

**AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
JUNE 11, 2018**

www.montgomerytwp.org

Tanya C. Bamford
Candyce Fluehr Chimera
Michael J. Fox
Jeffrey W. McDonnell
Matthew W. Quigg

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 May 29, 2018 Meeting
6. Consider Approval of Police Department Sergeant Promotions
7. Announce Employee Resignation
8. Acknowledge Receipt of Pennsylvania Municipal League and Sustainable Pittsburgh Gold Level Sustainable Pennsylvania Community Award
9. Consider Approval of Opinion and Order for Conditional Use Application #C-68 – Pro Real Ventures LLC – Shine Time Car Wash – DeKalb Pike and Welsh Road – Waiver Granted to June 11, 2018.
10. Consider Authorization for Township Solicitor to Represent the Township in the Zoning Hearing Board matter of 18-05-0002 Christopher Lear – 1079 Horsham Road
11. Consider Payment of Bills
12. Other Business
13. Adjournment

Future Public Hearings/Meetings:

06-13-2018 @ 5:30pm – Autumn Festival Committee (MontCRC)
06-13-2018 @ 7:30pm – Park and Recreation Board (MontCRC)
06-19-2018 @ 12:30pm – Business Development Partnership
06-20-2018 @ 6:00pm – Sewer Authority Board
06-20-2018 @ 7:30pm – Shade Tree Commission
06-20-2018 @ 7:30pm – Public Safety Committee
06-21-2018 @ 7:30pm – Planning Commission
06-25-2018 @ 6:00pm – Finance Committee
06-25-2018 @ 8:00pm – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: June 11, 2018

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

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

INITIATED BY: Lawrence J. Grogan
Township Manager

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

BACKGROUND:

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

The Chairman 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 May 29, 2018

MEETING DATE: June 11, 2018 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,
Chairman of the Board of Supervisors

BACKGROUND:

Please contact Deb Rivas on Monday, June 11, 2018 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
MAY 29, 2018**

At 7:30 p.m. Chairman Candyce Fluehr Chimera called to order the executive session. In attendance were Supervisors Tanya C. Bamford, Jeffrey W. McDonnell and Matthew W. Quigg. Vice Chairman Michael J. Fox was absent. Also in attendance were Township Manager Lawrence J. Grogan and Township Solicitor Frank R. Bartle, Esquire.

Chairman Candyce Fluehr Chimera called the action meeting to order at 8:02 p.m. In attendance were Supervisors Tanya C. Bamford, Jeffrey W. McDonnell and Matthew W. Quigg. Vice Chairman Michael J. Fox was absent. Also in attendance were Township Solicitor Frank R. Bartle, Esquire, Township Manager Lawrence J. Grogan, Police Chief J. Scott Bendig, Director of Fire Services Richard Lesniak, Director of Finance Ami Tarburton, Director of Administration and Human Resources Ann Shade, Director of Planning and Zoning Bruce Shoupe, Director of Public Works Kevin Costello, Director of Recreation and Community Center Floyd Shaffer, Director of Information Technology Richard Grier and Recording Secretary Deborah A. Rivas.

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

Solicitor Frank R. Bartle, Esquire announced that the Board had met in an executive session at 7:30 p.m. this evening to discuss a matter of potential litigation involving the Cutler Group Development and Zoning Hearing Board Applications for #18-05-0001 - Cornerstone Elite LLC – 619 Bethlehem Pike and #18-05-0002 – Christopher Lear – 1079 Horsham Road. Mr. Bartle stated that these matters are legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chairman Candyce Fluehr Chimera made a motion to approve the minutes of the May 14, 2018 Board of Supervisors meeting, and Supervisor Tanya C. Bamford seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Chief of Police Scott Bendig introduced the top two candidates for appointment to recruit police officer, Connor Kreston and Nicholas Eufasio. Both candidates completed the department's hiring process which consisted of a written examination, a physical agility test, police oral review board, background investigation (which includes a polygraph examination, neighborhood interviews, and employer interviews), and a Public Safety Committee oral interview. Connor Kreston is a resident of Horsham, PA and a graduate of Ithaca College, where he received his Bachelors of Science Degree in Business Administration in May of 2017, graduating with honors. Mr. Kreston completed his Act 120 Certification through the Montgomery County Community College Municipal Police Academy, graduating in December of 2017. Nicholas Eufasio is a resident of Swarthmore, PA and a graduate of Marquette University where he received his Bachelors of Arts Degree in Criminology and Law with a minor in Sociology in May of 2017. Mr. Eufasio completed his Act 120 Certification through the Delaware County Community College Municipal Police Academy, graduating in December of 2017. Mr. Eufasio most recently worked for the Norwood Borough Police Department in Delaware County. Chairman Candyce Fluehr Chimera administered the oath of office to both officers. Resolution #1 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, appointed Connor Kreston and Nicholas Eufasio to the position of Recruit Police Officer in the Montgomery Township Police Department, effective June 1, 2018.

Edward J. Furman, CPA, Partner of Maillie, LLP provided an overview of the 2017 Preliminary Audit Results for Montgomery Township. Mr. Furman reported that Montgomery Township had a solid year for 2017, with an unqualified audit, strong balance sheets and an extremely strong financial report. The complete Comprehensive Audited Financial Report is still being finalized and will be published on the Township's website when completed.

Director of Planning and Zoning Bruce Shoupe reported on Preliminary/Final Subdivision Plan #LDS675 for the McCallum Tract located at 120 Richardson Road. The applicant proposes

to create one new lot for construction of a new single family dwelling. The applicant's engineer, Rolph A. Graf, P.E., and legal counsel, John Iannozzi, Esquire were present representing the owner/applicant Helen J. McCallum. Mr. Iannozzi reported that the applicant is in receipt of all of the review letters and the draft resolution that was presented to the applicant is acceptable. Resolution #2 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford and adopted unanimously, approved the preliminary/final minor 2-lot subdivision for LDS 675 – McCallum located at 120 Richardson Road.

Director of Planning and Zoning Bruce Shoupe reported that staff is proposing amendments to the Township Zoning Code by deleting the Board of Supervisors' waiver or reduction of required planting areas language in the "Landscaping and Screen" provisions of Article XIII, Section 230-78(A) of the C-Commercial District; Article XV, Section 230-89(I) of the S-Shopping Center district; Article XVI, Section 230-95(B) of the RS-Regional Shopping Center district and Article XXX, Section 230-223(5)(C) of the Wireless Communication Facilities, deleting the Board of Supervisors' security fencing waiver language. The proposed date to advertise the Public Hearing to consider this Ordinance #18-306-Z is June 25, 2018. Resolution # 3 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, authorized the advertisement for a public hearing to consider proposed Ordinance #18-306-Z on June 25, 2018 after 8:00 p.m.

Resolution #4 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford and adopted unanimously, approved the construction escrow release #2 for #M-15-71 – North Wales Crossing Shopping Center Renovations in the amount of \$12,962.48.

Resolution #5 made by Supervisor Tanya C. Bamford, seconded by Matthew W. Quigg and adopted unanimously, approved the construction escrow release #2 for LDS#630 – Firefox Phase II in the amount of \$48,722.46.

Resolution #6 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Matthew W. Quigg and adopted unanimously, approved the waiver of a permit fee for special

event for Mary Mother of the Redeemer Catholic Church Parish Festival to be held from June 19, 2018 through June 23, 2018.

Township Manager Lawrence J. Gregan reported that PennDOT's planning and design of upgrades to the intersection of Bethlehem Pike (Rt. 309), Doylestown Road, Cowpath Road and Horsham Road, better known as the 5 Points intersection (S.R.0309 section 71A) has been underway since 2006. The date for award of PennDOT's contract for this project has finally been scheduled for the Fall of 2018. Part of the project will include the installation/replacement of sidewalks at various locations along each of the five approaches to the intersection addressing pedestrian access and pedestrian safety. These locations have all been reviewed and recommended for inclusion in this project by the Township Police Department and Traffic Engineer. As a condition for including the sidewalk installation/replacement work in the final design and contract award, PennDOT requires the Township's concurrence to maintain the sidewalks after installation and final acceptance by the Department. PennDOT has provided a Sidewalk Maintenance Agreement for this purpose to be considered for acceptance by the Board. Resolution #7 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, approved the PennDOT Sidewalk Maintenance Agreement for the 5 Points Intersection Project S.R. 0309, Section 71 A.

Township Manager Lawrence J. Gregan reported that the 2018 Capital Reserve Budget includes funding to perform upgrades to the Township Administration Building to address operational/physical needs that have developed since the building was opened twenty-three years ago in 1995. These needs include increasing security for the public and employees, improving operating efficiencies due to changing space needs and alternative technologies, refreshing the exterior accesses to the building, replacing aging finishes and furnishings and analyzing the existing mechanical, electrical and data systems of the building. As a first step in this effort, Mr. Gregan stated that a proposal from KCBA Architects has been requested to undertake a Feasibility Study of the building needs. KCBA was the original design architect for

the building. KCBA's scope of work would involve conducting an analysis of the architectural, mechanical, electrical and data systems of the building, provide a list of recommended improvements with estimate of costs, prepare sketches for three levels of upgrades, and meet with staff and the Board to present their findings with discussion for the next steps. Supervisor Bamford inquired into the feasibility of including live broadcasting of Township meetings. Mr. Gregan advised that the space needed for this use can be incorporated into the study and that he would ask the Director of Information Technology Richard Grier to look into the feasibility and cost of live broadcasting meetings. Resolution #8 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Matthew W. Quigg and adopted unanimously, accepted the proposal from KCBA Architects to perform a feasibility study of upgrades to the Township Building in accordance with their proposal dated May 8, 2018 at a fixed lump sum fee of \$12,490.00.

Director of Fire Services Richard Lesniak reported that during the 2017 annual risk control survey, the Township's insurance trust risk manager recommended that the township consider a video intercom system in order to safeguard the occupants of Battalion 1. At times, employees and volunteers are alone inside the building and, for their safety, it's important to identify the visitors prior to opening the door. A video intercom would allow the employees and volunteers to interact with these individuals behind a secure door until their intent can be established. Mr. Lesniak stated that it was also recommended that the township consider a remote door control using a magnetic lock or equivalent. After assessing the building design and operations at both firehouses, it was decided that a security system should be installed at both locations. Director of Information Technology Richard Grier met with the township's security vendor, The Protection Bureau, to recommend the best solution to secure both facilities. The Protection Bureau provided a quote for the installation of security systems at a cost of \$11,065.00. Resolution #9 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford and adopted unanimously, authorized the purchase and

installation of video intercom systems with remote door control at bot firehouses from The Protection Bureau at a cost of \$11,065.00.

A motion to approve the payment of bills was made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Matthew W. Quigg, and adopted unanimously, approving the payment of bills as submitted.

Under other business, Township Manager Lawrence J. Gegan reported that the Shade Tree Commission budgeted for a project in 2018 to replace 38 shade trees within the Windlestrae Rose Twig Parking lot areas. Although the project does not exceed the limit required for public bidding, the Township's purchasing policy requires requesting three quotes and Board approval for expenditures in excess of \$10,000. Resolution #10 made by Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford and adopted unanimously, approved the contract for the replacement of trees in Windlestrae Rose Twig Parking Lot Areas of Windlestrae Park in the amount of \$16,699 to Holly Days Nursery of Ambler, PA.

Also under other business, Township Manager Lawrence J. Gegan reported that an approval is requested from the Board to execute an Easement Agreement with Univest Bank & Trust Company, 986 Bethlehem Pike, for the installation and maintenance of traffic signal preemption equipment to be used by the Township Fire Department to provide access to Stump Road during emergency responses. The equipment includes a signal pedestal and detector/confirmation light equipment and underground conduit/wire. The conduit and wire will run from the existing light pole in the parking lot of the Univest Bank and Trust Company Branch property to the existing traffic signal at the intersection of Bethlehem Pike and Stump Road and the proposed traffic signal at the intersection of Stump Road and Witchwood Drive. The agreement is being coordinated as part of the traffic signal improvements required by PennDOT for LDS #694 – Higher Rock Partners, LP. All of the improvements are the responsibility of the Higher Rock development and will be included in the escrow funds posted to guarantee the

completion of the traffic signal/ADA ramp improvements. Resolution #11 made by Supervisor Matthew W. Quigg, seconded by Chairman Candyce Fluehr Chimera and adopted unanimously, approved the execution of an Access Easement Agreement with Univest Bank & Trust Company for the installation of traffic signal preemption equipment to be used by the Township Fire Department to provide access to Stump Road during emergency responses.

Chairman Candyce Fluehr Chimera proposed a motion to authorize the Township Solicitor to intervene on the Township's behalf in the zoning hearing board matter of Cornerstone Elite, LLC and present the case of the Township, recommending appropriate restrictions on the proposed use of the property. The Township will request a condition imposing a covenant on the property running with the land. Supervisor Matthew W. Quigg made a motion and Supervisor Tanya C. Bamford seconded the motion which was adopted unanimously.

There being no further business to come before the Board, the meeting adjourned at 8:52 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Police Department Sergeant Promotions

MEETING DATE: June 11, 2018 ITEM NUMBER: #6.

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

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

INITIATED BY: J. Scott Bendig
Chief of Police

BOARD LIAISON: Candyce Fluehr Chimera
Chairman, Board of Supervisors

BACKGROUND:

Before the Board of Supervisors this evening is a request to promote Corporal Lee A. Wagner and Corporal Thomas J. Ward to the rank of Sergeant.

Corporal Lee A. Wagner:

Lee A. Wagner is a graduate of Upper Perkiomen High School and served as a 2nd Class Petty Officer in the United States Navy. On July 17, 2009, Officer Wagner completed the Reading Police Department Act 120 Police Academy.

On January 29, 2010, Officer Wagner was sworn in as a police officer with the Montgomery Township Police Department and assigned to the Patrol Division. In 2015, Officer Wagner completed his Associate Degree in Criminal Justice from Montgomery County Community College. On March 27, 2017, Officer Wagner was promoted to the rank of Corporal after a highly competitive testing process and assigned to Squad 2 as supervisor.

Corporal Wagner is currently pursuing a Bachelors Degree in Criminal Justice from Albright College. Corporal Wagner has served in several capacities during his tenure with the department in addition to his supervisory responsibilities. These duties include: Field Training Officer, Montgomery County Drug Task Force Officer, and Bicycle Unit Officer. Corporal Wagner has received numerous letters of commendation for his duties and has attended many hours of police related schooling to further his police career.

Corporal Thomas J. Ward:

Thomas J. Ward is a graduate of Ridley High School, and holds an Associate Degree from Williamson College. On June 29, 2010, Officer Ward completed the Delaware County Community College Act 120 Police Academy.

On August 27, 2010, Officer Ward was sworn in as a police officer with the Montgomery Township Police Department and assigned to the Patrol Division. On March 27, 2017 Officer Ward was promoted to the rank of Corporal after a highly competitive testing process and assigned to Squad 4 as supervisor.

Corporal Ward is currently pursuing a Bachelors Degree in Criminal Justice from Newmann University. Corporal Ward has served in several capacities during his tenure with the department in addition to his supervisory responsibilities. These duties include: Field Training Officer, DARE Instructor, Montgomery County Drug Task Force Officer, and member of Montgomery County SWAT-Central Region. Corporal Ward has received numerous letters of commendation for his duties and has attended many hours of police related schooling to further his police career.

Throughout their careers with the department, Corporals Wagner and Ward have shown exemplary dedication and professionalism in the execution of their duties. It is with great pleasure that I present Corporal Lee A. Wagner and Corporal Thomas J. Ward to the Board of Supervisors for consideration for promotions to the rank of Sergeant for the Montgomery Township Police Department.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

Funding for the promotions was included in the 2018 Approved Budget.

RECOMMENDATION:

It is recommended that the Board of Supervisors approve the promotions of Corporal Lee A. Wagner and Corporal Thomas J. Ward to the rank of Sergeant for the Montgomery Township Police Department effective June 11, 2018.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby promote Corporal Lee A. Wagner and Corporal Thomas J. Ward to the rank of Sergeant for the Montgomery Township Police Department effective June 11, 2018.

MOTION: _____ SECOND: _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	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: Announce Employee Resignation

MEETING DATE: June 11, 2018

ITEM NUMBER: #7.

MEETING/AGENDA: WORK SESSION

ACTION XX NONE

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

INITIATED BY: Lawrence J. Grogan
Township Manager

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

BACKGROUND:

Montgomery Township wishes to acknowledge the services of Lance Allen who has tendered his resignation as IT Support Technician. Lance was hired into this newly created IT position on November 26, 2013 and has been an integral part of the IT Department for the past four and half years. He was involved in the set up and operation of the IT aspects of the Community Recreation Center and for day to day IT support by all Township departments. Other examples of Lance's work effort included:

- Implementing Microsoft System Center to protect and patch Township PCs and laptops.
- Implementing Mobile Device Management software to administer all Township mobile devices.
- Managing and training staff on all Community Recreation Center Audio Video equipment.
- Setup and supported of technology to support the Township's Kids U Program.
- Configured and installed the network switch in the Battalion 1 Fire station, a project that would normally be outsourced.
- Training of all new hires on Townships IT equipment and systems
- Processing and broadcasting of all Board of Supervisors meetings

Lance will be moving from the area and will be taking a job with a company headquartered closer to his new residence. Lance's resignation will be effective June 22, 2018.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None

RECOMMENDATION:

Acknowledge resignation of Lance Allen from his position with Montgomery Township and thank him for his service to the residents of Montgomery Township.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby accept the resignation of Lance Allen from his position as IT Support Technician with Montgomery Township and take this opportunity to thank him for his commitment to public service during his employment at Montgomery Township.

MOTION: _____

SECOND: _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Mathew W. Quigg	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: Acknowledge Award of Pennsylvania Municipal League and Sustainable Pittsburgh Gold Level Sustainable Community Award

MEETING DATE: June 11, 2018 ITEM NUMBER: #8.

MEETING/AGENDA: ACTION NONE

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

INITIATED BY: Stacy Crandell BOARD LIAISON: Candyce Fluehr Chimera
Assistant to the Township Manager Chairman, Board of Supervisors

BACKGROUND:

The Sustainable Pennsylvania Community Certification, administered by the Pennsylvania Municipal League in partnership with Sustainable Pittsburgh, is designed for municipalities that are working to save money, conserve resources, and serve vibrant communities. Originally deployed in Southwestern Pennsylvania by Sustainable Pittsburgh, the certification has gone statewide recognizing small, medium, and large municipalities across the Commonwealth.

After filling out a rigorous performance criteria, which tracks 131 policies, and practices that define a sustainable community, Montgomery Township is among a select group of high performing municipalities to become certified through this program. Montgomery Township is being recognized at the Gold level of certification.

In earning the Gold level certification, Montgomery Township is acknowledged for its progress in addressing such areas as community design and land use, energy efficiency, health and wellness, intergovernmental cooperation, recycling and waste reduction, fiscal controls, and internal management and operations. All of information about the criteria the Township needed to meet and some with links to information is available at the www.sustainablepacommunitycertification.org.

This accomplishment is also helpful when seeking funding from the PA Department of Community and Economic Development (DCED). DCED administers the Greenways, Trail and Recreation Grant, which the Township recently submitted an application for the Friendship Park Project.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Staff is recommending the Board recognize the Pennsylvania Sustainable Community Gold Certification the Township received.

MOTION/RESOLUTION:

See attached resolution.

MOTION: _____

SECOND: _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

RESOLUTION NO. _____

**A RESOLUTION OF THE MONTGOMERY TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA,
AFFIRMING MONTGOMERY TOWNSHIP'S
PARTICIPATION IN THE SUSTAINABLE
PENNSYLVANIA COMMUNITY CERTIFICATION
PROGRAM.**

WHEREAS, Montgomery Township strives to be a recognized leader for sustainable municipal operations, and;

WHEREAS, Certification through the Sustainable Pennsylvania Community Certification program, recognizes communities that exhibit excellence in sustainable operations; which includes striving for economic prosperity, social equity and environmental conservation.

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery Township will continue to promote sustainability through its municipal policies and practices and affirms its participation in the Sustainable Pennsylvania Community Certification program.

APPROVED AND ADOPTED this 11th day of June 2018.

MOTION BY:

SECOND BY:

VOTE:

DATE: June 11, 2018

cc: Minute Book, Resolution File

Montgomery Township

Attest:

Lawrence J. Gregan, Secretary

By:

Candyce Fluehr Chimera, Chairman
**Montgomery Township Board of
Supervisors**





**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

1001 STUMP ROAD
MONTGOMERYVILLE, PA 18936-9605

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**TANYA C. BAMFORD
CANDYCE FLUEHR CHIMERA
MICHAEL J. FOX
JEFFREY W. McDONNELL
MATTHEW W. QUIGG**

LAWRENCE J. GREGAN
TOWNSHIP MANAGER

**PRESS RELEASE
FOR IMMEDIATE RELEASE**

CONTACT

Stacy Crandell
Assistant to the Township Manager
215-393-6900
scrandell@montgomerytp.org

Montgomery Township recognized as certified sustainable municipality

(Montgomeryville, PA – June 11, 2018) Montgomery Township announced today it is among a select group of high performing municipalities to become certified through the Sustainable Pennsylvania Community Certification program. Montgomery Township is recognized at the Gold level of certification for meeting the program's rigorous performance criteria which tracks 131 policies and practices that define a sustainable community.

The Sustainable Pennsylvania Community Certification, administered by the Pennsylvania Municipal League in partnership with Sustainable Pittsburgh, is designed for municipalities that are working to save money, conserve resources, and serve vibrant communities. Originally deployed in Southwestern Pennsylvania by Sustainable Pittsburgh, the certification has gone state-wide recognizing small, medium, and large municipalities across the Commonwealth. The Pennsylvania Municipal League and Sustainable Pittsburgh applaud municipalities for their demonstrated commitment and sustainability performance.

In earning the Gold certification, Montgomery Township is acknowledged for its progress in addressing such areas as community design and land use, energy efficiency, health and wellness, intergovernmental cooperation, recycling and waste reduction, fiscal controls, and internal management and operations. Details regarding how Montgomery Township is addressing these areas can be found on the certification program's website: www.sustainablepacommunitycertification.org.

"Montgomery Township is proud to be recognized as a Gold Certified Community by the Sustainable Pennsylvania Community Certification program," said Candyce Fluehr Chimera, Chairman of the Board of Supervisors. "Montgomery Township has a long history of commitment to saving taxpayer dollars, using resources efficiently, and applying best practices in municipal government and community development. We are pleased to be recognized and be part of the regional community of good government."

"We are delighted to see Montgomery Township distinguished among local governments that are leading the way in applying sustainability to both their operations and management as well as within the community," said Anne McCollum, Director of Training and Development, Pennsylvania Municipal League.

The Certified Community by the Sustainable Pennsylvania Community Certification is intended to bring recognition to municipalities that are applying the policy and practice of sustainability as their way of operating to advance community prosperity. It also serves as a mechanism for sharing best practices for creating a more sustainable Pennsylvania. "Municipalities that earn the Sustainable Pennsylvania Community Certification are standouts in demonstrating adherence to best practices that elevate them as communities of choice to live, work, and play. Commitment to continuous improvement is at the heart of sustainability and the certification program is a means to accelerate municipal performance," said Court Gould, Executive Director, Sustainable Pittsburgh.

Details about Montgomery Township's certification performance can be found by linking to www.sustainablepacommunitycertification.org.

For more information, please visit www.sustainablepacommunitycertification.org or contact Stacy Crandell at 215-393-6900 or scrandell@montgomerytwp.org.

About Montgomery Township

Like Montgomery Township on Facebook at www.facebook.com/MontTwp, follow on Twitter [@MontTwp](https://twitter.com/MontTwp), sign-up for E-News, and visit www.montgomerytwp.org for more information.

About the Pennsylvania Municipal League

The Pennsylvania Municipal League (PML) is a nonprofit, nonpartisan organization established in 1900 as an advocate for Pennsylvania's 3rd class cities. The PML represents participating Pennsylvania cities, townships, town, boroughs, and home rule municipalities that all share the League's municipal policy interests. PML provides a wide array of municipal services including legislative advocacy (on both the state and federal levels), publications designed to educate and inform, education and training certification programs, membership research and inquiries, consulting-based programs, group insurance trusts, and the statewide Sustainable Pennsylvania Community Certification. Specific to Southwestern Pennsylvania, PML is partnered with Sustainable Pittsburgh for outreach.

About Sustainable Pittsburgh

Sustainable Pittsburgh affects decision-making in the Pittsburgh Region to integrate economic prosperity, social equity, and environmental quality as the enduring accountability bringing sustainable solutions for communities and businesses. Over the past 20 years, Sustainable Pittsburgh has proven adept at building coalitions for the policy and practice of sustainable development for southwestern Pennsylvania. SP educates and engages decision-makers and in turn elevates expectations for integration of the 3Es (environmental conservation, social equity, and economic prosperity) among government, businesses, nonprofits and academia.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Conditional Use Written Decision and Order – ProReal Ventures LLC – DeKalb Pike and Welsh Road - Application #C-68

MEETING DATE: June 11, 2018

ITEM NUMBER: #9,

MEETING/AGENDA: WORK SESSION ACTION XX NONE

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

INITIATED BY: Bruce Shoupe
Director of Planning and Zoning

BOARD LIAISON: Candyce F. Chimera
Chairman

BACKGROUND:

The applicant, ProReal Ventures LLC, is seeking Conditional Use approval to construct a 4,594 square foot automatic car wash on 1.816-acre lot at the northeast corner of DeKalb Pike and Welsh Road, the former Atomic Tire property.

This matter involves adoption of the written "Decision and Order" for the conditional use application of ProReal Ventures LLC – Shine Time Carwash.

The Board of Supervisors adopted a Resolution, granting the requested conditional use approval on March 26, 2018.

Under the MPC, the Board is required to render a written decision on a conditional use application within 45 days after the last hearing on the application. The Applicants Attorney by email dated May 21, 2018 granted and extension and waived all applicable time requirements under the PAMPC through June 11, 2018.

Pursuant to the MPC, the Solicitor has prepared a formal decision and order memorializing the Board's grant of the requested conditional use.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

A public hearing was held on March 26, 2018.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

Approve decision and order.

MOTION/RESOLUTION:

Motion is attached

MOTION _____ SECOND _____ VOTE _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

Resolution #

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby approve the Memorandum, Findings of Fact, Decision and Order regarding the Conditional Use application of ProReal Ventures LLC. The applicant, proposes to construct a new 4,594 square foot automatic car wash on 1.816-acre lot at the northeast corner of DeKalb Pike and Welsh Road, the former Atomic Tire property, which is zoned C-Commercial, which is permitted by conditional use.

MOTION BY:

SECOND BY:

DATE:

VOTE:

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

Bruce S. Shoupe

From: Freimuth, Kimberly <KFreimuth@foxrothschild.com>
Sent: Monday, May 21, 2018 1:47 PM
To: Robert Iannozzi
Cc: Bruce S. Shoupe
Subject: RE: MT: CU: PRO REAL: WAIVER REQUEST TO BOS JUNE MEETING

Bob and Bruce – My client is agreeable to the extension and will agree to waive all applicable time requirements under the MPC through June 11, 2018. Thank you.

Kimberly Freimuth
Partner
Fox Rothschild LLP
Stone Manor Corporate Center
2700 Kelly Road, Suite 300
Warrington, PA 18976
(215) 918-3627 - direct
(215) 345-7507- fax
KFreimuth@foxrothschild.com
www.foxrothschild.com

From: Robert J. Iannozzi, Jr <riannozzi@dischellbartle.com>
Sent: Friday, May 18, 2018 4:14 PM
To: Freimuth, Kimberly <KFreimuth@foxrothschild.com>
Cc: Bruce S. Shoupe <bshoupe@montgomerytwp.org>
Subject: [EXT] MT: CU: PRO REAL: WAIVER REQUEST TO BOS JUNE MEETING

Kim:

Can you waiver all applicable MPC time requirements relative to a formal decision in this matter to the Board's 6/11 meeting.

I still do not have the second transcript yet; we hope to have it next week, but I'm out. We'll get the formal decision and order on the agenda for Board's June 11 meeting.

If you are in agreement, please confirm by email, with a cc to Bruce.

Thanks,

Bob

ROBERT J. IANNOZZI JR.

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any

contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

**IN RE: CONDITIONAL USE APPLICATION
OF PRO REAL VENTURES, LLC**

PREMISES: 1274 WELSH ROAD

PARCEL NO.: 46-00-00745-00-1

APPLICATION NO.: C-67

DECISION AND ORDER

NATURE OF THE APPLICATION

Applicant proposes to construct and operate an automatic carwash on the Property located at 1274 Welsh Road, within the Township's C-Commercial District. The proposed use is permitted by conditional use in the C-Commercial District.¹

In order to facilitate the Property's proposed use, Applicant requests conditional use approval under Article XIII, Section 230-75(A)(1) [C Commercial District/Use Regulations] and Appendix Table 230-A [Table of Permitted Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval].

¹ The Property is further identified as tax parcel number 46-00-00745-00-1.

FINDINGS OF FACT

1. Applicant is Pro Real Ventures, LLC ("Applicant").
2. Applicant filed an Application with this Board requesting conditional use relief under Article XIII, Section 230-75(A)(1) [C Commercial District/Use Regulations] and Appendix Table 230-A [Table of Permitted Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval of the Township's Zoning Ordinance, as amended ("Ordinance")] to permit the proposed automatic carwash on the Property ("Application") located at 1274 Welsh Road, within the Township's C-Commercial District ("Property").²
3. Applicant is the legal owner of the Property.
4. A properly advertised Hearing was initially held before this Board on March 26, 2018 ("Hearing").
5. At the Hearing, Applicant was represented by Kimberly A. Freimuth, Esquire.
6. The Hearing was continued twice at Applicant's request: April 9th and April 23rd. In making these continuance requests, Applicant waived all applicable time periods under the Pennsylvania Municipalities Planning Code ("MPC").
7. These continuance requests were sought to allow additional time for Applicant to review and address this Board's concerns relative to access and traffic circulation associated with the Property and Applicant's proposal.³
8. No party protestants entered their appearances in opposition of the Application.
9. At the Hearing, the exhibits listed on Appendix 1 were entered into the record.
10. The following three witnesses testified in support of the Application:

² The Property is further identified as tax parcel number 46-00-00745-00-1.

³ See *generally*, March 26, 18 and April 23, 2018 Notes of Testimony.

- Chris Jensen, Applicant's Civil Engineer, who was accepted by this Board as an expert in civil engineering;
 - Mark Roth, Applicant's Traffic Engineer, who accepted by this Board as an expert in traffic engineering; and
 - Andrey Shalaurov, one of Applicant's owners.
11. This Board found the testimony of Applicant's witnesses to be credible.
 12. The complete Hearing testimony and exhibits are incorporated by reference as though fully set forth here as Findings of Fact.
 13. In sum, the Hearing testimony and exhibits demonstrated:
 - Applicant's proposed use is permitted in the C-Commercial District by conditional use.
 - Applicant's proposed use will conform to the C-Commercial District's applicable regulations including but not limited to setbacks, building coverage, open space, and buffering.
 - Applicant's proposed use will conform to the regulations applicable to proposed use and C-Commercial District, including Article XVIII [Signs]; Article XIX [Off-Street Parking and Loading]; and Article XXI [Miscellaneous Provisions].
 - Applicant shall comply with all applicable review letters, including the Township Traffic Engineer's amended review letter (B-6) relative to layout, parking, access, and traffic circulation associated with the Property and Applicant's proposal, to ensure the proposed use (a) neither creates undue traffic hazards and obstruction to the movement of traffic, nor compromises the safe capacity of the Township's public roads; and (b) will not adversely affect the Township's public health, safety, and general welfare.
 - Applicant's proposed use is consistent with the Township's Comprehensive Plan, as well as the stated purpose of the Ordinance, as set forth in Article I.
 14. During the April 23, 2018 Hearing, Applicant acknowledged that at the Board's March 26, 2018 Hearing, the Board expressed concerns relative to access and traffic circulation associated with the Property and Applicant's proposal. Applicant acknowledged of record that on

April 11, 18, Applicant, with counsel and its Traffic Engineer, met with the Township staff to address such concerns. Ultimately, the Township's Traffic Engineer amended his previously issued review letter to reflect the agreements made at the meeting including: (a) the Property's DeKalb Pike egress movement will be right-turn only; (b) the Welsh Road ingress movement will be right-turn only with a slight curvature with "quick curbing" designed to prevent potential left-turn ingress at the Welsh Road access point; and (c) elimination of the stop-bar on the site to provide more adequate queuing further into the site. (4/23/18 N.T., pp. 7-9).

15. Depending on PECO's sign-off, the adjoining property owner, Applicant has alternate traffic circulation and access layouts for the Property: Plan 1A and Plan 1B.
16. Applicant acknowledged of record that whichever plan it ultimately utilizes, the Township Traffic Engineer's notations and "mark-ups" for the respective plan, set forth in his amended review letter, will be incorporated into the plan and Applicant will comply fully with the Township Traffic Engineer's amended review letter. (4/23/18 N.T., pp. 10-13).
17. Under Plan 1A, the DeKalb Pike right-turn only egress extends beyond the property line onto the frontage of PECO, the adjoining property owner. Part of Applicant's highway occupancy permit process with PennDOT will require PECO to sign-off in order to facilitate the radius being on its property. (4/23/18 N.T., pp. 10-13).
18. If PECO does not sign-off, Applicant will proceed with Plan 1B, which reconfigures the DeKalb Pike access slightly to allow the tangent/curvature portion of the radius to stop at the property line.
19. At the Hearing's conclusion, this Board issued a verbal same-night decision granting Applicant's requested conditional use relief, subject to certain conditions. This Decision and Order constitutes the written memorialization of this Board's same-night decision subject to such conditions set forth in the attached Order.

CONCLUSIONS OF LAW

1. It is well-settled that once an applicant for conditional use bears the initial burden of proving compliance with the specific requirements of the zoning ordinance relative to that conditional use, the governing body is obligated to approve the conditional use unless

objectors (neighbors) present sufficient evidence to such a high risk of probability that the Applicant's use will cause a substantial threat to the community.⁴

2. Here, conditional use relief is sought under Article XIII, Section 230-75(A)(1) [C Commercial District/Use Regulations] and Appendix Table 230-A [Table of Permitted Uses], in accord with Article XXI, Section 230-156.2 [Miscellaneous Provisions/Procedures and Standards for Conditional Use Approval] of the Ordinance, to permit the proposed automatic carwash on the Property.
3. Having considered the credible testimony and exhibits presented at the Hearing in support of the Application, which demonstrates compliance with the Township's applicable conditional use criteria; and with no substantial evidence offered to the contrary, this Board concludes that Applicant met its requisite burden of establishing an entitlement to its requested conditional use.
4. Specifically, this Board concludes that Applicant has satisfactorily established compliance with the Ordinance's applicable conditional use requirements, and as such is permitted to develop the Property as proposed, subject to the conditions set forth in the attached Order.

[Order on the next page]

⁴ See e.g., *Borough of Perkasi v. Moulton Builders, Inc.*, 850 A.2d 778 (Pa. Commw. Ct. 2004).

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

**IN RE: CONDITIONAL USE APPLICATION
OF PRO REAL VENTURES, LLC**

PREMISES: 1274 WELSH ROAD

PARCEL NO.: 46-00-00745-00-1

APPLICATION NO.: C-67

ORDER

AND NOW, this 11th day of June, 2018, Pro Real Ventures, LLC's Conditional Use Application is **GRANTED**.

Applicant is permitted to construct and operate the proposed automatic carwash on the Property located at 1274 Welsh Road, within the Township's C-Commercial District.

This conditional use relief is subject to the following conditions:

1. Applicant shall comply with all review letters, as amended, associated with Pro Real Ventures, LLC's Conditional Use Application and made a part of the record evidence in this matter, to the Township's satisfaction;
2. Applicant shall ensure that its conditional use plan (whether 1A or 1B, depending upon PECO's sign-off) shall comply with all aspects of the Township Traffic Engineer's amended review letter and incorporate his notations and "mark-ups" associated with the plan as set forth in his amended review letter, to the satisfaction of the Township Traffic Engineer;

3. The proposed automatic carwash's business hours shall be limited to 8AM to 8PM Monday through Sunday and 9AM to 7PM on Sunday;
4. Deliveries to the proposed automatic carwash shall be restricted to non-business hours. Specifically, deliveries are prohibited 8AM to 8PM Monday through Sunday and 9AM to 7PM on Sunday;
5. The proposed automatic carwash's dumpster pick-ups shall occur between 6AM and 8AM;
6. There shall be no on-site vehicle detailing provided in any form on the Property in association with the proposed automatic carwash or otherwise;
7. The employees of the proposed automatic carwash will not assist customers with vacuuming or drying of their vehicles on site; and
8. The Property's use and improvement shall be in substantial conformance with the testimony and exhibits presented at the Hearing.

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

CANDYCE FLUEHR CHIMERA, *Chair*

MICHAEL J. FOX, *Vice-Chairman*

JEFFREY W. McDONNELL, *Member*

TANYA C. BAMFORD, *Member*

MATTHEW W. QUIGG, *Member*

APPENDIX 1

HEARING EXHIBITS

Board Exhibits

- B-1 Application
- B-2 Proof of Publication
- B-3 Property Posting
- B-4 Neighbor Notification
- B-5 Review Letters
- B-6 Township Traffic Engineer's Amended Review Letter
(with plan "mark-ups")

Applicant Exhibits

- A-1 Curriculum Vitae of Christopher Jensen, P.E.
- A-2 Aerial Plan
- A-3 Conditional Use Plan
- A-4 Site Plan
- A-5 Review Letters
- A-6 CV of Mark Roth
- A-7 Traffic Impact Study
- A-8 Summary Slides
- A-9 Documentation, Deed, and Redacted Agreement of Sale
- A-10 Elevation Renderings

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

June 11, 2018

SUBJECT: Zoning Hearing Board application – Christopher Lear / 1079 Horsham Road

MEETING DATE: June 11, 2018

ITEM NUMBER: #10.

MEETING/AGENDA: EXECUTIVE SESSION

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

INITIATED BY: Bruce Shoupe

Director of Planning & Zoning

BOARD LIAISON: Candyce Fluehr Chimera

Chairman

BACKGROUND:

In November 2017, the applicant sought relief following receipt of a Notice of Violation issued for violating the provisions of the Code of Montgomery Township, Sections 230-26, Use Regulations in the R-1 Zoning District, 230-149, Home Occupations, and 230-185, Special Exception. The Zoning Hearing Board denied this appeal. The applicant then appealed the ZHB in February 2018 (docket #2018-03444) with the Montgomery County Court of Common Pleas, which is still pending. The Township has entered its appearance in this appeal on behalf of the Zoning Hearing Board.

On May 10, 2018 the applicant, represented by Daniel S. Coval Jr, Esq., filed another application to the Zoning Hearing Board appealing the determination of the Zoning Officer in regards to the Cease and Desist Order dated September 7, 2017. The applicant states that the Zoning Officer erred in his determination of the use of the property as a "recycling / waste disposal facility" and believes that the applicants stated use as a "warehouse and metal sorting facility" is a continuation of a "pre-existing non-conforming" use of the property.

The applicant seeks a determination by the Zoning Hearing Board that his current use of the property is similar to the prior non-conforming uses of the property and therefore permitted per Section 230-139A of the Code of Montgomery Township as continuation of the prior non-conforming uses.

In the alternative, the applicant seeks a special exception pursuant to Section 230-139B in order to allow any lawful "non-conforming" use of a building or land to be changed to another "non-conforming use" of the same classification.

In the alternative, the applicant seeks a variance from the provisions of Section 230-26A, Use Regulations in the R-1 Residential District, to allow the residential and light industrial use of the property.

The application is scheduled to be heard by the Zoning Hearing Board on July 11, 2018.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None

PREVIOUS BOARD ACTION:

The Board of Supervisors previously authorized the Township Solicitor to represent the Township in opposition of the November 2017 Zoning Hearing and entered its appearance in the appeal of the ZHB's decision to the Montgomery County Court of Common Pleas.

ALTERNATIVES/OPTIONS:

None

BUDGET IMPACT:

None

RECOMMENDATION:

In consideration of the Township's decisions to appear in opposition to the Applicant's prior appeal to the Zoning Hearing Board, and appearance in the Montgomery County Court appeal on behalf of the ZHB, it is recommended that the Board authorize the Township Solicitor to appear before the Zoning Hearing Board in opposition to Mr. Lear's May 10, 2018 appeal.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the Township Solicitor to appear before the Zoning Hearing Board and represent the Township in opposition to the Christopher Lear/ 1079 Horsham Road Zoning Hearing Board Application, No 18050002, dated May 17, 2018.

MOTION: _____ SECOND: _____ VOTE: _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

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

LAW OFFICES
ANDREW L. MILLER
&

ASSOCIATES
A PROFESSIONAL CORPORATION

15 ST. ASAPH'S ROAD
BALA CYNWYD, PENNSYLVANIA 19004-2405

ANDREW L. MILLER *
DANIEL S. COVAL, JR.

(610) 617-1776

FAX (610) 664-9435

E-MAIL: Dcoval@AMILLERLAW.COM

* ADMITTED TO PRACTICE IN
PENNSYLVANIA AND NEW JERSEY

May 17, 2018

Via Email mkkelm@kelmlaw.com

Mary Kay Kelm, Esquire
418 Stump Road
Suite 103
Montgomeryville, PA 18936

RECEIVED

MAY 18 2018

MONTGOMERY TOWNSHIP

Re: Montgomery Township Zoning Hearing Board
Zoning Application of Christopher Lear for
1079 Horsham Road, North Wales, PA

Dear Ms. Kelm:

I represent the above applicant. Consistent with our conversation and my letter, please do not schedule this application for the June 6 Zoning Board meeting as I am unavailable on that date.

On behalf of the applicant, I grant the Montgomery Township Zoning Hearing Board an extension of time to commence hearings on the above application and accordingly waive the time requirements of the Pennsylvania Municipalities Planning Code and the Montgomery Township Code, as applicable, for commencement of hearings.

I understand that the next scheduled Zoning Board hearing is for July 11, 2018 and request that you please schedule the hearing for that date.

Thank you for your courtesy.

Sincerely,



Daniel S. Coval, Jr., Esquire

DSC:lf

cc: Christopher Lear



MONTGOMERY TOWNSHIP PLANNING AND ZONING
1001 Stump Road, Montgomeryville, PA 18936-9605
Telephone: 215-393-6920 - Fax: 215-855-1498
www.montgomerytwp.org

RECEIVED

MAY 10 2018

MONTGOMERY TOWNSHIP

Office Use Only: Hearing Date: July 11, 2018 Time: 7³⁰ pm Place on agenda: 15T.
Application # 18050002 Fee \$ 1200 - check # 4174

ZONING HEARING BOARD APPLICATION

Appeal is hereby made by the undersigned for the following action(s):

Check Applicable Item(s):

- ☒ Variance from the terms of the Zoning Ordinance
- ☒ Special Exception
- ☒ Appeal from the Determination of the Zoning Officer
- ☐ Substantive Validity Challenge

Appellant: Name: Christopher Lear

Address: 1079 Horsham Road, North Wales, PA 19454

Phone: 267-249-2749

Owner: Name: Christopher Lear

Address: 1079 Horsham Road, North Wales, PA 19454

Phone: 267-249-2749

Attorney: Name: Daniel S. Coval, Jr., Esquire

15 St. Asaph's Road

Address: Bala Cynwyd, PA 19004 Phone 610-617-1776

Interest of appellant, if not owner (agent, lessee, etc.):

1. Application relates to: Check Applicable Item(s):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Use | <input type="checkbox"/> Lot Area |
| <input type="checkbox"/> Height | <input type="checkbox"/> Yards |
| <input type="checkbox"/> Existing Building | <input type="checkbox"/> Proposed Building |
| <input type="checkbox"/> Occupancy | <input checked="" type="checkbox"/> Nonconforming Use or Structure |
| <input type="checkbox"/> Other: _____ | |

2. Brief description of the real estate affected:

Block and Unit No.: Block 16, Unit 17 Lot Size: 43,365 square feet

Location: 1079 Horsham Road, North Wales, PA 19454

Present Use: Residential with non-conforming commercial use

Present Zoning Classification: R-1

Present Improvements Upon Land: single family dwelling, garage, industrial warehouse

Deed Recorded at Norristown in Deed Book: 5939 Page 1743

3. Appeal to Challenge

Specific reference to the section(s) of the zoning ordinance upon which the challenge is based:
Code 230-26, 230-139A

Statement and/or basis for the challenge to the validity of the zoning ordinance:

4. Appeal from of the Determination of the Zoning Administrative Officer

Date determination was made: 9/9/17 Section(s) of the ordinance involved: See attached

Your statement of alleged error of zoning administrative officer: See attached

5. Special Exception or Variance

Specific reference to section of the zoning ordinance upon which application based: Code Section
Variance, Code 230-26, Special Exception 230-139A, 230-139B, 230-185, 230-103 (1)

Action desired by appellant: (statement of relief sought): See attached

Reasons appellant believes the Board should approve the desired action; note the specific hardship if applying for a variance): See attached

Has previous appeal or application for special exception or variance been filed in connection with these premises? ☒ Yes ☐ No

NOTE:

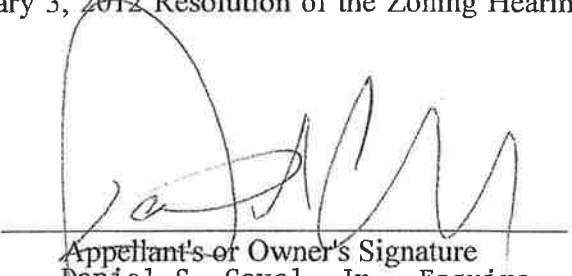
Attach twelve (12) copies of plan of real estate affected, indicating location and size of lot, size of improvements now erected and proposed to be erected thereon, or other change desired. Attach any other information required by the Zoning Hearing Board.

If more space is required, attach a separate sheet and make specific reference to the question being answered.

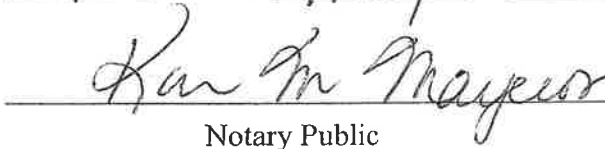
All applications MUST be received 21 days prior to the Zoning Hearing Board meeting date, which is the first Tuesday of each month (unless changed).

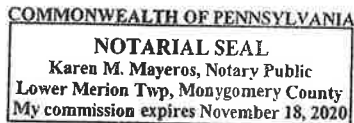
***I hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

***I hereby acknowledge receipt of the January 3, 2012 Resolution of the Zoning Hearing Board regarding the unauthorized practice of law.


Appellant's or Owner's Signature
Daniel S. Coval, Jr., Esquire
Attorney for the Applicant

SWORN TO AND SUBSCRIBED BEFORE ME THIS

9 DAY OF May, 2018

Notary Public



ATTACHMENT – ZONING BOARD HEARING APPLICATION
OF CHRISTOPHER LEAR

Property: 1079 Horsham Road, North Wales, PA 19454

Applicant Christopher Lear, the owner of the above property, appeals the determination of the zoning officer and requests relief as follows:

1. Paragraph 4 – Appeal from the determination of the Zoning Administrative Officer.

a. Section(s) of the ordinance involved: Code Sections 230.26, 230-139A.

The sections of the ordinance involved also include those identified in the “NOTICE OF VIOLATION AND CEASE AND DESIST ORDER” dated September 7, 2017, as follows:

(1) Section 230-162 Use and Occupancy Permit Applications

(2) 2003 International Property Maintenance Code Section 302.1 Sanitation

(3) 2003 International Property Maintenance Code Section 307.1 Accumulation of rubbish or garbage

b. Your statement of alleged error of zoning administrative officer:

The zoning officer erred in his determination that the use is in violation of Section 230-26 of the Zoning Code (the “Code”), Use Regulations. The Appellant disputes the Zoning Officer’s characterization of the Appellant’s use of the property as a recycling/waste disposal facility. The use is as a warehouse and metal sorting facility. The Appellant appeals the determination that the use is not permitted. Rather, the Appellant’s use is permitted pursuant to Code Section 230-139A as a continuation of the pre-existing non-conforming use of the property, as set forth in this Application.

2. Paragraph 5 – Special Exception or Variance

a. Action desired by Appellant (Statement of Relief Sought)

Appellant seeks a determination by the Zoning Hearing Board (the "Board") that the current use of the property by Appellant as a warehouse and for metals sorting is substantially similar to the prior non-conforming light industrial uses of the property as a commercial landscaping and equipment storage use and as a construction yard and warehouse for storage of building equipment and supplies, and therefore is permitted by Code Section 230-139A as a continuation of the prior non-conforming uses.

b. Reasons Appellant Believes the Board Should Approve the Desired Action

This property is improved with a dwelling house, a 1,000 square foot garage and a 5,280 square foot metal industrial building, 16 feet high, (referred to as the "Barn"). The property is located on Horsham Road and is surrounded by non-residential properties and uses, including a nursing home to the east, Moore Trash Collection to the left and an office/industrial park across the street. The garage, yard and barn have long been surrounded by a six foot high stockade fence.

For many years, prior to 1999, the property, including residence and garage, was used by a prior owner for his landscaping and tree service business. That use is recognized as a non-conforming use.

Prior to 1999, the then owners of the property, James and Sharon Hetman, constructed the Barn pursuant to permits issued by the Township. The Hetmans operated a "tree service business" at the property and used the Barn for storage of vehicles and equipment.

By Opinion and Order dated October 5, 1999, in Application #7-99-773, the Montgomery Township Zoning Hearing Board approved the use of the property and the Barn for the Hetmans' commercial tree service business, subject to conditions. Use of the Barn, though non-conforming, was approved based on a vested rights theory.

In October of 2005 the Property was sold to Rosemarie Fox. Her family company, Fox Building Services, Inc., used the property including the garage and Barn for its construction business, including storing materials and vehicles in the Barn. The Township issued Business Privilege Licenses for that use.

Appellant purchased the property as of December 18, 2014. Appellant resides in the property and uses the Barn for storage and sorting of scrap metal as part of his business.

- c. Appellant's Use should be Permitted as a Continuation of the Pre-Existing Non-Conforming Use

Appellant's use of the property is substantially similar to the prior non-conforming use and therefore should be permitted of right. See Limley vs. Zoning Hearing Board of Port Vue Borough, 625 A.2d 54 (Pa. 1993). See also Code Section 230-139A.

- d. In the Alternative, Appellant's Use of the Property is Permitted by Special Exception Pursuant to Code Section 230-139B

Code Section 230-139B allows any lawful non-conforming use of a building or land to be changed to another non-conforming use of the same classification when authorized as a special exception.

The property is subject to a lawful, non-conforming use. A use created by a vested right has the same protection as a lawful, non-conforming use.

The use of the property by the Appellant is of the same classification as the prior non-conforming use. Specifically, the Appellant's use and the prior uses of the Property fall within the classification of a limited industrial use for purposes of warehousing and storage, as defined by Code Section 230-103(1). Appellant will submit evidence at hearing that the use of the property meets the requirements for a special exception contained in Code Section 230-185.

- e. In the Alternative, Appellant Request a Variance from Code Section 230-26, "Use Regulations in the R-1 Residential District", to Allow the Current Use of the Property

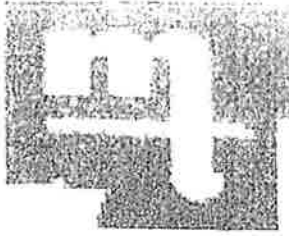
Appellant seeks a variance from the use requirements of the R-1 District contained in Section 230-26 of the Code to allow the residential and light industrial use of the property and including the "Barn" as described. The property is located on Horsham Road, a heavily travelled road and is surrounded by non-residential uses, including a nursing home to the east, Moore Trash Collection the west and an office/industrial park across the street. The property also includes the 5,280 square foot industrial "Barn" building as well as a large garage. The rear of the property is enclosed with a stockade fence. Because of the unique physical circumstances and conditions of the property, it cannot be used to strictly conform with the provisions of the zoning ordinance and therefore a variance is necessary to allow for a reasonable use of the property. No one would purchase this property solely for residential use.

The property therefore suffers a hardship and that hardship has not been created by the Appellant.

If a variance is authorized, it will not alter the essential character of the neighborhood, which is commercial and industrial in character and will not be detrimental to the public welfare, or result in adverse impact on neighboring properties.

The use of the property as proposed by the Appellant represents the minimum variance that will afford relief and represents the least modification possible of the regulations at issue.

NOTICE OF VIOLATIONS AND CEASE AND DESIST ORDER



MONTGOMERY TOWNSHIP
DEPARTMENT OF PLANNING AND ZONING
1001 STUMP ROAD, MONTGOMERYVILLE, PA 18936-9605
Telephone: 215-393-6920 · Fax: 215-855-1498
www.montgomerytwp.org

CERTIFIED MAIL #701112000000177414012 and 70112000000177414005
And regular mail

NOTICE OF VIOLATION AND CEASE AND DESIST ORDER

September 7, 2017

Mr. Christopher Lear
1079 Horsham Road
North Wales, PA 19454
and
2557 Wyandotte Road
Willow Grove, PA 19090

Dear Mr. Lear:

RE: Commercial / Industrial Activity in Residential District at 1079 Horsham Road

Following several complaints of open burning received by our office, a site visit was conducted on January 26, 2015 at the above referenced property and a most recent visit to the property on August 28, 2017. Despite working with you and your legal counsel for the past year, it appears that a recycling / waste disposal facility is still being operated at this location. You previously agreed to relocate this business out of Montgomery Township and you withdrew your Zoning Hearing Board appeal on December 31, 2015, nevertheless you continue to operate in violation of the Township Code.

Per our telephone conversation on January 26, 2015, you were advised that this use is in violation of Section 230-26, Use Regulations, of the Code of Montgomery Township. The operation of a recycling/waste disposal facility is not permitted within the R-1 Residential District. All existing rubbish, scrap metal, dumpsters, tires, and other recycling materials and equipment/vehicles utilized in operating this business must be removed from the property within 30 days of receipt of this notice.

You are also in violation of the following Codes of Montgomery Township:

Section 230-162 Use and Occupancy Permit Applications – All applications for use and occupancy permits shall be made, in writing, on forms furnished by the Township and shall include all information necessary to enable the Zoning Officer to ascertain compliance with this chapter.

2003 International Property Maintenance Code Section 302.1 Sanitation – All exterior property and premises shall be maintained in a clean, safe, and sanitary condition.

2003 International Property Maintenance Code Section 307.1 Accumulation of rubbish or garbage – All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

This listing of violations may not represent all violations presently occurring on the property. Other violations may appear upon application for required permits or upon further investigation, and the Township reserves its right to take any action authorized to enforce the code of the Township of Montgomery as to all violations

Please be advised that you have the right to appeal this Notice of Violation and Cease and Desist Order to the Montgomery Township Zoning Hearing Board on the proper application form, within thirty (30) days after the decision, notice, or order was served.

Failure to correct or remove the violation(s) within the time specified above constitutes a violation of Chapter 230 of the Code of the Township of Montgomery Pennsylvania. Violation of the Ordinance may result in the issuance of citations where the District Justice may impose a fine of not more than five hundred dollars (\$500) plus all court costs, including the Township's attorneys' fees, incurred as a result of such action. Each day that the violation continues shall constitute a separate violation and may subject you to a daily fine. The township may also institute other appropriate action at law or in equity which may be necessary to enforce the provisions of Chapter 230.

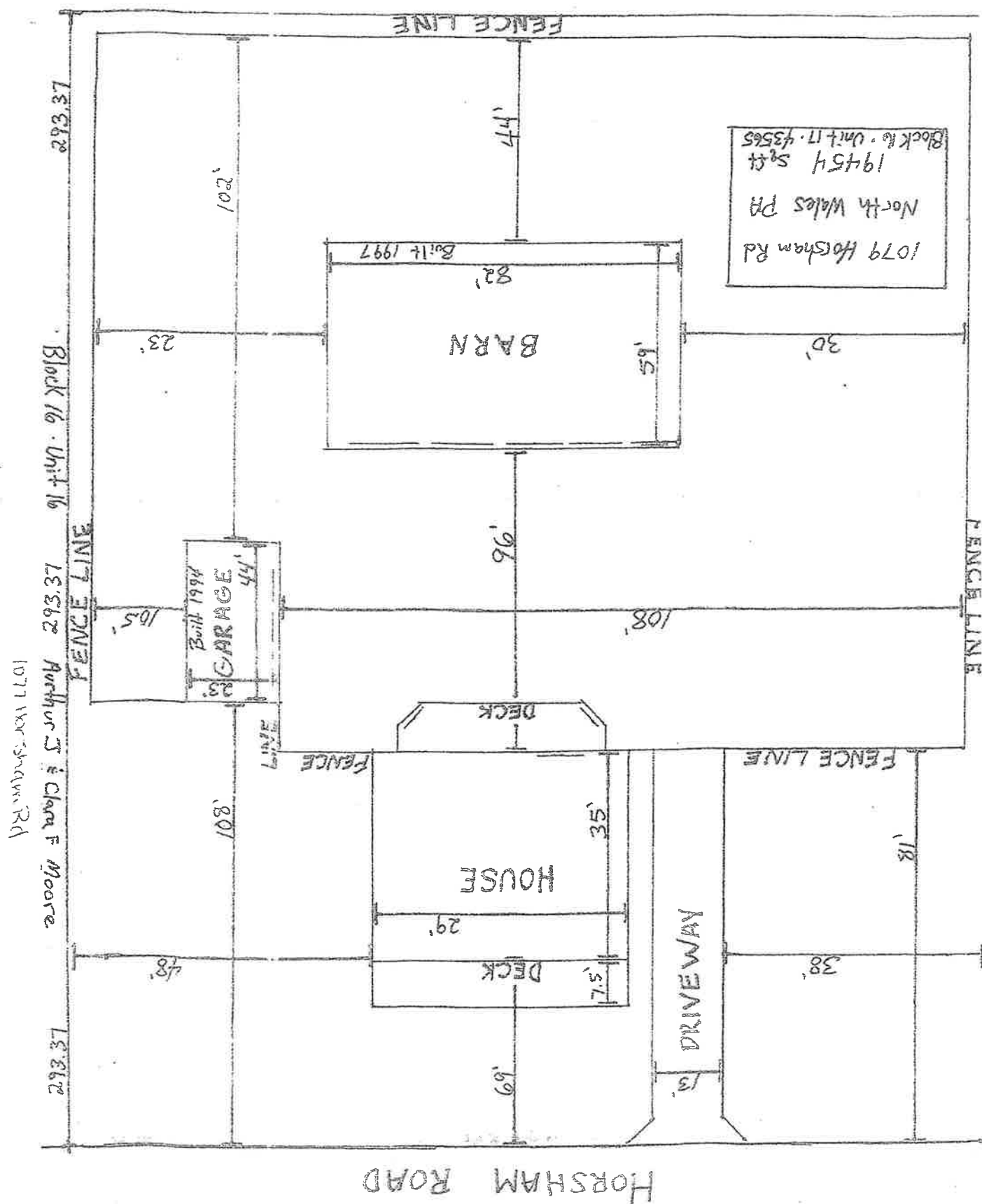
If you have any questions please feel free to contact this office.

Sincerely

A handwritten signature in dark ink, appearing to read "Bruce Shoupe", written in a cursive style.

Bruce Shoupe
Director of Planning and Zoning
Zoning Officer

SITE PLAN



TAX MAP



ZONING HEARING BOARD OF MONTGOMERY TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA

IN RE: APPLICATION OF JAMES J. AND SHARON R. HETMAN
1079 Horsham Road
North Wales, PA 19454

PREMISES: 1079 Horsham Road, Montgomery Township,
Block #16, Unit #17

APPLICATION NO.: 7-99-773

OPINION AND ORDER

The Zoning Hearing Board of Montgomery Township held a public hearing on Tuesday, September 7, 1999, commencing at 7:30 P. M. at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, Pennsylvania 18936, on the above Application.

Present at the hearing: George Grotzinger, President of the Board; Allen Mills, Member of the Board; and Robert O'Brien, Member of the Board; Judith Starkin, Zoning Officer; Jay V. Taylor, Esquire, Acting Solicitor to the Board; and witnesses and representatives of the Applicants.

The Applicants requested a variance, variance by estoppel or vested right, or interpretation of the provisions of Article V, Section 230-26, of the Montgomery Township Zoning Ordinance, as amended, regarding use to allow a residence/tree service business. The hearing was duly advertised and notice thereof was given in accordance with the requirements of the Montgomery Township Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

The proceedings were recorded by an Official Court Reporter.

After careful consideration of the proceedings, the Zoning Hearing Board makes the following:

FINDINGS OF FACT

1. Applicants are James J. and Sharon R. Hetman, 1079 Horsham Road, North Wales, Pennsylvania 19454.
2. The subject property is located at 1079 Horsham Road, Montgomery Township, PA 19454. The property is further described as Block #16 Unit #17 with Deed recorded at Norristown in Deed Book 5222 page 1933.
3. The owners are James J. and Sharon R. Hetman, 1079 Horsham Road, North Wales, Pennsylvania 19454.
4. The property is in the "R-1" Residential District in Montgomery Township.
5. The Applicants presented testimony that they would like to continue to operate a tree service business at their residence.
6. The Applicants testified that their property is surrounded by non-residential properties; i.e., nursing homes to the east, Moore Trash Collection to the west, and an industrial park across the street.
7. The Applicants testified that the property presently contains a residence, a five bay pole barn, office building with a three bay garage, landscape buffers along the periphery, and gravel parking around the barn.
8. The Applicants testified that the property meets all other zoning requirements with the exception of use.
9. The Applicants testified that the business employs 3 employees and operates 5 trucks.
10. The Applicants testified that the neighbors to east and west of the property do not oppose the application.

11. The Applicants presented evidence that, prior to purchasing the property, they called the Township Zoning Office and had been assured that they could operate a tree service business from the property.

12. The Applicants presented evidence that building and zoning permits had been issued for the pole barn and that use and occupancy permits had been issued for the tree service business.

13. The Applicants presented evidence of expenditures of approximately \$67,000 incurred in erecting the pole barn for use in the tree service business.

14. The Applicants agreed to certain conditions upon the grant of any zoning relief as follows:

A. The Applicant will provide sufficient proof to the Township that the property is being used as the Applicants' primary residence;

B. The 5,280 square foot pole barn on the property may be utilized to store equipment for the home occupation, provided however, that no materials, including but not limited to logs, split wood, and wood chips, may be stored in the pole barn;

C. The Applicant will request any necessary relief from the Zoning Hearing Board to permit additional employees to the home occupation who are not residents of the dwelling on the property;

D. The Applicant will provide sufficient designated off-street parking spaces for those additional employees;

E. The Applicant will comply with all Township Ordinances concerning the pole barn, including but not limited to, having sprinklers installed in the pole barn, if required;

F. All outside storage of equipment must be moved within the pole barn;

G. Use of machinery on the property will be limited to between the hours of 9:00 a.m. and 7:00 p.m. and must be confined to the pole barn, and the pole barn must contain proper ventilation for such use of machinery per Township Code;

H. The Applicant will not store materials on the Property; "materials" shall include but not be limited to logs, tree trunks, split wood, or wood chips;

I. The Applicant will not conduct the wholesale or retail sale of materials or goods from the property;

J. The Applicant will remove the port-a-potty from the property and will not install a port-a-potty in the future;

K. The Applicant will periodically, at the Township's request, permit the Township to inspect the Property to ensure the Applicant is complying with the above conditions.

DISCUSSION

A vested right in continuing a use arises where permits have been issued and where the property owner has incurred significant expense in good faith reliance upon the permits that have been issued. See Herskovits v. Berwyn, 299 Pa. 155, 149 A. 195 (1930). In the instant case, the Applicants have requested recognition of their vested right in continuing a tree service business at 1079 Horsham Road. The Applicants presented evidence that, prior to purchasing the property, they contacted the Township Zoning Office and were assured that they could operate a tree service business on the premises. Applicants contend that, based upon that assurance, they purchased the property and began to make modifications and construct buildings to support their tree service business. Applicants presented evidence that they were issued use and occupancy permits allowing a tree service business and they were issued building permits for construction of a five bay pole barn to be used in connection with the business. The Applicants presented evidence that they had

incurred expenses of approximately \$67,000 for improvements to the property to accommodate the business.

The Board concludes that Applicants have demonstrated that permits were issued and assurances were given to Applicants that they could continue to operate their tree service business from the subject premises. Further, Applicants appear to have acted in good faith in relying upon those assurances and permits to make certain improvements to the property. Lastly, the Board finds that Applicants have incurred significant expense in reliance upon assurances given by the Township and permits issued to construct improvements directly associated with Applicants' tree service business. However, in order to insure that the existing business to which the Board finds Applicants have a vested right, the Board conditions any acknowledgment of said right and the Applicants have agreed to the following restrictions:

- A. The Applicant will provide sufficient proof to the Township that the property is being used as the Applicants' primary residence;
- B. The 5,280 square foot pole barn on the property may be utilized to store equipment for the home occupation, provided however, that no materials, including but not limited to logs, split wood, and wood chips, may be stored in the pole barn;
- C. The Applicant will request any necessary relief from the Zoning Hearing Board to permit additional employees to the home occupation who are not residents of the dwelling on the property;
- D. The Applicant will provide sufficient designated off-street parking spaces for those additional employees;
- E. The Applicant will comply with all Township Ordinances concerning the pole barn, including but not limited to, having sprinklers installed in the pole barn, if required;
- F. All outside storage of equipment must be moved within the pole barn;

G. Use of machinery on the property will be limited to between the hours of 9:00 a.m. and 7:00 p.m. and must be confined to the pole barn, and the pole barn must contain proper ventilation for such use of machinery per Township Code;

H. The Applicant will not store materials on the Property; "materials" shall include but not be limited to logs, tree trunks, split wood, or wood chips;

I. The Applicant will not conduct the wholesale or retail sale of materials or goods from the property;

J. The Applicant will remove the port-a-potty from the property and will not install a port-a-potty in the future;

K. The Applicant will periodically, at the Township's request, permit the Township to inspect the Property to ensure the Applicant is complying with the above conditions.

Subject to the conditions above, we, therefore, make the following:

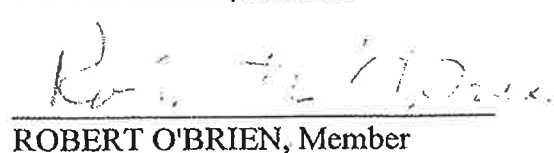
ORDER

AND NOW, this 5th day of October, 1999, based upon the testimony presented by the Applicants at the hearing on September 7, 1999, the Board acknowledges Applicants' vested right in continuing their tree service business at the level which currently exists and subject to the restrictions imposed herein.

ZONING HEARING BOARD OF
MONTGOMERY TOWNSHIP


GEORGE GROTZINGER, President


ALLEN MILLS, Member


ROBERT O'BRIEN, Member

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Payment of Bills

MEETING DATE: June 11, 2018

ITEM NUMBER: # 11.

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,
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.

06/08/2018 12:52 PM
 User: msanders
 DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP
 CHECK DATE FROM 05/30/2018 - 06/08/2018

Page: 1/2

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 01 UNIVEST CHECKING					
06/08/2018	01	25(S)	00000006	ACME UNIFORMS FOR INDUSTRY	0.00
06/08/2018	01	26(S)	00000006	ACME UNIFORMS FOR INDUSTRY	0.00
06/08/2018	01	27(S)	00000188	GALLS, AN ARAMARK CO., LLC	0.00
05/30/2018	01	71805	00001099	DELL SERVICE SALES	4,180.02
06/04/2018	01	71806	03214568	FULTON CARDMEMBER SERVICES	3,863.33
06/08/2018	01	71807	00000179	ADVENTURE AQUARIUM	816.92
06/08/2018	01	71808	MISC-FIRE	ALEXANDER J DEANGELIS	15.00
06/08/2018	01	71809	MISC-FIRE	ANDREW WEINER	30.00
06/08/2018	01	71810	00000043	BERGEY'S	79.95
06/08/2018	01	71811	MISC-FIRE	BILL WIEGMAN	30.00
06/08/2018	01	71812	MISC-FIRE	BRANDON UZDZIENSKI	15.00
06/08/2018	01	71813	100000405	C.E.S.	1,810.67
06/08/2018	01	71814	00001579	CARGO TRAILER SALES, INC	38.11
06/08/2018	01	71815	MISC-FIRE	CARL HERR	30.00
06/08/2018	01	71816	00905059	CHRIS ROSELLE	1,500.00
06/08/2018	01	71817	00000222	COMMONWEALTH PRECAST, INC.	584.00
06/08/2018	01	71818	100000709	DERRICK WILLIAMS	85.00
06/08/2018	01	71819	00000967	DVHT - DELAWARE VALLEY HEALTH TRUST	182,469.69
06/08/2018	01	71820	100000031	E.O. HABHEGGER CO. INC.	306.33
06/08/2018	01	71821	00001332	EAGLE POWER & EQUIPMENT CORP	165.40
06/08/2018	01	71822	00000152	ECKERT SEAMANS CHERIN &	9,017.50
06/08/2018	01	71823	100000707	EKATERINA HARTMAN	20.00
06/08/2018	01	71824	00000161	EUREKA STONE QUARRY, INC.	283.40
06/08/2018	01	71825	00001504	GALETON GLOVES	231.65
06/08/2018	01	71826	MISC-FIRE	GLEN ROETMAN	15.00
06/08/2018	01	71827	00000219	GLOBAL EQUIPMENT COMPANY	96.55
06/08/2018	01	71828	MISC-FIRE	JAKE WELTMAN	60.00
06/08/2018	01	71829	MISC-FIRE	JOHN H. MOGENSEN	15.00
06/08/2018	01	71830	MISC-FIRE	JON WASHINGTON	75.00
06/08/2018	01	71831	MISC-FIRE	KEITH A MILLER	210.00
06/08/2018	01	71832	MISC-FIRE	MICHAEL D. SHINTON	30.00
06/08/2018	01	71833	MISC-FIRE	MIKE BEAN	30.00
06/08/2018	01	71834	MISC-FIRE	PAUL R. MOGENSEN	155.00
06/08/2018	01	71835	MISC-FIRE	RACHEL GIBSON	30.00
06/08/2018	01	71836	MISC-FIRE	RYAN ALLISON	15.00
06/08/2018	01	71837	MISC-FIRE	RYAN RUDELL	60.00
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06/08/2018	01	71842	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	1,278.92
06/08/2018	01	71843	00002039	ABINGTON HEALTH LANSDALE HOSPITAL	128.00
06/08/2018	01	71844	MISC-FIRE	ALEXANDER J DEANGELIS	15.00
06/08/2018	01	71845	MISC-FIRE	ANDREW WEINER	30.00
06/08/2018	01	71846	00002045	ARDEX LABS	38.40
06/08/2018	01	71847	00000031	AT&T	135.60
06/08/2018	01	71848	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	293.02
06/08/2018	01	71849	00000043	BERGEY'S	74.54
06/08/2018	01	71850	MISC-FIRE	BILL WIEGMAN	165.00
06/08/2018	01	71851	00000209	BOUCHER & JAMES, INC.	17,202.29
06/08/2018	01	71852	00000072	CANON FINANCIAL SERVICES, INC	1,622.00
06/08/2018	01	71853	MISC-FIRE	CARL HERR	15.00
06/08/2018	01	71854	00001601	CDW GOVERNMENT, INC.	438.43
06/08/2018	01	71855	100000221	COLMAR VETERINARY HOSPITAL	395.13
06/08/2018	01	71856	00000363	COMCAST	304.14
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06/08/2018	01	71858	100000632	DEER COUNTRY FARM AND LAWN, INC	106,065.90
06/08/2018	01	71859	100000213	DOG TOWN	329.94
06/08/2018	01	71860	00001332	EAGLE POWER & EQUIPMENT CORP	430.53
06/08/2018	01	71861	00000322	ETTORE VENTRESCA & SONS, INC.	8,731.80
06/08/2018	01	71862	00000423	FAMILY DINING, INC.	69.39
06/08/2018	01	71863	00000169	FEDEX	6.00
06/08/2018	01	71864	MISC	GARVEY RESOURCES, INC.	56.65
06/08/2018	01	71865	00001323	GLICK FIRE EQUIPMENT COMPANY INC	341.71
06/08/2018	01	71866	00001784	GOOGLE INC.	102.00
06/08/2018	01	71867	00000608	GOOSE SQUAD L.L.C.	900.00
06/08/2018	01	71868	00000213	HAJOCA CORPORATION	264.70
06/08/2018	01	71869	00000215	HAVIS, INC.	1,806.55
06/08/2018	01	71870	100000696	HITS, INC.	250.00
06/08/2018	01	71871	00000903	HOME DEPOT CREDIT SERVICES	240.68
06/08/2018	01	71872	MISC	HORIZON SERVICES INC	30.00
06/08/2018	01	71873	00441122	HORSHAM CAR WASH	189.00
06/08/2018	01	71874	00000102	INTERSTATE BATTERY SYSTEMS OF	788.65
06/08/2018	01	71875	00000531	INTERSTATE GRAPHICS	600.00
06/08/2018	01	71876	00001067	INTOXIMETERS, INC.	1,000.00
06/08/2018	01	71877	MISC-FIRE	JAKE WELTMAN	60.00
06/08/2018	01	71878	100000699	JAMES SHEA	100.00
06/08/2018	01	71879	100000505	JAYDEEP PARIKH	1,030.00

Check Date	Bank	Check	Vendor	Vendor Name	Amount
06/08/2018	01	71880	100000705	JEREMY MCLEAN	20.00
06/08/2018	01	71881	MISC-FIRE	JOHN H. MOGENSEN	30.00
06/08/2018	01	71882	00000264	KENCO HYDRAULICS, INC.	1,367.22
06/08/2018	01	71883	00906017	KIM STEVENS	40.00
06/08/2018	01	71884	00001706	LOWE'S COMPANIES INC.	26.63
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06/08/2018	01	71886	00000201	MASTERTech AUTO SERVICE, LLC	1,847.96
06/08/2018	01	71887	100000433	MEG MILLER	170.00
06/08/2018	01	71888	MISC-FIRE	MICHAEL D. SHINTON	30.00
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06/08/2018	01	71890	MISC-FIRE	MICHAEL SHEARER	105.00
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06/08/2018	01	71892	00000326	MONTGOMERY COUNTY	46.71
06/08/2018	01	71893	00000324	MOYER INDOOR / OUTDOOR	17,603.00
06/08/2018	01	71894	00000595	PENN VALLEY CHEMICAL COMPANY	249.01
06/08/2018	01	71895	00001358	PENNSYLVANIA RECREATION AND PARK	1,780.00
06/08/2018	01	71896	00000447	PETTY CASH - POLICE	212.06
06/08/2018	01	71897	00000446	PHISCON ENTERPRISES, INC.	800.00
06/08/2018	01	71898	00000945	PIPERSVILLE GARDEN CENTER, INC.	14.68
06/08/2018	01	71899	00001155	PITNEY BOWES	710.37
06/08/2018	01	71900	00000345	PRINTWORKS & COMPANY, INC.	331.03
06/08/2018	01	71901	00000252	PURE CLEANERS	505.25
06/08/2018	01	71902	MISC-FIRE	RACHEL GIBSON	30.00
06/08/2018	01	71903	00000436	RAY ALLEN MANUFACTURING CO INC	145.58
06/08/2018	01	71904	00000228	REGAL CINEMEDIA CORP	865.00
06/08/2018	01	71905	00000117	RIGGINS INC	2,054.25
06/08/2018	01	71906	00000115	RIGGINS, INC	3,299.84
06/08/2018	01	71907	100000112	ROBERT TOMLINSON	1,000.00
06/08/2018	01	71908	100000657	ROTARY LIFT	45,503.60
06/08/2018	01	71909	MISC-FIRE	RYAN ALLISON	30.00
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06/08/2018	01	71911	100000697	SAMUEL EUN LEE	40.00
06/08/2018	01	71912	00000653	SCATTON'S HEATING & COOLING, INC.	17,176.00
06/08/2018	01	71913	MISC-FIRE	SEAN ALLISON	105.00
06/08/2018	01	71914	100000708	SERGIO ANIS	20.00
06/08/2018	01	71915	00000833	SHERWIN WILLIAMS COMPANY	165.45
06/08/2018	01	71916	100000706	SHERYL RAINEY	20.00
06/08/2018	01	71917	00001030	SIGNAL CONTROL PRODUCTS, INC.	4,355.00
06/08/2018	01	71918	00000467	SNAP-ON INDUSTRIAL	2,388.00
06/08/2018	01	71919	100000701	STAPLES BUSINESS CREDIT	911.56
06/08/2018	01	71920	MISC-FIRE	STEVE SPLENDIDO	30.00
06/08/2018	01	71921	00000485	SYRENA COLLISION CENTER, INC.	75.00
06/08/2018	01	71922	00902700	THERESA ROETHKE	240.00
06/08/2018	01	71923	00001771	TIMAC AGRO USA	360.00
06/08/2018	01	71924	00002036	TIMBERLINK CONSULTING LLC	900.00
06/08/2018	01	71925	00000506	TRANS UNION LLC	70.00
06/08/2018	01	71926	MISC-FIRE	TREVOR DALTON	15.00
06/08/2018	01	71927	100000290	TRIAD TRUCK EQUIPMENT	7,363.52
06/08/2018	01	71928	03214643	UNWINED & PAINT	243.00
06/08/2018	01	71929	00000040	VERIZON	258.28
06/08/2018	01	71930	00000040	VERIZON	134.99
06/08/2018	01	71931	00000040	VERIZON	134.99
06/08/2018	01	71932	00000040	VERIZON	145.91
06/08/2018	01	71933	00000040	VERIZON	139.99
06/08/2018	01	71934	MISC-FIRE	VINAY SETTY	120.00
06/08/2018	01	71935	MISC-FIRE	VINCENT ZIRPOLI	60.00
06/08/2018	01	71936	03214583	VWP/WF CORPORATE SERVICES	6,868.60
06/08/2018	01	71937	00001329	WELDON AUTO PARTS	982.28
06/08/2018	01	71938	00000632	WEST GENERATOR SERVICES INC.	2,629.17
06/08/2018	01	71939	00001084	WITMER ASSOCIATES, INC.	370.00
06/08/2018	01	71940	100000229	YOUNG REMBRANDTS BUXMOUNT - PA	540.00
06/08/2018	01	71941	100000710	TONY HALL	69.00
06/08/2018	01	71942	00001998	TROPIANO BUS COMPANY LLC	475.00
06/08/2018	01	71943	00001998	TROPIANO BUS COMPANY LLC	475.00
06/08/2018	01	71944	00001998	TROPIANO BUS COMPANY LLC	475.00
06/08/2018	01	71945	00001998	TROPIANO BUS COMPANY LLC	475.00
06/08/2018	01	71946	00001998	TROPIANO BUS COMPANY LLC	475.00
06/08/2018	01	71947	00001998	TROPIANO BUS COMPANY LLC	475.00

01 TOTALS:

Total of 146 Disbursements:

481,065.42

06/08/2018

Check List
For Check Dates 05/30/2018 to 06/11/2018

Check Date	Name	Amount		
05/31/2018	BCG 401	401 Payment	\$	16,350.06
05/31/2018	BCG 457	457 Payment	\$	11,178.00
05/31/2018	PA SCDU	Withholding Payment	\$	1,011.52
05/31/2018	UNITED STATES TREASURY	941 Tax Payment	\$	135,658.80
06/01/2018	UNITED STATES TREASURY	945 Tax Payment	\$	6,406.41
06/07/2018	STATE OF PA	State Tax Payment	\$	14,019.34
Total Checks: 6			\$	184,624.13