 / 4,350

Total Picked Up PG64-22, 9.5mm: \$291,450
Round Trip Distance: 10 miles x .25 = \$2.50

Total Picked Up PG64-22, 9.5mm: \$308,200
Round Trip Distance: 2 miles x .25 = \$0.50

	ALLAN MYERS		
	Billable Pickup Price	Plant Pickup w/Transport Unit/Total	Delivered Unit/Total
Superpave Asphalt Mixture Design*			
HMA Fine Course, PG 64 - 22, 9.5 mm, SRL H – 100 +/- tons	47.00	53.50 / 5,350	54.34 / 5,434
HMA Wearing Course, PG 64 - 22, 9.5 mm, 1 ½" Depth, SLR H – 6700+	45.00	<u>51.50 / 345,050</u>	52.34 / 350,678
HMA Binder Course, PG 64, 19 mm, 2-3" Depth – 500+ tons	39.90	46.40 / 23,200	47.24 / 23,620
HMA Binder Course, PG 64, 25 mm, 3-4" Depth – 100+ tons	38.75	45.25 / 4,525	46.09 / 4,609
HMA Base Course, PG 64, 25mm 3: Depth – 100+ tons	38.75	45.25 / 4,525	46.09 / 4,609

Total Picked Up PG64-22, 9.5mm: \$345,050
Round Trip Distance: 26 miles x .25 = \$6.50

STONE AGGREGATE BID TABULATIONS – 2016

	EUREKA STONE QUARRY, INC.			GLASGOW, INC.		
	Billable Pickup Price	Plant Pickup w/Transport Costs Unit/Total	Delivered Unit/Total	Billable Pickup Price	Plant Pickup w/Transport Costs Unit/Total	Delivered Unit/Total
500 Tons #10 Screen	7.00	9.50 / 4,750	10.00 / 5,000	No Bid		
200 Tons #8	12.00	14.50 / 2,900	15.00 / 3,000	13.75	14.25 / 2,850	16.50 / 3,300
200 Tons #67	10.00	12.50 / 2,500	13.00 / 2,600	13.75	14.25 / 2,850	16.50 / 3,300
500 Tons #57	10.00	12.50 / 6,250	13.00 / 6,500	9.85	10.35 / 5,175	12.60 / 6,300
500 Tons #2A	8.50	11.00 / 5,500	11.50 / 5,750	9.25	9.75 / 4,875	12.00 / 6,000
500 Tons #3	9.50	12.00 / 6,000	12.50 / 6,250	10.75	11.25 / 5,625	13.50 / 6,750
500 Tons #1	9.00	11.50 / 5,750	12.00 / 6,000	10.75	11.25 / 5,625	13.50 / 6,750
200 Tons Gabion Stone	12.00	14.50 / 2,900	15.00 / 3,000	No Bid		
200 Tons Rip Rap	14.00	16.50 / 3,300	17.00 / 3,400			
200 Tons Natural Sand	No Bid					
200 Tons #2A Limestone	No Bid					
200 Tons Anti-Skid	10.00	12.50 / 2,500	13.00 / 2,600	No Bid		
200 Tons #2RC	8.50	11.00 / 2,200	11.50 / 2,300			

Total Pickup: \$44,550
Distance 10 miles x .25 = 2.50

Total Pickup: \$28,950
Distance 2 miles x .25 = .50

LAWN CARE TREATMENTS TABULATION - 2016

	MOYER & SON
Boom Spraying Price/acre	\$190.00
Hand Spraying Price/acre	\$211.00
Price	\$17,310
Net Price	\$17,310
Bid Bond Supplied as Required	Bid Bond - 10%

EQUIPMENT RENTAL WITH OPERATOR TABULATION - 2016

P.K. MOYER & SONS, INC.					
	Estimated Hours of Use	Model & Year	Prevailing Wage Hourly Rate	Total Based on Prevailing Wage	Non-Prevailing Wage Hourly Rate Only
Ride on Vibratory Rollers					
1. Drum width 40", up to 5 ton capacity	35 Hrs. +/-	Dresser 1987	98.00	3,430.00	85.00
2. Drum width 66" to 76", up to 18 ton capacity with high frequency compaction	125 Hrs. +/-	Volvo DD90, 2008	136.00	17,000.00	126.00
3. Drum with 77" to 90", up to 18 ton capacity with high frequency compaction	16 Hrs. +/-	IR-DD110, 1998	138.00	2,208.00	128.00
Milling Machines					
4. 400hp Milling Machine or equivalent with sonic grade controls, having a minimum cutting width of 79" and capable of 87" width extension. <i>Note: Including a 2 man crew (1 Groundsman, 1 Operator)</i>	110 Hrs. + / -	1900 DC Wirtgen, 1999	635.00	69,850.00	595.00
5. (1) Foreman	55 Hrs. +/-		72.00	3,960.00	65.00
6. 300hp Milling Machine or equivalent with sonic grade controls, having a minimum cutting width of 52" <i>Note: Including a 2 man crew (1 Groundsman, 1 Operator)</i>	16 Hrs. +/-	1900 DC Wirtgen, 1999	435.00	6,960.00	395.00
7. Skid Steer Loader, minimum 55hp equipped with 18" or 24" milling head having both vertical & horizontal hydraulic controls.	16 Hrs. +/-	Case 1845C, 1990	124.00	1,984.00	115.00
Bituminous Pavers					
8. Self Propelled Paver with 10' to 20' screed without add on extensions, equipped with sonic grade & slope controls. <i>Note: Including (1) Operator, (1) Foreman and (3) Laborers</i>	120 Hrs. +/-	Barber Greene 240B, 1995	525.00	63,000.00	415.00
9. Self Propelled Paver with 8' to 16' screed equipped with sonic grade & slope controls. <i>Including (1) Operator, (1) Foreman and (3) Laborers</i>	24 Hrs. +/-	CAT 650, 1999	465.00	11,160.00	385.00
Trucks					
10. (4) Tri-Axle Dump Trucks, 23-Ton Minimum (Combined Total Hours)	450 Hrs. +/-	Peterbilt, 1995	94.00	42,300.00	89.00

P.K. MOYER & SONS, INC. – Page 2	Estimated Hours of Use	Model & Year	Prevailing Wage Hourly Rate	Total Based on Prevailing Wage	Non-Prevailing Wage Hourly Rate Only
11. (2) Tandem Axle Dump Trucks, 17-Ton Minimum (Combined Total Hours)	60 Hrs. +/-	White GMC, 1990	89.00	5,340.00	82.00
12. Computerized Asphalt Distributor Truck, 2,000 Gallon Minimum	105 hrs. +/-	Freightliner, 2000	130.00	13,650.00	115.00
13. Water Tanker Truck with pump, 6,000 Gallon minimum, capable of refilling milling machine. (No hydrant use will be permitted) *Water can be obtained from Montgomery Township free of charge*	11 Days + / -	Auto Car, 1985	495.00	5,445.00	495.00
Miscellaneous					
14. Mechanical Street Sweeper, self loading, 4 cubic yard hopper minimum	16 Hrs. +/-	Freightliner, 1999	130.00	2,080.00	115.00
15. Wheel Loader 2 – 2 ¼ cubic yard bucket, minimum 110hp	Various	Case 621D, 2004	145.00	N/A	125.00
16. 6.95 Cu. Yd. Power Screening Machine with 2-screen vibratory deck capable of producing 150-200 tons per hour, Note: Includes Operator	Various	Power Screener, 2007	150.00	N/A	130.00
17. Backhoe, minimum 95hp with extend-a-hoe	Various	Case 580 2004	135.00	N/A	98.00
18. Excavator Trackhoe, minimum 170hp, 44,000 lb operating weight	Various	Case 1080 1986	200.00	N/A	170.00
19. Motor Grader 12' blade, minimum 135hp	Various	CAT 12G, 1978	175.00	N/A	140.00
20. Crawler Loader, 2 ½ cubic yard minimum bucket, minimum 160hp	Various	CAT 963, 1997	175.00	N/A	140.00
21. Crawler Dozer 8' angle blade, minimum 90hp	Various	CAT D5, 2005	165.00	N/A	135.00
22. Crawler Dozer 10' angle blade, minimum 165hp	Various	CAT D6, 1988	185.00	N/A	150.00
23. AET Tac Kote Material	4,500 Gal +/-		Per gal. 2.85	12,825.00	2.85

**Prevailing wage rate will be applied to any public work construction jobs exceeding \$25,000.00 and any milling and paving jobs exceeding \$100,000.00 as determined by the PA Department of Labor and Industry.*

CRACK SEALER BID TABULATION - 2016

	CRAFCO, INC.	ASPHALT MAINTENANCE SOLUTIONS
10,000 +/-	Hot Pour Joint Seal #3405 (<i>Per PennDOT Approved or Equivalent</i>)	Hot Pour Joint Seal #3405 (<i>Per PennDOT Approved or Equivalent</i>)
Unit Price F.O.B. Plant	.49	.56
Total 1 x 5	\$4,900	\$5,600
Unit Price Delivered at Job Site	.52	.59
Total 1 x 6	\$5,200	\$5,900
Unit Price Delivered as Directed	.52	
Total 1 x 7	\$5,200	
NOTES:		

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Authorize Acceptance of 2016 Pennsylvania State Fire Commissioner's Grant

MEETING DATE: February 22, 2016

ITEM NUMBER: #10

MEETING/AGENDA:

ACTION X

NONE

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

INITIATED BY: Richard M. Lesniak
Director of Fire Services

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

BACKGROUND:

On October 13, 2015, the Board of Supervisors granted approval for the Department of Fire Services (DFS) and Fire Department of Montgomery Township (FDMT) to submit applications through the Pennsylvania State Fire Commissioner's Office annual Volunteer Firefighter/ Volunteer Ambulance Service Grant program for funding not to exceed \$15,000.00.

The DFS and FDMT both intend to use this funding to replace a portion of its aging stock of fire hose.

On February 2, 2016, both organizations received notification that they were awarded grants in the amount of \$13,789.79 each.

The DFS and FDMT are requesting approval to accept the grant funding awarded through the Pennsylvania State Fire Commissioner's Office annual Volunteer Firefighter / Volunteer Ambulance Service Grant program.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

Approval granted on October 13, 2015 to make application to said grant program.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

There is no local matching requirement for this grant; therefore, there is no impact on the budget. Upon execution of the grant agreement, funding will be electronically transferred into our accounts.

RECOMMENDATION:

It is recommended that the Board of Supervisors grant approval for the DFS and FDMT to accept the PA Fire Commissioners Volunteer Firefighter/Ambulance Service Grants in the amount of \$13,789.79 each.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby grant approval to the Department of Fire Services and Fire Department of Montgomery Township to accept the 2015 PA Fire Commissioners Volunteer Firefighter / Ambulance Service Grant in the amount \$13,789.79 each.

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 Waiver of Formal Land Development Process– 309 Realty Partners, LLC – 776 Bethlehem Pike – #M-15-73

MEETING DATE: February 22, 2016

ITEM NUMBER: #11

MEETING/AGENDA:

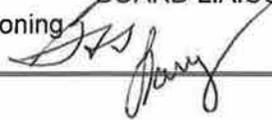
ACTION XX

NONE

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

INITIATED BY: Bruce Shoupe
Director of Planning and Zoning

BOARD LIAISON: Joseph P. Walsh
Chairman



BACKGROUND:

309 Realty Partners, LLC has requested a waiver of the formal land development process for their property located at 776 Bethlehem Pike. They are proposing the renovation of the former Citibank building into a 2,001 square foot Starbuck's with an associated drive-through and a 1,896 square foot sit down restaurant. The site is located within the C-Commercial zoning district. The proposed on-site traffic improvements have been reviewed by Traffic Planning and Design, Township traffic engineer. All other proposed work will be interior to the structure.

Attached are letters from the Township's consultants with their review comments.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

Approve or not approve the waiver request from the requirement to file a land development application.

BUDGET IMPACT:

None.

RECOMMENDATION:

That the waiver 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 R. Bartle, Esq.

RESOLUTION #
MONTGOMERY TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

**A RESOLUTION GRANTING A WAIVER OF THE REQUIREMENT OF A FORMAL
LAND DEVELOPMENT APPLICATION FOR 309 REALTY PARTNERS, LLC, FOR
THE PROPERTY LOCATED AT 776 BETHLEHEM PIKE - #M-15-73**

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant a waiver of the requirement of a formal land development application to **309 Realty Partners, LLC**, for the property located at 776 Bethlehem Pike, for interior renovations to the site as more fully described in the letter dated February 19, 2015, from Herbert Rubenstein, Esq., attorney for the project, as Exhibit "A" attached hereto and made part hereof and further grant the **waiver conditioned upon** the following being satisfied by the Applicant:

1. Fulfilling all obligations and requirements of the comments of Traffic Planning & Design, Inc. letters dated February 11, 2016, March 27, 2015; Gilmore & Associates, Inc. letters dated February 9, 2016; Boucher & James letters dated February 3, 2016; and Kenneth Amey's letter dated March 23, 2015.
2. The Applicant shall post financial security for all improvements identified in Traffic Planning & Designs letter dated February 11, 2016.
3. The Applicant shall satisfy the requirements of all Montgomery Township Codes, the Montgomery Township Municipal Sewer Authority and North Wales Water Authority, if required.
4. The Applicant shall be responsible for payment of all Township Consultant and Solicitor fees related to this project.
5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. All future development of this parcel shall be subject to new application and approval by the Board of Supervisors.
7. All signage shall comply with Montgomery Township Zoning Code.

This Resolution shall become null and void, and any waivers requested shall be deemed denied, and the plan shall be denied for failure to comply with Sections of the Township Zoning Ordinance and/or Township Subdivision and Land Development Ordinance for the reasons cited herein or as set forth in the letters referenced herein.

DULY PRESENTED AND ADOPTED by the Board of Supervisors of
Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this
22nd day of February, 2016.

MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by _____
(Print)

representing **309 Realty Partners, LLC**, this day of
2016.

Applicant

xc: Applicant, F. Bartle, R. Iannozzi, R. Dunlevy, B. Shoupe, M. Stoerrle, K. Johnson,
J. Stern-Goldstein, MCPC, Minute Book, Resolution File, File

EXHIBIT "A"

DESCRIPTION

ORIGINAL DATE

1. Site Plan

11/4/15

KRAUT HARRIS

Counselors at Law

HERBERT F. RUBENSTEIN
Of Counsel
hrubenstein@krautharris.com

VIST Financial Building, Suite 311
1767 Sentry Parkway West
Blue Bell, Pennsylvania 19422

Telephone 215-542-4900
Facsimile 215-542-0199

February 19, 2015

VIA E-MAIL
hard copy to follow

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

Re: File No. 5268 - 309 Realty Partners, LLC
- Zoning Application
- Proposed Building Renovations
- 776 Bethlehem Pike (SR 0309)

Dear Bruce:

You have acknowledged the receipt of the report of Atlantic Traffic and Design Engineers, Inc., dated January 29, 2015 (traffic report), and advised that the Township will require a land development for this project.

The purpose of this letter is to request a waiver from the land development process. Kindly advise of any fees associated with this waiver request.

As before, I respectfully submit that dividing the former bank building into two tenancies, one 2,001 sq. ft. Starbucks and another 1,896 sq. ft. sit-down restaurant does not constitute a land development. The creation of a demising wall in an already existing building does not change existing lot lines, create an additional lot, tract, parcel or any other change or division of the former Healey Parcel now owned by my client. There are extensive cross easements in effect between the adjoining property owners which facilitate vehicle movements on and off the property. The Traffic Report confirms that the location of the existing access points are adequate for the project; and, the use of the property as proposed, together with stacking for the drive-thru would not adversely impact any of the driveways and have no negative impact on the adjacent roadway network.

I look forward to hearing from you.

Very truly yours,



Herbert F. Rubenstein

HFR/sp

cc: Steven H. Muchnick

WWW.KRAUTHARRIS.COM

February 11, 2016

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

Re: 309 Realty, LLC
776 Bethlehem Pike
Waiver of Land Development Request
TPD# MOTO-A-00095

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the November 4, 2015 Interior Traffic Circulation Plan prepared by Bohler Engineering that you sent to us on February 1, 2016. This plan was developed to address circulation issues we identified in previous review letters, a staff meeting with the applicant, and in subsequent correspondence with the applicant's engineer. The plan addresses all issues raised by TPD and represents a significant improvement to existing conditions at the site.

Cross easements serve this site and the property to the rear owned by Circuit PA Corp and occupied by Lomax. Currently, there are two lanes with the legend "DRIVE THRU" and one with the legend "BYPASS LANE" at the beginning of the drive thru lanes on the applicant's property. The northernmost of the two drive thru lanes will be replaced with a median and part of its width dedicated to what was formerly the "BYPASS LANE" for the bank drive-thru but that will now become a separate 13 foot wide one-way westbound lane. One of the purposes of this new 13 foot wide lane is to minimize the use of the two way east-west parking aisle on the adjacent property. Traffic flow at the intersection of this proposed westbound lane and the circulation aisle in front of the Lomax will be controlled by a STOP sign and a stop bar on the applicant's property.

Vehicles on the two way east-west parking aisle on the adjacent property are currently required to stop for traffic on the circulation aisle in front of Lomax and at the circulation aisle adjacent and parallel to Route 309 by the "rules of the road" whereby vehicles on the lower order road (a parking aisle) are required to stop for vehicles on a higher order road (a circulation aisle). To eliminate any confusion over application of "rules of the road", STOP signs and stop bars were to be installed at both ends of the two way parking aisle on the adjacent property as indicated on the Bohler plan. It is our understanding that the adjacent property owner is unwilling to grant approval to the applicant for installation of these items even though they would enhance safety on his site. While it would be desirable to install these two STOP signs and stop bars now, it is our opinion that traffic safety on the site will be significantly improved over existing conditions with the other improvements shown on the plan to the point that we can recommend approval of the land development waiver request from a traffic engineering perspective.

It is our opinion that the applicant should post an escrow for the improvements shown on the Interior Circulation Plan and that funds for the two STOP signs and two stop bars not be released until these items are installed. For this reason, it is our opinion that the STOP signs and stop bars at both ends of this two way parking aisle should be labeled as "TO BE COMPLETED UPON OBTAINING APPROVAL OF THE PROPERTY OWNER".

Of the two sets of STOP signs/stop bars, it is our opinion that the set at the eastern end of the two way parking aisle is more important. Therefore, it is our opinion that the applicant should once again attempt to gain approval from the adjacent property owner but limit this request to just the STOP sign and stop

bar to be located at the eastern end of the two way parking aisle which is a distance of approximately 175 feet from the front of the Lomax.

One final item is missing from the plan. A 4 inch white dividing line needs to be shown separating the two parking spaces fronting Route 309 next to the right turn exit onto Route 309.

Please call if you have any questions.

Sincerely,



Kevin L. Johnson, P.E.
President

cc: Larry Gregan, Township Manager
Marita Stoerle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Steve Muchnick, Applicant
Herbert Rubenstein, Applicant's Attorney
Matthew Chartrand, Applicant's Engineer
Joseph Platt, P.E., TPD



March 27, 2015

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

Re: 309 Realty, LLC
776 Bethlehem Pike
Waiver of Land Development Request
TPD# MOTO-A-00095

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the previously approved Site Plan for the above referenced project, prepared by Bohler Engineering, Inc. and dated January 3, 2007, the January 29, 2015 Traffic Report prepared by Atlantic Traffic and Design Engineers, Inc., and the associated request for a Waiver from Land Development.

Based on our review, we offer the following comments.

Traffic Engineering Comments

1. The traffic report indicates an increase of 174 trips in the AM peak hour, 10 trips in the PM peak hour, and 94 trips in the Saturday Midday peak hour. Such increases warrant a traffic study in accordance with PennDOT standards. The applicant should prepare a traffic study, in accordance with Chapter 205, Section 100 of the Township Subdivision and Land Development ordinance. This study should assess the impacts to the intersection of Bethlehem Pike and North Wales Rd as well as analyze the operations at the site access driveways (either onsite or part of a shared access with adjacent properties).
2. A plan that depicts the proposed site circulation, in particular for those trying to access the drive-thru lane, should be provided. A review of the previous site plan indicates vehicles need to make several tight circuitous maneuvers to access the drive-thru. Additionally the plan should address all access points, onsite and shared.

At this time, TPD cannot recommend a waiver of land development. 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 Gregan, Township Manager
Marita Stoerrle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Matt Chartrand, Applicants Engineer, Bohler Engineering
Joseph Platt, P.E., TPD



**ATLANTIC TRAFFIC
& DESIGN ENGINEERS, INC.**

35 Technology Drive
Warren, New Jersey 07059
908.769.5588
fax 908.769.7733
atde@atlantictraffic.com

January 29, 2015
VIA EMAIL

Bohler Engineering
1600 Manor Drive, Suite 200
Chalfont, PA 18914
Attention: Matt Chartrand, P.E.

**RE: Proposed Building Renovations
776 Bethlehem Pike (SR 0309)
Montgomery Township
Montgomery County, Pennsylvania
ATDE Project No. AJ15007**

Dear Mr. Chartrand:

Atlantic Traffic & Design Engineers, Inc. (ATDE) has prepared a trip generation assessment for the proposed redevelopment of a former 3,896 square foot bank with drive-thru. The site is located on the northwest corner of the Bethlehem Pike (SR 0309) intersection with North Wales Road (SR 2010) in Montgomery Township, Montgomery County. The subject property is currently accessed via one (1) right-in/right out driveway along southbound Bethlehem Pike (SR 0309), one (1) right-in only driveway along westbound North Wales Road (SR 2010) and one (1) full-movement driveway to the west of the right-in only driveway on westbound North Wales Road (SR 2010). An interconnection is provided to the commercial use which borders the subject property to the west. I have been advised that there is a Reciprocal Easement and Operation Agreement in effect dated May 29, 1992, between the adjoining property owners which provides cross easements for curb cuts, roadways, driveways, circulation aisles, walkways and sidewalks as well as parking areas.

The development proposal includes the redevelopment of the existing bank with drive-thru building with a 2,001 square foot coffee/donut shop with drive-thru and a 1,896 square foot sit-down restaurant. Access to the subject property will continue to be provided via the existing access points along Bethlehem Pike (SR 0309) and North Wales Road (SR 2010).

Trip Generation

Traffic projections for the existing and proposed developments have been prepared using rates published by the Institute of Transportation Engineers (ITE) in the 9th Edition of *Trip Generation*. This ITE reference includes trip generation data collected throughout the United States for various land uses. Using this as a reference source, trip generation for the former bank with drive-thru was calculated utilizing ITE Land Use Code 912: "Drive-In Bank." **Table I** displays the projected trip generation for the existing 3,896 square foot bank with drive-thru. Copies of the ITE trip generation summaries are attached.

**TABLE I
ITE TRIP GENERATION
EXISTING 3,896 SF BANK WITH DRIVE-THRU**

Peak Period	Enter	Exit	Total
Weekday Morning	27	20	47
Weekday Evening	48	47	95
Saturday MIDDAY	52	50	102

Table II summarizes the total ITE peak hour trip generation projections for the proposed 2,001 square foot coffee/donut shop with drive-thru and 1,896 square foot sit-down restaurant. Trip generation projections for the

Other Office Location:
2929 Expressway Drive North, Hauppauge, NY 11749
631.738.1919

TRAFFIC & TRANSPORTATION ENGINEERING, SITE PLANNING & ROADWAY DESIGN CONSULTANTS
www.atlantictraffic.com

proposed coffee/donut shop were prepared utilizing ITE Land Use Code 937: "Coffee/Donut Shop with Drive-Thru." Trip generation projection for the proposed sit-down restaurant were prepared utilizing ITE Land Use Code 932: "High Turnover (Sit-Down) Restaurant."

**TABLE II
ITE TRIP GENERATION**

Peak Hour	2,001 SF Coffee/Donut Shop with Drive-Thru	1,896 High Turnover (Sit-Down) Restaurant	Total
Weekday Morning	201	20	221
Weekday Evening	86	19	105
Saturday Midday	169	27	196

Table III provides an ITE trip generation comparison between the existing bank and proposed coffee/donut shop with drive-thru and sit-down restaurant.

**TABLE III
ITE TRIP GENERATION COMPARISON
EXISTING VS. PROPOSED**

Peak Hour	Existing Bank with Drive-Thru	Proposed Coffee/Donut Shop & Restaurant	Difference
Weekday Morning	47	221	+174
Weekday Evening	95	105	+10
Saturday Midday	102	196	+94

Site Access & Circulation

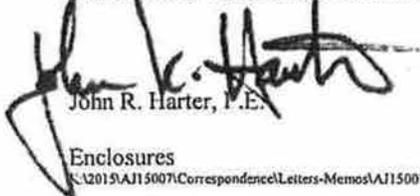
Access to the subject property will continue to be provided via the existing right-in/right-out driveway along southbound Bethlehem Pike (SR 0309), the right-in only driveway along North Wales Road (SR 2010) and the one (1) full-movement driveway to the west of the right-in only driveway on westbound North Wales Road (SR 2010). The interconnection to the adjacent commercial use to the west will also remain pursuant to the existing cross easements. The existing access points are located to provide the maximum separation from the adjacent signalized intersection and should continue to adequately serve the subject property upon redevelopment of the site.

The proposed drive-thru stacking area for the coffee/donut shop can accommodate a minimum of nine (9) vehicles without adversely impacting on-site circulation or the referenced access points on Bethlehem Pike (SR 0309) or on North Wales Road (SR 2010). Further, use of the subject property as proposed and any potential excess stacking would not adversely impact any of the driveways and would therefore not have a negative impact on the adjacent roadway network.

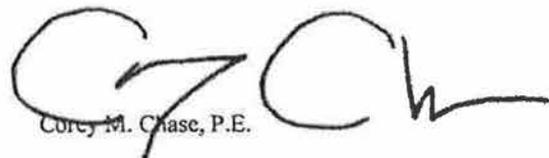
Please contact our office with any questions or comments you may have or should you require any additional information.

Very truly yours,

ATLANTIC TRAFFIC & DESIGN ENGINEERS, INC.



John R. Harter, P.E.



Corey M. Chase, P.E.

Enclosures
K:\2015\AJ15007\Correspondence\Letters-Memos\AJ15007 Letter Report 1-29-15.doc\CC\jm

Alternative Time Period Trip Generation
Weekday AM Peak Hour of Adjacent Street Traffic

Project : New Project
Alternative : Alternative 1

Open Date : 1/23/2015
Analysis Date : 1/23/2015

ITE	Land Use	Size	Units	Enter	Exit	Total
912	BANKDRIVEIN 1	3.89	Gross Floor Area 1000 SF	27	20	47
Unadjusted Total Driveway Volume				351	340	691
Unadjusted Total Pass-By Trips				0	0	0
Total Internal Vehicle Trips				0	0	0
Adjusted Total Driveway Volume				351	340	691
Adjusted Total Pass-By Trips				0	0	0
Adjusted Total Volume Added to Adjacent Streets				351	340	691

Alternative Time Period Trip Generation
Weekday PM Peak Hour of Adjacent Street Traffic

Project : New Project
Alternative : Alternative 1

Open Date : 1/23/2015
Analysis Date : 1/23/2015

ITE	Land Use	Size	Units	Enter	Exit	Total
912	BANKDRIVEIN 1	3.89	Gross Floor Area 1000 SF	48	47	95
Unadjusted Total Driveway Volume				452	438	890
Unadjusted Total Pass-By Trips				23	22	45
Total Internal Vehicle Trips				0	0	0
Adjusted Total Driveway Volume				452	438	890
Adjusted Total Pass-By Trips				23	22	45
Adjusted Total Volume Added to Adjacent Streets				429	416	845

Alternative Time Period Trip Generation
Saturday Peak Hour of Generator

Project : New Project
Alternative : Alternative 1

Open Date : 1/23/2015
Analysis Date : 1/23/2015

ITE	Land Use	Size	Units	Enter	Exit	Total
912	BANKDRIVEIN 1	3.89	Gross Floor Area 1000 SF	52	50	102
Unadjusted Total Driveway Volume				672	656	1328
Unadjusted Total Pass-By Trips				23	22	45
Total Internal Vehicle Trips				0	0	0
Adjusted Total Driveway Volume				672	656	1328
Adjusted Total Pass-By Trips				23	22	45
Adjusted Total Volume Added to Adjacent Streets				649	634	1283

Alternative Time Period Trip Generation
 Weekday AM Peak Hour of Adjacent Street Traffic

Project : New Project
 Alternative : Alternative 1

Open Date : 1/23/2015
 Analysis Date : 1/23/2015

ITE	Land Use	Size	Units	Enter	Exit	Total
932	RESTAURANTHT 1	1.89	Gross Floor Area 1000 SF	11	9	20
Unadjusted Total Driveway Volume				144	141	285
Unadjusted Total Pass-By Trips				0	0	0
Total Internal Vehicle Trips				0	0	0
Adjusted Total Driveway Volume				144	141	285
Adjusted Total Pass-By Trips				0	0	0
Adjusted Total Volume Added to Adjacent Streets				144	141	285

Alternative Time Period Trip Generation
Weekday PM Peak Hour of Adjacent Street Traffic

Project : New Project
Alternative : Alternative 1

Open Date : 1/23/2015
Analysis Date : 1/23/2015

ITE	Land Use	Size	Units	Enter	Exit	Total
932	RESTAURANTHT 1	1.89	Gross Floor Area 1000 SF	11	8	19
Unadjusted Total Driveway Volume				174	165	339
Unadjusted Total Pass-By Trips				5	3	8
Total Internal Vehicle Trips				0	0	0
Adjusted Total Driveway Volume				174	165	339
Adjusted Total Pass-By Trips				5	3	8
Adjusted Total Volume Added to Adjacent Streets				169	162	331

Alternative Time Period Trip Generation
Saturday Peak Hour of Generator

Project : New Project
Alternative : Alternative 1

Open Date : 1/23/2015
Analysis Date : 1/23/2015

ITE	Land Use	Size	Units	Enter	Exit	Total
932	RESTAURANTHT 1	1.89	Gross Floor Area 1000 SF	14	13	27
Unadjusted Total Driveway Volume				338	327	665
Unadjusted Total Pass-By Trips				5	3	8
Total Internal Vehicle Trips				0	0	0
Adjusted Total Driveway Volume				338	327	665
Adjusted Total Pass-By Trips				5	3	8
Adjusted Total Volume Added to Adjacent Streets				333	324	657

Phase Time Period Trip Generation
Weekday AM Peak Hour of Adjacent Street Traffic

Project : Project1
Alternative : Alternative 1
Phase : Phase 1

Open Date : 1/9/2015
Analysis Date : 1/9/2015

ITE	Land Use	Enter	Exit	Total
937	COFFEEDT 1	103	98	201
	2 Gross Floor Area 1000 SF			
Unadjusted Driveway Volume		103	98	201
Unadjusted Pass-By Trips		0	0	0
Internal Vehicle Trips		0	0	0
Adjusted Driveway Volume		103	98	201
Adjusted Pass-By Trips		0	0	0
Adjusted Total Volume Added to Adjacent Streets		103	98	201

Phase Time Period Trip Generation
Weekday PM Peak Hour of Adjacent Street Traffic

Project : Project1
Alternative : Alternative 1
Phase : Phase 1

Open Date : 1/9/2015
Analysis Date : 1/9/2015

ITE	Land Use	Enter	Exit	Total
937	COFFEEDT 1	43	43	86
	2 Gross Floor Area 1000 SF			
<hr/>				
Unadjusted Driveway Volume		43	43	86
Unadjusted Pass-By Trips		0	0	0
Internal Vehicle Trips		0	0	0
Adjusted Driveway Volume		43	43	86
Adjusted Pass-By Trips		0	0	0
Adjusted Total Volume Added to Adjacent Streets		43	43	86

Phase Time Period Trip Generation
Saturday Peak Hour of Generator

Project : Project1
Alternative : Alternative 1
Phase : Phase 1

Open Date : 1/9/2015
Analysis Date : 1/9/2015

ITE	Land Use	Enter	Exit	Total
937	COFFEEDT 1	85	84	169
	2 Gross Floor Area 1000 SF			
<hr/>				
	Unadjusted Driveway Volume	85	84	169
	Unadjusted Pass-By Trips	0	0	0
	Internal Vehicle Trips	0	0	0
	Adjusted Driveway Volume	85	84	169
	Adjusted Pass-By Trips	0	0	0
	Adjusted Total Volume Added to Adjacent Streets	85	84	169



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

February 9, 2016

File No. 2015-03040

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

Reference: 309 Realty Partners, LLC - Land Development Waiver Request - #M-15-73
776 Bethlehem Pike, Montgomery Township, PA
Tax Parcel #: 46-00-00362-00-6

Dear Bruce:

Pursuant to your request, Gilmore & Associates, Inc. has reviewed the plan listed below in regard to the Land Development Waiver request.

A. Starbucks Site Modification Plan submitted February 1, 2016, prepared by Bohler Engineering.

The subject property is located at 775 Bethlehem Pike, contains 0.894 acres and is within the Commercial (C) Zoning District. Currently on site is a single story 3,897 SF building with associated parking, drive through, stormwater facilities and landscaping. The use is served by public sewer and water facilities. As part of the land development waiver the Applicant proposes a change in use. The building will be reconfigured into a 2,001 SF Starbucks with drive through and a 1,896 SF sit-down restaurant from the current financial institution/bank.

Upon review, we note that the site's total impervious coverage will not change, and improvements will be limited to stripping and minor driveway reconfiguration. As no other improvements are proposed, we recommend consideration of the land development waiver request.

Sincerely,

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

JPD/sl

cc: Lawrence J. Gregan, Manager – Montgomery Township
Marita A. Stoerrle, Development Coordinator – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Ken Amey, AICP
Herbert F. Rubenstein – Kraut Harris
Matthew Chartrand, P.E. – Bohler Engineering
Russell S. Dunlevy, P.E., Senior Executive Vice President

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Fax 215-345-9401

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Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408

www.bjengineers.com

AN EMPLOYEE OWNED COMPANY
INNOVATIVE ENGINEERING

February 3, 2016

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

**SUBJECT: 776 BETHLEHEM PIKE
WAIVER OF LAND DEVELOPMENT REQUEST
TOWNSHIP NO. M-15-73
PROJECT NO. 1555292R**

Dear Mr. Gregan:

Please be advised that we have reviewed the proposed traffic circulation plan submitted in support of the requested Waiver of Land Development for 775 Bethlehem Pike. A previous submission included a Traffic Study dated 1/29/15, a Google Map aerial photo from 2015, and the previously approved and recorded site plan for the site, dated 8/2/06 and last revised 1/3/07. The site is located at the intersection of Route 309 and North Wales Road, within the C Commercial Zoning District.

The applicant proposes the renovation of the former bank building into a 2,001 SF Starbucks with associated drive-through and a 1,896 SF sit-down restaurant. It is our understanding that all proposed site work, with the exception of some changes to traffic circulation and minor additions to two of the parking lot islands, will be interior to the structure.

It does not appear that there are any issues related to landscape requirements with regard to the request for a waiver of land development.

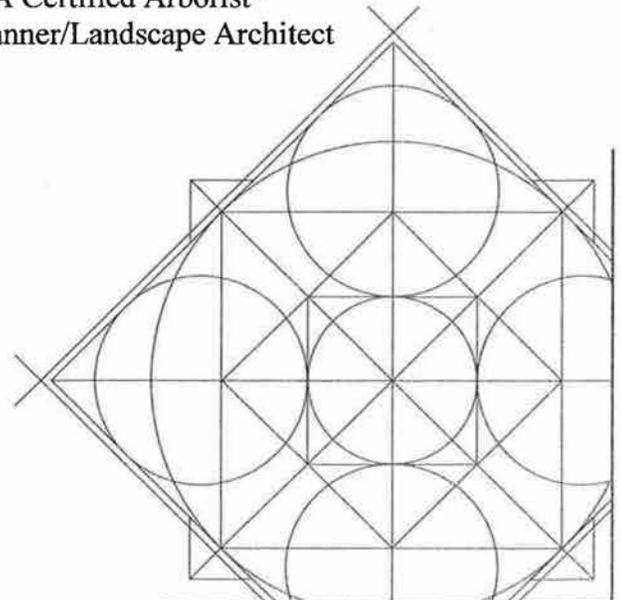
Sincerely,

Judith Stern Goldstein, ASLA, R.L.A.
Managing Director

Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist®
Planner/Landscape Architect

JSG/vll/kam

ec: Board of Supervisors
Planning Commission
Bruce Shoupe, Director of Planning and Zoning
Marita Stoerrle, Development Coordinator
Marianne McConnell, Deputy Zoning Officer
James P. Dougherty, P.E., Gilmore & Associates, Inc.
Kevin Johnson, P.E., Traffic Planning & Design
Ken Amey, AICP
Herbert F. Rubenstein, Esq.
Matthew Chartrand, P.E.



KENNETH AMEY, AICP
professional land planner

March 23, 2015

(via e-mail)

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

Re: Request for Land Development Waiver
776 Bethlehem Pike
Township File #M-15-73

Dear Mr. Gregan:

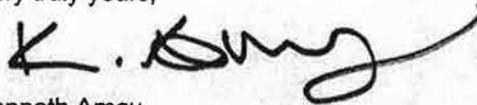
I have reviewed the February 19, 2015 letter from Herb Rubenstein, Esq. in which he requests a waiver of land development requirements for the above referenced property. Mr. Rubenstein has also included a copy of the approved plan for the property, last revised January 3, 2007, a recent Google Map aerial photo, and a traffic study dated January 29, 2015 prepared by Atlantic Traffic and Design Engineers.

This proposal would reallocate the space within the existing bank building to provide for a Starbucks Coffee Shop and an unnamed sit-down restaurant. No exterior work is contemplated. My comments follow:

1. The existing site includes 35 parking spaces. No calculations for required parking are shown for the new uses. The applicant will need to show that there is sufficient parking on the site or that there is a cross easement in place to allow parking on an adjacent property.
2. I will defer any comment on the increased traffic volume to the Township Traffic Engineer.
3. The applicant will need to address any required signage with the Zoning Officer.

If there are any questions, please let me know.

Very truly yours,



Kenneth Amey

1122 Old Bethlehem Pike
Lower Gwynedd, PA 19002



phone: 215.283.9619
fax: 215.646.3458
kenamey@aol.com

cc: Bruce S. Shoupe, Township Director of Planning and Zoning
Marita Stoerle, Development Coordinator
Marianne McConnell, Deputy Zoning Officer
Russell Dunlevy, PE, Township Engineer
Kevin Johnson, PE, Township Traffic Engineer
Judith Stern Goldstein, ASLA, Township Landscape Architect
Herbert Rubenstein, Esq, Applicant's Attorney

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Payment of Bills

MEETING DATE: February 22, 2016

ITEM NUMBER: #12

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
of the Board of Supervisors

BACKGROUND:

Please find attached a list of bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

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

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 01 UNIVEST CHECKING					
02/19/2016	01	63523	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	4,533.72
02/19/2016	01	63524	00001077	309 OFFICE FURNITURE	1,000.00
02/19/2016	01	63525	00000006	ACME UNIFORMS FOR INDUSTRY	303.25
02/19/2016	01	63526	00001202	AIRGAS, INC.	189.94
02/19/2016	01	63527	00000523	AMERICAN FIRE SERVICES, LLC	32.00
02/19/2016	01	63528	03214650	ANN CHONOFSKY	13.00
02/19/2016	01	63529	MISC-REC	ANN CHONOFSKY	13.00
02/19/2016	01	63530	00000528	ANYWHERE MINATURE GOLF	100.00
02/19/2016	01	63531	00000999	BCG-BENEFIT CONSULTANTS GROUP	1,765.50
02/19/2016	01	63532	00001714	BEANS CLASS FORD MERCURY INC.	24,300.00
02/19/2016	01	63533	00000043	BERGEY'S	2,180.03
02/19/2016	01	63534	03214654	BOO PIL YANG	100.00
02/19/2016	01	63535	MISC	BORNEMAN REMODELING	224.00
02/19/2016	01	63536	00000209	BOUCHER & JAMES, INC.	5,365.94
02/19/2016	01	63537	00000209	BOUCHER & JAMES, INC.	15,688.26
02/19/2016	01	63538	00000069	C L WEBER CO INC.	15.06
02/19/2016	01	63539	03214659	CAITLIN QUITNER	60.00
02/19/2016	01	63540	00001579	CARGO TRAILER SALES, INC	118.30
02/19/2016	01	63541	00000231	CARROT-TOP INDUSTRIES INC.	259.83
02/19/2016	01	63542	00001601	CDW GOVERNMENT, INC.	971.93
02/19/2016	01	63543	03214660	CENTER POINT POND	100.00
02/19/2016	01	63544	00000085	CHAMBERS ASSOCIATES, INC.	1,077.50
02/19/2016	01	63545	00002026	CHERRY VALLEY TRACTOR	151.90
02/19/2016	01	63546	00000363	COMCAST	664.56
02/19/2016	01	63547	00000335	COMCAST CORPORATION	1,411.79
02/19/2016	01	63548	00000118	DEL-VAL INTERNATIONAL TRUCKS, INC.	158.00
02/19/2016	01	63549	00000208	DELL MARKETING L.P.	604.12
02/19/2016	01	63550	03214652	DENISE CURCIO	75.00
02/19/2016	01	63551	00000125	DISCHELL, BARTLE DOOLEY	19,151.00
02/19/2016	01	63552	00000125	VOID	0.00
02/19/2016	01	63553	00002097	DISCOVERY BENEFITS INC.	450.00
02/19/2016	01	63554	00000967	DVHT - DELAWARE VALLEY HEALTH TRUST	171,677.88
02/19/2016	01	63555	00000092	E.M. KUTZ, INC.	1,483.32
02/19/2016	01	63556	00001332	EAGLE POWER & EQUIPMENT CORP	240.23
02/19/2016	01	63557	00000152	ECKERT SEAMANS CHERIN &	13,467.50
02/19/2016	01	63558	00903110	ESTABLISHED TRAFFIC CONTROL	300.00
02/19/2016	01	63559	00000423	FAMILY DINING, INC.	76.21
02/19/2016	01	63560	00001034	FASTENAL	335.82
02/19/2016	01	63561	00000169	FEDEX	107.68
02/19/2016	01	63562	00001466	FEDEX OFFICE	12.00
02/19/2016	01	63563	00000180	FRANK CALLAHAN COMPANY, INC.	29.79
02/19/2016	01	63564	03214568	FULTON CARDMEMBER SERVICES	1,667.23
02/19/2016	01	63565	00001852	G.L. SAYRE, INC.	766.91
02/19/2016	01	63566	00001504	GALETON GLOVES	563.90
02/19/2016	01	63567	00000195	GEORGE'S TOOL RENTAL INC.	28.02
02/19/2016	01	63568	00000817	GILMORE & ASSOCIATES, INC.	24,667.95
02/19/2016	01	63569	00000817	VOID	0.00
02/19/2016	01	63570	00000219	GLOBAL EQUIPMENT COMPANY	91.37
02/19/2016	01	63571	03214570	GOT IT GET IT LLC	295.20
02/19/2016	01	63572	00001709	GOULDEY WELDING & FABRICATIONS, INC	719.50
02/19/2016	01	63573	00000213	HAJOCA CORPORATION	45.93
02/19/2016	01	63574	00000215	HAVIS, INC.	400.80
02/19/2016	01	63575	00906083	HEAD START SPORTS, INC	305.00
02/19/2016	01	63576	03214655	HEATHER L. DERCK	1,200.00
02/19/2016	01	63577	00441122	HORSHAM CAR WASH	221.00
02/19/2016	01	63578	00904661	INSITE FIREARMS & LAW ENFORCEMENT	123.66
02/19/2016	01	63579	00000555	J & J TRUCK EQUIPMENT	741.18
02/19/2016	01	63580	00000735	JD BRAVO COMPANY	4,673.54
02/19/2016	01	63581	00000257	JOHN R. YOUNG & COMPANY	288.15
02/19/2016	01	63582	00000264	KENCO HYDRAULICS, INC.	2,862.03
02/19/2016	01	63583	03214591	KIMBALL MIDWEST	278.99
02/19/2016	01	63584	00000271	LANSDALE CHRYSLER PLYMOUTH INC.	289.50
02/19/2016	01	63585	00000201	LAWRENCE J. MURPHY	46.47
02/19/2016	01	63586	03214657	LEHIGH TOWNSHIP POLICE	75.00
02/19/2016	01	63587	03214648	MANISH & JAYSHREE BOGHARA	1,200.00
02/19/2016	01	63588	00000689	MARY KAY KELM, ESQUIRE	125.00
02/19/2016	01	63589	00902947	MCATO	125.00
02/19/2016	01	63590	00000306	MICHAEL JENKINS	1,919.25
02/19/2016	01	63591	00000317	MONTGOMERY CO PLANNING COMMISSION	60.00
02/19/2016	01	63592	00001225	MONTGOMERY TOWNSHIP MUNICIPAL	11,301.62
02/19/2016	01	63593	00000324	MOYER INDOOR / OUTDOOR	134.00
02/19/2016	01	63594	00000540	MYSTIC PIZZA	82.50
02/19/2016	01	63595	MISC-REC	NICOLE KNOX	325.00
02/19/2016	01	63596	00000356	NORTH WALES WATER AUTHORITY	78.44
02/19/2016	01	63597	00001134	OFFICE DEPOT, INC	116.43
02/19/2016	01	63598	03214653	OVERHEAD DOOR CORPORATION	284.16
02/19/2016	01	63599	00000464	OZZY'S FAMILY FUN CENTER	100.00
02/19/2016	01	63600	00000367	P.K. MOYER & SONS, INC.	4,400.00

Check Date	Bank	Check	Vendor	Vendor Name	Amount
02/19/2016	01	63601	00000597	PATRICIA A. GALLAGHER	1,555.47
02/19/2016	01	63602	00000397	PECO ENERGY	17,678.95
02/19/2016	01	63603	00000399	PECO ENERGY	9,606.40
02/19/2016	01	63604	00000595	PENN VALLEY CHEMICAL COMPANY	1,089.85
02/19/2016	01	63605	00000726	PENN-HOLO SALES & SERVICES	431.95
02/19/2016	01	63606	00000955	PENNSYLVANIA MUNICIPAL LEAGUE (PML)	450.00
02/19/2016	01	63607	00000388	PENNSYLVANIA ONE CALL SYSTEM, INC.	91.86
02/19/2016	01	63608	00001358	PENNSYLVANIA RECREATION AND PARK	2,035.00
02/19/2016	01	63609	00000447	PETTY CASH - POLICE	111.48
02/19/2016	01	63610	00001171	PHILA OCCHEALTH/DBA WORKNET OCC	263.20
02/19/2016	01	63611	00000446	PHISCON ENTERPRISES, INC.	100.00
02/19/2016	01	63612	00000345	PRINTWORKS & COMPANY, INC.	382.77
02/19/2016	01	63613	00001000	PSM - PETER A. SCHERTZ	293.00
02/19/2016	01	63614	00906102	READY REFRESH	190.70
02/19/2016	01	63615	00000117	RIGGINS INC	918.20
02/19/2016	01	63616	00000115	RIGGINS, INC	2,009.80
02/19/2016	01	63617	00000741	ROBERT E. LITTLE, INC.	691.51
02/19/2016	01	63618	00001972	ROBERT L. BRANT	1,032.39
02/19/2016	01	63619	00001030	SIGNAL CONTROL PRODUCTS, INC.	1,460.00
02/19/2016	01	63620	00000015	SPRINT	418.29
02/19/2016	01	63621	00001847	STAPLES CONTRACT & COMMERCIAL, INC.	414.06
02/19/2016	01	63622	00000636	STAPLES CREDIT PLAN	50.87
02/19/2016	01	63623	00000485	SYRENA COLLISION CENTER, INC.	1,152.37
02/19/2016	01	63624	00906134	TASER INTERNATIONAL	343.62
02/19/2016	01	63625	00000494	THE INTELLIGENCER	325.00
02/19/2016	01	63626	03214649	THE TODI FOUNDATION	28,611.26
02/19/2016	01	63627	00000506	TRANS UNION LLC	122.66
02/19/2016	01	63628	00002031	TRI-COUNTY ELECTRICAL SUPPLY	94.88
02/19/2016	01	63629	00000077	TRISTATE ENVIRONMENTAL	390.00
02/19/2016	01	63630	00000327	U.S. MUNICIPAL SUPPLY INC.	1,230.32
02/19/2016	01	63631	00002062	UNITED ELECTRIC SUPPLY CO., INC.	46.51
02/19/2016	01	63632	03214643	UNWINED & PAINT	80.00
02/19/2016	01	63633	00000520	VALLEY POWER, INC.	245.55
02/19/2016	01	63634	00000040	VERIZON	140.02
02/19/2016	01	63635	00000040	VERIZON	129.99
02/19/2016	01	63636	00000040	VERIZON	139.99
02/19/2016	01	63637	00001329	WELDON AUTO PARTS	518.63
02/19/2016	01	63638	00000590	YOCUM FORD	269.84
02/19/2016	01	63639	00001722	ZOLL MEDICAL CORPORATION	1,116.75

01 TOTALS:

(2 Checks Voided)

Total of 115 Disbursements:

405,643.93

02/19/2016

Check List
For Check Dates 02/09/2016 to 02/22/2016

Check Date	Name	Amount		
02/04/2016	STATE OF PA	State Tax Payment	\$	9,150.41
02/11/2016	UNITED STATES TREASURY	941 Tax Payment	\$	84,394.94
02/11/2016	PBA	PBA Payment	\$	789.41
02/11/2016	BCG 401	401 Payment	\$	15,654.53
02/11/2016	BCG 457	457 Payment	\$	10,033.87
02/11/2016	PA SCDU	Withholding Payment	\$	1,340.38
02/11/2016	CITY OF PHILADELPHIA	Jan Wage Tax Payment	\$	311.98
02/17/2016	STATE OF PA	State Tax Payment	\$	8,830.19
Total Checks: 8			\$	130,505.71