

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
OCTOBER 24, 2016

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

Lawrence J. Gregan
Township Manager

www.montgomerytp.org

ACTION MEETING – 8:00 PM

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Consider Approval of Minutes of October 11, 2016 Meeting
5. Presentation of Check to Fire Department of Montgomery Township Fire Relief Association
6. Consider Appointment and Swearing In of New Fire Police Officers
7. Acknowledge Resignation from Township Boards/Committees
8. Consider Approval of Waiver of Conflict – Cozen O’Conner Law Firm
9. Consider Acceptance of Deed of Dedication of Enclave Boulevard – LDS#627 – The Enclave at Montgomery
10. Consider Authorization to Advertise Proposed Ordinance #16-301 – Amending Speed Limits, Stop Intersections and Emergency Routes Designated
11. Consider Acceptance of Landscaping Fee-In-Lieu-Of – LDS#678 1021/1023 Lansdale Avenue
12. Consider Waiver of Fee for Special Event Permit – Bharatiya Temple Diwali Festival
13. Consider Payment of Bills
14. Other Business
15. Adjournment

Future Public Hearings/Meetings:

10-25-2016 @7:00pm – Environmental Advisory Committee
10-26-2016 @6:30pm – Budget Work Session
11-01-2016 @6:30pm – Budget Work Session
11-02-2016 @6:30pm – Budget Work Session (Alternate Date)
11-02-2016 @7:00pm – Senior Committee (MontCRC)
11-09-2016 @6:30pm – MontCRC Committee (MontCRC)
11-09-2016 @7:30pm – Zoning Hearing Board
11-09-2016 @7:30pm – Park and Recreation Board (MontCRC)
11-14-2016 @8:00pm – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: October 24, 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: Consider Approval of Minutes for October 11, 2016

MEETING DATE: October 24, 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:

Please contact Deb Rivas on Monday, October 24, 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.

DRAFT

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
OCTOBER 11, 2016**

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

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, Information Technology Support Tech Lance Allen and Recording Secretary Deborah Rivas.

Following the Pledge of Allegiance, Vice Chairman Candyce Fluehr Chimera announced that the Board of Supervisors would be welcoming a new member. Richard E. Miniscalco has been appointed to the Board of Supervisors and will be sworn in by Judge Joseph P. Walsh. Judge Walsh administered the Oath of Office to Mr. Miniscalco, who joined the other Board of Supervisors on the dais for the remainder of the Board meeting.

Vice Chairman Candyce Fluehr Chimera welcomed local high school student, Alison Panacek, who was attending the Board meeting as part of a class assignment.

Vice Chairman Candyce Fluehr Chimera called for public comment from the audience. Cliff Fitzgerald of 601 Ellison Drive asked the Board for an update on the punch list of items to be completed for the Montgomery Pointe Community. Township Manager Lawrence Gregan reported that the Township Engineer was scheduled to meet this coming Thursday with the

association's representative to get a status on the punch list items. Updates will be given regarding the concrete work and landscaping work that has been performed. Mr. Gregan confirmed that some of the punch list items that should have been completed by now are still outstanding and the Township has been working with the developer's site manager to get the items scheduled as quickly as possible. Supervisor Michael J. Fox stated that the Township is pushing the developer as hard as possible to complete the work out there. Supervisor Fox reported on the work that was recently done on Enclave Boulevard, which was basically completed in about a two week period. Supervisor Fox reported that Enclave Boulevard was really a focus for the Board in particular because the Township wanted to be able to take dedication of that road as soon as possible so that buses can begin to use the road and come into the development for the safety of the children. A lot of the focus was spent on this road and there's been a little bit of a delay on the remainder of the other items, but the completion of all of the items still remains a top priority with the Board.

Township Solicitor Frank Bartle announced that the Board had met in an executive session prior to this meeting and discussed two labor matters, one involving Police Department Collective Bargaining and the other involving Fire Department Collective Bargaining. Mr. Bartle stated that each of these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Vice Chairman Candyce Fluehr Chimera made a motion to approve the minutes of the September 26, 2016 Board of Supervisors meeting, and Supervisor Robert J. Birch seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Director of Community Center and Recreation Floyd Shaffer reported that the Township's 16th Annual Autumn Festival was a huge success because of the efforts of the Township staff and volunteers who contributed their time to serve in the various roles for the event. Mr. Shaffer recognized and thanked the Autumn Festival Committee, the employees of the Township and their families, the Environmental Advisory Committee, the Park and

Recreation Board, the Senior Volunteer Committee, the Volunteer Medical Service Corps of Lansdale, the Fire Department of Montgomery Township, the Montgomery Township Police Department, the Montgomery Township Public Works Department, the North Penn High School Junior ROTC, the Pennbrook Middle School Volunteer Corps, the Montgomery County Public Library Bookmobile and the numerous residents of Montgomery Township. Resolution #1 made by Supervisor Michael J. Fox, seconded by Supervisor Robert J. Birch and adopted unanimously, acknowledged the volunteers and workers for their diligent contributions toward the success of Autumn Festival held on October 1, 2016.

Township Manager Lawrence J. Gregan reported that a vacancy currently exists on the Township's Planning Commission. Township resident Andrew J. Terreri has expressed an interest in becoming a member of the Montgomery Township Planning Commission. Resolution #2 made by Supervisor Michael J. Fox, seconded by Supervisor Jeffrey W. McDonnell and adopted unanimously, appointed Andrew J. Terreri to serve as a member of the Montgomery Township Planning Commission with an existing four year term to expire on January 1, 2020.

Assistant to the Township Manager Stacy Crandell reported that staff received and opened bids on September 29, 2016 for the Leaf and Yard Waste Collection bid. The bids were reviewed and staff is recommending that the bid be awarded to the lowest responsible bidder, Advanced Disposal Services. The bid is based on a three year contract for a total cost of \$81,075. Resolution #3 made by Supervisor Michael J. Fox, seconded by Supervisor Robert J. Birch and adopted unanimously, awarded the bid for Leaf and Yard Waste Collection and Disposal Services for a three year contract to Advanced Disposal Services, at a total cost of \$81,075.

Director of Finance Ami Tarburton reported that the annual General Municipal Pension System State Aid allocation for 2016 has been received in the amount of \$498,709.66, which is an increase of 17% from the 2015 allocation. The funds are allocated by the Township to the Police and Non-Uniformed Pension plans to offset a portion of the cost of these plans.

Resolution #4 made by Supervisor Robert J. Birch, seconded by Vice Chairman Candyce Fluehr Chimera and adopted unanimously, accepted the recommendation to allocate the 2016 Act 205 General Municipal Pension System State Aid to the Police Pension Plan in the amount of \$279,277.41 and to the Non Uniformed Employee Pension Plan in the amount of \$219,432.25.

Director of Fire Services Richard Lesniak reported that the Department of Fire Services and the Fire Department of Montgomery Township are requesting the Board of Supervisors' approval to submit applications through the Pennsylvania State Fire Commissioner's Office annual Volunteer Firefighter/Volunteer Ambulance Service Grant program. Each grant application will be approximately \$15,000.00 and is intended to fund the purchase of personal protective equipment and to replace mobile data computers. Resolution #5 made by Supervisor Robert J. Birch, seconded by Supervisor Jeffrey W. McDonnell and adopted unanimously, granted approval to submit applications to the PA Fire Commissioners Volunteer Firefighter/Ambulance Service Grant program for the purchase of personal protective equipment and mobile data computers in the amount totaling \$30,000.00

Director of Fire Services Richard Lesniak reported that Firefighter Robert Hedden currently holds three certifications in the Commonwealth of Pennsylvania and submitted an application for renewal of those certifications for a new three year cycle (2013-2016). Firefighter Hedden is requesting approval to take a course titled "2015 International Building Code Implementation" and a course titled "Community Risk Reduction" to satisfy 48 of his required 45 Continuing Education credits for the current cycle. These courses are being offered through the New Jersey Center for Services at The Inn at Lambertville Station, Lambertville, NJ and Mercer County Fire Academy. These courses are free of charge. Resolution #6, made by Supervisor Michael J. Fox, seconded by Supervisor Robert J. Birch and adopted unanimously, authorized the out-of-state training for Firefighter Robert Hedden.

Director of Planning and Zoning Bruce Shoupe reported that the Township has received a request for a waiver of the formal land development process from Nappen & Associates for their property located at 201 Progress Drive, which is leased by Impact Thrift. The applicant is proposing the expansion of their parking lot. The company has grown and is now requiring additional parking for their employees. Nappen & Associates has indicated that they explored the feasibility of expanding the parking lot and have determined that an additional 32 spaces can be added. They would also connect the two existing driveways, enhancing the vehicular circulation around the building. The traffic movement will be reviewed by the Township's Traffic Engineer. Resolution #7 made by Supervisor Michael J. Fox, seconded by Supervisor Robert J. Birch and adopted unanimously, approved the waiver of formal land development for 201 Progress Drive property.

Resolution #8 made by Vice Chairman Candyce Fluehr Chimera, seconded by Supervisor Michael J. Fox and adopted unanimously, approved the waiver of a special event permit fee for the Bharatiya Temple Ravan Effigy Burning.

A motion to approve the payment of bills, with the addition of a final invoice payment of \$24,500.00 to E.R. Stuebner, was made by Vice Chairman Candyce Fluehr Chimera, seconded by Supervisor Michael J. Fox, and adopted unanimously, approving the payment of bills as submitted with the additional invoice.

There being no further business to come before the Board, the meeting adjourned at 8:28 p.m.

ROLL CALL:

Robert J. Birch	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Richard E. Miniscalco	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 Appointment and Swearing In of New Fire Police Officers

MEETING DATE: October 24, 2016

ITEM NUMBER: #6

MEETING/AGENDA: ACTION XX NONE

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

INITIATED BY: Richard M. Lesniak
Director of Fire Services

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

BACKGROUND:

Mr. Mitchell Barrer and William Tuttle, both residents of Montgomery Township, recently joined the Fire Department of Montgomery Township (FDMT). They are being nominated by FDMT to be appointed as Special Fire Police Officers under the Pennsylvania State Fire Police Statute - Act of 1941, P.L. 137, No. 74, Amended July 11, 1980. P.L. 580, No. 122.

Under this law, before the applicant can perform the duties as a Special Fire Police Officer, the nominated candidate must be confirmed by the Board of Supervisors and sworn in by the Chairman of the Board of Supervisors. Special Fire Police serve the public in the following manner:

- To regulate traffic and keep crowds under control at or in the vicinity of any fire at which their companies are in attendance and to exercise such other police powers as are necessary in order to facilitate and prevent interference with the work of firemen in extinguishing fires.
- To perform their duties when functioning as special fire police at any function, event, or parade conducted by, and under the auspices of any volunteer fire company, or any event, function, or parade conducted by an organization other than a volunteer fire company, providing the request to perform these duties is made by the governing body of the township in which the event will be conducted.
- To perform traffic and or crowd control duties when accidents, floods, or any other emergency requiring performance of such duties until the arrival of proper township police authority or until the emergency no longer exists.

Any person functioning as Special Fire Police Officer and performing a duty under any of the above conditions, shall be deemed to be performing the duties of his/her employment. Fire police performing such duties shall be identifiable by, at minimum, the wearing of a distinctive arm band or hat or uniform or insignia. Under no circumstances does the act grant Special Fire Police the right and / or power to use firearms or other weapons in the exercise of special fire police powers granted under the law.

Mr. Barrer and Mr. Tuttle have been interviewed by the Montgomery Township Police Department and are being recommended for appointment as a Special Fire Police Officer.

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 appoint Mr. Mitchell Barrer and Mr. William Tuttle as Fire Police Officers and administer the Oath of Office.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby appoint Mr. Mitchell Barrer and Mr. William Tuttle to the position of Special Fire Police Officer with the Fire Department of Montgomery Township.

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
Richard E. Miniscalco	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 Volunteer Committee Member Resignations – Park and Recreation Board,
Environmental Advisory Committee and Vacancy Board Chairman

MEETING DATE: October 24, 2016

ITEM NUMBER: # 7

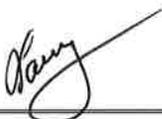
MEETING/AGENDA:

ACTION

NONE

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

INITIATED BY: Lawrence J. Gregan
Township Manager



BOARD LIAISON: Candyce Fluehr-Chimera
Vice Chairman

BACKGROUND:

James (Jim) Earley has submitted a letter of resignation as a member of the Township Park and Recreation Board. Mr. Earley had served on the Park and Recreation Board since 2014. Mahbubur Meenar has submitted a letter of resignation as a member of the Environmental Advisory Committee. Mr. Meenar had served on the Environmental Advisory Committee since early 2013. Both gentlemen were contributors and supporters of the various decisions for their respective Board and Committee.

Due to his appointment to fill a vacancy on the Board of Supervisors, Rick Miniscalco has submitted his resignation as Vacancy Board Chairman effective October 11, 2016. Mr. Miniscalco had served in this position since 2008.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION: It is recommended that the Board acknowledge the resignation of James Earley from the Park and Recreation Board, Mahbubur Meenar from the Environmental Advisory Committee, and Richard Miniscalco from the position of Vacancy Board Chairman.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept the resignation of James Earley from the Park and Recreation Board, Mahbubur Meenar from the Environmental Advisory Committee and Richard Miniscalco from the position of Vacancy Board Chairman.

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
Richard Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Larry Gregan

From: Earley, Jim
Sent: Thursday, October 13, 2016 3:36 PM
To: Larry Gregan
Cc: Michael J. Fox
Subject: Parks Board

Larry,

Please accept this as my resignation from the Parks and Rec board. I have enjoyed my time on the board, getting to know the workings of the township and meeting some great individuals. Unfortunately, some personal circumstances will prevent me from attending future meetings. I'd like to particularly thank you, Kevin and his staff for your service to the township. It is quite evident to me that the township is what it is due to your dedication. Thank you for the opportunity to serve on the Parks and Rec board.

Have a good afternoon,

Jim Earley

This e-mail may contain confidential or privileged information. If you think you have received this e-mail in error, please advise the sender by reply e-mail and then delete this e-mail immediately. Thank you. Aetna

From: MAHBUBUR MEENAR

Sent: Sunday, October 23, 2016 5:16 PM

To: Stacy Crandell

Cc: Barry Baker; Beth Staab; Emily Strake; Jeanine Hurry; Jeff Gibbons; Terry Wilson

Subject: Re: EAC Meeting Next Tuesday

Dear all,

Due to my new job and teaching responsibility, I can no longer attend Tuesday night meetings. I have regretfully decided to resign from the committee. It was a pleasure to work with all of you in the last couple of years. I will see you at the autumn festival or some other events in the future. Keep up the good work.

Thank you,
Mahbubur Meenar

Richard E. Miniscalco

October 11, 2016

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

RE: Montgomery Township Vacancy Board Position – Resignation

Dear Larry:

I, Richard Miniscalco, do hereby resign the Chair of the Montgomery Township Vacancy Board effectively immediately.

10/11/16
Date:


Richard E. Miniscalco

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Waiver of Conflict – Cozen O'Connor Law Firm

MEETING DATE: October 24, 2016 ITEM NUMBER: #8

MEETING/AGENDA: ACTION

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

INITIATED BY: Lawrence J. Gregan BOARD LIAISON: Candyce Fluehr Chimera
Township Manager Vice-Chairman, Board of Supervisors

BACKGROUND:

The law firm of Cozen O'Connor currently serves as Bond Counsel on the Township's 2016 General Obligation Bond refinancing project. For this Bond Refinancing project the Township had engaged the firm of RBC Capital Markets ("RBC") to serve as the Underwriter for the sale of the Bonds.

Cozen O'Connor has advised that from time to time they provide legal counsel to RBC in bond financings unrelated to the Township's bond financings and have recently been asked to represent RBC on an unrelated bond financing.

Cozen O'Connor has submitted a request that the Township agree to waive the conflict of interest, if any, arising due to their representation of the Township in the 2016 bond financing matter while they represent RBC in another unrelated financing.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION: It is recommended that the Board authorize the Township Manager to direct a letter to Cozen O'Connor waiving any conflict of interest arising from their representation of the Township in the 2016 bond financing while they represent RBC Capital Markets in other unrelated financing projects.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the request from Cozen O'Connor waiving any conflict of interest arising from their representation of the Township in the 2016 bond financing while they represent RBC Capital Markets in other unrelated financing projects.

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
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Larry Gregan

From: Mayes, Suzanne
Sent: Wednesday, October 12, 2016 4:34 PM
To: Larry Gregan; Ami Tarburton
Cc: Frank Bartle
Subject: Conflict Waiver Request

Larry and Ami, our firm represents RBC Capital Markets ("RBC") as underwriter's counsel from time to time in bond financings unrelated to the Township's bond financings. As you know, RBC is the underwriter on your 2016 General Obligation Bond refinancing. We were recently asked to represent RBC on an unrelated bond financing. Please let me know if the Township is willing to waive the conflict of interest, if any, arising due to our representation of the Township in your bond financing matter (technically adverse to RBC) while we represent RBC in this other unrelated financing. Thank you for your consideration. Best, Suzanne



Suzanne S. Mayes
Chair, Public & Project Finance | Cozen O'Connor
One Liberty Place | 1650 Market Street | Philadelphia, PA 19103
P: 215-665-6922 F: 215-701-2107
Email | Bio | Map | cozen.com

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MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Acceptance of Deed of Dedication for Enclave Boulevard – LDS 627 - The Enclave at Montgomery

MEETING DATE: October 24, 2016 ITEM NUMBER: #9

MEETING/AGENDA: ACTION

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

INITIATED BY: Lawrence J. Gregan BOARD LIAISON: Candyce Fluehr Chimera
Township Manager Vice-Chairman, Board of Supervisors

BACKGROUND:

Attached for the Board Consideration is a proposed Deed of Dedication for acceptance of the Right Of Way for Enclave Boulevard and a proposed resolution to accept the Right of Way with improvements. A copy of the Township Engineers most recent punch-list inspection report is attached which describes the work performed to complete the paving of Enclave Boulevard and the outstanding issues regarding pavement of the portion of Enclave Blvd located within the PennDot ROW and the proper construction of Accessibility Ramps at various crossings along Enclave Blvd. The developer also needs to complete the installation of street lighting along this road, which improvement is included in the Development Improvements/Security Agreement.

A proposed resolution is attached that would accept dedication of the Enclave Boulevard right of way and completion of the road paving improvements subject to agreement by the Developer to complete installation of the street lights, repaving of the portion of Enclave Blvd within the PennDot ROW and complete the installation of the Accessibility Ramps.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None.

RECOMMENDATION:

Acceptance of the Deed of Dedication subject to completion of the street lights, paving in the PennDot ROW and installation of the Accessibility Ramps is recommended as this will allow the North Penn School District to consider extension of bus service to the neighborhoods in the development.

MOTION/RESOLUTION: See Resolution 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
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept the deed of dedication from The Cutler Group for Enclave Boulevard Right of Way and Improvements (excluding street lights and accessible ramps) in conjunction with the overall parcel plan for LDS #627- The Enclave at Montgomery.

BE IT FURTHER RESOLVED that the Solicitor is hereby authorized to record the deed in the Montgomery County Courthouse, and the Township Engineer and Manager are authorized to add this road to the Township official street map and to advise the Pennsylvania Department of Transportation for the purpose of liquid fuels fund allocation.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: Developer, F. Bartle, J. Dougherty, K. Costello, B. Shoupe, M. Stoerrle, Minute Book, Resolution File, File

This is to certify that the above is a true and correct copy of Resolution #_____, enacted by the Board of Supervisors of Montgomery Township on October 24, 2016.

Lawrence J. Gregan, Secretary

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF MONTGOMERY:

On this the _____ day of _____, 2016, before me a Notary Public in and for the Commonwealth of Pennsylvania, personally appeared Lawrence J. Gegan, who acknowledged himself to be the Secretary of Montgomery Township, and that he as such Secretary, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Township of Montgomery as Secretary.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

Prepared by:
Richard P. McBride, Esquire
5 Apollo Road, Suite Two
Plymouth Meeting, PA 19462
610-834-1046

Return to:

Richard P. McBride, Esquire
5 Apollo Road, Suite Two
Plymouth Meeting, PA 19462

-----[Space Above This Line For Recording Data]-----

DEED OF DEDICATION - ROADWAY
ENCLAVE BOULEVARD – MONTGOMERY TOWNSHIP

THIS INDENTURE made this _____ day of _____, 2016, by and between **THE CUTLER GROUP, INC.**, with its principal offices located at 5 Apollo Road, Suite One, Plymouth Meeting, PA 19462 (hereinafter “Grantor”) in and for the sum of One (\$1.00) Dollar lawful money of the United States of America, unto it well and truly paid by **MONTGOMERY TOWNSHIP**, with its principal offices located at 1001 Stump Road, Montgomeryville, PA 18936 (hereinafter “Grantee”), hereby grants and conveys unto Grantee, its successors or assigns all right, title and interest to the lands which the undersigned owns as depicted upon the Overall Parcel Plan for the Enclave at Montgomery prepared by STA Engineering, Inc. dated July 15, 2009, last revised October 6, 2009 and recorded in Plan Book _____, page _____, in the Office for the Recording of Deeds in Norristown, all as more specifically described upon Exhibit “A” attached hereto.

TO HAVE AND TO HOLD the said lands described and premises hereby granted, or mentioned and intended so to be, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of the said Grantee, its successors and assigns forever.

AND THE SAID Grantor, for itself, its successors and assigns does covenant, promise and agree, to and with the said Grantee, its successors and assigns, by these presents, that it, the said Grantor and its successors and assigns, all and singular the hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the said Grantee, its successors and assigns, against it, the said Grantor and its successors and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under them or any of them, shall and will WARRANT and forever DEFEND.

IN WITNESS WHEREOF, the parties hereto set their hands and seals the _____ day of _____, 2016.

ATTEST:

THE CUTLER GROUP, INC.

By: _____
David Cutler, President

EXHIBIT "A"
(Legal Description - 3 sheets)



August 17, 2016

**LEGAL DESCRIPTION
ENCLAVE BOULEVARD RIGHT-OF-WAY
THE ENCLAVE AT MONTGOMERY
STA PROJECT #4435**

ALL THAT CERTAIN tract or strip of ground situate in Montgomery Township, Montgomery County, Pennsylvania, being shown as Enclave Boulevard Right-of-Way on an Overall Parcel Plan for The Enclave at Montgomery, prepared for The Cutler Group, Inc., by Stout, Tacconelli & Associates, Inc. dated July 15, 2009, as last revised October 6, 2009, and being more fully described as follows:

BEGINNING at a point in the southeast line of Hartman Road, S.R. 2014 (of variable width), said point also being in the northwest line of land now or formerly of Glasgow Inc. (Parcel No. 46-00-01060-10-9) and being located North $37^{\circ}44'31''$ East, 99.11 feet from a point in the northeast line of other land now or formerly of Glasgow Inc. (Parcel No. 46-00-01057-00-4); thence, along said line of Hartman Road, the following three (3) courses: (1) North $37^{\circ}44'31''$ East, 30.00 feet to a point; (2) North $52^{\circ}31'36''$ West, 1.50 feet to a point; (3) North $37^{\circ}12'17''$ East, 141.45 feet to a point; thence, along Parcels A & B, the following thirteen (13) courses: (1) by a line curving to the left in a southeasterly direction, having a radius of 75.00 feet, with a chord of 105.85 feet, bearing South $07^{\circ}40'39''$ East, for an arc length of 117.50 feet to a point of tangency; (2) South $52^{\circ}33'35''$ East, 1.60 feet to a point of curvature; (3) by a line curving to the right in a southeasterly direction, having a radius of 1,020.00 feet, with a chord of 44.59 feet, bearing South $51^{\circ}18'26''$ East, for an arc length of 44.59 feet to a point of tangency; (4) South $50^{\circ}03'17''$ East, 654.90 feet to a point of curvature; (5) by a line curving to the left in a southeasterly direction, having a radius of 100.00 feet, with a chord of 60.55 feet, bearing South $67^{\circ}40'40''$ East, for an arc length of 61.52 feet to a point

of tangency; (6) South $85^{\circ}18'04''$ East, 62.08 feet to a point of curvature; (7) by a line curving to the right in a southeasterly direction, having a radius of 214.67 feet, with a chord of 123.19 feet, bearing South $68^{\circ}37'37''$ East, for an arc length of 124.95 feet to a point of tangency; (8) South $51^{\circ}57'10''$ East, 25.83 feet to a point of curvature; (9) by a line curving to the left in a southeasterly direction, having a radius of 1,985.33 feet, with a chord of 167.85 feet, bearing South $54^{\circ}22'32''$ East, for an arc length of 167.90 feet to a point of tangency; (10) South $56^{\circ}47'54''$ East, 33.81 feet to a point of curvature; (11) by a line curving to the right in a southeasterly direction, having a radius of 2,014.67 feet, with a chord of 171.89 feet, bearing South $54^{\circ}21'12''$ East, for an arc length of 171.94 feet to a point of tangency; (12) South $51^{\circ}54'30''$ East, 243.58 feet to a point of curvature; (13) by a line curving to the right in a southeasterly direction, having a radius of 185.00 feet, with a chord of 250.66 feet, bearing South $09^{\circ}15'48''$ East, for an arc length of 275.39 feet to a point of tangency; thence, continuing along Parcel A and also along Parcel C, the following four (4) courses: (1) South $33^{\circ}22'54''$ West, 482.39 feet to a point of curvature; (2) by a line curving to the right in a southwesterly direction, having a radius of 175.00 feet, with a chord of 162.70 feet, bearing South $61^{\circ}04'57''$ West, for an arc length of 169.22 feet to a point of tangency; (3) South $88^{\circ}47'01''$ West, 177.61 feet to a point of curvature; (4) by a line curving to the left in a southwesterly direction, having a radius of 125.00 feet, with a chord of 127.12 feet, bearing South $58^{\circ}13'17''$ West, for an arc length of 133.35 feet to a point of tangency; thence, continuing along Parcel C and also along Parcel D, the following four (4) courses: (1) South $27^{\circ}39'33''$ West, 368.98 feet to a point of curvature; (2) by a line curving to the right in a southwesterly direction, having a radius of 175.00 feet, with a chord of 107.66 feet, bearing South $45^{\circ}34'28''$ West, for an arc length of 109.44 feet to a point of tangency; (3) South $63^{\circ}29'22''$ West, 54.77 feet to a point of curvature; (4) by a line curving to the left in a southwesterly direction, having a radius of 65.00 feet, with a chord of 91.92 feet, bearing South $18^{\circ}29'21''$ West, for an arc length of 102.10 feet to a point in the northeast line of Bethlehem Pike, S.R. 0309 (50 feet ultimate half-width); thence, along said line, North $26^{\circ}30'40''$ West, 150.00 feet to a point; thence, along land now or formerly of Montgomery Township, the following seventeen (17) courses: (1) by a line curving to the left in a southeasterly direction, having a radius of 35.00 feet, with a chord of 49.50 feet, bearing South $71^{\circ}30'39''$ East, for an arc length of 54.98 feet to a point of tangency; (2) North $63^{\circ}29'22''$ East, 84.77 feet

to a point of curvature; (3) by a line curving to the left in a northeasterly direction, having a radius of 125.00 feet, with a chord of 76.90 feet, bearing North 45°34'28" East, for an arc length of 78.17 feet to a point of tangency; (4) North 27°39'33" East, 368.98 feet to a point of curvature; (5) by a line curving to the right in a northeasterly direction, having a radius of 175.00 feet, with a chord of 177.97 feet, bearing North 58°13'17" East, for an arc length of 186.69 feet to a point of tangency; (6) North 88°47'01" East, 177.61 feet to a point of curvature; (7) by a line curving to the left in a northeasterly direction, having a radius of 125.00 feet, with a chord of 116.21 feet, bearing North 61°04'57" East, for an arc length of 120.87 feet to a point of tangency; (8) North 33°22'54" East, 482.39 feet to a point of curvature; (9) by a line curving to the left in a northwesterly direction, having a radius of 135.00 feet, with a chord of 182.91 feet, bearing North 09°15'48" West, for an arc length of 200.96 feet to a point of tangency; (10) North 51°54'30" West, 243.58 feet to a point of curvature; (11) by a line curving to the left in a northwesterly direction, having a radius of 1,964.67 feet, with a chord of 167.63 feet, bearing North 54°21'12" West, for an arc length of 167.68 feet to a point of tangency; (12) North 56°47'54" West, 33.81 feet to a point of curvature; (13) by a line curving to the right in a northwesterly direction, having a radius of 2,035.33 feet, with a chord of 172.08 feet, bearing North 54°22'32" West, for an arc length of 172.13 feet to a point of tangency; (14) North 51°57'10" West, 25.83 feet to a point of curvature; (15) by a line curving to the left in a northwesterly direction, having a radius of 164.67 feet, with a chord of 94.50 feet, bearing North 68°37'37" West, for an arc length of 95.84 feet to a point of tangency; (16) North 85°18'04" West, 9.88 feet to a point; (17) South 31°41'43" West, 54.22 feet to a point in the northeast line of the aforesaid Glasgow land; thence, along said line, the following five (5) courses: (1) North 51°41'29" West, 559.15 feet to a point; (2) North 50°03'17" West, 232.95 feet to a point of curvature; (3) by a line curving to the left in a northwesterly direction, having a radius of 958.00 feet, with a chord of 41.88 feet, bearing North 51°18'26" West, for an arc length of 41.88 feet to a point of tangency; (4) North 52°33'35" West, 39.67 feet to a point of curvature; (5) by a line curving to the left in a southwesterly direction, having a radius of 35.00 feet, with a chord of 49.37 feet, bearing South 82°35'28" West, for an arc length of 54.79 feet to the point of beginning.

CONTAINING 4.2366 acres of land, be the same, more or less.

COMMONWEALTH OF PENNSYLVANIA :

: SS

COUNTY OF MONTGOMERY :

On this, _____ day of _____, 2016, before me, a Notary Public, the undersigned officer, personally appeared David Cutler, who acknowledged himself to be the President of The Cutler Group, Inc., a Pennsylvania Corporation, and that he as such President, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by himself as President.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public (SEAL)



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

REVISED September 8, 2016
September 2, 2016

File No. 2015-08010-01

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

Reference: Montgomery Walk
Enclave Blvd. Punch List

Dear Larry:

As you are aware, The Enclave at Montgomery development includes the construction of Enclave Blvd. between Hartman Road and Bethlehem Pike (SR0309). The recent amendment the Montgomery Walk Land Development Agreement included provisions for the completion of Enclave Blvd. by August 22, 2016 and prior to Township acceptance of dedication. We are providing this letter to document substantial completion of the roadway and to identify punch list items that should be addressed prior to acceptance of dedication. It is our understanding that dedication will be considered at the September 12, 2016 public meeting of the Board of Supervisors.

The developer, The Cutler Group, Inc, began preliminary work required prior to restoration and paving of the road on August 3, 2016. This preliminary work included repair of damaged Belgian block curb and utility repairs and adjustments. The work also included replacement of storm sewer inlet tops per our April 11, 2016 Storm Sewer Punch List. Upon completion of this preliminary work, the developer began restoration of Enclave Blvd. on August 22, 2016. Restoration of the roadway proceeded per our July 1, 2016 letter outlining the scope of work required to repair and restore the road base prior to final paving. The work included the following:

- Mill 2.5 inches of base course along entire length of the roadway (Stations 0+00 at Hartman Road to 14+49 and 20+63 to SR 309)
- Proof roll of the remaining in-place base material
- Base repair of substandard areas identified by the proof roll
- Full depth removal of roadway (Stations 14+49 to 20+63)
- Proof roll of subbase stone
- Reconstruction of base course (2.5 inches in milled areas, 5 inches in reconstructed areas – 19mm SuperPave)
- Enclave Blvd. final wearing course (1.5 inches 9.5mm SuperPave)
- Installation of the 8 ft. wide pedestrian trail along Enclave Blvd. between Hartman Road and Eisenhower Lane.

The developer concluded final paving of the roadway on August 31, 2016.

Gilmore & Associates, Inc. was present and observed the work noted above. The work was completed in accordance with Township Standards and the approved land development plans. We note the following punch list items to be completed by the developer prior to acceptance of dedication:

- Detectable Warning Surfaces must be installed at all pedestrian crossings.

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

- ~~All plan specified roadway signage must be installed.~~ *COMPLETED*
- ~~Pavement markings must be installed (double yellow lines, gore striping, etc.).~~ *COMPLETED*
- Replacement of the wearing course must be completed to the Bethlehem Pike (SR0309) cartway (approximately 10' to 15' length of roadway).
- ~~An as-built plan must be provided depicting the entire length of Enclave Blvd. including the metes and bounds of the area to be offered for dedication.~~ *COMPLETED*

We recommend these punch list items be addressed prior to Township acceptance of the roadway. 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: Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the advertisement of Proposed Ordinance #16-301 Amending Speed Limits, Stop Intersections, and Emergency Routes Designated for consideration and adoption at the Board of Supervisors Meeting to be held on Monday, November 14, 2016 after 8PM in the Township Building, and

BE IT FURTHER RESOLVED that the traffic regulations in Proposed Ordinance# 16-301 are hereby designated as "Experimental Regulations" for up to 90 days.

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
Richard E. Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Larry Gregan

From: J. Scott Bendig
Sent: Friday, October 21, 2016 9:46 AM
To: Larry Gregan
Subject: FW: Enclave Blvd.

Importance: High

Mr. Gregan,

Based on onsite analysis and discussions with one of our Highway Safety Officers the following are recommended:

- **Speed Limit:** 25 mph. Per Title 75, Pa Vehicle Code, section #3362 (a-1.2), referring to Maximum Speed Limits, a Speed limit of 25 mph is appropriate for Enclave Blvd., from Hartman Road to Route 309 as this area considered a "residence district" .
- **Stop Signs:** Enclave Boulevard at Hartman Road
Enclave Boulevard at Route 309
- **Snow Emergency:** The entire length of Enclave Blvd should be declared a snow emergency route, as this is the road that emergency vehicles will need to travel upon to access the development.

Any questions, let me know.

Thank you,

Scott

Scott Bendig
Chief of Police
Montgomery Township Police Department
P.O. Box 68
1001 Stump Rd.
Montgomeryville, PA 18936
Phone (215) 362-2301
Fax (215) 362-6383



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MONTGOMERY TOWNSHIP

ORDINANCE #16-301

AN ORDINANCE AMENDING THE MONTGOMERY TOWNSHIP CODE, CHAPTER 222, ARTICLE II, SECTION 222-9 [SPEED LIMITS] TO ADD A NEW ROADWAY, CHAPTER 222, ARTICLE II, SECTION 222-15 [STOP INTERSECTIONS; PENALTIES], TO ADD LOCATIONS FOR STOP SIGNS, AND CHAPTER 222, ARTICLE VII, SECTION 222-36 [EMERGENCY ROUTES DESIGNATED] TO ADD LOCATIONS

ENACTED: _____

MONTGOMERY TOWNSHIP

ORDINANCE #16-301

AN ORDINANCE AMENDING THE MONTGOMERY TOWNSHIP CODE, CHAPTER 222, ARTICLE II, SECTION 222-9 [SPEED LIMITS] TO ADD A NEW ROADWAY, CHAPTER 222, ARTICLE II, SECTION 222-15 [STOP INTERSECTIONS; PENALTIES], TO ADD LOCATIONS FOR STOP SIGNS, AND CHAPTER 222, ARTICLE VII, SECTION 222-36 [EMERGENCY ROUTES DESIGNATED] TO ADD LOCATIONS

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

SECTION 1. Amendment to Chapter 222, Article II, Section 222-9 [Speed Limits].

Article II [Traffic Regulations], Section 222-9 [Speed Limits] is hereby amended to add the following additional street:

<u>Name of Street Location</u>	<u>Speed Limit</u>	<u>Location</u>
Enclave Boulevard	25	Entire Length

SECTION 2. Amendment to Chapter 222, Article II, Section 222-15 [Stop Intersections; Penalties].

Article II [Traffic Regulations], Section 222-15 [Stop Intersections; Penalties] is hereby amended to add the following additional locations for Stop Signs:

<u>Name of Street Location</u>	<u>Intersecting Street</u>	<u>Direction of Travel</u>
Beechwood Drive	Sycamore Drive	West
Enclave Boulevard	Bethlehem Pike (Route 309)	South
Enclave Boulevard	Hartman Road	North

SECTION 3. Amendment to Chapter 222, Article VII, Section 222-36 [Emergency routes designated].

Chapter 222, Article VII [Snow and Ice Emergencies], Section 222-36 [Emergency routes designated] shall be amended to add the following street:

Street	Limits
Enclave Boulevard	Entire Length

SECTION 4. Repeal and Ratification.

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

SECTION 5. Severability.

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 6. Effective Date.

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

[SIGNATURES ON NEXT PAGE]

ORDAINED AND ENACTED this _____ day of _____ 2016, by the
Montgomery Township Board of Supervisors.

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

Chairman

[Seal]

Attested by:

LAWRENCE J. GREGAN
Township Manager/Secretary

§ 222-3. Manner of adopting permanent regulations.

All traffic and parking regulations of a permanent nature shall be enacted as ordinances or as parts of ordinances or as amendments to ordinances of the Township of Montgomery except where the law specifically authorizes less formal action.

§ 222-4. Temporary and emergency regulations; violations and penalties.

- A. The Chief of Police shall have the following powers to regulate traffic and parking temporarily and in time of emergency:
- (1) In the case of fire, flood, storm or other emergency, to establish temporary traffic and/or parking regulations; and
 - (2) In the case of emergency public works or public events of limited scope or duration, to restrict or prohibit traffic and/or parking in limited areas for periods of not more than 72 hours.
- B. These temporary and emergency regulations shall be enforced by the Police Department in the same manner as permanent regulations. Any person who drives or parks a vehicle in violation of any such regulation shall be guilty of a violation and, upon conviction, shall be liable to the penalty set out in the law or elsewhere in this chapter for a violation of that nature and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this chapter, to a fine of \$25 and costs.

§ 222-5. Experimental regulations; penalty.

The Board of Supervisors may, from time to time, designate places upon and along the streets in the Township where, for a period of not more than 90 days, specific traffic and/or parking regulations, prohibitions and restrictions shall be in force and effect and shall designate those locations by proper signs and markings. Those regulations, prohibitions and restrictions shall be effective just as if they had been specified in this chapter. No person shall drive or park a vehicle in violation of any such regulation, prohibition or restriction, and no person shall move, remove, destroy or deface any sign or marking erected, posted or made by authority of this section. Any person who violates any provision of this section shall, upon conviction, be liable to the penalty set out in the law or elsewhere in this chapter for a violation of that nature and, in case of a violation for which no specific penalty is set out in the law or elsewhere in this chapter, to a fine of \$25 and costs, provided that the purpose of this section is to allow for test and experimental determination of the feasibility and desirability of permanent changes in the ordinances of the Township relative to traffic and parking.

§ 222-6. Closing streets; penalty.

- A. The Township Manager shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station flagmen at each end of the closed portion while construction or maintenance work is under way or a special event is being conducted on the closed portion.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Waiver of Landscaping Requirements – 1023 Lansdale Avenue - LDS#678

MEETING DATE: October 24, 2016

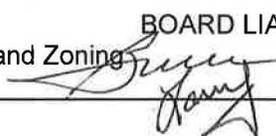
ITEM NUMBER: # 11

MEETING/AGENDA: WORK SESSION ACTION 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:

The Minor Subdivision plan for 1023 Lansdale Avenue creating a new Lot #2 was approved by the Board of Supervisors in February 2015. A requirement of this approval was that certain landscaping requirements be met. James Case, Horizon Construction has constructed a new dwelling on Lot #2, which has been assigned the address of 1021 Lansdale Avenue. He is requesting a waiver of these requirements and wishes to submit a fee in lieu of these requirements. The landscaping requirements are as follows: 12 Shade Trees (buffer and individual lot) x \$350 = \$4,200; 19 shrubs (buffer) x \$65 = \$1,235; Total = \$5,435

These amounts have been confirmed by Valerie Liggett, Boucher and James Landscape Consultant.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION:

The Subdivision plan was approved on February 23, 2015.

ALTERNATIVES/OPTIONS:

Approve or not approve the waiver request.

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
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Rich Miniscalco	Aye	Opposed	Abstain	Absent
Candyce Chimera	Aye	Opposed	Abstain	Absent

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

Resolution #

Whereas, Montgomery Township Board of Supervisors approved the application for Minor Subdivision for 1023 Lansdale Avenue, by Resolution #9, dated February 23, 2015; and

Whereas, certain landscaping requirements were approved; and

Whereas, James Case, Horizon Construction has constructed a new dwelling on Lot #2, and is requesting a waiver of the landscaping requirements. Mr. Case has proposed that he submit a fee in lieu of the required landscaping as follows for the new single family dwelling at 1021 Lansdale Avenue:

12 Shade Trees (buffer and individual lot) x \$350 = \$4,200
19 shrubs (buffer) x \$65 = \$1,235
Total = \$5,435

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the request for a waiver of the landscape requirements contingent upon the applicant submitting a fee in lieu of these requirements in the amount of \$5,435.00.

MOTION BY:

SECOND BY:

VOTE:

DATE:

xc: Applicant, F. Bartle, B. Shoupe, J. Stern Goldstein, M. Stoerrle, Minute Book, Resolution File, File

Bruce S. Shoupe

Subject: FW: 1021 & 1023 Lansdale Ave.

From: Valerie Liggett [<mailto:vliggett@bjengineers.com>]
Sent: Friday, October 14, 2016 8:54 AM
To: Bruce S. Shoupe <bshoupe@montgomerytwp.org>
Subject: FW: 1021 & 1023 Lansdale Ave.

From: Jim Case [<mailto:jim7case@lscmail.us>]
Sent: Friday, October 14, 2016 8:53 AM
To: Valerie Liggett <vliggett@bjengineers.com>
Subject: RE: 1021 & 1023 Lansdale Ave.

Yes we are going with fee in lieu of and planr the two street trees. I am waiting on the estimate for the trees

Jim

From: Valerie Liggett [<mailto:vliggett@bjengineers.com>]
Sent: Thursday, October 13, 2016 10:11 AM
To: Jim Case
Cc: Bruce Shoupe (bshoupe@montgomerytwp.org)
Subject: 1021 & 1023 Lansdale Ave.

Jim;

Where are we with landscaping/fee-in-lieu for 1021 and 1023 Lansdale Avenue? We need to get these wrapped up for the homeowners ASAP.

Thanks,



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

vliggett@bjengineers.com • www.bjengineers.com

1456 Ferry Road, Building 500 • Doylestown, PA 18901 • 215-345-9400
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559 Main Street, Suite 230 • Bethlehem, PA 18018 • 610-419-9407

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From: Valerie Liggett [<mailto:vliggett@bjengineers.com>]
Sent: Friday, September 30, 2016 9:28 AM
To: Jim Case <jim7case@lscmail.us>
Cc: Bruce S. Shoupe <bshoupe@montgomerytwp.org>; Judy Stern Goldstein <jgoldstein@bjengineers.com>; m.owens01@comcast.net
Subject: RE: Meeting Friday, 1021 Lansdale Avenue

Jim;

I hope everything turned out ok.

I met with Melissa Owen this morning. We determined that due to the future pool and patio in the rear yard, the driveway taking up almost all of the rear yard, and numerous utilities crisscrossing the front yard, the best course of action would be to plant the two 3" Linden street trees, and do fee-in-lieu for the buffer and on-lot landscaping.

12 shade trees x \$350 = \$4,200
19 shrubs x \$65 = \$1,235
Total = \$5,435.00

You will need to coordinate with Bruce Shoupe regarding payment of the fee-in-lieu. Please let me know if you have any questions.



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

vliggett@bjengineers.com • www.bjengineers.com

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From: Jim Case [<mailto:jim7case@lscmail.us>]
Sent: Friday, September 30, 2016 12:26 AM
To: Valerie Liggett <vliggett@bjengineers.com>
Cc: Bruce S. Shoupe <bshoupe@montgomerytwp.org>
Subject: RE: Meeting Friday, 1021 Lansdale Avenue

Valerie,

You're not going to believe this but I am in the hospital ER right now and not sure yet if i will be released

tonight. And my partner Matt is in the same hospital upstairs since this afternoon. Two separate issues but not life threatening for either I hope you get this soon since we won't be able to meet with you tomorrow at Lansdale Ave.

If you can mark on the plot plan where you want the trees, I can take it from there.

Jim

On Sep 29, 2016 12:04 PM, Jim Case <jim7case@lscmail.us> wrote:

I will be there

Thanks

Jim

From: Valerie Liggett [<mailto:vliggett@bjengineers.com>]

Sent: Thursday, September 29, 2016 9:32 AM

To: Jim Case

Cc: Bruce Shoupe (bshoupe@montgomerytwp.org)

Subject: Meeting Friday, 1021 Lansdale Avenue

Jim;

Please respond regarding your attendance at the site meeting at 1021 Lansdale Avenue tomorrow at 8:30.



Valerie L. Liggett, ASLA, R.L.A.

ISA Certified Arborist®

Planner / Landscape Architect

Boucher & James, Inc.

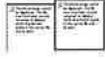
vliggett@bjengineers.com • www.bjengineers.com

1456 Ferry Road, Building 500 • Doylestown, PA 18901 • 215-345-9400

2738 Rimrock Drive • Stroudsburg, PA 18360 • 570-629-0300

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

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Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the request of Bharatiya Temple to waive the \$100.00 Special Events permit fee associated with the Diwali Festival which will be held on October 30, 2016.

MOTION BY:

SECOND BY:

VOTE:

DATE:

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

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Payment of Bills

MEETING DATE: October 24, 2016 ITEM NUMBER: # 13

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					
10/21/2016	01	7(S)	00000043	BERGEY''S	0.00
10/11/2016	01	66111	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	1,575.94
10/11/2016	01	66112	MISC	BANKS ROBERT & BEVERLY	1,200.00
10/11/2016	01	66113	00000085	CHAMBERS ASSOCIATES, INC.	651.75
10/11/2016	01	66114	00001556	DCED-PA DEPT OF COMMUNITY &	1,044.00
10/11/2016	01	66115	00000748	E.R. STUEBNER INC.	24,500.00
10/13/2016	01	66116	100000238	DANIELLE BRIDGE	150.00
10/13/2016	01	66117	100000158	FRANKS THEATRES	408.00
10/13/2016	01	66118	100000122	KRISTIN BERNER	123.00
10/13/2016	01	66119	00000560	PENNSYLVANIA HORTICULTURAL	2,112.00
10/13/2016	01	66120	00001358	PENNSYLVANIA RECREATION AND PARK	425.00
10/13/2016	01	66121	00000228	REGAL CINEMEDIA CORP	1,283.00
10/21/2016	01	66122	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	1,059.88
10/21/2016	01	66123	00001370	A. BRUCE WEIKEL	504.00
10/21/2016	01	66124	100000237	AARP	65.00
10/21/2016	01	66125	00002039	ABINGTON HEALTH LANSDALE HOSPITAL	48.00
10/21/2016	01	66126	00000006	ACME UNIFORMS FOR INDUSTRY	334.64
10/21/2016	01	66127	LST00029	AIRGAS SPECIALTY GASES	196.14
10/21/2016	01	66128	MISC-FIRE	ALEXANDER J DEANGELIS	30.00
10/21/2016	01	66129	100000230	ALLEN GIAQUINTO	100.00
10/21/2016	01	66130	00000553	AMERICAN PUBLIC WORKS ASSOC.	184.00
10/21/2016	01	66131	100000242	ANA FERNANDEZ	35.00
10/21/2016	01	66132	100000244	ANTHONY LONG	630.00
10/21/2016	01	66133	00000027	ARMOUR & SONS ELECTRIC, INC.	2,211.20
10/21/2016	01	66134	00902638	BARBARA HERTLER	10.00
10/21/2016	01	66135	00000999	BCG-BENEFIT CONSULTANTS GROUP	1,765.50
10/21/2016	01	66136	100000233	BETH DIFRANGIA	100.00
10/21/2016	01	66137	MISC-FIRE	BILL WIEGMAN	30.00
10/21/2016	01	66138	00000448	BISHOP WOOD PRODUCTS, INC	645.60
10/21/2016	01	66139	00000209	BOUCHER & JAMES, INC.	9,014.14
10/21/2016	01	66140	00000209	VOID	0.00
10/21/2016	01	66141	100000241	BRUCE PFLAUMER	25.00
10/21/2016	01	66142	00000069	C L WEBER CO INC.	118.36
10/21/2016	01	66143	MISC-FIRE	CARL HERR	15.00
10/21/2016	01	66144	MISC-FIRE	CARL HERR	30.00
10/21/2016	01	66145	MISC	CAROL FRIDEY - KELLER WILLIAMS	63.73
10/21/2016	01	66146	00001601	CDW GOVERNMENT, INC.	336.75
10/21/2016	01	66147	00000686	CHILD, HOME & COMMUNITY	480.00
10/21/2016	01	66148	00000648	COHEN LAW GROUP	1,883.34
10/21/2016	01	66149	00000363	COMCAST	737.55
10/21/2016	01	66150	00000335	COMCAST CORPORATION	1,408.88
10/21/2016	01	66151	00000111	DAVID H. LIGHTKEP, INC.	613.00
10/21/2016	01	66152	MISC-FIRE	DAVID P BENNETT	15.00
10/21/2016	01	66153	00000629	DAVIDHEISER''S INC.	307.00
10/21/2016	01	66154	00000125	DISCHELL, BARTLE DOOLEY	8,500.50
10/21/2016	01	66155	00000967	DVHT - DELAWARE VALLEY HEALTH TRUST	175,388.82
10/21/2016	01	66156	00001520	DVIT - DELAWARE VALLEY INSURANCE	60,738.00
10/21/2016	01	66157	00000120	DVWCT - DELAWARE VALLEY WC TRUST	55,112.00
10/21/2016	01	66158	00000092	E.M. KUTZ, INC.	709.00
10/21/2016	01	66159	00000152	ECKERT SEAMANS CHERIN &	3,522.50
10/21/2016	01	66160	00001837	ESI EQUIPMENT, INC.	82.50
10/21/2016	01	66161	00001466	FEDEX OFFICE	95.53
10/21/2016	01	66162	00001669	FIRST HOSPITAL LABORATORIES, INC.	53.50
10/21/2016	01	66163	00002052	FOREMOST PROMOTIONS	141.75
10/21/2016	01	66164	03214568	FULTON CARDMEMBER SERVICES	947.10
10/21/2016	01	66165	00000188	GALLS, AN ARAMARK CO., LLC	111.42
10/21/2016	01	66166	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	1,021.00
10/21/2016	01	66167	00000195	GEORGE''S TOOL RENTAL INC.	27.90
10/21/2016	01	66168	00000198	GLASGOW, INC.	220.00
10/21/2016	01	66169	MISC-FIRE	GLEN ROETMAN	30.00
10/21/2016	01	66170	00001323	GLICK FIRE EQUIPMENT COMPANY INC	494.58
10/21/2016	01	66171	00000219	GLOBAL EQUIPMENT COMPANY	382.26
10/21/2016	01	66172	00000215	HAVIS, INC.	354.60
10/21/2016	01	66173	100000162	HERMAN GOLDNER COMPANY, INC.	264.00
10/21/2016	01	66174	00441122	HORSHAM CAR WASH	270.00
10/21/2016	01	66175	100000239	HUI WANG	99.00
10/21/2016	01	66176	00000843	INFORMANT TECHNOLOGIES, INC.	9,175.00
10/21/2016	01	66177	00000102	INTERSTATE BATTERY SYSTEMS OF	481.80
10/21/2016	01	66178	MISC-FIRE	JOE BIFOLCO	30.00
10/21/2016	01	66179	MISC-FIRE	JOHN H. MOGENSEN	60.00
10/21/2016	01	66180	03214591	KIMBALL MIDWEST	1,197.08
10/21/2016	01	66181	100000240	L&W SUPPLY	179.71
10/21/2016	01	66182	902930	LAUREN BENANTE	83.00
10/21/2016	01	66183	00000201	LAWRENCE J. MURPHY	1,669.52
10/21/2016	01	66184	00000194	MARK HOCKMAN	100.00
10/21/2016	01	66185	00000689	MARY KAY KELM, ESQUIRE	1,162.50
10/21/2016	01	66186	MISC-FIRE	MARY NEWELL	60.00
10/21/2016	01	66187	MISC-FIRE	MARY NEWELL	30.00

V

Check Date	Bank	Check	Vendor	Vendor Name	Amount
10/21/2016	01	66188	MISC-FIRE	MATT SHINTON	20.00
10/21/2016	01	66189	MISC-FIRE	MATT SHINTON	20.00
10/21/2016	01	66190	MISC-FIRE	MICHAEL D. SHINTON	40.00
10/21/2016	01	66191	MISC-FIRE	MICHAEL SHEARER	15.00
10/21/2016	01	66192	MISC-FIRE	MIKE BEAN	30.00
10/21/2016	01	66193	100000243	MOONEY'S HOME IMPROVEMENTS	1,200.00
10/21/2016	01	66194	00000324	MOYER INDOOR / OUTDOOR	144.00
10/21/2016	01	66195	00002077	MSWAT-CR	75.00
10/21/2016	01	66196	00000321	MUSCO CORPORATION	7,305.00
10/21/2016	01	66197	00000540	MYSTIC PIZZA	49.00
10/21/2016	01	66198	00001381	NATIONAL DECALCRAFT CORP.	51.00
10/21/2016	01	66199	00000356	NORTH WALES WATER AUTHORITY	71.64
10/21/2016	01	66200	100000232	NUNO LUCAS	100.00
10/21/2016	01	66201	00001134	OFFICE DEPOT, INC	142.98
10/21/2016	01	66202	100000120	OTIS ELEVATOR COMPANY	4,032.00
10/21/2016	01	66203	MISC-FIRE	PAUL R. MOGENSEN	100.00
10/21/2016	01	66204	00000397	PECO ENERGY	14,065.90
10/21/2016	01	66205	00000399	PECO ENERGY	9,410.46
10/21/2016	01	66206	00000595	PENN VALLEY CHEMICAL COMPANY	412.58
10/21/2016	01	66207	00000726	PENN-HOLO SALES & SERVICES	383.00
10/21/2016	01	66208	00000388	PENNSYLVANIA ONE CALL SYSTEM, INC.	145.85
10/21/2016	01	66209	00000009	PETTY CASH	551.23
10/21/2016	01	66210	MISC-FIRE	PHIL STUMP	30.00
10/21/2016	01	66211	MISC-FIRE	PHIL STUMP	15.00
10/21/2016	01	66212	00000446	PHISCON ENTERPRISES, INC.	300.00
10/21/2016	01	66213	MISC	PREFERRED ELECTRICAL CONTRACIN	50.00
10/21/2016	01	66214	00000345	PRINTWORKS & COMPANY, INC.	452.97
10/21/2016	01	66215	MISC-FIRE	RACHEL GIBSON	15.00
10/21/2016	01	66216	MISC-FIRE	RACHEL GIBSON	45.00
10/21/2016	01	66217	MISC-FIRE	RACHEL TROUTMAN	60.00
10/21/2016	01	66218	00906102	READY REFRESH	311.57
10/21/2016	01	66219	00000430	REM-ARK ALLOYS, INC.	519.98
10/21/2016	01	66220	00001146	RESERVE ACCOUNT	1,500.00
10/21/2016	01	66221	00000117	RIGGINS INC	1,663.21
10/21/2016	01	66222	00000115	RIGGINS, INC	3,926.08
10/21/2016	01	66223	00001972	ROBERT L. BRANT	434.00
10/21/2016	01	66224	MISC-FIRE	ROBERT MCMONAGLE	75.00
10/21/2016	01	66225	MISC-FIRE	ROBERT MCMONAGLE	15.00
10/21/2016	01	66226	MISC-FIRE	RYAN CROUTHAMEL	30.00
10/21/2016	01	66227	00000653	SCATTON'S HEATING & COOLING, INC.	1,420.84
10/21/2016	01	66228	00001939	SERVICE TIRE TRUCK CENTERS	921.54
10/21/2016	01	66229	03214602	SOLAR CITY CORP	280.00
10/21/2016	01	66230	MISC	SOLARCITY CORPORATION	280.00
10/21/2016	01	66231	MISC	SOLARCITY CORPORATION	235.00
10/21/2016	01	66232	MISC	SOLARCITY CORPORATION	280.00
10/21/2016	01	66233	00000015	SPRINT	417.97
10/21/2016	01	66234	00001847	STAPLES CONTRACT & COMMERCIAL, INC.	268.51
10/21/2016	01	66235	00000636	STAPLES CREDIT PLAN	196.79
10/21/2016	01	66236	100000234	STEVE CARTLEDGE	80.00
10/21/2016	01	66237	MISC-FIRE	STEVE SPLENDIDO	30.00
10/21/2016	01	66238	MISC-FIRE	STEVE SPLENDIDO	15.00
10/21/2016	01	66239	MISC	STRUCTOGRAM USA, LLC	57.13
10/21/2016	01	66240	100000231	THAO HOANG	100.00
10/21/2016	01	66241	00906111	THE PROTECTION BUREAU	3,689.00
10/21/2016	01	66242	00000502	THOMAS W. MCCAULEY	409.80
10/21/2016	01	66243	MISC-FIRE	TOM HUGUENIN	30.00
10/21/2016	01	66244	00001984	TRAFFIC PLANNING AND DESIGN, INC.	11,557.05
10/21/2016	01	66245	MISC-FIRE	TREVOR DALTON	30.00
10/21/2016	01	66246	00000077	TRISTATE ENVIRONMENTAL	1,040.00
10/21/2016	01	66247	00000003	USI EDUCATION & GOV SALES	15.00
10/21/2016	01	66248	00000520	VALLEY POWER, INC.	194.76
10/21/2016	01	66249	00000040	VERIZON	139.99
10/21/2016	01	66250	MISC-FIRE	VINAY SETTY	190.00
10/21/2016	01	66251	MISC-FIRE	VINCE ZIRPOLI	180.00
10/21/2016	01	66252	00001329	WELDON AUTO PARTS	693.46
10/21/2016	01	66253	00001084	WITMER ASSOCIATES, INC.	284.00

01 TOTALS:

(1 Check Voided)

Total of 143 Disbursements:

450,107.26

10/20/2016

Payroll ACH List
For Check Dates 10/12/2016 to 10/24/2016

Check Date	Name	Amount		
10/12/2016	STATE OF PA	State Tax Payment	\$	8,725.30
10/13/2016	BERKHEIMER	3rd Qtr. LST Payment	\$	1,288.00
10/13/2016	BERKHEIMER	3rd Qtr. EIT Payment	\$	21,009.73
10/17/2016	PA UC FUND	3rd Qtr. UC-2 Payment	\$	1,308.21
10/20/2016	BCG 401	401 Payment	\$	15,615.90
10/20/2016	BCG 457	457 Payment	\$	10,448.17
10/20/2016	PA SCUDU	Withholding Payment	\$	886.55
10/20/2016	PBA	PBA Payment	\$	789.41
10/20/2016	UNITED STATES TREASURY	941 Tax Payment	\$	83,586.29
Total Checks: 9			\$	143,657.56