

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING**

TUESDAY, JANUARY 24, 2017

SUPERVISORS PRESENT:

Stephen Paccione, Chairman
Kathleen Hunsicker, Vice-Chairman
Edward J. Brandt
Dr. J. Richard Booth
Mark Grey

STAFF:

Craig McAnally, Township Manager
Jamie Worman, Assistant Township Manager
Carole Culbreth, Assistant Secretary
Michael Savona, Esq., Solicitor
Kenneth Amey, Zoning Officer
Paul Kenny, Chief-of-Police
Michael DeStefano, Public Works Director

Call to Order and Pledge of Allegiance

The Chairman called the meeting to order at 7:35 p.m. in the Lower Gwynedd Township Municipal Building and led those in attendance in the pledge of allegiance. The Chairman stated the Board of Supervisors met in an Executive Session before the meeting on a Real Estate matter.

BUSINESS & FINANCIAL

Receipt of Invoice History by General Ledger Account for December, 2016

The Board of Supervisors received the Invoice History for the month of December, 2016 in the amount of \$1,440,385.93. The Chairman asked if there were any questions or comments. There were none. Ms. Hunsicker made a motion, seconded by Dr. Booth to approve the Invoice History by General Ledger Account for December, 2016 in the amount of \$1,440,385.93. The motion carried 5 - 0.

Receipt of Year-to-Date Budget Report for November, 2016

The Board of Supervisors received the Year-to-Date Budget Report for November, 2016. The Chairman asked if there were any questions. There were none. Ms. Hunsicker made a motion, seconded by Dr. Booth to accept the Year-to-Date Budget Report for November, 2016. The motion carried 5 - 0.

PUBLIC COMMENTS

The Chairman opened the meeting for public comment for items not on the agenda. There were none.

BUILDING AND ZONING

Conditional Use Application: PRAK Conditional Use Application **513 Penllyn Pike Blue Bell, PA**

Mr. Savona stated the Board of Supervisors received the following Conditional Use Application from Job Luning Prak and Lia Luning Prak. The property is 513 Penllyn Pike and the applicant seeks to create a 3 lot subdivision in conformity with Township dimensional requirements. Lot 3 will contain the existing single family dwelling, existing apartment/garage and existing pool and garage. Attorney Edward Hughes represented the Praks. Mr. Hughes stated the Applicant is requesting Conditional Use approval not Land Development approval. Tim Woodrow, witness for the Praks, was sworn in and accepted as an expert civil engineer. The exhibits for both the Township and PRAK were entered and accepted in the record. Mr. Woodrow stated the Planning Commission recommended approval of the Conditional Use Application. Mr. Savona asked the Board if they had any questions. Mr. Brandt asked if anyone looked into another entrance to this area. He recommended the applicant and engineer get together to discuss having one driveway out of the complex. Mr. Woodrow stated he would be happy to meet and discuss this option with the Police Chief and Public Works Director.

Mr. Savona asked for comments from those in attendance. There were concerns regarding the driveway location, removal of trees and the change in density and character of the area.

Mr. Savona stated the conditional use would allow reduced size of property for conforming use. The applicant will go through the Land Development process which will consider the technical issues. Mr. Savona closed the record. Ms. Hunsicker made a motion, seconded by Dr. Booth to approve the Prak Conditional Use as requested subject to the following conditions.

1. *Nothing in this Decision and Order shall be construed as either an express or implied waiver of any provision of any applicable ordinance of Lower Gwynedd Township. No level of development is guaranteed by virtue of this conditional Approval and the Proposed Use shall be permitted only if the fully-engineered Plans for the Property can demonstrate compliance with all applicable zoning and subdivision and land development regulations of the Township as well as any relevant statutes or regulations of any other governmental entity having jurisdiction over development on the Property.*
2. *The use permitted by this Approval shall be consistent with the application, testimony and exhibits submitted to the Board of Supervisors at the public hearing held on January 24, 2017.*
3. *Applicant shall be permitted to subdivide the existing Property to create three (3) new lots, as proposed, and shall be permitted to maintain the existing single-family dwelling and nonconforming garage with a residential apartment on a lot which is reduced in size from its current dimensions. No further residential uses shall be permitted on the lot containing the non-conforming use.*
4. *As provided under section 1296.06(d), as a result of this Conditional Use approval Applicant shall have no further right to expansion of the nonconforming use that might otherwise be permitted by the Zoning Ordinance or under Pennsylvania law.*
5. *Applicant shall comply with all other requirements of the A-Residential Zoning District with regard to the proposed new lots, unless relief is granted from such provisions by the Lower Gwynedd Township Zoning Hearing Board.*
6. *All of the terms, conditions and provisions of this Decision and Order shall be included as notes on the final record plan prepared and recorded as a part of any land development approval for the Property.*

The motion carried 5 - 0.

Authorize Advertisement for ACTS Conditional Use Application

Mr. McAnally asked the Board for authorization to advertise ACTS Conditional Use Application. The Conditional Use requests approval of a trail project to cross a riparian buffer for a bridge to be heard on February 28, 2017. Ms. Hunsicker made a motion, seconded by Dr. Booth to authorize advertisement for the ACTS Conditional Use Application. The motion carried 5 – 0.

OTHER BUSINESS

Authorize Grant Application for Montgomery County 2040 Implementation Grant

Mr. McAnally asked the Board to authorize staff to prepare an application for the pedestrian bridge at Bethlehem Pike near Spring House Woods and connect the Gwynedd Hunt trail near the Carriages. Mr. Brandt made a motion, seconded by Dr. Booth to approve the preparation of the Grant Application for Montgomery County 2040 Implementation Grant. The motion carried 5 – 0.

Authorize Advertisement for a Liquor License

Mr. McAnally stated Andy's Diner (Kefelonia Partners) is applying for an Economic Development Restaurant Liquor License. He asked the Board for authorization to advertise a public hearing to consider adoption of a Resolution for an application by Kefelonia Partners for an Economic Development Restaurant Liquor License on February 14, 2017. Ms. Hunsicker made a motion, seconded by Mr. Grey to authorize advertisement for a public hearing for an Economic Development Restaurant Liquor License as stated above. The motion carried 5 – 0.

Resolution No. 2017 – 05 Tax Collector Rate for 2018 – 2021

Mr. McAnally stated Betty Lou Yost, Tax Collector, recommended a tax collector rate increase of \$.25 per bill for years 2018 to 2021. Dr. Booth made a motion, seconded by Mr. Grey to adopt Resolution No. 2017 – 05 Tax Collector Rate for 2018 – 2021. The motion carried 5 – 0.

Public Works Laborer

Mr. McAnally stated Mr. DeStefano asked for permission to hire Mitchell A. Kulp, Harleysville at an hourly rate of \$19.00 to fill a Public Works vacancy. Dr. Booth made a motion, seconded by Ms. Hunsicker to approve the hiring of Mitchell Kulp to fill the Public Works Laborer Position at \$19.00 per hour. The motion carried 5 – 0.

ARLE Grant Bid

Mr. McAnally stated McMahon Associates reviewed two bids received on the ARLE Grant Project, Spring House, Lower Gwynedd Township, Montgomery County. He stated McMahon recommends the qualified low bidder, Armour & Sons Electric, Inc. in the amount of \$386,000 (ARLE Funding: \$346,000 and Municipal Match: \$40,000). Dr. Booth made a motion, seconded by Mr. Grey to approve the ARLE Grant Bid to Armour & Sons Electric, Inc. in the amount of \$386,000. The motion carried 5 – 0.

Interim Finance Director Contract

Mr. McAnally asked for approval of the Interim Finance Director Contract with Steve Wiesner, Wiesner Consulting LLC. Dr. Booth made a motion, seconded by Mr. Grey to approve the Interim Finance Director Contract with Steve Wiesner, Wiesner Consulting, LLC. The motion carried 5 - 0.

Sanitary Sewer Rehabilitation

Mr. DeStefano stated as a continuation of the rehabilitation work along Bethlehem Pike from Dager Road to Sumneytown Pike a minor problem was encountered at the intersection of Bethlehem Pike and Sumneytown Pike showing signs of surcharge. The Public Works Department recommends we accept the estimate submitted by Instituform Technologies through the CoStars Contract in the amount of \$14,850.00 to complete this work. Dr. Booth made a motion, seconded by Mr. Grey to approve the contract with Instituform Technologies in the amount of \$14,850.00 for the Sanitary Sewer Rehabilitation at Bethlehem Pike and Sumneytown Pike. The motion carried 5 - 0.

2017 Reappointments: Waste Water Solicitor
 Waste Water Infrastructure Engineer
 Waste Water Land Development Engineer
 Traffic Engineer

Mr. McAnally asked the Board to appoint the following one year appointments which were not included with the original appointments made at the Organizational Meeting on January 3, 2017:

Waste Water Solicitor: James Jacquette, Esq.
Waste Water Infrastructure Engineer: BCM Engineers
Waste Water Land Development Engineer: Gilmore Associates
Traffic Engineer: McMahan Associates

Ms. Hunsicker made a motion, seconded by Dr. Booth to approve the above appointments. The motion carried 5 - 0.

MANAGER'S REPORT

Report from the Manager - Municipal activities, projects

Mr. McAnally asked for Board approval of the Act 2 Study proposal for the Exxon Property (Spring House Village Shopping Center) corner of Sumneytown and Bethlehem Pike from Manko Gold Katcher Fox in the amount of \$63, 225.00. Ms. Hunsicker made a motion, seconded by Mr. Grey to approve the proposal from Manko Gold Katcher Fox in the amount of \$63,225.00 to conduct the Act 2 Study for the Exxon Property. The motion carried 5 - 0.

Mr. McAnally asked for approval of the E-Cycle Day on April 8, 2017 from 8:00 a.m. to noon. He stated the cost for the E-Cycle Day is \$1,500 for Paper Shred and \$3,200 for Recycling of electronics including TV's and monitors totaling \$4,700. Dr. Booth made a motion, seconded by Mr. Brandt to approve the E-Cycle Day on April 8, 2017 as stated above. The motion carried 5 - 0.

Mr. McAnally stated the Zoning Hearing Board voted to change their start time to 7:00 P.M.

SUPERVISORS/STAFF COMMENTS

Mr. Paccione thanked everyone for coming out tonight.

There being no further questions or comments, the meeting was adjourned at 8:35 p.m. until the next Regular Meeting scheduled on February 14, 2017 at the Lower Gwynedd Township Building.

Respectfully submitted,

Carole Culbreth
Assistant Secretary