

PLYMOUTH TOWNSHIP

REGULAR MEETING

May 14, 2012

Plymouth Township Council held its Regular Meeting at the Plymouth Township Building. The following officials were in attendance:

Council: Sheldon Simpson ----- Chairman
Lenore Bruno ----- Vice-Chairman
Dean Eisenberger
Vince Gillen
Maria Weidinger

Staff: Karen Weiss ----- Manager
Tom Speers ----- Solicitor
Lonnie Manai ----- Woodrow Associates
Tim Creelman ----- Finance Director
Chris Loschiavo ----- Public Works Director
Joe Lawrence ----- Chief of Police
John Myrsiades ----- Deputy Chief of Police
Ken Amey ----- Planner

Pledge of Allegiance - The Regular Meeting was called to order by Mr. Simpson at 7:00 p.m. and opened with the Pledge of Allegiance.

Mr. Simpson stated that the Cold Point Village Hearing and Meeting scheduled for this evening has been postponed.

Public Comment

Mr. Simpson asked if there was any public comment pertaining to any of the items advertised on the agenda and there was none.

ANNOUNCEMENT - Executive Session held May 7, 2012

Mr. Simpson announced that an Executive Session was held on May 7th in order to discuss litigation and personnel matters.

APPROVAL OF MINUTES: Chairman Simpson called for the approval of the minutes.

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| a. Workshop Meeting | April 2, 2012 |
| b. Special Meeting | April 9, 2012 |
| c. Regular Meeting | April 9, 2012 |
| d. Special Meeting | April 9, 2012 |

Ms. Bruno made a motion to approve the minutes without the necessity of reading and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

APPROVAL OF DEPARTMENTAL REPORTS AND BILLS: Chairman Simpson called for the approval of the departmental reports and bills.

Ms. Weidinger made a motion to approve the reports and bills and was seconded by Mr. Gillen. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

ADMINISTRATION

a. Stipulation to Settle - Mr. Speers stated that this item pertains to the property located at 2254 Hickory Road, owned by Liberty Property, L.P. In 2009, the owner filed an appeal to have the assessment lowered which at that time was \$8,280,940. The appeal was successful and the County lowered the assessment to \$7,120,200. Colonial School District filed an appeal and following negotiations, the School District has received the following settlement. Effective 1/1/10, County and Township assessment shall remain at \$7,120,200. Effective 1/1/11, \$7,120,200 and effective 1/1/12, the assessment shall be increased to \$7,500,000. The assessment shall remain at \$7,500,000 for each subsequent year.

POLICE/PUBLIC SAFETY

a. Emergency Operations Plan Resolution - Ms. Bruno made a motion to approve the resolution whereby Plymouth Township adopts the 2012 Emergency Operations Plan. The motion was seconded by Mr. Eisenberger; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

b. Officer of the Year - Mr. Eisenberger read the resolution Whereas, Officer Joseph LaPenta has performed diligently and faithfully the duties and services required of him by the Township of Plymouth, and whereas his performance is in the highest standard of the law enforcement profession; therefore be

it resolved Plymouth Township commends Officer LaPenta for his outstanding service. Mr. Eisenberger made a motion to approve the resolution and was seconded by Ms. Bruno. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

c. Commendations - Mr. Gillen read the resolution recognizing Officers Kyle Wilhelm, Eric Ponczak, and K9 Major for their efforts in an exceptional arrest beyond the requirements of routine duty. The motion was seconded by Mr. Eisenberger; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

d. National Police Week Resolution - Ms. Bruno read the resolution declaring the week of May 13th through May 19th as National Police Week and commending the Township Police Department for their services and dedication to the Township. Ms. Bruno made a motion to approve the resolution and was seconded by Mr. Gillen. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

Mr. Simpson thanked the Police Department on behalf of Council for their outstanding service to the Township.

PUBLIC WORKS/SEWER

a. Public Works Week Resolution - Ms. Weidinger read the resolution declaring the week of May 20th through May 26th as National Public Works Week and commending the Township Public Works Department for their services and dedication to the Township. Ms. Weidinger made a motion to approve the resolution and was seconded by Mr. Eisenberger. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

Mr. Simpson thanked the Public Works Department on behalf of Council for their outstanding service to the Township.

b. Street Paving and Highway Materials Bid Award - Ms. Bruno reported that the Township held a bid opening on April 18, 2012 for the Highway Materials and Street Paving Project. Chris Loschiavo, the Public Works Director has recommended that the bid be awarded as follows: 1) Item 1A - Fine Graded Course - 9.5 m to Glasgow, Inc. in the amount of \$5,850. 2) Item 1B Wearing Course 9.5mm to Glasgow, Inc. in the amount of \$5,775. 3) Item 1C - Wearing Course - 12.5 mm to Glasgow, Inc. in the amount of \$5,525. 4) Item 1D -

Wearing Course 19.0 mm to Glasgow, Inc. in the amount of \$5,350. 5) Item 1E - Binder Course - 19.0 mm to Glasgow, Inc. in the amount of \$5,350. 6) item 1F - Binder Course - 25.0 mm to Glasgow, Inc. in the amount of \$4,500. 7) Item 1G - Base Course 25 mm to Glasgow, Inc. in the amount of \$4,500, and Cold Mill Recycling to Recon Construction Services, Inc. in the amount of \$220,000.00. Ms. Bruno made a motion to approve the bid award as recommended by staff. The motion was seconded by Mr. Gillen; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

d. Mosquito Control - Mr. Simpson announced that the Township is conducting the mosquito spraying program again this year which includes treatments in all Township parks and certain tributaries running through Plymouth Township from May through September. If additional information is needed, residents can contact Mike Estock at 610-277-4100, extension 4229.

ENGINEERING

SUBDIVISION AND LAND DEVELOPMENT

a. L.D. 11-3 Plymouhtowne Apts/Fairfield & Sandy Hill Roads

1. Expiration Date June 12, 2012

b. Escrow Release - ACTION

1. Belvoir Estates - This item was not ready for action this evening.

2. Brierdale - This item was not ready for action this evening.

c. Waiver of Land Development - ACTION -

1. Wendy's - Mr. Speers stated that the Township Engineer and staff have reviewed the plans for Wendy's and have recommended a waiver of land development subject to the conditions read. Ms. Bruno made a motion to grant a waiver of land development and Ms. Weidinger seconded the motion. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Gillen, Mr. Eisenberger, Mr. Simpson and Ms. Weidinger in favor.

d. Homewood Suites extension requested to December 1, 2012- ACTION

- Mr. Eisenberger made a motion to grant the extension request until December 1, 2012. The motion was seconded by Mr. Gillen; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson, and Ms. Weidinger in favor.

CODE ENFORCEMENT/HEALTH

ZONING

a. Zoning Hearings - Ms. Weidinger announced that the Zoning Hearing Board of Plymouth Township will hold a public hearing on Monday, May 21, 2012, commencing at 7:00 p.m., in the Plymouth Township Building on the following applications. 1) SEAN AND JOANNE MCMANUS, 2) EDWARD REESE JR./CAPITAL TELECOM ACQUISITION & NEW CINGULAR WIRELESS PCS, LLC. D/B/A/ AT & T MOBILITY, 3) JAMES C. SARING AND LILLIAN A. COLETTI, 4) IMS HEALTH, INC./PLYMOUTH PARK DFC, LLC AND 5) SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (SEPTA). Any citizen of Plymouth Township or interested person may attend the public hearing and have an opportunity to be heard.

b. SEPTA/ALLVISION - Mr. Speers stated that last year SEPTA/ALLVISION made an application to the Zoning Hearing Board to construct two double sided 1,200 square foot billboards in the Township where the turnpike crosses the river. At that time, Council voted to have the Solicitor oppose the application. In the meantime they have reduced their request to 672 square feet per side and have offered several amendments which were read by Mr. Speers. These amendments will reduce the impact on the Township dramatically since originally proposed. Mr. Gillen made a motion that the Township withdraw its opposition to the SEPTA/ALLVISION request. The motion was seconded by Ms. Bruno; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

PARKS AND RECREATION

a. Fitness Equipment Bid Award - Mr. Simpson stated that the Township held a bid opening for fitness equipment for the Community Center expansion. Two bids were received with irregularities and Mr. Simpson made a motion that the Township reject all bids. The motion was seconded by Mr. Gillen; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

b. Plymouth Township Day - June 2nd - 4:00 p.m. - 9:00 p.m. - Ms. Bruno announced that Plymouth Township Day will be held on Saturday, June 2nd at East Plymouth Valley Park on Germantown Pike from 4:00 p.m. until 9:00 p.m. Concluding the night will be a concert by the Daisy Jug Band from 7:00 p.m. until 9:00 p.m.

There will be amusements, attractions, contests, demonstrations, and refreshments. All are welcome to attend.

c. Sale of Rain Barrels - May 19th - 8:00 a.m. - 3:00 p.m. -

Mr. Eisenberger stated that the County is hosting a rain barrel a compost bin sale at the Greater Plymouth Community Center on May 19th from 8:00 a.m. until 3:00 p.m. The compost bins are \$45.00 and the rain barrels are \$55.00.

PLANNING AND DEVELOPMENT

a. Roadway Sufficiency Analysis Resolution -Mr. Speers said that the Township appointed a Traffic Impact Fee Advisory Committee (TIFAC) to review the Act 209 fees. The Roadway Sufficiency Analysis is the second of three reports to be adopted by Council. Mr. Speers read the resolution whereas Council adopts the Roadway Sufficiency Analysis as recommended by the TIFAC. Mr. Eisenberger made a motion to approve the resolution and was seconded by Ms. Bruno. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

MISCELLANEOUS/OLD BUSINESS

a. Citizen Board Vacancy - Ms. Weiss announced that there is currently an opening on the Building Code Appeals Board. The applicant must have a background in plumbing.

b. Beekeeping - Bernie Brady, 1433 Sandwood Road re-emphasized his concerns regarding the beekeeping at 1435 Sandwood Road. A petition was re-submitted to the Township with additional signatures of residents who are opposed to the beekeeping in this residential neighborhood.

Mr. Speers stated there is very little regulation in Montgomery County pertaining to beekeeping. The Township is looking into regulating the lot size requirement, setbacks and the number of hives.

Mr. Brady asked that he be contacted when the Township has a draft of the beekeeping ordinance.

Charles Breinig, P.O. Box 606, Dresher, PA stated that he is a member of the Montgomery County Beekeeping Association and asked

that he be added to the list of those notified of the beekeeping ordinance. Mr. Breinig mentioned an article that was in the Philadelphia Inquirer where it mentioned that 73% of people surveyed would support a neighbor keeping bees.

Marie Crawford, 1580 Pennlyn Blue Bell Pike mentioned that she is a small scale farmer. She encouraged Council to set parameters and to proceed with the facts and not act on emotions and to consider the needs of all. The Bee Keeping Association does have guidelines. This decision is coming at a time when farming is coming back in residential areas.

Joseph Lepore, 1437 Sandwood Road stated that he has a swimming pool and is greatly concerned regarding the beekeeping. He has to adjust his life around the bees and he believes his property value will be decreased as a result. He is asking that the Township re-locate the bees somewhere else. He believes that the Township is liable if the bees sting people.

Mr. Speers stated that the Township is not liable. The homeowner has the right to have the bees and beekeeping is regulated by the State Department of Agriculture.

AUDIENCE PARTICIPATION

Adrian Franken, 3005 Azalea Terrace was present this evening to request that the Township look into the installation of a stop sign at the intersection of Knoll Road and Azalea Terrace. He believes this to be a safety issue for residents, particularly children. It would reduce speeding and increase safety. Oxford Road and Runnymede Drive has a stop sign and has similar circumstances. Mr. Simpson stated that the Township Highway Safety Unit will look into this issue to determine if a stop sign is warranted. He asked that Mr. Franken submit his request to Mr. Loschiavo, the Public Works Director and he will get back to him once a decision has been made.

Joy Speaker, 2442 Butler Pike spoke about the proposed CVS project and that she would like the zoning to remain residential and not commercial.

Mike Van Buren, 345 Oxford Road asked about the Complete Streets Policy.

ADJOURNMENT

There being no further business, the Regular Meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Mary Beth Jamison
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Recording Secretary