

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
SEPTEMBER 26, 2016

www.montgomerytp.org

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

Lawrence J. Gregan
Township Manager

ACTION MEETING – 8:00 PM

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of September 12, 2016 Meeting
6. Consider Resolution to Recognize Fire Prevention Week
7. Consider Waiver of Permit Fees for Montgomery United Soccer for the Soctoberfest Event
8. Autumn Festival Update
9. Consider Transfer of Funds to the Autumn Festival Fund
10. Consider Certification of 2017 Minimum Municipal Obligation (MMO) for the Police Pension Fund and Non-Uniform Employee Pension Fund
11. Consider Authorization to Advertise 2017 Budget Workshop Meetings
12. Public Hearing for Proposed Ordinance #16-297Z – Amendment to the Floodplain Ordinance
13. Public Hearing for Proposed Ordinance #16-298S – Amendment to the Shade Tree Ordinance
14. Consider Escrow Release #1 – LDS#684 – Mark's Jewelers
15. Consider Escrow Release #1 – M-15-72 - Burger King – DeKalb Pike Turn Lane
16. Consider Waiver of Formal Land Development Process – 101 Park Drive - Gemalto
17. Consider Approval of Out of State Training – Police Department
18. Consider Payment of Bills
19. Other Business
20. Adjournment

Future Public Hearings/Meetings:

09-27-2016 @ 7:00pm – Environmental Advisory Committee

10-04-2016 @ 7:30pm – Open Space Committee

10-04-2016 @ 7:30pm – Zoning Hearing Board

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: September 26, 2016

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera, Vice
Chairman 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: Announcement of Executive Session

MEETING DATE: September 26, 2016

ITEM NUMBER: # 4

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager



BOARD LIAISON: Candyce Fluehr Chimera, Vice
Chairman of the Board of Supervisors

BACKGROUND:

Frank Bartle will announce that the Board of Supervisors met in Executive Session prior to this Public Meeting and will summarize the matters discussed at these meetings.

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 September 12, 2016

MEETING DATE: September 26, 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: Candyce Fluehr Chimera, Vice
Chairman of the Board of Supervisors



BACKGROUND:

Please contact Deb Rivas on Monday, September 26, 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
SEPTEMBER 12, 2016**

At 8:00 p.m. Vice Chairman Candyce Fluehr Chimera called to order the action meeting. In attendance were Supervisors Robert J. Birch, Michael J. Fox and Jeffrey W. McDonnell. Also in attendance were Township Solicitor Frank Bartle, Esquire, Township Manager Lawrence J. Gregan, Police Chief J. Scott Bendig, Director of Fire Services Richard Lesniak, Director of Finance Ami Tarburton, Director of Administration and Human Resources Ann Shade, Assistant to the Township Manager Stacy Crandell, Director of Planning and Zoning Bruce Shoupe, Director of Public Works Kevin Costello, Director of Recreation and Community Center Floyd Shaffer, Director of Technology Richard Grier and Recording Secretary Deborah Rivas.

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

Vice Chairman Candyce Fluehr Chimera made a motion to approve the minutes of the August 22, 2016 Board of Supervisors meeting, and Supervisor Michael J. Fox seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Director of Public Works Kevin Costello introduced and welcomed new employee Evan Chwastiak to Montgomery Township as a Laborer in the Public Works Department. Resolution #1 made by Supervisor Michael J. Fox, seconded by Supervisor Robert J. Birch and adopted unanimously, welcomed Evan Chwastiak to the Township in the position as Laborer in the Public Works Department effective September 2, 2016.

Director of Recreation and Community Center Floyd Shaffer introduced State Representative Todd Stephens and Montgomery Township Baseball and Softball Association President Brian Ferko. State Representative Todd Stephens reported that he had held a fundraising event earlier in the year to raise funds to purchase an Automated External Defibrillator (AED) for the Montgomery Township Baseball and Softball Association. A percentage of the proceeds raised at the fundraiser paid for half of the cost associated in

purchasing the AED and Rep. Stephens secured the funding for the other half of the cost through the generous donation from the Bruce Toll Foundation. Mr. Ferko and members of the Board of Supervisors thanked Representative Stephens for the AED and for his hard work and dedication to the residents of Montgomery Township.

Director of Finance Ami Tarburton reported that the Board had authorized staff to pursue the advance refunding of the General Obligation Bonds, Series of 2013. An aggressive timeline for refunding the Bonds in early October 2016 is being proposed in order to take advantage of the current low interest rate environment to realize the greatest possible savings, estimated to be in excess of \$650K. Bond Counsel has prepared a proposed ordinance that would establish the "parameters" of the refinancing of the indebtedness which is being considered for adoption this evening. Supervisor Michael J. Fox inquired about the timeline for the refunding of the bonds because of the current market climate. Brian Bradley of RBC Capital Markets reported that the pricing would most likely occur the first week of October and that the staff and Board will be kept apprised of the timing. Resolution #2 made by Supervisor Michael J. Fox, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, approved the Ordinance #16-300 – Authorizing the Incurrence of Non-Electoral Debt to refinance the Township's General Obligation Bonds, Series of 2013.

Chief of Police Scott Bendig reported that Montgomery Township Highway Safety Officer David Dunlap has prepared a grant application to the Pennsylvania Department of Transportation on behalf of the Montgomery Township Regional DUI Enforcement Team. The Team was established in 1993 to combat the serious problem of drivers operating vehicles while impaired due to alcohol or drugs and removing those drivers from the highways. Montgomery Township serves as the administrator and the grant funds are used to support sobriety checkpoint operations and roving DUI patrols. The grant amount requested is \$50,000.00 and will provide funding for the purchase of equipment and payment of overtime for enforcement activities. Resolution #3 made by Supervisor Robert J. Birch, seconded by Supervisor Michael

J. Fox and adopted unanimously, approved the submission of the 2016/2017 DUI Grant on behalf of the Montgomery Township Regional DUI Enforcement Team in the amount of \$50,000.00.

Chief of Police Scott Bendig reported that the Police Department participates in the Pennsylvania Aggressive Driving Enforcement/Education Grant Project and the Buckle-Up Enforcement Grant. These grants are statewide initiatives dedicated to targeting aggressive driving locations and raising the seat belt usage level in Pennsylvania. During the 2015/2016 grant period, the Police Department received \$7,675.00 in funding to participate in these initiatives. Eligibility for additional funding under these programs for the 2016/2017 grant period requires the execution of grant extension agreements. Resolution #4 made by Supervisor Robert J. Birch, seconded by Supervisor Michael J. Fox and adopted unanimously, approved the execution of extension agreements for the Pennsylvania Aggressive Driving Enforcement/Education Grant Project and Buckle-Up Enforcement Grant.

Chief of Police J. Scott Bendig reported that the Police Department's Highway Safety Unit recently identified several intersections within the Township where "yield" traffic control signs were installed at intersections instead of a more appropriate "stop" sign. The "yield" signs had been posted in this manner when the developments were built over 25 years ago. It was recommended that "stop" signs be posted at the various locations in the ordinance to ensure sign consistency with other Township intersections. An ordinance is required to authorize the placement of the signage. Resolution #5 made by Supervisor Robert J. Birch, seconded by Supervisor Michael J. Fox and adopted unanimously, approved Ordinance #16-299, Amending Stop Intersections and Yield Intersections, Vehicle Weight and Type and Restrictions.

Assistant to the Township Manager Stacy Crandell reported that the bids for the Residential Leaf and Yard Waste Collection and Disposal project were received and opened on August 31, 2016. Upon review of the bid packages submitted, it was determined that the bid from the lowest bidder, Republic Services, was not a complete package as a signed Addendum

#1 acknowledgment page was missing. Ms. Crandell explained that the Board could reject the bid from Republic Services as an incomplete submission and award the contract to the second low bidder or the Board could reject all bids and authorize the rebidding of the project. The Board discussed the options available and agreed to reject all bids and rebid the project. Resolution #6, made by Vice Chairman Candyce Fluehr Chimera, seconded by Supervisor Robert J. Birch and adopted unanimously, rejected all bids and authorized the re-advertisement for bids for Residential Leaf and Yard Waste Collection and Disposal with the understanding that the Board of Supervisors will consider the award of the bid at a meeting in October.

A motion to approve the payment of bills was made by Vice Chairman Candyce Fluehr Chimera, seconded by Supervisor Robert J. Birch, and adopted unanimously, with the exception of Supervisor Robert J. Birch abstaining from voting on the invoices for Eckert Seamans, otherwise, approval was given for the payment of bills as submitted.

Under other business, Supervisor Michael J. Fox reported that with the current vacant position on the Board of Supervisors due to Joseph Walsh's resignation, two candidates have come forward expressing an interest in the Board position. Those candidates are Rick Miniscalco and Mary Kay Kelm. He opined that the current Board of Supervisors are not in agreement as to which candidate is the best choice to fill the vacancy at this time and the issue has not been decided. Supervisor Fox reported that he wanted the residents to know the current status of the Board of Supervisors vacancy. There was no public comment on this matter.

There being no further business to come before the Board, the meeting adjourned at 8:32 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Resolution to Recognize Fire Prevention Week

MEETING DATE: September 26, 2016 ITEM NUMBER: #6

MEETING/AGENDA: ACTION XX CONSENT NONE

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

INITIATED BY: Richard M. Lesniak BOARD LIAISON: Robert J. Birch, Public Safety
 Director of Fire Services Committee Liaison



BACKGROUND:

The national observance of Fire Prevention Week 2016 will be held October 9th through October 15th. This year's theme is "Don't Wait, Check the Date – Replace Smoke Alarms Every 10 Years". There will be a fire safety educational display at the township building from October 9th through October 13th. On Monday, October 17th, the Department will be hosting an open house at Wegmans Supermarket from 3:30 p.m. to 8:30 p.m. Members of the Department will be displaying the apparatus and distributing public education materials. During the month of October, the Department of Fire Services will be conducting fire drills, fire safety inspections and fire prevention talks at all schools, day care centers, health care facilities and hotels.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

It is recommended that the Board of Supervisors recognize October 9th through October 15th 2016 as Fire Prevention Week.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby recognize October 9th through October 15th 2016 as Fire Prevention Week.

MOTION: _____

SECOND: _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Robert J. Birch | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Waiver of Permit Fee for the use of the William F. Maule Park at Windlestrae Pavilion, Baseball Fields and Soccer Fields by Montgomery United Soccer

MEETING DATE: September 26, 2016

ITEM NUMBER: # 7

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Floyd Shaffer
Community & Recreation
Center Director

BOARD LIAISON: Michael J. Fox
Liaison to Park & Recreation Board



BACKGROUND:

In the past it has been the policy of the Board of Supervisors to waive permit fees for Montgomery United Soccer. The Township has received a request from Montgomery United Soccer to waive all permit fees associated with their use of the Pavilion, Baseball Fields #1 - #4, and Soccer Fields #1 and #2 and the Hennings Soccer Field at the William F. Maule Park at Windlestrae on Monday, October 3, 2016, for their annual Soctoberfest Event. According to our current Facility and Field Use Fee Schedule (attached), the fees would be \$47.50 per pavilion and field, resulting in a maximum total charge of \$380.00 for the event.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Consider approval to waive the permit fees associated with the use of the William F. Maule Park at Windlestrae Pavilion, Baseball Fields and Soccer Fields by Montgomery United Soccer for their Soctoberfest event on Monday, October 3, 2016.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the request from Montgomery United Soccer to waive all permit fees associated with the use of the William F. Maule Park at Windlestrae Pavilion, Baseball Fields and Soccer Fields for their Soctoberfest event on Monday, October 3, 2016.

MOTION: _____ SECOND: _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Robert J. Birch | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Autumn Festival Update

MEETING DATE: September 26, 2016

ITEM NUMBER: #8

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Floyd Shaffer
Community & Recreation
Center Director

BOARD LIAISON: Robert J. Birch/Candyce F. Chimera
Liaison to Autumn Festival Committee



BACKGROUND:

Matt Reimel, Athletic & Recreation Coordinator and the Staff Coordinator of the 2016 Montgomery Township Autumn Festival will be present at this evening's meeting to provide an overview of the activities and timeline relative to the upcoming Special Event scheduled for Saturday, October 1, 2016.

The Autumn Festival will be conducted from 12:00 pm to 8:00 pm at the William F. Maule Park at Windlestrae. A fireworks show will conclude the festivities and will begin at 7:45 pm.

The Autumn Festival Committee has provided an update:

- Through September 20, 2016, the Festival has received \$8,350.00 in sponsorships from 17 organizations/businesses.
- The event will have in excess of 60 vendors that represent various crafters, artists, businesses, services, and community organizations.
- The opening ceremony will begin promptly at 12:00 noon. The American Flag will be presented by the North Penn High School Junior ROTC Color Guard.
- Highlights of the day long occasion include a Zipline, amusement rides, corn maze, hay rides, petting zoo, pumpkin decorating, and scarecrow making.
- There will be Police and Fire demonstrations throughout the day. A DJ will provide music during the entire event. Prior to the Fireworks show, there will be a concert featuring Beg, Borrow, and Steel.
- Pricing information for the event is as follows:
 - Day long wristbands are \$15.00 if purchased the day of the event. Wristbands purchased in advance at the Montgomery Township Recreation and Community Center (MontCRC) are priced at \$12.00 each or 3 for \$30.00. The purchase of the wristband includes unlimited amusements, 1 pumpkin to decorate and 1 scarecrow making session.
 - Individual ticket prices are \$1.00. Amusement rides are 2 tickets, pumpkin is 1 ticket, scarecrow making is 5 tickets and a ride on the Zipline is 5 tickets.

In the event of inclement weather, a modified Autumn Festival will be held at the MontCRC, also beginning at Noon.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Consider announcement of the 16th Annual Autumn Festival and encourage Township Residents to attend this community event.

MOTION/RESOLUTION:

None.

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Transfer of Funds to Autumn Festival Fund

MEETING DATE: September 26, 2016

ITEM NUMBER: #9

MEETING/AGENDA:

ACTION XX

NONE

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

INITIATED BY: Floyd Shaffer

BOARD LIAISON: Robert J. Birch/Candyce F. Chimera

Recreation and Community Center Director

Liaisons to Autumn Festival Committee

BACKGROUND:

Autumn Festival 2016 is almost here! This premiere community event of the Township is enjoyed by everyone, and is a great way to promote our community. It has been the annual practice of the Board of Supervisors to assist in the financial underwriting of this event by transferring budgeted monies from the General Fund to the Autumn Festival Fund. In 2016, the amount budgeted for this transfer is \$7,000. This transfer would support the budgeted revenue to cover 2016 expenditures currently budgeted at \$37,500.

Attached is a copy of the 2016 Autumn Festival Budget for your review showing budget and actual figures.

ZONING , SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION :

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Consider approval of the transfer of \$7,000 to the Autumn Festival Fund per the 2016 Budget.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the transfer of \$7,000 from the General Fund to the Autumn Festival Fund.

MOTION: _____ SECOND: _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Robert J. Birch | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

| Montgomery Township 2016 FINAL BUDGET | | | 2016 Worksheet | 2016 Budget |
|--|---------|---|-------------------|--------------------|
| Fund-Dept | Account | Title | | |
| FUND 95: AUTUMN FESTIVAL | | | | |
| 95341 | 3341 | INTEREST | | 0.00 |
| 95387 | 3870 | CONTRIBUTIONS | | 18,500.00 |
| | | Donations | 7,500.00 | |
| | | Vendor Fees | 2,000.00 | |
| | | Activity Fees | 9,000.00 | |
| | | | 18,500.00 | |
| 95392 | 3001 | FROM GENERAL FUND | | 7,000.00 |
| Subtotal Autumn Festival Revenue | | | | 25,500.00 |
| 95400 | 4220 | OPERATING SUPPLIES | | 35,700.00 |
| | | Advertisements | 800.00 | |
| | | Amusements | 7,500.00 | |
| | | Clothes for scarecrow making booth | 500.00 | |
| | | DJ for day | 1,500.00 | |
| | | Hay bales | 500.00 | |
| | | Paper Supplies | 1,000.00 | |
| | | Petting Zoo | 1,000.00 | |
| | | Pony rides | 1,000.00 | |
| | | Portable Toilet/Washing Stations | 900.00 | |
| | | Pumpkins | 2,500.00 | |
| | | Tents, tables and chairs | 3,000.00 | |
| | | Volunteer lunches | 1,400.00 | |
| | | Volunteer T Shirts | 1,500.00 | |
| | | Entertainment | 600.00 | |
| | | Fireworks | 12,000.00 | |
| | | | 35,700.00 | |
| 95400 | 4460 | MEETINGS AND CONFERENCES | | 0.00 |
| 95450 | 4220 | OPERATING SUPPLIES | | 1,800.00 |
| | | Postage | 1,000.00 | |
| | | DPW Rentals (dumpster, cart, etc) | 800.00 | |
| | | | 1,800.00 | |
| Subtotal Autumn Festival Expenditures | | | | 37,500.00 |
| TOTAL SURPLUS/DEFICIT FUND 95 AUTUMN FESTIVAL | | | | (12,000.00) |

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Certification of 2017 Minimum Municipal Obligation (MMO) for the Police Pension Fund and Non-Uniformed Employees' Pension Fund

MEETING DATE: September 26, 2016 ITEM NUMBER: # 10

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Ami Tarburton BOARD LIAISON: Jeffrey McDonnell, Supervisor
Finance Director Liaison – Pension Committee

BACKGROUND:

The Minimum Municipal Obligation (MMO) is the calculated funding obligation to the Township's Police and Non-Uniformed Employee Pension Plans. Act 205, Section 304 requires that the Chief Administrative Officer submit the MMO for the upcoming budget year to the Board on or before the last business day in September. Upon acceptance, the amount of the MMO's must be incorporated into the budget for the next year and funded. Based on the instructions from Thomas J. Zimmerman, Conrad Siegel Actuaries, staff has prepared the 2017 MMO's for both the Police Pension Plan and the Non-Uniformed Pension Plan which are attached hereto.

The MMO calculated for the Police Pension Plan in 2017, based on the 1-1-2015 Actuarial Valuation Report, is as follows:

| | |
|--|-------------------|
| State Aid (Estimated-Based on 2016 budget) | \$252,000 |
| Township Contribution | <u>+\$518,721</u> |
| MMO | \$770,721 |

The calculation of the Police Pension Plan MMO is based on the "Normal Cost Percentage" + the "Administrative Expense Percentage" times the estimated 2016 Total Gross W-2 Payroll (which excludes payroll for any officer in DROP), plus the amortized "Unfunded Contribution Requirement" costs as determined in the 2015 Actuarial Valuation Report. Member Contributions of 5% of salary are subtracted from this total to determine the Minimum Municipal Obligation for the Township. The 2017 MMO for the Police Pension Plan is a 1% increase from 2016.

The MMO calculation for the Non-Uniformed Plan in 2017 is as follows:

| | |
|--|-----------------|
| State Aid (Estimated-Based on 2016 budget) | \$ 198,000 |
| Township Contribution | <u>+ 89,976</u> |
| MMO | \$ 287,976 |

The Non-Uniformed Employee Pension Plan MMO is based on the estimated 2016 covered payroll for the 50 employees participating in the plan times the Township's 8% contribution. Employee contributions to the plan are 4% of wages. The 2017 MMO for the Non-Uniformed Employee Pension Plan is a 2% increase from the 2016 MMO.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The 2017 MMO's will be factored into the 2017 Budget.

RECOMMENDATION:

Consider approval of the Resolutions accepting the MMO calculations for 2017.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that the 2017 Minimum Municipal Obligation for the Montgomery Township Police Pension Fund in the amount of \$770,721 is accepted, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that the 2017 Minimum Municipal Obligation for the Montgomery Township Non-Uniformed Employees' Pension Fund in the amount of \$287,976 is accepted.

MOTION: _____ SECOND: _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Robert J. Birch | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

Montgomery Township Police Pension Plan
2017 Minimum Municipal Obligation

| | | |
|--|----|--------------|
| 1 Normal Cost Percentage' | | 13.60% |
| 2 Administrative Expense Percentage | | 1.10% |
| 3 Total Percentage (1 + 2) | | 14.70% |
| 4 Estimated 2016 Total Gross W-2 Payroll | \$ | 3,428,790.00 |
| 5 Annual Cost (3 x 4) | \$ | 504,030.00 |
| 6 Amortization Contribution Requirement | \$ | 438,131.00 |
| 7 Financial Requirements (5 + 6) | \$ | 942,161.00 |
| 8 Member Contributions Anticipated | \$ | 171,440.00 |
| 9 10% of Negative Unfunded Liability ' | | \$0 |
| 10 Minimum Municipal Obligation (7 - 8 - 9) (Due Before 12-31-2016) | \$ | 770,721.00 |

Authorized Signature

Date

1 Based upon 1/1/2015 Actuarial Valuation

Conrad Siegel *Actuaries*

Montgomery Township Non-Uniformed Pension Plan
2017 Minimum Municipal Obligation

| | | |
|---|----|--------------|
| 1 Employer Contribution Percentage | | 8.00% |
| 2 Administrative Expense Percentage | | 0.00% |
| 3 Total Percentage (1 + 2) | | 8.00% |
| 4 Estimated 2017 Covered Payroll | \$ | 3,599,700.00 |
| 5 Financial Requirements (3 x 4) | \$ | 287,976.00 |
| 6 Advance Employer Contribution | | n/a |
| 7 Minimum Municipal Obligation (5 - 6) (Due Before 12-31-2016) | \$ | 287,976.00 |

Authorized Signature

Date

Conrad Siegel *Actuaries*

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Authorization to Advertise 2017 Budget Workshop Meetings

MEETING DATE: September 26, 2016

ITEM NUMBER: # 11

MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Ami Tarburton
Finance Director



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

BACKGROUND:

Each year, the Board of Supervisors and the Township staff participate in budget workshops. The workshops are held in the Board Conference Room, starting at 6:30 p.m. and normally run until approximately 8:30 p.m. It is anticipated that we will need four (4) dates from the list below to complete this process. The following dates are available for workshop meetings:

Tuesday, October 18, 2016
Wednesday, October 19, 2016 – Sewer Authority
Wednesday, October 26, 2016
Tuesday, November 1, 2016
Wednesday, November 2, 2016

We are scheduled for the Board to consider preliminary adoption of the 2017 budget on Monday, November 14, 2016 after 8:00 p.m. After preliminary adoption, the Township is required to place the budget on display for public view and comment for a period of no less than 20 days. After that period has passed, the Board considers final adoption. We are scheduled to consider final adoption on Monday, December 12, 2016 after 8:00 p.m.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

Ensure compliance with all requirements of the Second Class Township Code for the Budget of a Township.

RECOMMENDATION:

Staff recommends that the Board adopt the 2017 Budget Workshop schedule as presented.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the Township Manager to advertise for public meetings for the proposed 2017 Budget Workshops to be held on:

- ___ Tuesday, October 18, 2016
- ___ Wednesday, October 19, 2016 – Sewer Authority
- ___ Wednesday, October 26, 2016
- ___ Tuesday, November 1, 2016
- ___ Wednesday, November 2, 2016

MOTION: _____

SECOND: _____

| | | | | |
|------------------------|-----|---------|---------|--------|
| Robert J. Birch | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Adoption of Ordinance #16-297-Z – Amending Article IV (Floodplain Conservation District) of the Township Zoning Code

MEETING DATE: September 26, 2016

ITEM NUMBER: #12

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
Vice Chairman

BACKGROUND:

Attached is a draft ordinance: 1) amending the Zoning Code regarding Article IV – Floodplain Conservation District. This will provide a description of Zone AE in Section 230-12 (Identification of Floodplain Area) and prohibit manufactured homes within the floodplain; and 2) amending the Township's Subdivision and Land Development Ordinance to ensure consistency with Ordinance #15-292 – Amendment of Article IV (Floodplain Conservation District) of the Township's Zoning Ordinance. These changes are necessary to comply with FEMA requirements. This draft has been developed by the Township Solicitor, Township Engineer and Staff.

The Township and County Planning Commissions have reviewed this ordinance and their comments are attached.

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

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 |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

Resolution #

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township this 26th day of September, 2016, that we hereby approve Ordinance #16-297-Z, which is the Montgomery Township Floodplain Conservation District Ordinance, which is an ordinance 1) amending the Zoning Code regarding Article IV – Floodplain Conservation District. This will provide a description of Zone AE in Section 230-12 (Identification of Floodplain Area) and prohibit manufactured homes within the floodplain; and 2) amending the Township's Land Subdivision Ordinance to ensure consistency with Ordinance #15-292 – Amendment of Article IV (Floodplain Conservation District) of the Township's Zoning Ordinance.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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

AFFIDAVIT OF PUBLICATION
307 Derstine Avenue • Lansdale, PA 19446

MONTGOMERY TOWNSHIP/LEGAL NOTICES
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
Attention:

STATE OF PENNSYLVANIA,
COUNTY OF MONTGOMERY

The undersigned *Nina Okon*, being duly sworn the he/she is the principal clerk of The Reporter, The Reporter Digital, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

**MONTGOMERY TOWNSHIP
LEGAL NOTICE**

On Monday, September 26, 2016, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a public hearing to consider enactment of the following ordinance:
AN ORDINANCE AMENDING (1) THE TOWNSHIP'S ZONING ORDINANCE ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT] TO PROVIDE A DESCRIPTION OF ZONE AE IN SECTION 230-12 [IDENTIFICATION OF FLOODPLAIN AREAS] AND PROHIBIT MANUFACTURED HOMES WITHIN THE FLOODPLAIN; AND (2) THE TOWNSHIP'S LAND SUBDIVISION ORDINANCE TO ENSURE CONSISTENCY WITH ORDINANCE 15-292Z'S AMENDMENT OF ARTICLE IV [FLOODPLAIN CONSERVATION DISTRICT] OF THE TOWNSHIP'S ZONING ORDINANCE
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 hearing, 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-Sep 9,16-1a

MONTGOMERY TOWNSHIP/LEGAL NOTICES

Published in the following edition(s):

| | |
|----------------------|----------|
| The Reporter | 09/09/16 |
| The Reporter | 09/16/16 |
| The Reporter Digital | 09/09/16 |
| The Reporter Digital | 09/16/16 |

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
MAUREEN SCHMID, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires March 31, 2017

Sworn to the subscribed before me this 9/22/2016.

Maureen Schmid

Notary Public, State of Pennsylvania
Acting In County of Montgomery

Advertisement Information

Client Id: 881229

Ad Id: 1116113

PO:

Sales Person: 093302



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

September 19, 2016

File No. 2012-02103

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

Reference: Ordinance Amending the Township's Zoning Ordinance Article IV
(FP Floodplain Conservation District)

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the proposed amendment to the FP Floodplain Conservation District. The Township last amended the FP Floodplain Conservation District in February 2016 (Ordinance #15-292-Z). The FP Floodplain Conservation District was amended to reference the new floodplain maps issued by FEMA as well as make the Township code consistent with current applicable Federal standards. The Ordinance was required to be in place by March 2, 2016 to coincide with the effective date of the new floodplain maps. The development of that ordinance required review and approval by several County and Federal agencies. Due to the coordination of various agencies and the public notice requirement associated with Zoning Ordinance amendments, the final comments issued by FEMA in a letter dated February 2, 2016 were not incorporated in Ordinance #15-292-Z to meet the March 2, 2016 deadline. The final comments by FEMA were not critical but should be incorporated for consistency and completeness.

The proposed amendment to the FP Floodplain Conservation District (Section 1 of Ordinance #16-297-Z) incorporates the comments made by FEMA in their February 2, 2016 letter.

We recommend the Township adopt the proposed amendment to the FP Floodplain Conservation District. If you have any questions regarding the above, please contact this office.

Sincerely,

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

JPD/

cc: Lawrence J. Gregan, Manager – Montgomery Township
Marita A. Stoerrle, Development Coordinator – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.

MONTGOMERY COUNTY
BOARD OF COMMISSIONERS
JOSH SHAPIRO, CHAIR
VALERIE A. ARKOOSH, MD, MPH, VICE CHAIR
JOSEPH C. GALE



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

August 9, 2016

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

Re: MCPC #10-0017-003
Zoning Ordinance Amendments to Floodplain Conservation District
To Identify Flood Areas and Prohibit Manufactured Homes
Montgomery Township

Dear Mr. Shoupe:

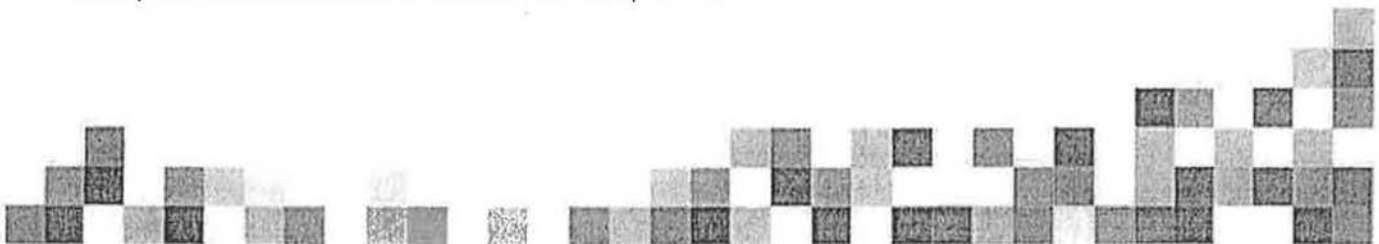
We have reviewed the above-referenced zoning ordinance text amendments in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on July 12, 2016. We forward this letter as a report of our review and recommendations.

BACKGROUND

The application is a proposal to amend Article IV – Floodplain Conservation District of the township's Zoning Code, as well as add definitions and correct wording in the township's Subdivision and Land Development Code. These changes are being proposed in order to comply with FEMA requirements and updated flood insurance rate maps. The township is serving as the applicant for the zoning amendment.

RECOMMENDATION/COMMENTS

The Montgomery County Planning Commission (MCPC) supports the applicant's proposed amendment to the Floodplain Conservation District without further comment, as it is consistent with both the County and FEMA's recommendations for compliance.



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

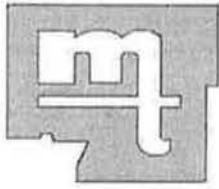
Should the governing body adopt these proposed zoning ordinance amendments, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,

A handwritten signature in black ink that reads "Matthew Popek". The signature is written in a cursive, flowing style.

Matthew Popek, Transportation Planner
mpopek@montcopa.org – 610-278-3730

c: Lawrence Gregan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission



MEMORANDUM

TO: Board of Supervisors

FROM: Planning Commission
Leon McGuire, Vice Chairman

DATE: August 16, 2016

RE: Text Amendment - Floodplain Conversation District - Ordinance #16-297Z

The Planning Commission has reviewed the above amendments to the Floodplain Conversation District ordinance to add new definitions and correct wording in the Township's Subdivision and Land Development Code to eliminate conflicts. These changes are being proposed in order to comply with FEMA requirements.

The Planning Commission recommends to the Board of Supervisors that this ordinance be approved.

MONTGOMERY TOWNSHIP

ORDINANCE #16-297Z

AN ORDINANCE AMENDING (1) THE TOWNSHIP'S ZONING ORDINANCE ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT] TO PROVIDE A DESCRIPTION OF ZONE AE IN SECTION 230-12 [IDENTIFICATION OF FLOODPLAIN AREAS] AND PROHIBIT MANUFACTURED HOMES WITHIN THE FLOODPLAIN; AND (2) THE TOWNSHIP'S LAND SUBDIVISION ORDINANCE TO ENSURE CONSISTENCY WITH ORDINANCE 15-292Z's AMENDMENT OF ARTICLE IV [FLOODPLAIN CONSERVATION DISTRICT] OF THE TOWNSHIP'S ZONING ORDINANCE

ENACTED: _____

MONTGOMERY TOWNSHIP

ORDINANCE #16-297Z

AN ORDINANCE AMENDING (1) THE TOWNSHIP'S ZONING ORDINANCE ARTICLE IV [FP FLOODPLAIN CONSERVATION DISTRICT] TO PROVIDE A DESCRIPTION OF ZONE AE IN SECTION 230-12 [IDENTIFICATION OF FLOODPLAIN AREAS] AND PROHIBIT MANUFACTURED HOMES WITHIN THE FLOODPLAIN; AND (2) THE TOWNSHIP'S LAND SUBDIVISION ORDINANCE TO ENSURE CONSISTENCY WITH ORDINANCE 15-292Z's AMENDMENT OF ARTICLE IV [FLOODPLAIN CONSERVATION DISTRICT] OF THE TOWNSHIP'S ZONING ORDINANCE

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

SECTION 1. Amendment to the Township's Zoning Ordinance, Article IV [Floodplain Conservation District].

Article IV [Floodplain Conservation District] of the Township's Zoning Ordinance shall be amended and 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 March 2, 2016 (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. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided.
- i. The AE Area adjacent to the floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.
- c. 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.
- d. 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.
- e. 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.
- f. (Reserved)
- g. 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.
 - 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. On-site/subsurface sewage disposal systems.

- e. Private water supply wells.
- f. Hospitals (public or private).
- g. Nursing homes (public or private).
- h. Jails or prisons.
- i. 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.
- j. Placement of fill within the 100 year floodplain
- k. 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. 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 W1 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

- a. 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

1. 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

1. 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 2. Amendments to the Township's Land Subdivision Ordinance.

The Township's Land Subdivision Ordinance shall be amended to ensure consistency with Ordinance 15-292's amendment of the Township's Zoning Ordinance, Article IV [Floodplain Conservation District] and shall read as follows:

a. §205-6 [Definitions] shall be amended with the following definitions:

BMP (BEST MANAGEMENT PRACTICE) - Activities, facilities, designs, measures, or procedures used to manage stormwater impacts from regulated activities, to meet state water quality requirements, to promote groundwater recharge, and to otherwise meet the purposes of this Ordinance. Stormwater BMPs are commonly grouped into one of two broad categories or measures: "structural" or "nonstructural." In this Ordinance, nonstructural BMPs or measures refer to operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff whereas structural BMPs or measures are those that consist of a physical device or practice that is installed to capture and treat stormwater runoff. Structural BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale retention ponds and constructed wetlands, to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. Structural stormwater BMPs are permanent appurtenances to the project site.

DEVELOPMENT - Any human-induced change to improved or unimproved real estate, whether public or private, including but not limited to land development, construction, installation, or expansion of a building or other structure, land division, street construction, drilling, and site alteration such as embankments, dredging, grubbing, grading, paving, parking or storage facilities, excavation, filling, stockpiling, or clearing. As used in this ordinance, development encompasses both new development and redevelopment.

GRADE - 1. (noun) A slope, usually of a road, channel or natural ground specified in percent and shown on plans as specified herein. 2. (verb) To finish the surface of a roadbed, the top of an embankment, or the bottom of excavation.

IMPERVIOUS MATERIAL - Any materials that do not permit the natural absorption and permeation by soils of rain or other surface water, to include but not be limited to all concrete, asphalt, and similar paving products, earthen materials (brick, stone),

chemical treatment of soils or artificial ground covers as may be used in the construction of roads, walks, driveways, parking areas, patios and recreation facilities.

REGULATED EARTH DISTURBANCE ACTIVITY - Activity involving earth disturbance subject to regulation under 25 Pa. Code 92, 25 Pa. Code 102, or the Clean Streams Law.

- b. **§205-17.A(3)** shall be amended to remove the parenthetical reference to PennDOT Section 310.
- c. **§205-17.A(4)** shall be amended to remove the parenthetical reference to PennDOT Section 310.
- d. **§205-17.A(5)(b)** shall be amended to remove the parenthetical reference to PennDOT Section 310.
- e. **§205-18.A(3)** shall be amended to remove the parenthetical reference to PennDOT Section 310.
- f. **§205-18.D** Change “Stormwater retention and detention” to “Stormwater Management.”
- g. **§205-18.D(1)** Change “stormwater retention” to “stormwater management”
- h. **§205-18.D(1)(d)** shall be revised to read as follows:

The development falls under the jurisdiction of the Township Stormwater Management Ordinance (Chapter 206).
- i. **§205-18.D(2)** Change “stormwater detention facility” to “stormwater management facility.”
- j. **§205-18.D(3)** Change “Detention” to “Stormwater management”.
- k. **§205-18.D(3)(a)** shall be revised to read as follows:

Stormwater management facilities shall be designed to satisfy all standards and regulations described in Chapter 206, The Township Stormwater Management Ordinance.
- l. **§205-18.D(3)(b)** Remove this section in its entirety.
- m. **§205-18.D(3)(f)** shall be revised to read as follows:

Stormwater management facilities must be designed for the greater of either the total impervious cover or the maximum impervious surface ratio permitted within the respective zoning district per the Township Zoning Ordinance. In the event a zoning district does not specify an impervious cover ratio; a minimum impervious cover ratio of 40% of the gross site area shall be the basis for design of the stormwater management facilities.
- n. **§205-18.D(4)** Change all instances of “Detention basins” to “Stormwater facilities”, and all instances of “basin” to “stormwater facility”.
- o. **§205-18.E** Change “...§205-18.1 of the Montgomery Township Subdivision and Land Development Ordinance” to “Chapter 206, The Township

Stormwater Management Ordinance.”

p. **§205-18.1** This section shall be deleted in its entirety.

q. **§205-27.1** shall be revised to read as follows:

In addition to full compliance with Article IV, Erosion and Sediment Control, an applicant’s erosion and sediment control measures must comply with Chapter 206, The Montgomery Township Stormwater Management Ordinance.

r. **§205-41** This section shall be deleted in its entirety

SALDO, Appendix B This Appendix shall be deleted in its entirety.

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 effect, 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 Manager/ Secretary

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Adoption of Ordinance #16-298-S - Amendments to Shade Tree Ordinance and SALDO Landscaping Regulations

MEETING DATE: September 26, 2016

ITEM NUMBER: # 13.

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
Vice Chairman

BACKGROUND:

Attached is a draft ordinance amending the Township Code regarding Chapter 189 – Shade Trees. This will create a new section entitled "Residential Street Tree Replacement" which will provide for: 1) a street tree species list for residential lots; 2) street tree sizing requirements for residential lots; 3) sidewalk/roadway street tree setback requirements; 4) street tree sizing requirements in association with a subdivision or land development application. This will also amend the Township's SALDO Code to ensure consistency with the new section 189-7.1. This draft has been developed by the Township Solicitor, Township Landscape Architect and staff. The Township and County Planning Commissions have reviewed this ordinance and their comments are attached.

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

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 |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

Resolution #

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township this 26th day of September, 2016, that we hereby approve Ordinance #16-298-S, an ordinance amending the Shade Tree Code creating a new Section 189-7.1 entitled "Residential Street Tree Replacement" which will provide for: 1) a street tree species list for residential lots; 2) street tree sizing requirements for residential lots; 3) sidewalk/roadway street tree setback requirements; and 4) street tree sizing requirements in association with a subdivision or land development application. This will also amend the Township's Land Subdivision Ordinance to ensure consistency with the new section 189-7.1.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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

AFFIDAVIT OF PUBLICATION
307 Derstine Avenue • Lansdale, PA 19446

MONTGOMERY TOWNSHIP/LEGAL NOTICES
1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936
Attention:

STATE OF PENNSYLVANIA,
COUNTY OF MONTGOMERY

The undersigned Maureen Schimid, being duly sworn the he/she is the principal clerk of The Reporter, The Reporter Digital, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

MONTGOMERY TOWNSHIP
LEGAL NOTICE

On Monday, September 26, 2016, after 8:00PM, the Montgomery Township Board of Supervisors, during its regularly scheduled meeting, will conduct a public hearing to consider enactment of the following ordinance:

AN ORDINANCE AMENDING (1) SHADE TREES ORDINANCE (CHAPTER 189) TO CREATE A NEW SECTION 189-7.1 ENTITLED "RESIDENTIAL STREET TREE REPLACEMENT" PROVIDING (A) A STREET TREE SPECIES LIST FOR RESIDENTIAL LOTS; (B) STREET TREE SIZING REQUIREMENTS FOR RESIDENTIAL LOTS; (C) SIDEWALK/ROADWAY STREET TREE SETBACK REQUIREMENTS; (D) STREET TREE SIZING REQUIREMENTS IN ASSOCIATION WITH A SUBDIVISION OR LAND DEVELOPMENT APPLICATION; AND (2) THE TOWNSHIP'S LAND SUBDIVISION ORDINANCE TO ENSURE CONSISTENCY WITH THE NEW SECTION 189-7.1

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 hearing, 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
Jan-Sep 9,16-1a

MONTGOMERY TOWNSHIP/LEGAL NOTICES

Published in the following edition(s):

| | |
|----------------------|----------|
| The Reporter | 09/09/16 |
| The Reporter | 09/16/16 |
| The Reporter Digital | 09/09/16 |
| The Reporter Digital | 09/16/16 |

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

MAUREEN SCHMID, Notary Public
Upper Dublin Twp., Montgomery County
My Commission Expires March 31, 2017

Sworn to the subscribed before me this 9/22/2016.

Maureen Schimid

Notary Public, State of Pennsylvania
Acting in County of Montgomery

Advertisement Information

Client Id: 881229 Ad Id: 1116123 PO: Sales Person: 093302



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

Fountainville Professional Building
1456 Tracy Road, Building 500
Doylestown, PA 18901
215-345-9400
Fax 215-345-9401

2738 Rinnock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0206

550 North Street, Suite 202
Pottsville, PA 17870
610-413-9400
Fax 610-413-9408
www.bjengineers.com

July 25, 2016

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

**SUBJECT: PROPOSED SLDO REVISIONS
SHADE TREE ORDINANCE #16-298S**

Dear Mr. Gregan:

Please be advised that I have reviewed the proposed revisions to the Montgomery Township Subdivision and Land Development Ordinance, Ordinance #16-298S, which proposes revisions to and additions of sections addressing street trees on individual residential lots, street tree setback requirements, and the recommended plant list.

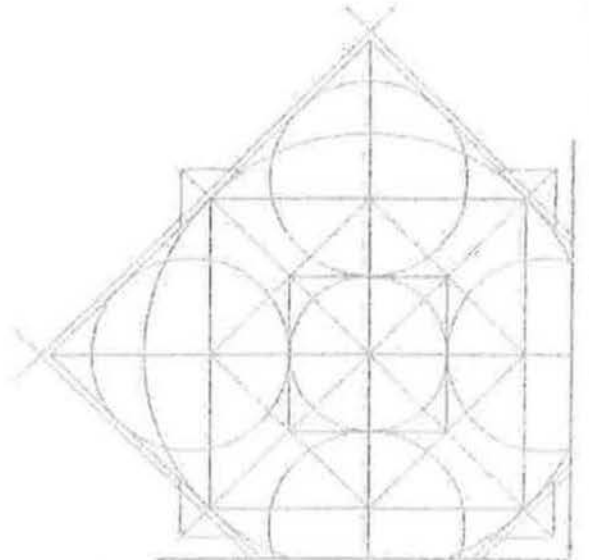
I believe the proposed revisions to be acceptable and have no comments at this time. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

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

VLL/kam

ec: Board of Supervisors
Bruce Shoupe, Director of Planning and Zoning
Marita Stoerrle, Development Coordinator
Marianne McConnell, Shade Tree Commission



MONTGOMERY COUNTY
BOARD OF COMMISSIONERS
JOSH SHAPIRO, CHAIR
VALERIE A. ARKOOSH, MD, MPH, VICE CHAIR
JOSEPH C. GALE



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

August 8, 2016

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

Re: MCPC #16-0149-001
Zoning Ordinance Amendments to Shade Trees to Include Sizing
Requirements and Setback Requirements and Update Species List
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced zoning ordinance text amendments in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on July 12, 2016. We forward this letter as a report of our review and recommendations.

BACKGROUND

The application is a proposal to amend the Shade Tree Regulations of the township's Zoning Code in two chapters. The township is serving as the applicant for the zoning amendment.

The ordinance amendment proposes the following actions:

- Amend Chapter 189 ("Shade Trees"), Section 7 to include a section on Residential Street Tree Replacement which defines dimensional standards.
- Amend Chapter 205 ("Subdivision and Land Development") in multiple sections to remove duplicate and adjust measurement language, add an additional provision for tree interactions with utility lines, and update the recommended plant list in §205-56.



RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the proposed zoning ordinance amendment; however, in the course of our review we have identified the following issues that the applicant and municipality may wish to consider prior to final plan approval. Our comments are as follows:

REVIEW COMMENTS

PLANT LIST

As part of the review process for these ordinance amendments, the proposed plant list was reviewed in detail by Barry Jeffries, a senior planner in the design section of the MCPC. We recognize the new plant list is a significant improvement over the existing plant list, as it represents a wide variety of the many types of trees that can be utilized in various shade tree contexts. We do have several comments regarding specific sections, which are as follows:

- A. Under Section A.1 (Street Trees), we suggest that specific Dutch elm disease resistant varieties should be listed in the ordinance, including *Ulmus americana* "Princeton" and "Valley Forge".
- B. Under Section C (Shade trees), we suggest adding "*Metasequoia glyptostroboides* -- dawn redwood" to the given list.
- C. Under Section E (Ornamental/flowering trees), we suggest that *Betula nigra* – River Birch and *Larix laricina* – American Larch be reclassified as Shade Trees under Section C.
- D. Under Section F (Deciduous shrubs), we note that the listed thirty inch minimum height, which is the current standard included in the ordinance, may be too high to achieve for some of the species listed that generally grow to a shorter height. A minimum height of twenty-four inches may be more appropriate, as is the current and proposed standard for evergreen shrubs.
- E. Under Section H (Ground cover plants), we would encourage additional items to be included for each section. In particular, additional basin floor covering plants should be considered for their ability to manage stormwater, which will help to further Montgomery Township's strong stormwater management efforts.

It may be helpful for the Township to collect these individual lists into a separate spreadsheet that would allow for potential plant list users to make side-by-side comparisons of plant features, native status, and maximum height characteristics.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal, but we believe that our suggested revisions will better achieve Montgomery Township's planning objectives for improved shade tree coverage.

Mr. Bruce Shoupe

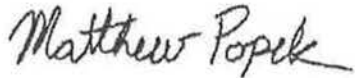
- 3 -

August 8, 2016

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

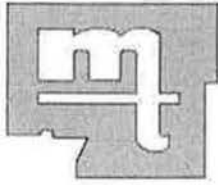
Should the governing body adopt these proposed zoning ordinance amendments, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Matthew Popek, Transportation Planner
mpopek@montcopa.org – 610-278-3730

c: Lawrence Gregan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission



MEMORANDUM

TO: Board of Supervisors

FROM: Planning Commission
Leon McGuire, Vice Chairman

DATE: August 16, 2016

RE: Text Amendment – Chapter 189, Shade Tree and Chapter 205, SALDO

The Planning Commission has reviewed the above amendments to Chapter 189 adding a new section "Residential Street Tree Replacements" and eliminate conflicts in Chapter 205, Subdivision and Land Development Code as to location, type and height of trees from the right-of-way, near overhead utility line location and updating the recommended plant list to further clarify street trees on lots with small front yard setbacks.

The Planning Commission recommends to the Board of Supervisors that this ordinance be approved.

MONTGOMERY TOWNSHIP

ORDINANCE #16-298S

AN ORDINANCE AMENDING (1) SHADE TREES ORDINANCE (CHAPTER 189) TO CREATE A NEW SECTION 189-7.1 ENTITLED "RESIDENTIAL STREET TREE REPLACEMENT" PROVIDING (A) A STREET TREE SPECIES LIST FOR RESIDENTIAL LOTS; (B) STREET TREE SIZING REQUIREMENTS FOR RESIDENTIAL LOTS; (C) SIDEWALK/ROADWAY STREET TREE SETBACK REQUIREMENTS; (D) STREET TREE SIZING REQUIREMENTS IN ASSOCIATION WITH A SUBDIVISION OR LAND DEVELOPMENT APPLICATION; AND (2) THE TOWNSHIP'S LAND SUBDIVISION ORDINANCE TO ENSURE CONSISTENCY WITH THE NEW SECTION 189-7.1

ENACTED: _____

MONTGOMERY TOWNSHIP

ORDINANCE #16-298S

AN ORDINANCE AMENDING (1) SHADE TREES ORDINANCE (CHAPTER 189) TO CREATE A NEW SECTION 189-7.1 ENTITLED "RESIDENTIAL STREET TREE REPLACEMENT" PROVIDING (A) A STREET TREE SPECIES LIST FOR RESIDENTIAL LOTS; (B) STREET TREE SIZING REQUIREMENTS FOR RESIDENTIAL LOTS; (C) SIDEWALK/ROADWAY STREET TREE SETBACK REQUIREMENTS; (D) STREET TREE SIZING REQUIREMENTS IN ASSOCIATION WITH A SUBDIVISION OR LAND DEVELOPMENT APPLICATION; AND (2) THE TOWNSHIP'S LAND SUBDIVISION ORDINANCE TO ENSURE CONSISTENCY WITH THE NEW SECTION 189-7.1

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

SECTION 1. Amendment to Chapter 189 Shade Trees.

The Township Code, Chapter 189 [Shade Trees] shall be amended to include a new Section 189-7.1 entitled "Residential Street Tree Replacement", which shall read as follows:

§189-7.1 Residential Street Tree Replacement.

- A. Where a street tree is required to be replaced or planted on an individual residential lot, street tree species may be selected from sections §205-56.A or §205-56.B of the Montgomery Township Subdivision and Land Development Ordinance.
- B. Street trees replaced or planted on individual residential lots shall be a minimum of 2 inches in caliper, 12 feet to 14 feet in height, and shall have a full branching structure. All main branches shall be pruned to a clearance height of 6' above the ground. Trees shall have a single, straight trunk and unpruned leader free of codominant stems within the lower half of the crown, and shall be free of disease and mechanical damage.
- C. Setbacks from sidewalks and roadways shall be in accordance with the setbacks required in §205-56.A, §205-56.B, and §205-52.A(2).
- D. Where street trees are required to be replaced or planted on an individual residential lot in conjunction with a Subdivision or Land Development

application, the sizing requirements of §205-56.A or §205-56.B shall be met.

SECTION 2. Amendments to the Township's Land Subdivision Ordinance.

The Township's Land Subdivision Ordinance shall be amended to ensure consistency with the new Section 189-7.1 [Shade Trees/Residential Street Tree Replacement]:

a. **§ 205-49.J** This section shall be deleted in its entirety.

b. **§ 205-52.A(2)(b)** shall be revised to read as follows:

Street trees shall be planted no closer than one foot outside the legal or ultimate street right-of-way, whichever is greater. Street trees shall be planted no closer than six feet to any public sidewalk. Where Small Street Trees are to be planted in accordance with the requirements of §205.56.B, they shall be permitted to be planted no closer than five (5) feet to any public sidewalk.

c. **§ 205-52.A(2)(f)** shall be revised to read as follows:

Street trees are not to be planted beneath utility lines. If utility lines are present, the street tree row is to be moved to a distance not less than 15 feet nor more than 25 feet away from the line of the poles. Where this is not possible due to space limitations or other reasons, a lower-growing species shall be provided from the list of Recommended Small Street Trees in §205-56.B, but shall still be located the greatest feasible distance from the utility line.

d. Add **§ 205-52.A(3)** shall be added and shall read as follows: "Street trees shall be a species listed in §205.56.A or §205.56.B."

e. **§ 205-56.** This section shall be deleted in its entirety and replaced with the following:

Recommended Plant List

The following is the recommended list of trees, shrubs and ground cover for use in Montgomery Township. The Board of Supervisors may permit other planting types if they are hardy to the area, not subject to blight or disease and of the same general character and growth habit as those listed below, and are not identified by the Pennsylvania Department of Conservation and Natural Resources (DCNR) as invasive. Plants included on the DCNR "watch list" as potentially invasive, and any associated varieties, hybrids, and cultivars of invasive species will not be permitted. Plants listed below that may be added to DCNR's list of invasive plants after the adoption of this ordinance shall not be permitted.

The size requirements listed herein for shade trees, evergreen trees, ornamental

trees, deciduous shrubs, evergreen shrubs and ground cover are the minimum acceptable sizes at the time of installation. Size and grading standards for all plants shall conform to those specified by the American Nursery and Landscape Association's American Standard for Nursery Stock, ANSI Z60.1-2014 or latest edition.

A. Street Trees: minimum of 3 inches in caliper, 14 feet to 16 feet in height with a full branching structure. All main branches shall be pruned to a height of 8 feet above the ground. Street trees shall have a single, straight trunk and unpruned central leader free of codominant stems within the lower half of the crown, and shall be free of disease and mechanical damage.

1. The following street trees shall be located a minimum of 6 feet from sidewalks and roadways.

- Acer rubrum - Red Maple
- Carpinus betulus - European Hornbeam
- Cercidiphyllum japonica- Katsuratree
- Ginkgo biloba - Ginkgo (Male varieties only)
- Koelreuteria paniculata - Golden Raintree
- Liquidambar styraciflua var. 'Rotundiloba' - Seedless Sweetgum
- Metasequoia glyptostroboides - Dawn Redwood
- Nyssa sylvatica - Blackgum
- Ostrya virginiana - American Hophornbeam
- Quercus acutissima - Sawtooth Oak
- Quercus alba - White Oak
- Quercus borealis - Northern Red Oak
- Quercus coccinea - Scarlet Oak
- Quercus imbricaria - Shingle Oak
- Quercus lyrata - Overcup Oak
- Quercus montana - Chestnut Oak
- Quercus palustris - Pin Oak
- Quercus phellos - Willow Oak
- Quercus rubra - Red Oak
- Tilia cordata - Littleleaf Linden
- Tilia tomentosa - Silver Linden
- Ulmus spp. - Elm (Dutch Elm disease resistant varieties only)
- Zelkova serrata - Japanese Zelkova

2. The following street trees shall be located a minimum of 10 feet to 12 feet from sidewalks and roadways.

- Acer saccharum - Sugar Maple
- Carya glabra - Pignut Hickory
- Carya ovata - Shagbark Hickory
- Celtis occidentalis - Hackberry
- Cladrastis kentukea - Yellowwood
- Fagus grandifolia - American Beech
- Fagus sylvatica - European Beech
- Gleditsia triacanthos var. 'inermis' - Thornless Honeylocust
- Gymnocladus dioica - Kentucky Coffeetree (fruitless forms)
- Liriodendron tulipifera - Tulip Poplar

Magnolia acuminata – Cucumbertree Magnolia
Platanus x acerifolia - London Planetree

- B. Small Street Trees: the following trees are suitable for use where street trees are to be planted in the vicinity of overhead utility lines in accordance with the requirements of §205-52.A(2)(f), or where a front yard setback of 25 feet or less is required. The Board of Supervisors may permit the use of small street trees where it is determined that limiting circumstances make the use of small street trees appropriate. Small street trees shall be a minimum of 2 inches in caliper, 12 feet to 14 feet in height, and shall have a full branching structure. All main branches shall be pruned to a clearance height of 6 feet above the ground. Small street trees shall have a single, straight trunk and unpruned central leader free of codominant stems within the lower half of the crown, and shall be free of disease and mechanical damage. All street trees shall be located a minimum of five feet from sidewalks and roadways.

Acer campestre – Hedge Maple
Acer griseum – Paperbark maple
Carpinus caroliniana – American Hornbeam
Cercis canadensis – Eastern Redbud
Chionanthus virginicus – Fringetree
Cornus florida – Flowering Dogwood
Cornus kousa – Kousa Dogwood
Cornus mas – Cornelian Cherry
Cornus x 'Rutban' - Aurora Dogwood
Cotinus coggyria – "Smoke Tree"
Crataegus crusgalli var. inermis – Thornless Cockspur Hawthorn*
Crataegus phaenopyrum – Washington Hawthorn*
Crataegus viridis 'Winter King' – Winter King Hawthorn*
Malus spp. – 'Adirondack,' 'Prairifire,' or 'Professor Sprenger'*
Oxydendrum arboreum - Sourwood
Prunus spp. – 'Autumnalis,' 'Kwanzan,' 'Okame,' or 'Yoshino'*
Syringa reticulata 'Ivory Silk' or 'Summer Snow'
Styrax japonicas – Japanese Snowbell
Tilia cordata 'Halka'

*Other disease-resistant varieties permitted where the average landscape size does not exceed 35 feet in height.

- C. Shade trees: minimum of 3 inches in caliper, 14 feet to 16 feet in height with a full branching structure. All main branches shall be pruned to a height of 7 feet above the ground. Trees shall have a single, straight trunk and unpruned central leader free of codominant stems within the lower half of the crown, and shall be free of disease and mechanical damage. All trees shall be located a minimum of 6 feet from sidewalks and roadways.

Acer rubrum - Red Maple
Acer saccharinum – Silver Maple
Acer saccharum - Sugar Maple
Carya glabra – Pignut Hickory
Carya ovata – Shagbark Hickory
Celtis occidentalis - Hackberry

Cercidiphyllum japonica - Katsuratree
Cladrastis kentukea - Yellowwood
Fagus grandifolia - American Beech
Fagus sylvatica - European Beech
Ginkgo biloba - Ginkgo (Male varieties only)
Gleditsia triacanthos var. 'inermis' - Thornless Honeylocust
Gymnocladus dioica - Kentucky Coffeetree (fruitless forms)
Koelreuteria paniculata - Golden Raintree
Liquidambar styraciflua - Sweetgum, including var. 'Rotundiloba'
Liriodendron tulipifera - Tulip Poplar
 Metasequoia glyptostroboides - Dawn Redwood
Nyssa sylvatica - Blackgum
Ostrya virginiana - American Hophornbeam
Platanus x acerifolia - London Planetree
Quercus acutissima - Sawtooth Oak
Quercus alba - White Oak
Quercus bicolor - Swamp White Oak
Quercus borealis - Northern Red Oak
Quercus coccinea - Scarlet Oak
Quercus falcata - Southern Red Oak
Quercus imbricaria - Shingle Oak
Quercus lyrata - Overcup Oak
Quercus macrocarpa - Burr Oak
Quercus montana - Chestnut Oak
Quercus muehlenbergii - Chinkapin Oak
Quercus palustris - Pin Oak
Quercus phellos - Willow Oak
Quercus rubra - Red Oak
Quercus shumardii - Shumard Oak
Taxodium distichum - Bald Cypress
Tilia americana - American Basswood
Tilia cordata - Littleleaf Linden
Tilia tomentosa - Silver Linden
Zelkova serrata - Japanese Zelkova

D. Evergreen trees: minimum 8 feet to 10 feet height, single leader with no codominant stems, symmetrically branching to the ground, and free of disease and mechanical damage.

Abies concolor - White Fir
 Chamaecyparis thyoides - Atlantic White-Cedar
 Ilex opaca - American Holly
 Juniperus virginiana - Eastern Redcedar
 Picea abies - Norway Spruce
 Picea glauca - White Spruce
 Picea mariana - Black Spruce
 Picea pungens - Colorado Spruce
 Pinus banksiana - Jack Pine
 Pinus echinata - Shortleaf Pine
 Pinus resinosa - Red Pine
 Pinus rigida - Pitch Pine

Pinus strobus - White Pine
Pinus taeda - Loblolly Pine
Pinus thunbergii - Japanese Black Pine
Pinus virginiana - Virginia Scrub Pine
Pseudotsuga menziesii - Douglas Fir
Thuja occidentalis - Eastern Arborvitae
Tsuga canadensis - Eastern Hemlock

- E. Ornamental/flowering trees: minimum 1 ¼ inches caliper, 8 feet to 10 feet height and full branching structure. Trees shall have a single, straight trunk and unpruned central leader free of codominant stems within the lower half of the crown, and shall be free of disease and mechanical damage. Clump, shrub and multi-stem forms shall be permitted at a minimum height of 8 feet to 10 feet and a minimum root ball diameter of 28 inches to 32 inches.

Acer campestre - Hedge Maple
Acer griseum - Paperbark maple
Acer pennsylvanicum - Striped Maple
Amelanchier arborea - Downy Serviceberry
Amelanchier canadensis - Serviceberry
Amelanchier laevis - Allegheny Serviceberry
Asimina triloba - Common Pawpaw
Betula lenta - Sweet Birch
Betula nigra - River Birch
Betula papyrifera - Paper Birch
Betula populifolia - Gray Birch
Carpinus caroliniana - American Hornbeam
Cercis canadensis - Eastern Redbud
Chionanthus virginicus - Fringetree
Cornus florida - Flowering Dogwood
Cornus kousa - Kousa Dogwood
Cornus mas - Cornelian Cherry
Cornus x 'Rutban' - Aurora Dogwood
Cotinus coggyria - "Smoke Tree"
Crataegus crusgalli var. *inermis* - Thornless Cockspur Hawthorn*
Crataegus phaenopyrum - Washington Hawthorne*
Crataegus viridis 'Winter King' - Winter King Hawthorn*
Diospyros virginiana - Common Persimmon
Halesia carolina - Carolina Silverbell
Larix laricina - American Larch
Magnolia tripetala - Umbrella Magnolia
Magnolia virginiana - Sweetbay Magnolia
Magnolia x soulangeana - Saucer Magnolia
Malus spp. - 'Adirondack,' 'Prairifire,' or 'Professor Sprenger'*
Oxydendrum arboreum - Sourwood
Prunus spp. - 'Autumnalis,' 'Kwanzan,' 'Okame,' or 'Yoshino'*
Ptelea trifoliata - Wafer-Ash
Sassafras albidum - Common Sassafras
Styrax japonicas - Japanese Snowbell
Syringa reticulata - 'Ivory Silk' or 'Summer Snow'
Tilia cordata 'Halka'

Taxodium distichum – Baldcypress

*Other disease-resistant varieties permitted.

- F. Deciduous shrubs: minimum acceptable container classes #5, #7, #10, with a 30 inch minimum height, symmetrically branched to the ground, and free of disease and mechanical damage.

Aesculus parviflora – Bottlebrush Buckeye
Alnus rugosa – Speckled Alder
Alnus serrulata – Smooth Alder
Aronia arbutifolia – Red Chokecherry
Aronia melanocarpa – Black Chokecherry
Callicarpa americana – American Beautyberry
Calycanthus florida – Sweetshrub
Castanea pumila – allgheny chinquapin
Ceanothus americanus – New Jersey Tea
Cephalanthus occidentalis – Buttonbush
Clethra alnifolia – Summersweet Clethra
Comptonia peregrina – Sweetfern
Cornus amomum – Silky Dogwood
Cornus racemosa – Gray Dogwood
Cornus sericea – Redosier Dogwood
Corylus americana – American Filbert
Cotinus obovatus – American smoke tree
Euonymus americanus – Strawberrybush
Fothergilla gardenii – Dwarf Fothergilla
Fothergilla major – Large Fothergilla
Hamamelis vernalis – Spring Witch Hazel
Hamamelis virginiana – Common Witch Hazel
Hydrangea arborescens – Smoothleaf Hydrangea
Hydrangea quercifolia – Oakleaf Hydrangea
Hypericum prolificum – Shrubby St. John's Wort
Ilex verticillata – Winterberry Holly
Itea virginica – Virginia Sweetspire
Leucothoe racemosa – Sweetbells Leucothoe
Lindera benzoin – Spicebush
Myrica pennsylvanica – Northern Bayberry
Physocarpus opulifolius – Eastern Ninebark
Rhododendron spp. – Native Deciduous Azalea and *Rhododendron* Varieties
Rhus glabra – Smooth Sumac
Rosa carolina – Carolina Rose
Rosa palustris – Swamp Rose
Rosa virginiana – Virginia Rose
Salix discolor – Pussy Willow
Sambucus canadensis – Elderberry
Spiraea japonica 'Anthony Waterer' – Anthony Waterer Spiraea
Spiraea x vanhouttei – Vanhoutte Spiraea
Styrax americanus – American Snowbell
Symphoricarpos albus – Snowberry

Symphoricarpos orbiculatus - Coralberry
Viburnum acerifolium - Mapleleaf Viburnum
Viburnum carlesii - Koreanspice Viburnum
Viburnum cassinoides - Witherod Viburnum
Viburnum dentatum - Arrowwood Viburnum
Viburnum lentago - Nannyberry Viburnum
Viburnum prunifolium - Blackhaw Viburnum
Viburnum trilobum - American Cranberrybush Viburnum

- G. Evergreen shrubs: minimum acceptable container classes #5, #7, #10, with a 24" minimum height and 18" minimum spread, symmetrically branched to the ground, and free of disease and mechanical damage. Spreading evergreen shrub forms shall be permitted at a minimum 24" spread and in minimum acceptable container classes #5, #7, and #10.

Ilex glabra - Inkberry Holly
Juniperus communis - Common Juniper
Kalmia latifolia - Mountain Laurel
Leucothoe fontanesiana - Drooping Leucothoe
Pieris floribunda - Mountain Andromeda
Rhododendron spp. - Native Evergreen Azalea and Rhododendron Varieties
Taxus canadensis - Canadian Yew

H. Ground cover plants:

- (1) Heavily rooted herbaceous plants provided in minimum four-inch pots and spaced at a maximum of 12 inches on center, and free of disease and mechanical damage.

Asarum canadense - Wild Ginger
Hemerocallis hybrids - Daylilies
Liriope muscari - Liriope
Liriope spicata - Lily turf
Pachysandra procumbens - Alleghany Pachysandra

- (2) Woody ground cover plants to be provided in minimum 2 gallon containers with a minimum 15 inches spread. Plants shall be spaced at a maximum of 36 inches on center, and shall be free of disease and mechanical damage.

Juniperus horizontalis - Creeping Juniper
Rhus aromatica 'Gro Low'
Xanthorrhiza simplicissima - Yellowroot

- (3) Basin floor coverings:

Grass: PennDOT Formula "L" modified seed or other naturalized mix
Naturalized Seed Mix
Wildflower Sod

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 effect, 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.

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 Manager/Secretary

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Construction Escrow Release #1- LDS#684 – Mark's Jewelers

MEETING DATE: September 26, 2016

ITEM NUMBER: #14.

MEETING/AGENDA: WORK SESSION ACTION NONE

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

INITIATED BY: Bruce Shoupe
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera
Vice-Chairman

BACKGROUND:

Attached is a construction escrow release requested by Mark's Jewelers, as recommended by the Township Engineer. The original amount of the escrow was \$412,221.38, held as a Letter of Credit. This is the first escrow release for this project. The current release is in the amount of \$321,786.71. The new balance would be \$90,434.67.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

None

ALTERNATIVES/OPTIONS:

Approve or not approve the construction escrow release.

BUDGET IMPACT: None.

RECOMMENDATION:

That this construction escrow be released.

MOTION/RESOLUTION:

The Board of Supervisors hereby authorize a construction escrow release in the amount of \$321,786.71, as recommended by the Township Engineer for Mark's Jewelers.

MOTION _____

SECOND _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Robert J. Birch | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

RELEASE OF ESCROW FORM

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

Date: 09/12/2016

Development: 975 Bethlehem Pike - Mark's Jeweler's - LD/S#684
Release #: 1

G&A Project #: 2015-06029-01

Dear Mr. Dunlevy:

This is an escrow release request in the amount of \$346,646.71. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

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

Date: 09/22/2016

Dear Mr. Gregan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$321,786.71 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

James P Doughty For RSD
Russell S. Dunlevy, P.E., Senior Executive VP, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from DJZ Enterprises L.P. for 975 Bethlehem Pike - Mark's Jeweler's - LD/S#684, in the amount of \$346,646.71, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$321,786.71; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$321,786.71; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum.
BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Letter of Credit with Montgomery Township in total sum of \$412,221.38 pursuant to a signed Land Development Agreement and that \$0.00 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$90,434.67 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director



GILMORE & ASSOCIATES, INC.

ENGINEERING & CONSULTING SERVICES

September 22, 2016

File No. 2015-06029-01

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

Reference: DJJZ Enterprises, LP – Mark's Jewelers
Preliminary/Final Land Development LD/S#684
Financial Security Release #1

Dear Larry:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of \$321,786.71 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

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

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

Sincerely,

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

JPD/

Enclosures: As Referenced

cc: Bruce S. Shoupe, Director of Planning and Zoning
Marita A. Stoerrle, Development Coordinator – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Jim Brusilovsky, Owner/Applicant - DJJZ Enterprises, LP
Robert Dykman, RAD Construction Consultants, Inc.
Russell S. Dunlevy, P.E., Executive V.P. – Gilmore & Associates, Inc.



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 1
RELEASE DATE: 22-Sep-2016

| | | | | | |
|-------------------|---------------------------------------|---------------------------------------|---------------|--------------------------------------|---------------|
| PROJECT NAME: | 975 Bethlehem Pike - Mark's Jeweler's | TOTAL CONSTRUCTION: | \$ 374,746.71 | ORIGINAL CONSTRUCTION AMOUNT: | \$ 412,221.38 |
| PROJECT NO.: | 2015-06029-01 | TOTAL CONSTRUCTION CONTINGENCY (10%): | \$ 37,474.67 | AMOUNT OF THIS RELEASE: | \$ 321,786.71 |
| TOWNSHIP NO.: | LD/S#684 | TOTAL CONSTRUCTION ESCROW POSTED: | \$ 412,221.38 | PRIOR CONSTRUCTION RELEASED: | \$ - |
| PROJECT OWNER: | DJJZ Enterprises L.P. | | | TOTAL CONSTRUCTION RELEASED TO DATE: | \$ 321,786.71 |
| MUNICIPALITY: | Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): | \$ 37,500.00 | BALANCE AFTER CURRENT RELEASE: | \$ 90,434.67 |
| ESCROW AGENT: | Fulton Bank | TOTAL ADMINISTRATION (CASH ACCOUNT): | \$ 3,800.00 | | |
| TYPE OF SECURITY: | Letter of Credit | | | | |
| AGREEMENT DATE: | 17-Mar-2016 | MAINTENANCE BOND AMOUNT (15%): | \$ 56,212.01 | | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | RELEASED TO DATE (including current release) | AVAILABLE FOR RELEASE | RELEASE REQ # 2 | |
|---|-------|----------|--------------|--------------|-----------------|---|-----------------------|--------------------|----------|
| CONSTRUCTION ITEMS | UNITS | QUANTITY | UNIT | TOTAL | QUANTITY | TOTAL | QUANTITY | TOTAL | QUANTITY |
| | | | PRICE | AMOUNT | | AMOUNT | | AMOUNT | |
| A. EROSION CONTROL | | | | | | | | | |
| 1. Temporary Stabilization | SF | 27,000 | \$ 0.06 | \$ 1,620.00 | 27,000.00 | \$ 1,620.00 | 27,000.00 | \$ 1,620.00 | \$ - |
| 2. Construction Entrance | SY | 115 | \$ 14.42 | \$ 1,658.30 | 115.00 | \$ 1,658.30 | 115.00 | \$ 1,658.30 | \$ - |
| 3. Inlet Protection | EA | 3 | \$ 241.02 | \$ 723.06 | 3.00 | \$ 723.06 | 3.00 | \$ 723.06 | \$ - |
| 4. Rock Filters | EA | 1 | \$ 188.59 | \$ 188.59 | 1.00 | \$ 188.59 | 1.00 | \$ 188.59 | \$ - |
| 5. Tree Prot. Fence | LF | 505 | \$ 2.75 | \$ 1,388.75 | 505.00 | \$ 1,388.75 | 505.00 | \$ 1,388.75 | \$ - |
| 6. 18" Silt Sox | LF | 525 | \$ 8.25 | \$ 4,331.25 | 525.00 | \$ 4,331.25 | 525.00 | \$ 4,331.25 | \$ - |
| 7. 12" Silt Sox | LF | 150 | \$ 3.85 | \$ 577.50 | 150.00 | \$ 577.50 | 150.00 | \$ 577.50 | \$ - |
| B. DEMOLITION & CLEARING | | | | | | | | | |
| 1. Clearing & Grubbing | LS | 1 | \$ 15,950.00 | \$ 15,950.00 | 1.00 | \$ 15,950.00 | 1.00 | \$ 15,950.00 | \$ - |
| 2. Concrete Sidewalk Demolition | SY | 83 | \$ 28.61 | \$ 2,374.63 | 83.00 | \$ 2,374.63 | 83.00 | \$ 2,374.63 | \$ - |
| 3. Paving Demolition (Mod Base For Reuse) | SY | 2,429 | \$ 6.34 | \$ 15,399.86 | 2,429.00 | \$ 15,399.86 | 2,429.00 | \$ 15,399.86 | \$ - |
| C. EARTH WORK | | | | | | | | | |
| 1. Strip Topsoil | CY | 400 | \$ 2.65 | \$ 1,060.00 | 400.00 | \$ 1,060.00 | 400.00 | \$ 1,060.00 | \$ - |
| 2. Cut | CY | 865 | \$ 2.38 | \$ 2,058.70 | 865.00 | \$ 2,058.70 | 865.00 | \$ 2,058.70 | \$ - |
| 3. Fill | CY | 185 | \$ 2.44 | \$ 451.40 | 185.00 | \$ 451.40 | 185.00 | \$ 451.40 | \$ - |
| 4. Rough Grade | SY | 4,882 | \$ 0.48 | \$ 2,343.36 | 4,882.00 | \$ 2,343.36 | 4,882.00 | \$ 2,343.36 | \$ - |
| 5. Grade Paving | SY | 3,131 | \$ 0.94 | \$ 2,943.14 | 3,131.00 | \$ 2,943.14 | 3,131.00 | \$ 2,943.14 | \$ - |
| 6. Export Fill Material | CY | 824 | \$ 17.50 | \$ 14,420.00 | 824.00 | \$ 14,420.00 | 824.00 | \$ 14,420.00 | \$ - |
| 7. Rough Grade Walks | SY | 180 | \$ 7.97 | \$ 1,434.60 | 180.00 | \$ 1,434.60 | 180.00 | \$ 1,434.60 | \$ - |
| 8. Grade Curb | LF | 1,105 | \$ 2.28 | \$ 2,519.40 | 1,105.00 | \$ 2,519.40 | 1,105.00 | \$ 2,519.40 | \$ - |
| 9. Backfill Curb | LF | 1,105 | \$ 1.94 | \$ 2,143.70 | 1,105.00 | \$ 2,143.70 | 1,105.00 | \$ 2,143.70 | \$ - |
| 10. Place Topsoil | CY | 256 | \$ 7.01 | \$ 1,794.56 | 256.00 | \$ 1,794.56 | 256.00 | \$ 1,794.56 | \$ - |

ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

 RELEASE NO.: 1
 RELEASE DATE: 22-Sep-2016

| | | | | | |
|-------------------|---------------------------------------|---------------------------------------|---------------|--------------------------------------|---------------|
| PROJECT NAME: | 975 Bethlehem Pike - Mark's Jeweler's | TOTAL CONSTRUCTION: | \$ 374,746.71 | ORIGINAL CONSTRUCTION AMOUNT: | \$ 412,221.38 |
| PROJECT NO.: | 2015-06029-01 | TOTAL CONSTRUCTION CONTINGENCY (10%): | \$ 37,474.67 | AMOUNT OF THIS RELEASE: | \$ 321,786.71 |
| TOWNSHIP NO.: | LD/S#684 | TOTAL CONSTRUCTION ESCROW POSTED: | \$ 412,221.38 | PRIOR CONSTRUCTION RELEASED: | \$ - |
| PROJECT OWNER: | DJJZ Enterprises L.P. | | | TOTAL CONSTRUCTION RELEASED TO DATE: | \$ 321,786.71 |
| MUNICIPALITY: | Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): | \$ 37,500.00 | BALANCE AFTER CURRENT RELEASE: | \$ 90,434.67 |
| ESCROW AGENT: | Fulton Bank | TOTAL ADMINISTRATION (CASH ACCOUNT): | \$ 3,800.00 | | |
| TYPE OF SECURITY: | Letter of Credit | | | | |
| AGREEMENT DATE: | 17-Mar-2016 | MAINTENANCE BOND AMOUNT (15%): | \$ 56,212.01 | | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | RELEASED TO DATE (including current release) | AVAILABLE FOR RELEASE | RELEASE REQ # 2 | |
|--|-------|----------|---------------|-----------------|-----------------|---|-----------------------|--------------------|------------------|
| CONSTRUCTION ITEMS | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY |
| D. STORM SEWER | | | | | | | | | |
| 1. Storm Basin | LS | 1 | \$ 30,000.00 | \$ 30,000.00 | 1.00 | \$ 30,000.00 | 1.00 | \$ 30,000.00 | |
| 2. 15" HDPE (6" Bed & 6" Cover) | LF | 325 | \$ 30.71 | \$ 9,980.75 | 325.00 | \$ 9,980.75 | 325.00 | \$ 9,980.75 | |
| 3. Roof Lines (6" Bed & 6" Cover) | LF | 325 | \$ 32.54 | \$ 10,575.50 | 325.00 | \$ 10,575.50 | 325.00 | \$ 10,575.50 | |
| 4. Precast Inlet | EA | 3 | \$ 2,064.40 | \$ 6,193.20 | 3.00 | \$ 6,193.20 | 3.00 | \$ 6,193.20 | |
| 5. Precast Manhole | EA | 2 | \$ 2,064.40 | \$ 4,128.80 | 2.00 | \$ 4,128.80 | 2.00 | \$ 4,128.80 | |
| 6. Precast Outfall | EA | 1 | \$ 4,000.00 | \$ 4,000.00 | 1.00 | \$ 4,000.00 | 1.00 | \$ 4,000.00 | |
| 7. Outfall Rip Rap Apron | EA | 1 | \$ 2,064.40 | \$ 2,064.40 | 1.00 | \$ 2,064.40 | 1.00 | \$ 2,064.40 | |
| E. WATER LINE | | | | | | | | | |
| 1. 4" DIP Fittings (Includes Blind Flange) | EA | 8 | \$ 511.05 | \$ 4,088.40 | 8.00 | \$ 4,088.40 | 8.00 | \$ 4,088.40 | |
| 2. Tie Into Bldg. (D. N. I. Work In Bldg.) | EA | 2 | \$ 5,309.93 | \$ 10,619.86 | 2.00 | \$ 10,619.86 | 2.00 | \$ 10,619.86 | |
| 3. 2" Copper Service | LF | 190 | \$ 40.02 | \$ 7,603.80 | 190.00 | \$ 7,603.80 | 190.00 | \$ 7,603.80 | |
| 4. 4" DIP CI52 | LF | 190 | \$ 40.48 | \$ 7,691.20 | 190.00 | \$ 7,691.20 | 190.00 | \$ 7,691.20 | |
| F. CONCRETE WORK | | | | | | | | | |
| 1. Curbing | LF | 1,105 | \$ 14.30 | \$ 15,801.50 | 1,105.00 | \$ 15,801.50 | 1,105.00 | \$ 15,801.50 | |
| 2. Exterior Sidewalks | SF | 1,620 | \$ 6.05 | \$ 9,801.00 | 1,620.00 | \$ 9,801.00 | 1,620.00 | \$ 9,801.00 | |
| 3. Truncated Domes | EA | 2 | \$ 302.50 | \$ 605.00 | 2.00 | \$ 605.00 | 2.00 | \$ 605.00 | |
| 4. Dumpster Enclosure | EA | 1 | \$ 5,000.00 | \$ 5,000.00 | | \$ - | | \$ - | 1.00 \$ 5,000.00 |
| G. PAVING | | | | | | | | | |
| 1. Striping | LS | 1 | \$ 2,000.00 | \$ 2,000.00 | 1.00 | \$ 2,000.00 | 1.00 | \$ 2,000.00 | |
| 2. Signs | EA | 14 | \$ 250.00 | \$ 3,500.00 | 10.00 | \$ 2,500.00 | 10.00 | \$ 2,500.00 | 4.00 \$ 1,000.00 |
| 3. Subbase (6 inch - 2A modified) | SY | 3,131 | \$ 6.50 | \$ 20,351.50 | 3,131.00 | \$ 20,351.50 | 3,131.00 | \$ 20,351.50 | |
| 4. Base Course (4.5 inch - 25mm) | SY | 3,131 | \$ 20.00 | \$ 62,620.00 | 3,131.00 | \$ 62,620.00 | 3,131.00 | \$ 62,620.00 | |
| 5. Wearing Course (1.5 inch - 9.5mm) | SY | 3,386 | \$ 8.50 | \$ 28,781.00 | 3,386.00 | \$ 28,781.00 | 3,386.00 | \$ 28,781.00 | |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 1
RELEASE DATE: 22-Sep-2016

| | | | | | |
|-------------------|---------------------------------------|---------------------------------------|---------------|--------------------------------------|---------------|
| PROJECT NAME: | 975 Bethlehem Pike - Mark's Jeweler's | TOTAL CONSTRUCTION: | \$ 374,746.71 | ORIGINAL CONSTRUCTION AMOUNT: | \$ 412,221.38 |
| PROJECT NO.: | 2015-06029-01 | TOTAL CONSTRUCTION CONTINGENCY (10%): | \$ 37,474.67 | AMOUNT OF THIS RELEASE: | \$ 321,786.71 |
| TOWNSHIP NO.: | LD/S#684 | TOTAL CONSTRUCTION ESCROW POSTED: | \$ 412,221.38 | PRIOR CONSTRUCTION RELEASED: | \$ - |
| PROJECT OWNER: | DJJZ Enterprises L.P. | | | TOTAL CONSTRUCTION RELEASED TO DATE: | \$ 321,786.71 |
| MUNICIPALITY: | Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): | \$ 37,500.00 | BALANCE AFTER CURRENT RELEASE: | \$ 90,434.67 |
| ESCROW AGENT: | Fulton Bank | TOTAL ADMINISTRATION (CASH ACCOUNT): | \$ 3,800.00 | | |
| TYPE OF SECURITY: | Letter of Credit | | | | |
| AGREEMENT DATE: | 17-Mar-2016 | MAINTENANCE BOND AMOUNT (15%): | \$ 56,212.01 | | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | RELEASED TO DATE (including current release) | AVAILABLE FOR RELEASE | RELEASE REQ # 2 | |
|--|-------|----------|---------------|-----------------|-----------------|---|-----------------------|--------------------|----------|
| CONSTRUCTION ITEMS | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY |
| H. LANDSCAPING | | | | | | | | | |
| <i>Shade Trees</i> | | | | | | | | | |
| 1. Acer Rubrum | EA | 6 | \$ 375.00 | \$ 2,250.00 | | | 6.00 | \$ 2,250.00 | |
| 2. Gleditsia Triacanthos Var. Inermis | EA | 6 | \$ 375.00 | \$ 2,250.00 | | | 6.00 | \$ 2,250.00 | |
| 3. Zelkova Serrata | EA | 2 | \$ 375.00 | \$ 750.00 | | | 2.00 | \$ 750.00 | |
| <i>Shrubs</i> | | | | | | | | | |
| 4. Ilex Verticillata | EA | 65 | \$ 65.00 | \$ 4,225.00 | | | 65.00 | \$ 4,225.00 | |
| 5. Ilex Glabra | EA | 63 | \$ 65.00 | \$ 4,095.00 | | | 63.00 | \$ 4,095.00 | |
| 6. Iletopaca | EA | 2 | \$ 65.00 | \$ 130.00 | | | 2.00 | \$ 130.00 | |
| <i>Seeding</i> | | | | | | | | | |
| 7. Permanent Stabilization | LS | 1 | \$ 4,400.00 | \$ 4,400.00 | | | 1.00 | \$ 4,400.00 | |
| I. LIGHTING | | | | | | | | | |
| 1. Excavate And Backfill Electrical Trench | LF | 200 | \$ 19.30 | \$ 3,860.00 | | | 200.00 | \$ 3,860.00 | |
| 2. Lighting Fixtures | EA | 8 | \$ 2,500.00 | \$ 20,000.00 | | | 8.00 | \$ 20,000.00 | |
| J. MISCELLANEOUS | | | | | | | | | |
| 1. As Built Drawings | LS | 1 | \$ 5,000.00 | \$ 5,000.00 | | | 1.00 | \$ 5,000.00 | |
| 2. Survey & Layout | LS | 1 | \$ 7,000.00 | \$ 7,000.00 | 1.00 | \$ 7,000.00 | | | |
| K. CONTINGENCY (10%) | LS | 1 | | \$ 37,474.67 | | | 1.00 | \$ 37,474.67 | |
| <i>(Released upon certification of completion and receipt of Maintenance Bond)</i> | | | | | | | | | |



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

September 21, 2016

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

RE: Marks Jewelers Lighting Inspection
DJZZ Enterprises, LP – Marks Jewelers - LDS#684
Montgomery Township, Montgomery County, PA
TPD No. MOTO.00096

Dear Bruce:

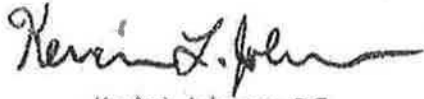
In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has completed visual lighting observations of the Marks Jewelers site lighting. The visual observation was conducted on September 20, 2016 with TPD performing daytime and nighttime street lighting inspections. Based on TPD's visual observations, we offer the following comments:

1. All eight (8) pole-mounted lighting fixtures depicted on the approved Lighting Plan were observed to be installed in the correct locations.
2. All light fixtures were observed to be operating as expected during the daytime observations as well as from switch on to 10:00 PM
 - However, as detailed on the approved Lighting Plan, the lighting did not reduce by 50% at 10:00 PM. The TPD representative was on-site until 10:15 PM in the event of a delayed reduction in lighting.
3. It was observed that although building-mounted lighting fixtures have been installed, contributions from such lights were not included in the approved lighting analysis.
 - *It is TPD's opinion that the above mentioned deviation from the approved Lighting Plan is acceptable as installed, with the requirement that the building-mounted lights be extinguished between the hours of 10:00 PM and dawn (Per Montgomery Township Street Lighting Specification – Section 1.3.f)*
4. Tree interference with the pole-mounted lighting fixtures along the western edge of the property was observed. Thus, tree trimming is required to ensure the designed light output will be provided to the maximum extent feasible.
5. A number of the light pole foundations were observed to be breaking up and/or observed to have exposed aggregate or debris within.
 - Please see the attached photos depicting TPD's observations of the light pole foundation conditions.

Mr. Bruce S. Shoupe
September 21, 2016
Page 2

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

Sincerely,
TRAFFIC PLANNING AND DESIGN, INC.



Kevin L. Johnson, P.E.
President
KJohnson@TrafficPD.com

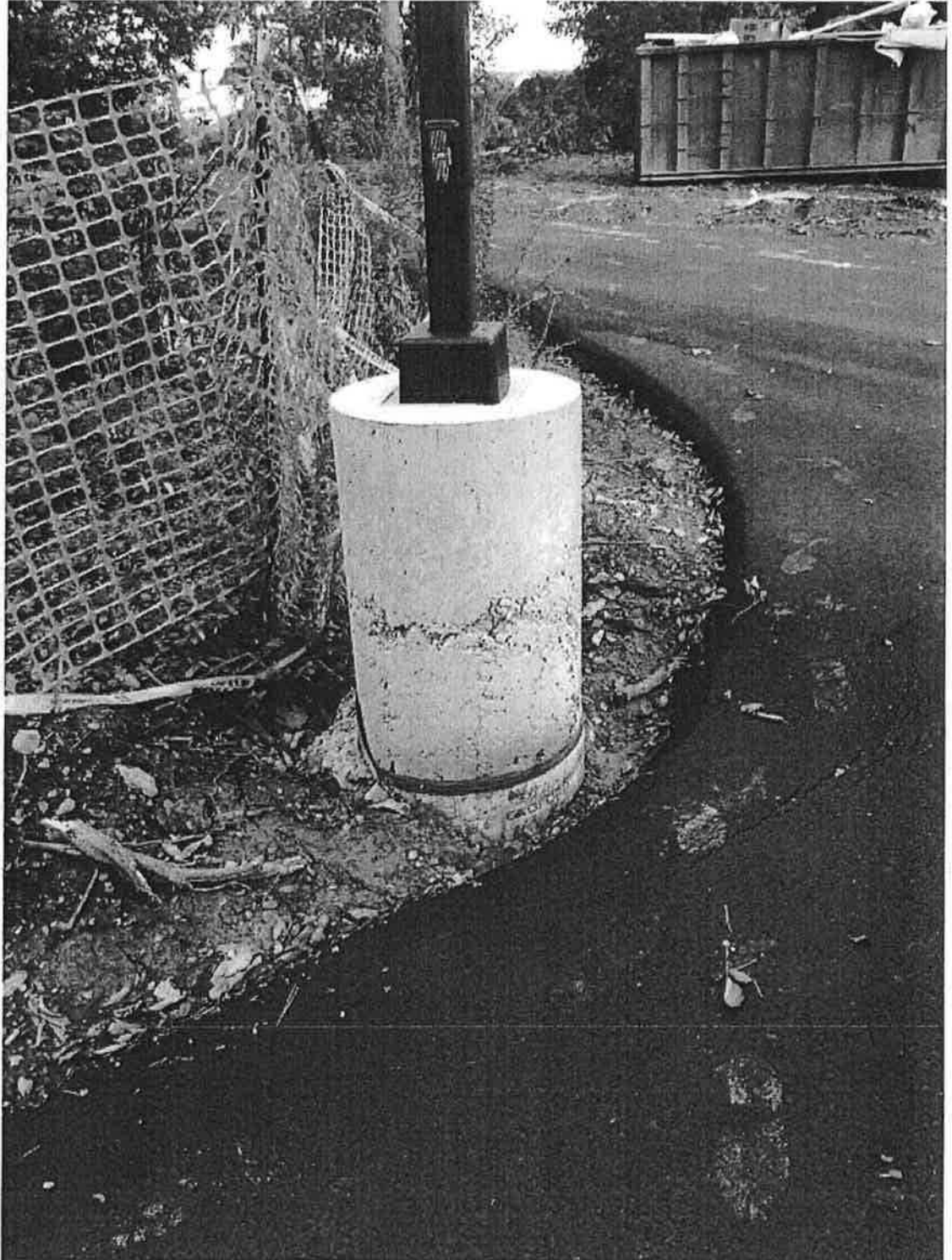
Enclosures (3)

CC: Larry Gregan, Township Manager
Marita Stoerrle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Rolph Graf, P.E., LEED AP, Applicant's Consultant
Joseph Platt, P.E., TPD
Frank Falzone, P.E., TPD
Eric Hammond, TPD

Foundation Observation Photo No. 1



Foundation Observation Photo No. 2



Foundation Observation Photo No. 3



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Construction Escrow Release #1 - #M-15-72 – Burger King – DeKalb Pike

MEETING DATE: September 26, 2016

ITEM NUMBER: # 15.

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
Vice- Chairman

BACKGROUND:

Attached is a construction escrow release requested by Family Dining, Inc. for the Burger King located on DeKalb Pike. The original amount of the escrow was \$25,000.00, held as a Cash Escrow. This escrow was to ensure that all public improvements had been completed on left turn lane on DeKalb Pike as noted on traffic signal permit No. 64-1056 and 64-1985. The Township has received notification from PennDOT that these improvements have been completed. Therefore, the escrow may be released. This would deplete the escrow account.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION: None

ALTERNATIVES/OPTIONS:

Approve or not approve the construction escrow release.

BUDGET IMPACT: None.

RECOMMENDATION:

That this construction escrow be released.

MOTION/RESOLUTION:

The Board of Supervisors hereby authorize a construction escrow release in the amount of \$25,000.00, for the Burger King on DeKalb Pike.

MOTION _____

SECOND _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Robert J. Birch | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

Resolution #

WHEREAS, a request for a release of escrow was received from Family Dining, Inc. for Burger King in the amount of \$25,000.00; and

WHEREAS, this project has been finalized and confirmation has been received from PennDOT that the public improvements have been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of Montgomery Township that we do hereby authorize the release of \$25,000.00, held as a Cash Escrow, in accordance with the applicant's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum, contingent upon payment of any outstanding Township invoices. This action will close this escrow account.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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

Bruce S. Shoupe

From: MIKE KADELSKI <MIKE@usrinc.com>
Sent: Tuesday, August 30, 2016 3:17 PM
To: Bruce S. Shoupe
Cc: 'mchartrand@bohlereng.com'
Subject: FW: FW: ePermitting - Highway Occupancy Permit (Closeout Requested) - 06088611 - 01/13/2016 10:36:03 AM

Bruce,

See attached note below from PennDot indicating that the project is complete and closed out.

Michael J. Kadelski
Chief Financial Officer
US Restaurants, Inc.
1780 Swede Road
Blue Bell, PA 19422
610-277-4200
610-277-6527 (fax)
mikek@usrinc.com
Website: www.usrestaurantsinc.com



From: Thankachen, Koshy [<mailto:kthankache@pa.gov>]
Sent: Tuesday, August 30, 2016 12:02 PM
To: Matt Chartrand <mchartrand@bohlereng.com>
Subject: RE: FW: ePermitting - Highway Occupancy Permit (Closeout Requested) - 06088611 - 01/13/2016 10:36:03 AM

Some reason it was not closed out completely, its don now.

Koshy Thankachen | County Permits
Maintenance District 6-4 Montgomery County
PA Department of Transportation
Engineering District 6-0 | Services
7000 Geerdes Boulevard | King of Prussia PA 19406
Phone: 610-275-1409 | Fax: 610-279-1610
www.dot.state.pa.us

From: Matt Chartrand [<mailto:mchartrand@bohlereng.com>]
Sent: Tuesday, August 30, 2016 10:36 AM
To: Thankachen, Koshy <kthankache@pa.gov>
Cc: MIKE@usrinc.com
Subject: RE: FW: ePermitting - Highway Occupancy Permit (Closeout Requested) - 06088611 - 01/13/2016 10:36:03 AM

Good morning Koshy – I don't believe we received the final closeout on this project. Can you please confirm that all was addressed? I believe the contractor met Charlie Riley out there several months ago for the final inspection. We need to send the closeout over to the Township as soon as possible.

Thanks,

Matt Chartrand, P.E., LEED Green Associate



3701 Corporate Parkway, Suite 200 | Center Valley, PA 18034
P: 610-709-9971 | M: 215-858-0761 | mchartrand@bohlereng.com
www.BohlerEngineering.com

Confidentiality Note: This e-mail, and any attachment to it, contains confidential information intended only for the use of the designated recipients, which information may also be privileged. If the reader of this e-mail is not the intended recipient, the document has been received in error and any use, review, dissemination, distribution, disclosure or copying of this message is strictly prohibited. If you have received this e-mail in error, please notify the sender via reply e-mail and immediately delete this e-mail from your system.



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Waiver of Formal Land Development Process - 101 Park Drive -
Gemalto

MEETING DATE: September 26, 2016

ITEM NUMBER: # 16

MEETING/AGENDA: ACTION XX NONE

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

INITIATED BY: Bruce Shoupe
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera
Vice Chairman

BACKGROUND:

Gemalto's production facility at 101 Park Dive is required by the Pennsylvania Department of Environmental Protection to control their air quality emissions from their printing process. In order to meet these requirements, Gemalto needs to construct an 880 square foot prefabricated building to house the new modular air quality control device. The propose building will be located adjacent to the south side of their existing building. This prefabricated building will occupy four existing parking spaces, which will be relocated to the east side of the existing parking lot. The existing two roof drain pipes will be redirected to a new 8 inch drain to discharge into the drainage swale on the south side of the property.

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 |

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 GEMALTO FOR THE PROPERTY LOCATED AT 101 PARK DRIVE

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolve to grant a waiver of the requirement of a formal land development application to **Gemalto** to construct an 880 square foot prefabricated building to install a modular VOC emissions control device for the manufacturing process. This proposed building will be constructed on the south side of the building in the area of four existing parking spaces, which will be relocated on the property.

A letter dated September 22, 2016, and attachments from Rich Stankovis, Gemalto Site Security & HSE Manager, as Exhibit "A" attached hereto and made part hereof and further grant the **waiver conditioned upon** the following being satisfied by the Applicant:

1. The Applicant shall satisfy the requirements of all Montgomery Township Codes.
2. The Applicant shall establish an escrow with the Township and be responsible for payment of all Township Consultant fees related to this project.

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 26th day of September, 2016.

MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by _____
(Print)

representing **Gemalto** 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

Resolution #
Page 2 of 2

EXHIBIT "A"

DESCRIPTION

ORIGINAL DATE

1. Letter and enclosures from Ron Stankovis, Gemalto

September 22, 2016



September 22, 2016

**Mr. Bruce Shoupe
Planning & Zoning Director
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18935**

Re: Premises: 101 Park Drive, Montgomeryville, PA 18937

Dear Bruce:

I am writing this letter to follow up on our conversation during our meeting at the Township Building regarding the above referenced Premises.

As I indicated, we would like to install a concrete pad and construct a building structure to house an air quality emissions control device for our printing process. Both the proposed concrete pad and building structure, and Building Permit Plan was prepared by Spinieo Construction.

Please note this project remains in compliance with the zoning requirements.

Please allow this letter to serve as the request of Gemalto for a waiver of the land development requirements.

If you have any additional questions or require any further actions at this time, please let me know.

Sincerely,

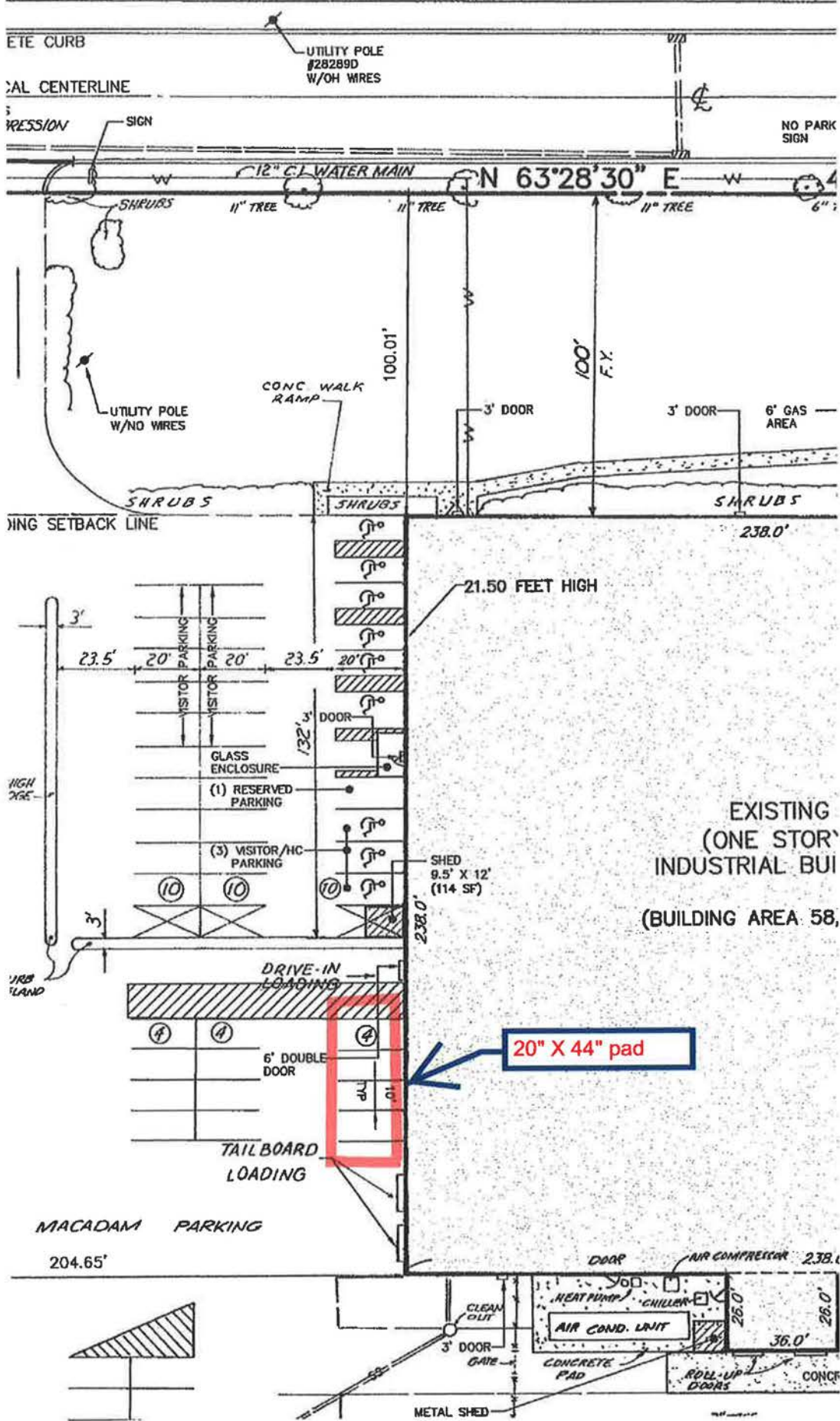
A handwritten signature in blue ink, appearing to read "Rich Stankovis".

**Rich Stankovis
Site Security & HSE Manager
Gemalto, Montgomeryville**

(PUBLIC ROAD)

PARK DRIVE

RIGHT-OF-WAY LINE



NO PARK SIGN

12" CI WATER MAIN

N 63°28'30" E

UTILITY POLE W/NO WIRES

CONC WALK RAMP

3' DOOR

3' DOOR

6" GAS AREA

SHRUBS

SHRUBS

SHRUBS

SETTING SETBACK LINE

238.0'

21.50 FEET HIGH

23.5'

20'

20'

23.5'

20'

HIGH W/GE

GLASS ENCLOSURE

(1) RESERVED PARKING

(3) VISITOR/HC PARKING

SHED 9.5' X 12' (114 SF)

EXISTING (ONE STORY) INDUSTRIAL BUILDING

(BUILDING AREA 58,000)

W/RS LAND

DRIVE-IN LOADING

6" DOUBLE DOOR

TAILBOARD LOADING

20" X 44" pad

MACADAM PARKING

204.65'

DOOR

AIR COMPRESSOR 238.0'

HEAT PUMP

CHILLER

AIR COND. UNIT

CLEAN OUT

3' DOOR

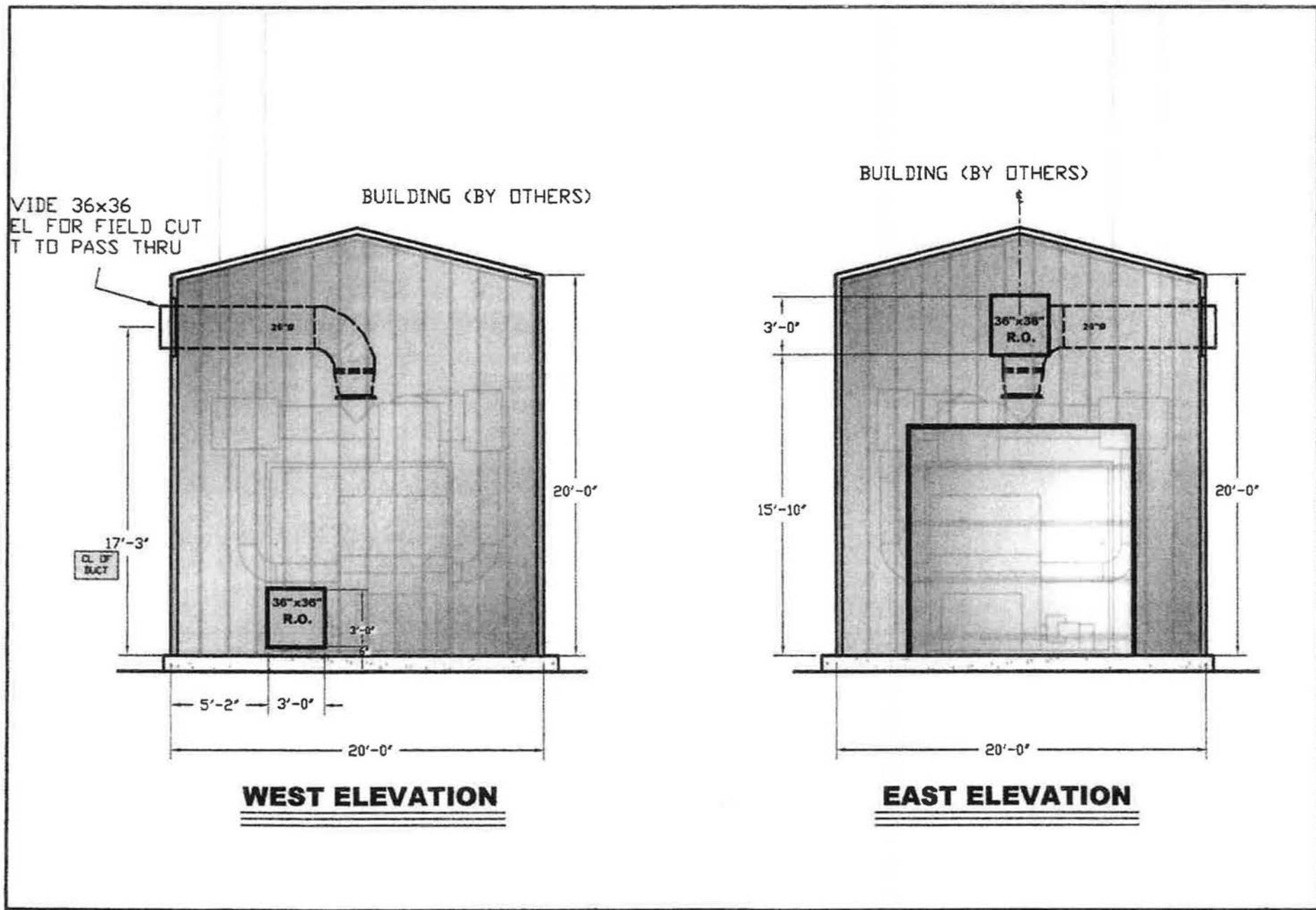
GATE

CONCRETE PAD

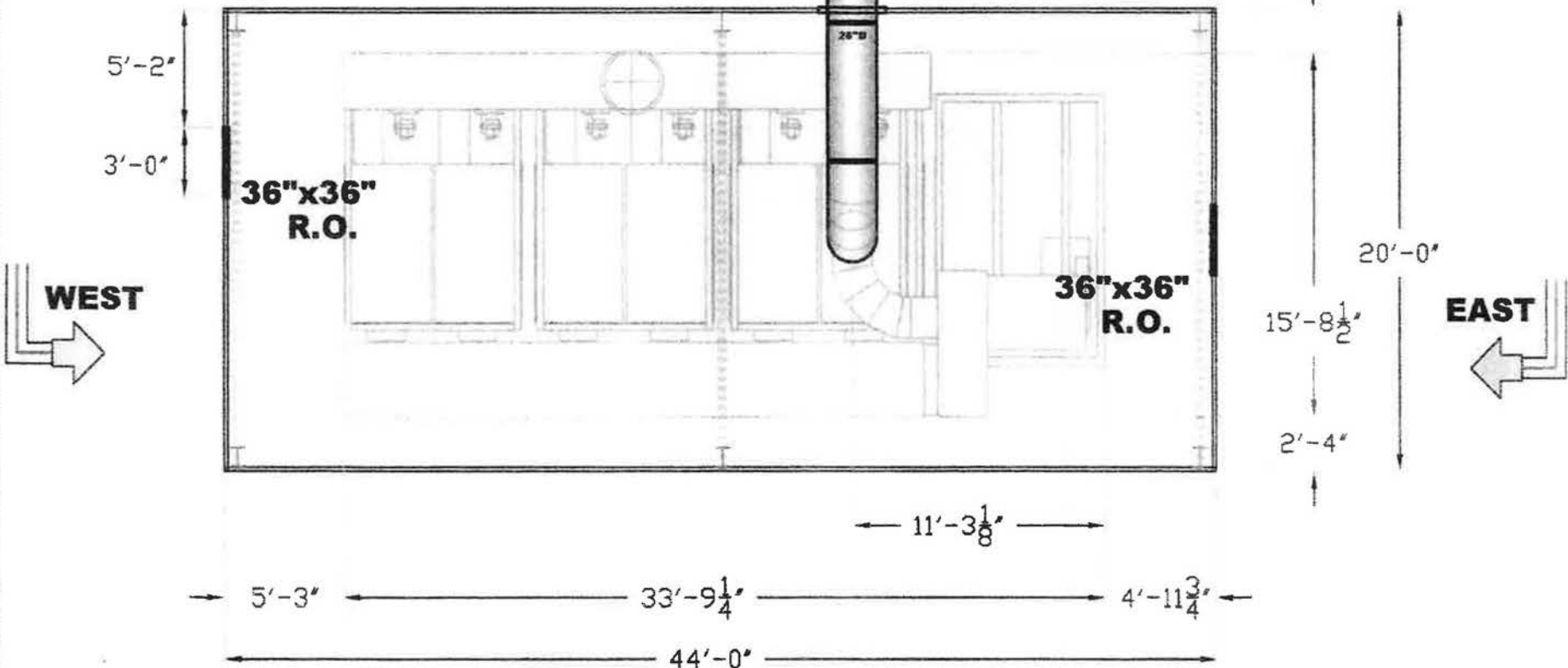
ROLL-UP DOORS

CONCRETE

METAL SHED



| | | | | | |
|---|----------------|------|--|-----------|-------------|
| <p>BK B. KIRBY INC. MECHANICAL CONTRACTORS 2990 CLYMER AVE-TELFORD PA. 18969</p> | | | <p>GEMALTO VOH EXH BUILDING OPENINGS</p> | DWG No. | |
| | REV | DATE | | SK090916B | |
| | DATE: 9-9-2-16 | | | | SCALE: NONE |
| | DR BY: DLH | | | | |



PLAN VIEW

BK & KIRKANY INC.
 MECHANICAL CONTRACTORS
 2990 CLYMER AVE-TELFORD P.A. 18969

| | |
|----------------|-------------|
| | |
| | |
| REV | DATE |
| DATE: 9-9-2-16 | SCALE: NONE |
| DR BY: DLH | |

GEMALTO
 VOH EXH
 BUILDING OPENINGS

DWG No.
 SK090916A

September 20, 2016

Gary Brown
Spinico, Inc.
1076 Bethlehem Pike
Montgomeryville, PA 18936



875 N. Easton Road, 3B
Doylestown, PA 18902

215.340.6990

www.BustamanteEngineers.com
Info@BustamanteEng.com

RE: Preliminary Topographic Site Plan for: Germalto, Inc., Building Addition 20 ft. x 44 ft.
Location: 101 Park Drive, Montgomery Township PA

Dear Gary:

Attached are three sets of the preliminary site plan for the reference property, which we understand you are submitting to Montgomery Township for an informal sketch plan review.

To summarize the proposed building addition and site work, the following applies:

1. The building construction is needed for Germalto, Inc. to house a VOC Modular system, which is required to be installed for the manufacturing process. Please refer to the attached sketch of the system.
2. The type of building is a pre-manufactured steel structure. This is a typical industrial type building you would find in this region. Plans of the structure have not been finalized.
3. The 20 ft. x 44 ft. building addition will be constructed 4 feet from the edge of the west building elevation and will not interfere with the two loading docks at the southwest corner of the building. This building is standalone and not attached to the structure. Refer to both attached site plans and photograph of the area that is affected.
4. No increase in impervious surface is associated with this building addition as it will be placed over the existing parking lot. However, four parking spaces will be affected.

The attached site plan does indicate possible locations of the four parking spaces utilizing either porous pavement or open cell paver blocks such that no increase in impervious surface is provided. Refer to conclusion for further details.

5. The remaining eight parking spaces just west of the new building can be relocated 4 to 5 feet further west and will not impact the parking lot aisle used for tractor-trailers to access the loaded docks just south of the new building addition.

Conclusion:

The impact of this building does not adversely affect the impervious surface on this property and waiting for Germalto, Inc., response on whether or not they want to relocate the four spaces to a new location on the property. The required parking space ratio is based on 1 per 3 employees. Some of the employees from 101 Park Drive utilize the other parking lot facility for the Germalto, Inc. building on 106 Park Drive. A private bus service travels between the two properties.

If there are any questions regarding this matter please call.

Sincerely,

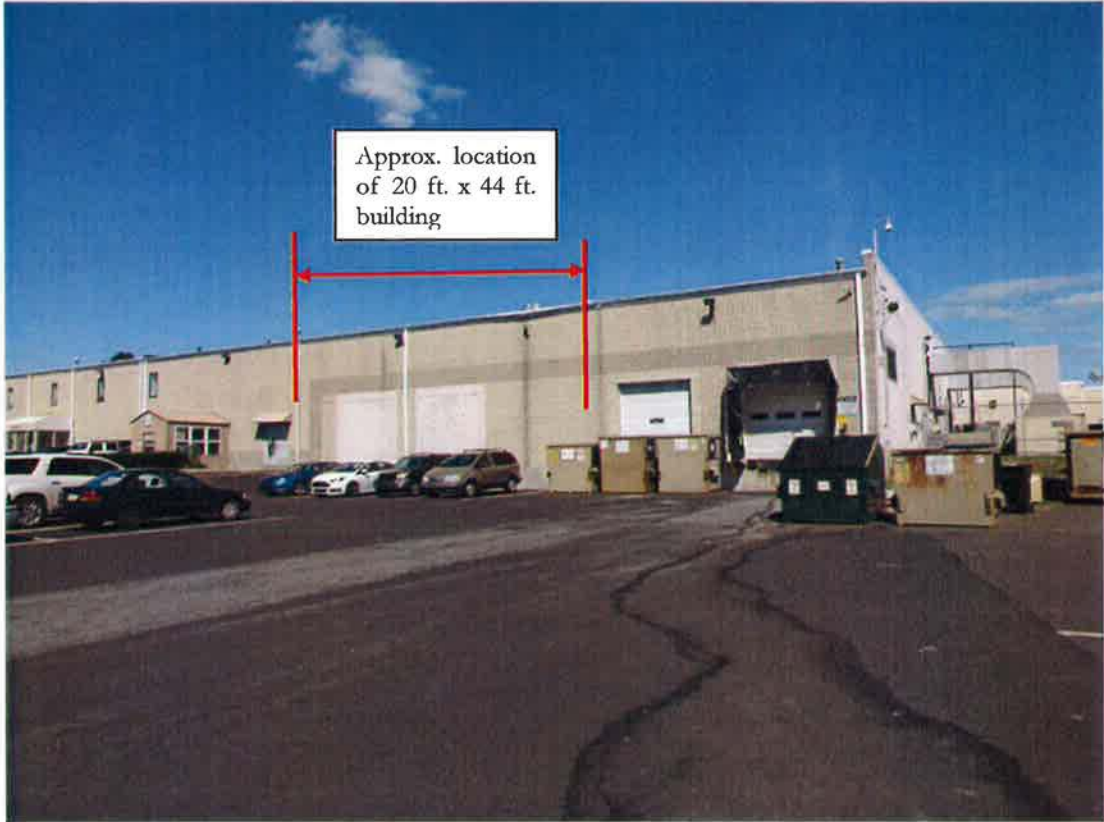


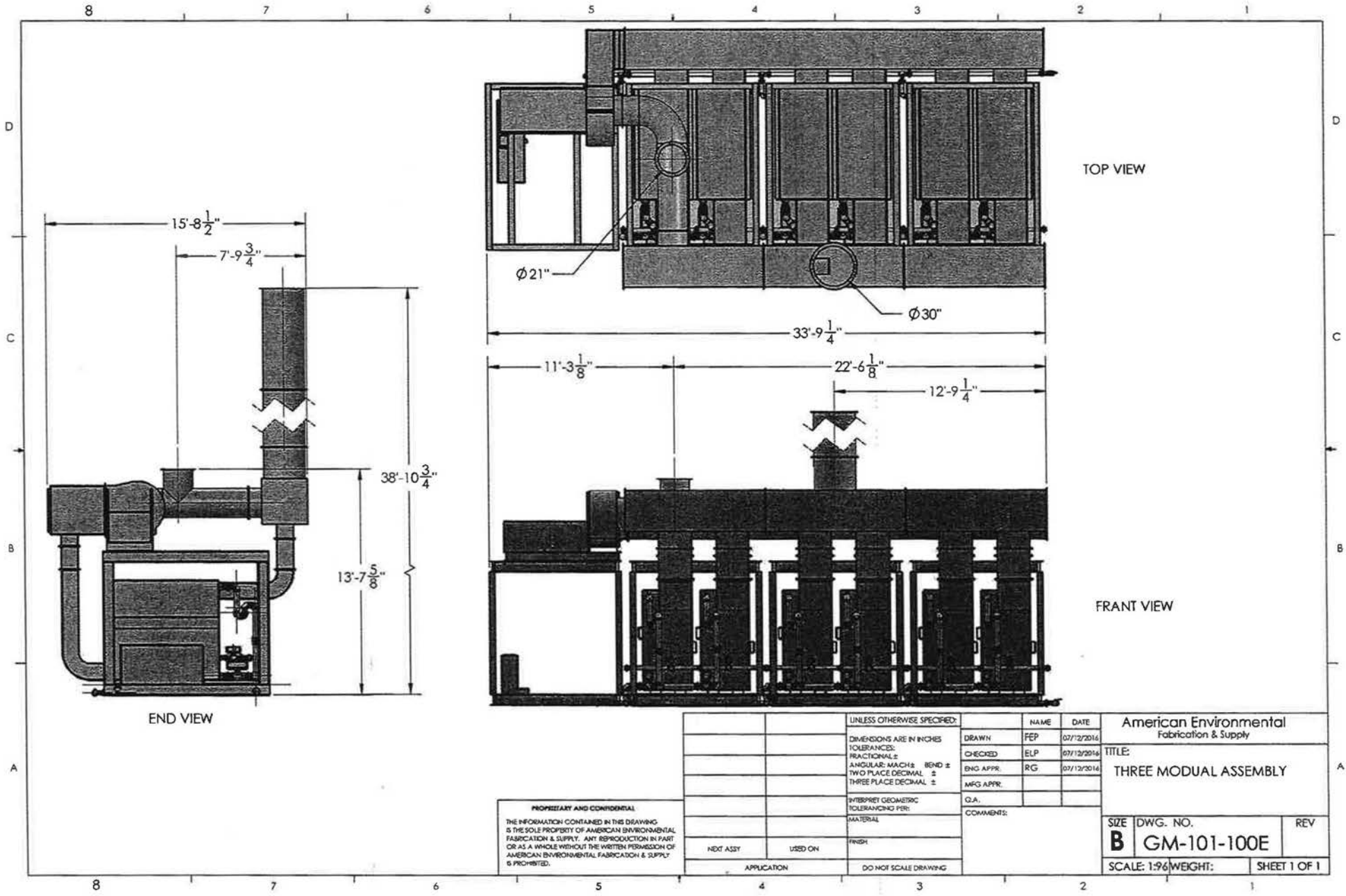
Gregory S. Bustamante, PE
Bustamante Engineers, Inc.

GSB/gsb

Enclosures:

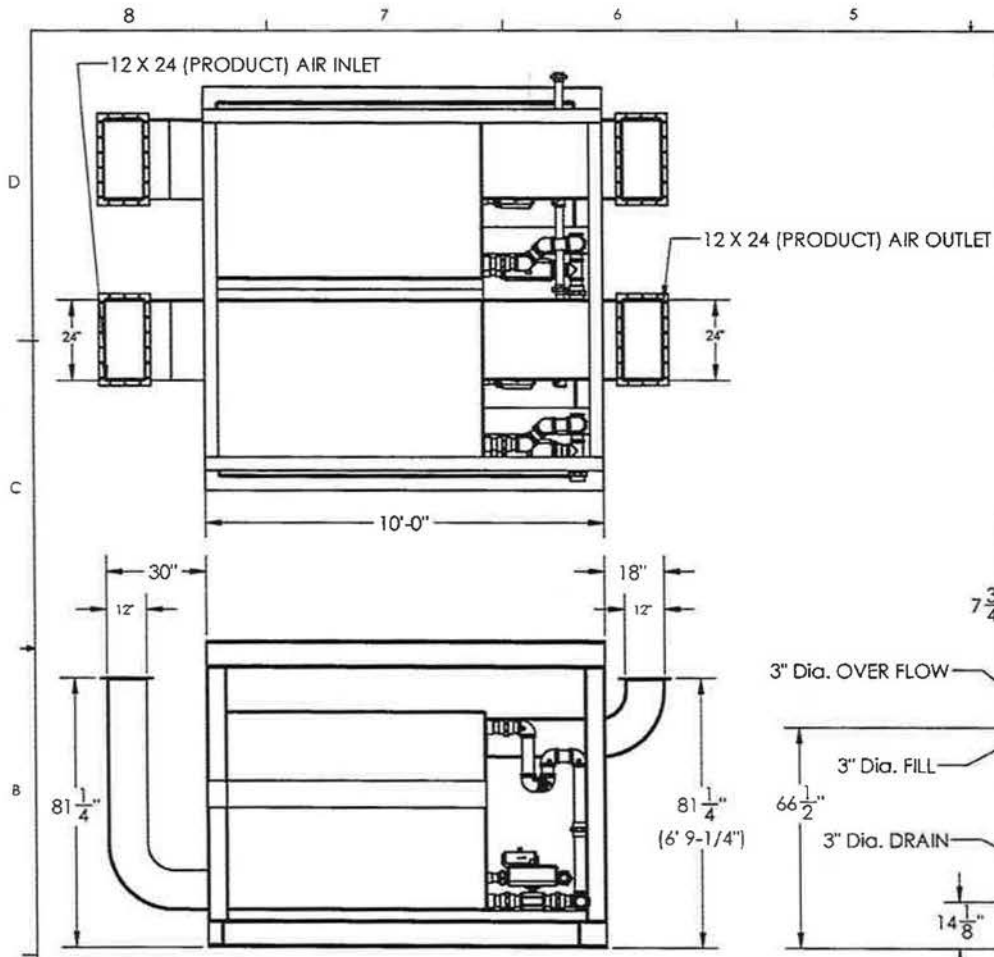
1. Photograph
2. A topographic Site plan as prepared Bustamante Engineers, Inc.
3. Civil Site Plan as prepared by REL Design, Inc.
4. Plan of the VOC modular



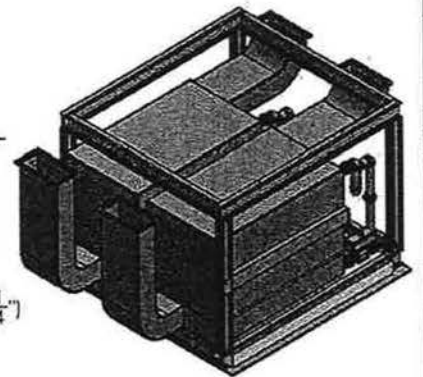
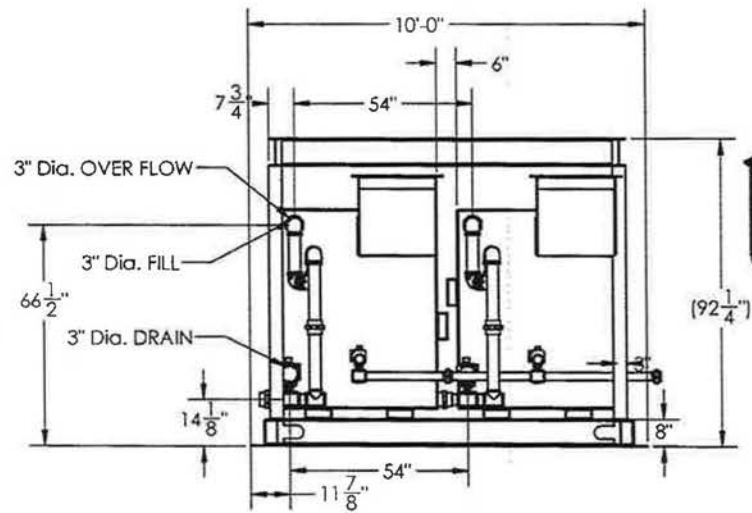


PROPRIETARY AND CONFIDENTIAL
 THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF AMERICAN ENVIRONMENTAL FABRICATION & SUPPLY. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF AMERICAN ENVIRONMENTAL FABRICATION & SUPPLY IS PROHIBITED.

| | | | | | | | |
|-----------|---------|--------------------------------------|--|----------------------|------|--|---|
| | | UNLESS OTHERWISE SPECIFIED: | | NAME | DATE | American Environmental Fabrication & Supply | |
| | | DIMENSIONS ARE IN INCHES | | DRAWN | FEP | 07/12/2014 | TITLE: THREE MODULAR ASSEMBLY |
| | | TOLERANCES: | | CHECKED | ELP | 07/12/2014 | |
| | | FRACTIONAL ± | | ENG APPR. | RG | 07/12/2014 | |
| | | ANGULAR: MATCH ± BEND ± | | MFG APPR. | | | |
| | | TWO PLACE DECIMAL ± | | C.A. | | | SIZE |
| | | THREE PLACE DECIMAL ± | | COMMENTS: | | | DWG. NO. |
| | | INTERPRET GEOMETRIC TOLERANCING PER: | | | | | B |
| | | MATERIAL | | | | | GM-101-100E |
| | | FINISH | | | | | REV |
| NEXT ASSY | USED ON | APPLICATION | | DO NOT SCALE DRAWING | | SCALE: 1:96 WEIGHT: | |
| | | | | | | SHEET 1 OF 1 | |



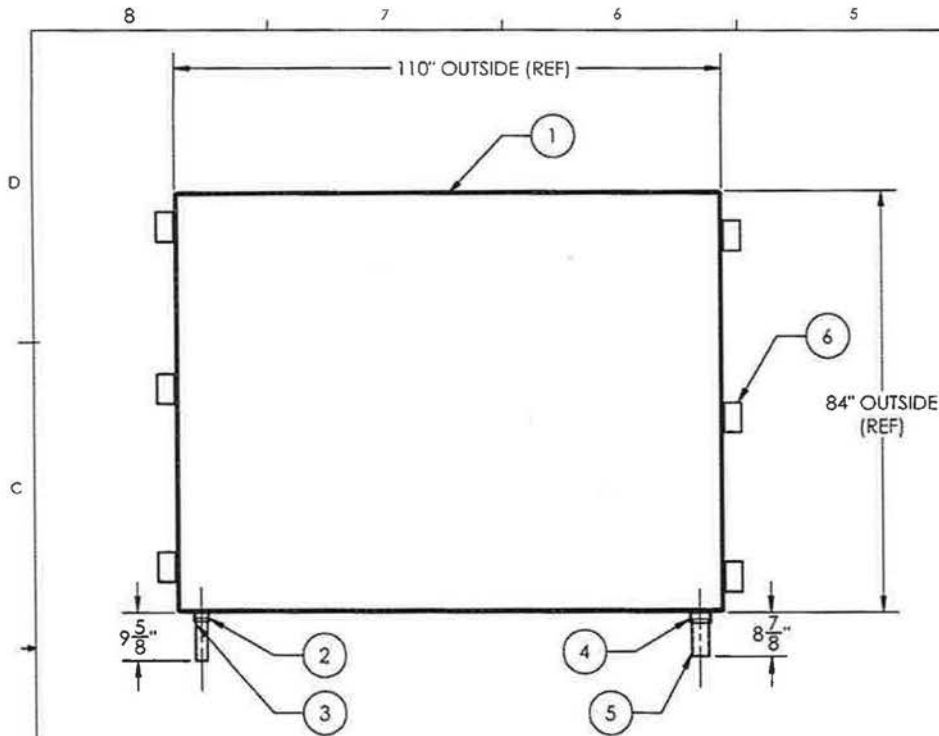
| ITEM NO. | PART NUMBER | DESCRIPTION | QTY. |
|----------|--------------------------------|----------------------------------|------|
| 1 | GM101-2 | FRAME, 10' X 10' 8in I-BEAM SKID | 1 |
| 2 | GM101-100 | MODUAL 4 X 6 X 4ft DEEP | 2 |
| 3 | 101-4-4 | W6X12 BEAM 6in X 4in X 76N LONG | 4 |
| 4 | GM101-5 | FRAME, 10' X 10' 8in I-BEAM | 1 |
| 5 | 101-11 | PLATE, STAINLESS STEEL | 1 |
| 6 | GM101-004 | TANK, WATER 108 X 112 X 7-7/8 DP | 1 |
| 7 | Tee X 2in | | 2 |
| 8 | 2 in SST. Union | | 2 |
| 9 | 2in Dia SST PIPE X 24.625 LONG | PIPE, 2in Dia X 24-5/8 LONG SST | 2 |
| 10 | GM101-56 | PIPE, 2in Dia X 33-1/2 LONG SST | 1 |



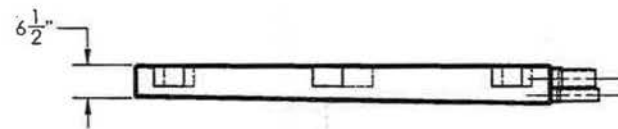
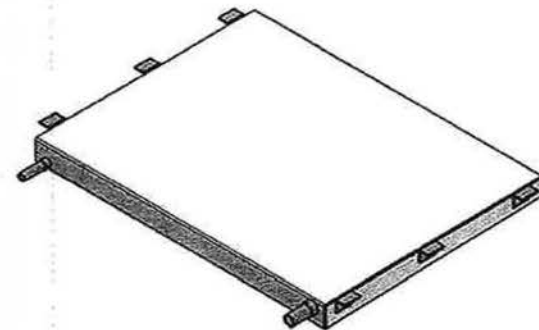
PROPRIETARY AND CONFIDENTIAL
 THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF AMERICAN ENVIRONMENTAL FABRICATION & SUPPLY. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF AMERICAN ENVIRONMENTAL FABRICATION & SUPPLY IS PROHIBITED.

| | | | | |
|--------------------------------------|----------------------|-----------|------|--|
| UNLESS OTHERWISE SPECIFIED: | | NAME | DATE | American Environmental Fabrication & Supply |
| DIMENSIONS ARE IN INCHES | | DRAWN | FEP | |
| TOLERANCES: | | CHECKED | ELP | 06/09/2014 |
| FRACTIONAL ± | | BYG APPR. | RG | 06/09/2014 |
| ANGULAR: MATCH ± | | MFG APPR. | | |
| TWO PLACE DECIMAL ± | | Q.A. | | |
| THREE PLACE DECIMAL ± | | COMMENTS: | | |
| INTERPRET GEOMETRIC TOLERANCING PER: | | | | |
| MATERIAL: | | | | |
| FINISH: | | | | |
| NEXT ASSY: | USED ON: | | | |
| APPLICATION: | DO NOT SCALE DRAWING | | | |

| | | |
|-------------|-------------------|--------------|
| SIZE | DWG. NO. | REV |
| B | GM-101-101 | |
| SCALE: 1:48 | WEIGHT: | SHEET 1 OF 1 |



| ITEM NO. | PART NUMBER | DESCRIPTION | QTY. |
|----------|-------------|------------------------------|------|
| 1 | GM101-004 | TANK, 110 X 84 X 7-3/4 WATER | 1 |
| 2 | GM102-002 | COUPLING, 2 in SST HALF | 1 |
| 3 | GM101-008.5 | PIPE, 2in Dia X 8.5 LONG SST | 1 |
| 4 | GM103-003 | COUPLING, 3in NPT SST HALF | 1 |
| 5 | GM101-007.5 | PIPE, 3 Dia X 7-1/2 LG SST | 1 |
| 6 | GM101-017 | CLIP, WATER PAN POSITIONING | 6 |



PROPRIETARY AND CONFIDENTIAL
 THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF AMERICAN ENVIRONMENTAL FABRICATION & SUPPLY. ANY REPRODUCTION IN PART OR AS A WHOLE WITHOUT THE WRITTEN PERMISSION OF AMERICAN ENVIRONMENTAL FABRICATION & SUPPLY IS PROHIBITED.

| | | | | |
|--------------------------------------|---------|----------------------|------|--|
| UNLESS OTHERWISE SPECIFIED: | | NAME | DATE | American Environmental Fabrication & Supply |
| DIMENSIONS ARE IN INCHES | | DRAWN | FEP | |
| TOLERANCES: | | CHECKED | ELP | 08/12/2018 |
| FRACTIONALS ± | | ENG APPR. | RG | 08/12/2018 |
| ANGULAR MATCH ± | | MFG APPR. | | |
| BEND ± | | Q.A. | | |
| TWO PLACE DECIMAL ± | | COMMENTS: | | |
| THREE PLACE DECIMAL ± | | | | |
| INTERPRET GEOMETRIC TOLERANCING PER: | | | | |
| MATERIAL: | | | | |
| FINISH: | | | | |
| NEXT ASSY | USED ON | | | |
| APPLICATION | | DO NOT SCALE DRAWING | | |

| | | |
|---------------------|-----------|--------------|
| TITLE: | | |
| WATER TANK ASSEMBLY | | |
| SIZE | DWG. NO. | REV |
| B | GM101-001 | A |
| SCALE: 1:32 | | WEIGHT: |
| | | SHEET 1 OF 1 |

09/22/2016



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Out of State Training-Police Department

MEETING DATE: September 26, 2016 ITEM NUMBER: # 17.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: J. Scott Bendig
Chief of Police

BOARD LIAISON: Candyce Fluehr Chimera
Vice-Chairman, Board of Supervisors



BACKGROUND:

The Montgomery Township Police Department has previously entered into a cooperative agreement with other Montgomery County police departments to participate in the in the Montgomery County SWAT-Central Region Team. Montgomery County SWAT is a task force deployed for incidents and situations that exceed the capability of traditional police resources, including barricaded subjects, hostage taking incidents, and other high risk operations. Currently the Police Department has two officers, Officer Thomas Ward and Officer John Rushin, assigned to Montgomery County SWAT. Montgomery County SWAT is scheduled to attend training at Fort Dix in New Hanover Township, New Jersey from October 18 through October 20, 2016. The training will consists of team movements, search techniques, and firearms training in a multitude of environments not readily available in our area.

The Police Department is requesting approval for Officer Thomas Ward and Officer John Rushin to participate in the out of state training program.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None. Montgomery County SWAT pays the full cost of the training, including lodging.

RECOMMENDATION:

Approve the out of state training request for Officer Thomas Ward and Officer John Rushin.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the requests for Officer Thomas Ward and Officer John Rushin to attend Montgomery County SWAT training at Fort Dix, New Jersey from October 18 through October 20, 2016.

MOTION: _____ SECOND: _____

ROLL CALL:

| | | | | |
|------------------------|-----|---------|---------|--------|
| Robert J. Birch | Aye | Opposed | Abstain | Absent |
| Michael J. Fox | Aye | Opposed | Abstain | Absent |
| Jeffrey W. McDonnell | Aye | Opposed | Abstain | Absent |
| Candyce Fluehr Chimera | Aye | Opposed | Abstain | Absent |

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Payment of Bills

MEETING DATE: September 26, 2016


ITEM NUMBER: #18.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Candyce Fluehr Chimera, Vice
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 | | | | | |
| 09/13/2016 | 01 | 65812 | 00001556 | DCED-PA DEPT OF COMMUNITY & | 362.50 |
| 09/14/2016 | 01 | 65813 | 00000611 | FUN EXPRESS LLC | 212.74 |
| 09/14/2016 | 01 | 65814 | 00001706 | LOWE'S COMPANIES INC. | 520.60 |
| 09/14/2016 | 01 | 65815 | 00906015 | MAGIC BY STUART INC. | 225.00 |
| 09/14/2016 | 01 | 65816 | 00906143 | PARTY BOUNCE RENTALS, LLC | 1,000.00 |
| 09/14/2016 | 01 | 65817 | 00000397 | PECO ENERGY | 8,784.47 |
| 09/14/2016 | 01 | 65818 | 00000399 | PECO ENERGY | 9,408.02 |
| 09/14/2016 | 01 | 65819 | 00906102 | READY REFRESH | 43.89 |
| 09/15/2016 | 01 | 65820 | 00000897 | ACS FIREHOUSE SOFTWARE | 3,194.54 |
| 09/15/2016 | 01 | 65821 | 00000171 | FAST SIGNS | 1,139.00 |
| 09/15/2016 | 01 | 65822 | 00000371 | HOT FROG PRINT MEDIA, LLC | 2,988.71 |
| 09/15/2016 | 01 | 65823 | 00906114 | WILLIAM SHOULDIS | 2,000.00 |
| 09/20/2016 | 01 | 65824 | 100000219 | HERR FOODS, INC. | 30.24 |
| 09/20/2016 | 01 | 65825 | 00000009 | PETTY CASH | 1,258.59 |
| 09/20/2016 | 01 | 65826 | 00000009 | PETTY CASH | 244.09 |
| 09/23/2016 | 01 | 65827 | 100000176 | 11 FROM WEST CHESTER | 300.00 |
| 09/23/2016 | 01 | 65828 | 00000496 | 21ST CENTURY MEDIA NEWSPAPERS LLC | 415.22 |
| 09/23/2016 | 01 | 65829 | 00000006 | ACME UNIFORMS FOR INDUSTRY | 481.44 |
| 09/23/2016 | 01 | 65830 | 00001653 | ADAM LION | 1,950.00 |
| 09/23/2016 | 01 | 65831 | 00000340 | ADVENT SECURITY CORPORATION | 222.00 |
| 09/23/2016 | 01 | 65832 | 00001202 | AIRGAS, INC. | 196.14 |
| 09/23/2016 | 01 | 65833 | 00002032 | ALBURTIS AUTO INC. | 180.00 |
| 09/23/2016 | 01 | 65834 | MISC-FIRE | ALEXANDER J DEANGELIS | 45.00 |
| 09/23/2016 | 01 | 65835 | 00000443 | ALL STATE DESIGN GROUP INC | 107.75 |
| 09/23/2016 | 01 | 65836 | 00000027 | ARMOUR & SONS ELECTRIC, INC. | 420.28 |
| 09/23/2016 | 01 | 65837 | 00000030 | ASSOCIATED TRUCK PARTS | 622.14 |
| 09/23/2016 | 01 | 65838 | 00000561 | ATLANTIC TACTICAL | 829.04 |
| 09/23/2016 | 01 | 65839 | 100000223 | BEA MAXWELL BERRY | 32.00 |
| 09/23/2016 | 01 | 65840 | 00000043 | BERGEY'S | 264.60 |
| 09/23/2016 | 01 | 65841 | 00902946 | BETTE'S BOUNCES, LLC | 3,729.00 |
| 09/23/2016 | 01 | 65842 | MISC-FIRE | BILL WIEGMAN | 120.00 |
| 09/23/2016 | 01 | 65843 | 00000209 | BOUCHER & JAMES, INC. | 3,950.08 |
| 09/23/2016 | 01 | 65844 | 00001601 | CDW GOVERNMENT, INC. | 8,249.46 |
| 09/23/2016 | 01 | 65845 | 00906081 | CELEBRATION FIREWORKS, INC. | 9,375.00 |
| 09/23/2016 | 01 | 65846 | 00906086 | CELIE MCVANUGH | 200.00 |
| 09/23/2016 | 01 | 65847 | 100000221 | COLMAR VETERINARY HOSPITAL | 474.40 |
| 09/23/2016 | 01 | 65848 | 00000363 | COMCAST | 708.53 |
| 09/23/2016 | 01 | 65849 | 00000335 | COMCAST CORPORATION | 1,411.87 |
| 09/23/2016 | 01 | 65850 | MISC | COSTA RENTAL - ANITA COSTA | 7.56 |
| 09/23/2016 | 01 | 65851 | 100000084 | DAVID FULTON | 100.00 |
| 09/23/2016 | 01 | 65852 | MISC-FIRE | DAVID P BENNETT | 15.00 |
| 09/23/2016 | 01 | 65853 | 00000118 | DEL-VAL INTERNATIONAL TRUCKS, INC. | 107.90 |
| 09/23/2016 | 01 | 65854 | 00000208 | DELL MARKETING L.P. | 104.99 |
| 09/23/2016 | 01 | 65855 | 00001172 | DETLAN EQUIPMENT, INC. | 60.43 |
| 09/23/2016 | 01 | 65856 | 00000125 | DISCHELL, BARTLE DOOLEY | 19,352.50 |
| 09/23/2016 | 01 | 65857 | 00000125 | VOID | 0.00 |
| 09/23/2016 | 01 | 65858 | 00000612 | DVMA - DELAWARE VALLEY MUNICIPAL | 246.00 |
| 09/23/2016 | 01 | 65859 | 00001332 | EAGLE POWER & EQUIPMENT CORP | 307.36 |
| 09/23/2016 | 01 | 65860 | 00001756 | EAST COAST EVENT GROUP INC. | 300.00 |
| 09/23/2016 | 01 | 65861 | 03214663 | ELITE 3 FACILITIES MAINTNEANCE, LLC | 4,240.00 |
| 09/23/2016 | 01 | 65862 | 00903110 | ESTABLISHED TRAFFIC CONTROL | 1,054.25 |
| 09/23/2016 | 01 | 65863 | 00000423 | FAMILY DINING, INC. | 77.09 |
| 09/23/2016 | 01 | 65864 | 00000171 | FAST SIGNS | 73.50 |
| 09/23/2016 | 01 | 65865 | 00000169 | FEDEX | 63.45 |
| 09/23/2016 | 01 | 65866 | 00001669 | FIRST HOSPITAL LABORATORIES, INC. | 67.50 |
| 09/23/2016 | 01 | 65867 | 100000187 | FRED BEANS FORD LINCOLN | 27,671.18 |
| 09/23/2016 | 01 | 65868 | 03214568 | FULTON CARDMEMBER SERVICES | 57.50 |
| 09/23/2016 | 01 | 65869 | 00000611 | FUN EXPRESS LLC | 144.00 |
| 09/23/2016 | 01 | 65870 | 00001852 | G.L. SAYRE, INC. | 878.56 |
| 09/23/2016 | 01 | 65871 | 00000188 | GALLS, AN ARAMARK CO., LLC | 96.30 |
| 09/23/2016 | 01 | 65872 | 00001524 | GEMPLER'S | 311.35 |
| 09/23/2016 | 01 | 65873 | 00000193 | GEORGE ALLEN PORTABLE TOILETS, INC. | 621.00 |
| 09/23/2016 | 01 | 65874 | MISC-FIRE | GLEN ROETMAN | 15.00 |
| 09/23/2016 | 01 | 65875 | 00001323 | GLICK FIRE EQUIPMENT COMPANY INC | 11,922.16 |
| 09/23/2016 | 01 | 65876 | 00000060 | GRAF ENGINEERING, LLC | 577.50 |
| 09/23/2016 | 01 | 65877 | 00000206 | GT RADIATOR REPAIRS, INC. | 311.97 |
| 09/23/2016 | 01 | 65878 | 00000223 | GUIDEMARK, INC. | 1,963.44 |
| 09/23/2016 | 01 | 65879 | 00000213 | HAJOCA CORPORATION | 13.52 |
| 09/23/2016 | 01 | 65880 | 100000162 | HERMAN GOLDNER COMPANY, INC. | 895.70 |
| 09/23/2016 | 01 | 65881 | MISC | HICKORY FARMS #11248 | 731.73 |
| 09/23/2016 | 01 | 65882 | MISC | HICKORY FARMS #11248 | 25.00 |
| 09/23/2016 | 01 | 65883 | MISC | HICKORY FARMS #11248 | 25.00 |
| 09/23/2016 | 01 | 65884 | MISC | HICKORY FARMS #11248 | 25.00 |
| 09/23/2016 | 01 | 65885 | MISC | HICKORY FARMS #11248 | 25.00 |
| 09/23/2016 | 01 | 65886 | MISC | HICKORY FARMS #11248 | 25.00 |
| 09/23/2016 | 01 | 65887 | MISC | HICKORY FARMS #11248 | 25.00 |
| 09/23/2016 | 01 | 65888 | 00000903 | HOME DEPOT CREDIT SERVICES | 639.14 |
| 09/23/2016 | 01 | 65889 | 00441122 | HORSHAM CAR WASH | 222.00 |

v

| Check Date | Bank | Check | Vendor | Vendor Name | Amount |
|------------|------|-------|-----------|-------------------------------------|-----------|
| 09/23/2016 | 01 | 65890 | 00000102 | INTERSTATE BATTERY SYSTEMS OF | 169.90 |
| 09/23/2016 | 01 | 65891 | MISC-FIRE | JOE BIFOLCO | 30.00 |
| 09/23/2016 | 01 | 65892 | MISC-FIRE | JOHN H. MOGENSEN | 60.00 |
| 09/23/2016 | 01 | 65893 | 100000165 | JOHN MCGARVEY | 1,000.00 |
| 09/23/2016 | 01 | 65894 | 00000107 | KENNEDY CULVERT & SUPPLY CO., INC. | 87.00 |
| 09/23/2016 | 01 | 65895 | 00001282 | KENNETH AMEY | 680.00 |
| 09/23/2016 | 01 | 65896 | 03214591 | KIMBALL MIDWEST | 267.40 |
| 09/23/2016 | 01 | 65897 | MISC | KPI2 INC | 104.00 |
| 09/23/2016 | 01 | 65898 | MISC | KPI2 INC | 104.00 |
| 09/23/2016 | 01 | 65899 | 00000201 | LAWRENCE J. MURPHY | 46.65 |
| 09/23/2016 | 01 | 65900 | 00001660 | LINDINGER'S CATERING, INC. | 400.00 |
| 09/23/2016 | 01 | 65901 | 00001706 | LOWE'S COMPANIES INC. | 132.05 |
| 09/23/2016 | 01 | 65902 | 00906015 | MAGIC BY STUART INC. | 200.00 |
| 09/23/2016 | 01 | 65903 | 00000689 | MARY KAY KELM, ESQUIRE | 1,662.50 |
| 09/23/2016 | 01 | 65904 | MISC-FIRE | MARY NEWELL | 90.00 |
| 09/23/2016 | 01 | 65905 | MISC-FIRE | MARY NEWELL | 45.00 |
| 09/23/2016 | 01 | 65906 | MISC-FIRE | MATT SHINTON | 20.00 |
| 09/23/2016 | 01 | 65907 | MISC-FIRE | MATT SHINTON | 20.00 |
| 09/23/2016 | 01 | 65908 | 100000225 | MCATO | 100.00 |
| 09/23/2016 | 01 | 65909 | 00000974 | MCCARTHY AND COMPANY, PC | 575.00 |
| 09/23/2016 | 01 | 65910 | MISC-FIRE | MICHAEL D. SHINTON | 20.00 |
| 09/23/2016 | 01 | 65911 | MISC-FIRE | MIKE BEAN | 30.00 |
| 09/23/2016 | 01 | 65912 | 100000069 | MUNN ROOFING CORPORATION | 28,000.00 |
| 09/23/2016 | 01 | 65913 | 00000540 | MYSTIC PIZZA | 94.00 |
| 09/23/2016 | 01 | 65914 | 00000336 | NFPA-NATIONAL FIRE PROTECTION ASSOC | 682.97 |
| 09/23/2016 | 01 | 65915 | 00001134 | OFFICE DEPOT, INC | 443.49 |
| 09/23/2016 | 01 | 65916 | 00000367 | P.K. MOYER & SONS, INC. | 0.25 |
| 09/23/2016 | 01 | 65917 | MISC-FIRE | PAUL R. MOGENSEN | 100.00 |
| 09/23/2016 | 01 | 65918 | 00000397 | PECO ENERGY | 8,297.80 |
| 09/23/2016 | 01 | 65919 | 00000595 | PENN VALLEY CHEMICAL COMPANY | 173.51 |
| 09/23/2016 | 01 | 65920 | 00000388 | PENNSYLVANIA ONE CALL SYSTEM, INC. | 126.68 |
| 09/23/2016 | 01 | 65921 | 00000009 | PETTY CASH | 2,000.00 |
| 09/23/2016 | 01 | 65922 | MISC-FIRE | PHIL STUMP | 15.00 |
| 09/23/2016 | 01 | 65923 | MISC-FIRE | PHIL STUMP | 30.00 |
| 09/23/2016 | 01 | 65924 | 00001171 | PHILA OCHEALTH/DBA WORKNET OCC | 131.60 |
| 09/23/2016 | 01 | 65925 | 00000446 | PHISCON ENTERPRISES, INC. | 200.00 |
| 09/23/2016 | 01 | 65926 | 00000945 | PIPERSVILLE GARDEN CENTER, INC. | 991.57 |
| 09/23/2016 | 01 | 65927 | 100000037 | PREETHY CYRIAC | 25.00 |
| 09/23/2016 | 01 | 65928 | 00000345 | PRINTWORKS & COMPANY, INC. | 198.56 |
| 09/23/2016 | 01 | 65929 | MISC-FIRE | RACHEL GIBSON | 45.00 |
| 09/23/2016 | 01 | 65930 | MISC-FIRE | RACHEL GIBSON | 75.00 |
| 09/23/2016 | 01 | 65931 | MISC-FIRE | RACHEL TROUTMAN | 55.00 |
| 09/23/2016 | 01 | 65932 | 00906102 | READY REFRESH | 337.31 |
| 09/23/2016 | 01 | 65933 | 00000439 | RED THE UNIFORM TAILOR | 1,089.50 |
| 09/23/2016 | 01 | 65934 | 00000117 | RIGGINS INC | 1,485.00 |
| 09/23/2016 | 01 | 65935 | 00000115 | RIGGINS, INC | 1,898.66 |
| 09/23/2016 | 01 | 65936 | 00000530 | ROBERT L. ADSHEAD | 760.00 |
| 09/23/2016 | 01 | 65937 | 00001972 | ROBERT L. BRANT | 1,113.13 |
| 09/23/2016 | 01 | 65938 | MISC-FIRE | ROBERT MCMONAGLE | 75.00 |
| 09/23/2016 | 01 | 65939 | MISC-FIRE | RYAN CROUTHAMEL | 30.00 |
| 09/23/2016 | 01 | 65940 | 00000653 | SCATTON'S HEATING & COOLING, INC. | 252.30 |
| 09/23/2016 | 01 | 65941 | 00001030 | SIGNAL CONTROL PRODUCTS, INC. | 7,350.00 |
| 09/23/2016 | 01 | 65942 | 00001901 | SLEEPY HOLLOW ENTERPRISES, INC. | 77.50 |
| 09/23/2016 | 01 | 65943 | 00000015 | SPRINT | 418.02 |
| 09/23/2016 | 01 | 65944 | 00001394 | STANDARD INSURANCE COMPANY | 7,751.38 |
| 09/23/2016 | 01 | 65945 | 00001847 | STAPLES CONTRACT & COMMERCIAL, INC. | 2,798.89 |
| 09/23/2016 | 01 | 65946 | 100000224 | STEPHANIE TALBOT-AUTUORI | 295.00 |
| 09/23/2016 | 01 | 65947 | MISC-FIRE | STEVE SPLENDIDO | 15.00 |
| 09/23/2016 | 01 | 65948 | 00001200 | SYNATEK | 749.00 |
| 09/23/2016 | 01 | 65949 | MISC-FIRE | TOM HUGUENIN | 15.00 |
| 09/23/2016 | 01 | 65950 | 00001984 | TRAFFIC PLANNING AND DESIGN, INC. | 12,894.23 |
| 09/23/2016 | 01 | 65951 | 00000506 | TRANS UNION LLC | 50.00 |
| 09/23/2016 | 01 | 65952 | MISC-FIRE | TREVOR DALTON | 15.00 |
| 09/23/2016 | 01 | 65953 | 00002031 | TRI-COUNTY ELECTRICAL SUPPLY | 301.25 |
| 09/23/2016 | 01 | 65954 | 00000077 | TRISTATE ENVIRONMENTAL | 2,210.00 |
| 09/23/2016 | 01 | 65955 | 00002062 | UNITED ELECTRIC SUPPLY CO., INC. | 15.50 |
| 09/23/2016 | 01 | 65956 | 03214643 | UNWINED & PAINT | 60.00 |
| 09/23/2016 | 01 | 65957 | 100000012 | USA FOOTBALL | 25.00 |
| 09/23/2016 | 01 | 65958 | 00000520 | VALLEY POWER, INC. | 654.42 |
| 09/23/2016 | 01 | 65959 | 00000040 | VERIZON | 139.99 |
| 09/23/2016 | 01 | 65960 | 00000040 | VERIZON | 100.80 |
| 09/23/2016 | 01 | 65961 | 00000040 | VERIZON | 38.58 |
| 09/23/2016 | 01 | 65962 | MISC-FIRE | VINAY SETTY | 190.00 |
| 09/23/2016 | 01 | 65963 | MISC-FIRE | VINCE ZIRPOLI | 80.00 |
| 09/23/2016 | 01 | 65964 | 00001329 | WELDON AUTO PARTS | 629.38 |
| 09/23/2016 | 01 | 65965 | 00002090 | WHITMOYER AUTO GROUP | 31,200.00 |
| 09/23/2016 | 01 | 65966 | 00906130 | WISMER AUTO INTERIORS | 500.00 |
| 09/23/2016 | 01 | 65967 | 00000550 | ZEP MANUFACTURING COMPANY | 615.48 |
| 09/23/2016 | 01 | 65968 | 100000115 | ZIP AND BOUNCE | 2,000.00 |

01 TOTALS:

09/23/2016

Payroll ACH List
For Check Dates 09/13/2016 to 09/26/2016

| Check Date | Name | Amount | | |
|-----------------|------------------------|----------------------|----|------------|
| 09/14/2016 | STATE OF PA | State Tax Payment | \$ | 9,345.04 |
| 09/15/2016 | CITY OF PHILADELPHIA | Aug Wage Tax Payment | \$ | 306.34 |
| 09/22/2016 | UNITED STATES TREASURY | 941 Tax Payment | \$ | 83,092.50 |
| 09/22/2016 | PBA | PBA Payment | \$ | 789.41 |
| 09/22/2016 | BCG 401 | 401 Payment | \$ | 14,850.43 |
| 09/22/2016 | BCG 457 | 457 Payment | \$ | 10,356.34 |
| 09/22/2016 | PA SCDU | Withholding Payment | \$ | 886.55 |
| Total Checks: 7 | | | \$ | 119,626.61 |