

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, JUNE 26, 2018**

SUPERVISORS PRESENT:

Kathleen Hunsicker, Chair
Dr. J. Richard Booth, Vice-Chair
Edward J. Brandt
Mark Grey
Stephen Paccione (Via telephone)

STAFF:

Craig T. McAnally, Township Manager
Jamie Worman, Assistant Township Manager
James J. Garrity, Esq., Solicitor
James Hersh, P.E., Township Engineer
Ken Amey, Zoning Officer
Paul Kenny, Police Chief
Mike DeStefano, Public Works Director

Call to Order and Pledge of Allegiance

The Chair called the meeting to order at 7:43 p.m. in the Lower Gwynedd Township Municipal Building and led those in attendance in the pledge of allegiance. The Chair stated the Board of Supervisors met in an Executive Session before the meeting on real estate matters.

Proclamation & Presentation: Sergeant Mike Rogge, Telecommunicator Jack Zabinski

Ms. Hunsicker announced that the Chief of Police, Paul Kenny, would be presenting a proclamation to Sergeant Mike Rogge, Senior Telecommunicator Stephanie Barber, and Telecommunicator Jack Zabinski. Chief Kenny commended Officer Mike Rogge and Telecommunicator Jack Zabinski for their role in the safe delivery of a new baby following an emergency maternity call on June 7th, 2018.

Presentation & Review of Lower Gwynedd Township Financial Statements for 2017: Steven Kutsuflakis, CPA, Barbacane Thorton & Co. LLP

Ms. Hunsicker announced that Steven Kutsuflakis, CPA, Barbacane Thorton & Co. LLP was here to give a presentation of the Financial Statements for 2017. Mr. Kutsuflakis summarized the responsibility of the auditors and explained that they had conducted and completed their annual review of the Township finances. He noted that the Township has three more years of bonds outstanding and then will be debt free. He also noted that the General Fund and all other funds remained generally flat in 2017 with little to no change. Supervisor Dr. Booth questioned the recommendation made in the audit that there be better documentation of procedures. Mr. Kutsuflakis replied that the Township's procedures are not memorialized in a single formal document. Management has been working on a draft of this procedural document but it isn't complete. Mr. McAnally, Township Manager, added that the document is in draft form and once it is ready it will be put forth before the board. Finance Director, Steve Wiesner, added a few comments about the audit and financial position of the Township. He noted that the Investment Advisory Committee is currently reviewing the allocation of the pension. He also noted that the

Township is in adherence with the fund balance policy and recently transferred the required amount of funds from the General Fund to the Capital Reserve. Supervisor Ed Brandt complimented the Finance Department for the work they are doing. Ms. Hunsicker requested a motion to accept the Financial Statements for 2017. Mr. Grey made a motion to that effect and Mr. Brandt seconded it. The motion carried 5-0.

BUSINESS & FINANCE

Receipt of Meeting Minutes: May 8, 2018; May 15, 2018; May 22, 2018

Ms. Hunsicker requested a motion to approve the meeting minutes as presented for the meetings dated May 8, 2018; May 15, 2018; and May 22, 2018. Mr. Grey made a motion to approve the minutes collectively. Dr. Booth seconded the motion. The motion carried 5-0.

Receipt of Invoice History by General Ledger Account, May, 2018

The Board of Supervisors received the Invoice History by General Ledger Account for May, 2018. Dr. Booth made a motion, seconded by Mr. Paccione to approve the Receipt of Invoice History by General Ledger Account, May, 2018 in the amount of \$491,929.62. The motion carried 5 - 0.

Receipt of Year-to-Date Budget Report and Balance Sheet for May 2018

The Board of Supervisors received the Year-to-Date Budget Report and Balance Sheet for May 2018. Dr. Booth made a motion, seconded by Mr. Brandt to accept the Year-to-Date Budget Report and Balance Sheet for May 2018. The motion carried 5 - 0.

PUBLIC COMMENTS

The Chairman opened the meeting for public comment for items not on the agenda. There were no public comments offered.

BUILDING AND ZONING

Resolution No. 2018-16: Prak Subdivision Acceptance of the Dedication of Penllyn Pike Ultimate Right-of-Way

Mr. McAnally stated that the Prak Subdivision located at 513 Penllyn Pike was approved previously and the resolution currently before the board is to accept the dedication of the right-of-way along Penllyn Pike that was offered to the Township through this subdivision. Mr. Garrity clarified that this resolution is just the acceptance of the deed of right-of-way. Mr. Brandt made a motion, seconded by Dr. Booth to approve Resolution No. 2018-16 accepting dedication of the right-of-way along Penllyn Pike. The motion carried 5 - 0.

Resolution No. 2018-17: Reitenbaugh Subdivision- 1325 Gypsy Hill Road

Mr. Amey gave an overview of this project explaining that it is a 9.5-acre parcel on Gypsy Hill Road that currently has one single-family dwelling on it. A subdivision plan proposes to demolish the existing home, construct a new cul-de-sac roadway to serve 7 new lots, and install the associated stormwater management facilities and other improvements including a trail along Gypsy Hill Road. The plans have

been reviewed and found suitable for approval by the Township Planning Commission, the Montgomery County Planning Commission, Township Engineer, and the Township Building and Zoning Committee. The applicant's attorney, Mr. Edward Hughes, requested clarification on an item listed in the resolution pertaining to street lights. Mr. Garrity replied that the Township is not saying they can't install the street lights they are just stating that it is not required. Mr. Grey questioned why this resolution was added back onto the agenda. Mr. McAnally replied that the resolution was added at the request of the Chairman. Mr. Grey explained that there is an issue with the tree replacement and he was not prepared to discuss this application and didn't understand the urgency of voting this evening. Mr. Grey then explained the issue that exists between Wissahickon Creek communities and the EPA/DEP TMDL requirements. Mr. Grey expressed his concerns about a disappearing tree canopy and the potential future costs of replacing trees and other compliance responsibilities. Ms. Hunsicker replied that we are asking for a fee in lieu of trees in the amount of \$50K and \$5K per lot (\$35,000) in individual landscaping for a total tree contribution of \$85,000. The engineer is satisfied with the stormwater management plan for this piece and we're good with it too. Mr. Paccione added that it is not fair to the residents to underwrite the developer doing business. We should not push the burden onto the taxpayer as we know the bill is coming. Mr. Hughes replied that they are spending \$215K, which is more than fair. He added that to have to replace 716 trees could be a challenge to your ordinance. Dr. Booth commented that he felt they offered a reasonable solution and put forth a motion to approve Resolution N. 2018-17 granting preliminary/final approval to the Reitenbaugh Subdivision. Mr. Brandt seconded the motion. The motion carried 3-2 with both Supervisor Grey and Supervisor Paccione placing a nay vote.

Resolution No. 2018-18: 1617 School House Lane (Amend/Replace Resolution #2018-13)

Mr. McAnally explained that this resolution was to amend Resolution #2018-13 which granted preliminary/final approval the 1617 School House Lane Subdivision with certain conditions. The equitable owner has requested a modification to certain conditions approved under the previous resolution. The equitable owner is requesting that the existing driveway not be removed prior to settlement but instead be used as a construction entrance during construction and then removed. The second request is to permit the equitable owner to work with the neighbor to relocate or remove the existing shed negating the need for an encroachment easement. Dr. Booth asked if it would be possible to remove the second curb cut and have the driveways come in off of one curb cut. He added that it was just a suggestion. Dr. Booth made a motion to approve Resolution No. 2018-18, Mr. Brandt second the motion. The motion carried 5-0.

Resolution No. 2018-19: Multimodal Transportation Grant Application and Designation of Township Official as Executor of the Grant (Replace Resolution #2018-15)

Mr. McAnally explained that last month he requested authorization to submit a Multimodal Transportation Grant in the amount of \$1,363,296.00. Following the meeting DCED contacted the Township to notify them that a grant match in the amount of \$317K is no longer required. Dr. Booth made a motion to approve Resolution No. 2018-19, Mr. Brandt seconded the motion. The motion carried 5-0.

Authorization to sign the Foulkeway's Real Estate Tax Assessment Settlement Stipulation

Mr. Garrity explained that Foulkeways has been paying taxes under protest for years. The ongoing litigation has come to an end and the School District and Foulkeways have reached a settlement agreement. The agreement must be signed and authorized by both the Township and County in addition to the School District. Ms. Hunsicker requested a motion to approve the settlement agreement as presented with a tax loss of \$38,404.00. Dr. Booth made a motion to that effect, and Mr. Brandt seconded it. The motion carried 5-0.

Authorization to Advertise a Bid for Woodbridge Culvert and Bridge Repair Project

The Township Engineer, Jim Hersh, explained that the bottom of this culvert is rotted and Gilmore has been assessing different options for repair. The Board of Supervisors determined to move forward with a steel plate liner option. Mr. Hersh explained that the bidding process will be conducted from mid-July through mid-August and authorization to advertise is being requested this evening. Mr. McAnally noted that this culvert project is a budgeted item. Dr. Booth made a motion to authorize advertisement of the bid, Mr. Brandt seconded it. The motion carried 5-0.

OTHER BUSINESS

Municipal Building Parking Lot Authorizations

Ms. Hunsicker explained that there are a series of authorizations listed on the agenda pertaining to the municipal building parking lot. She asked Mr. DeStefano to provide an overview of the projects listed and then the board would handle the authorization motions. Mr. DeStefano explained that the Township has planned a number of municipal building projects and upgrades which will all be completed through Co-Stars contracts. The authorizations listed on the agenda all deal with materials and labor for the parking lot project.

Dr. Booth made a motion authorizing the acceptance of the lowest bid for milling the Township parking lot by Associated Paving in the amount of \$18,175.50. Mr. Brandt seconded the motion. The motion carried 5-0.

Dr. Booth made a motion authorizing the acceptance of the lowest quote for concrete repair work for the Township parking lot submitted by Giuliani & Sons Contracting in the amount of \$9,438.00. Mr. Grey seconded the motion. The motion carried 5-0.

Dr. Booth made a motion authorizing the purchase of paving materials for the project through Highway Materials and the CoStars Program at an estimated expense of \$27,500.00. Mr. Grey seconded the motion. The motion carried 5-0.

Dr. Booth made a motion authorizing the acceptance of the lowest bid for paving the Township parking lot by Associated Paving Contractors in the amount of \$19,618.50. Mr. Brandt seconded the motion. The motion carried 5-0.

Mr. Garrity stated for the record that his firm does occasionally represent Highway Materials but have no involvement or knowledge of this project until now.

Authorization to complete lighting project along Old Penllyn Pike & Wister Roads

Mr. DeStefano explained that funds were allocated in the 2018 budget to purchase and install lighting along Old Penllyn Pike. He explained that the plan is to provide down-lighting to avoid any spillover onto the Georgetown Community. Mr. DeStefano requested authorization to complete the lighting project through State Project Purchase and Township labor not to exceed \$15,000.00. Mr. Paccione made a motion, Dr. Booth seconded it. Motion carried 5-0.

Authorization to accept the lowest bid for curbing the islands on Moore Drive

Mr. McAnally explained that the Township took over Moore Drive and did not require the developer of the shopping center to do any restoration work on Moore Drive following construction. Part of the restoration work on Moore Drive involved the shortening of two landscape islands that now need to be curbed. He noted that this project was not budgeted which is why it is on the agenda for authorization. Mr. McAnally added that the Township would like to curb the islands now because the shopping center will be paved this Fall. Mr. DeStefano added that all the prep work would be handled by the Public Works Department. Mr. Brandt made a motion to authorize staff to accept the lowest bid for curbing the islands on Moore Drive in the amount of \$17,100.00 submitted by Giuliani & Sons Contracting. Dr. Booth seconded the motion. The motion carried 5-0.

MANAGER'S REPORT

Report from the Manager – Municipal activities, projects

Mr. McAnally informed the Board of a memo that was issued by Officer Tim Evard regarding parking restrictions on Kyle Lane, Pershing Road, and Old Penllyn Pike during school hours. The memo also recommends adding Houston Road to the restrictive list as it is currently signed but not included in the actual ordinance. Mr. McAnally requested authorization to advertise an ordinance for the parking restriction and in doing so all the residents on these roadways would be notified. Dr. Booth made a motion to authorize advertisement of the proposed parking restriction ordinance. Mr. Grey seconded the motion. The motion carried 5-0.

Mr. McAnally regretfully announced the passing of former Assistant Finance Director, Diane Williams.

There being no further questions or comments, the meeting was adjourned at 8:48 p.m. until the next Regular Meeting scheduled on July 24, 2018 at the Lower Gwynedd Township Building.

Following the adjournment of the meeting, Supervisor Grey questioned if the Chairman had done away with the supervisor survey portion of the meeting. Ms. Hunsicker replied that it was removed from the agenda because it had become a portion of the meeting where substantive issues are being raised that should be listed on the agenda so that the public is aware there will be a discussion on such matters. Mr.

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Grey replied that with that action a practice that was in place for 50 years was changed. Mr. Grey added that the Chairman does not have the authority to make that type of change. Ms. Hunsicker countered that the Chairman has the right to set the agenda and that is what she did. Ms. Hunsicker concluded that meeting had already been adjourned. There was no further business discussed.

Respectfully submitted,

Jamie Worman
Assistant Township Manager