

# Minutes

## Township of Marple – Board of Commissioners – Joseph A. Rufo, President Regular Meeting – September 12, 2016 – 7:00 pm

- ◆ President Commissioner Rufo called the Regular Meeting to order at 7:05 pm on Monday, September 12, 2016 at the Township Building and then led the pledge of allegiance to the flag.
- ◆ **Present @ Roll Call** – Commissioners: – Joseph Rufo (1<sup>st</sup> ward) – Robert Fortebuono (3<sup>rd</sup> ward) - John Lucas (4<sup>th</sup> ward) – John Longacre (5<sup>th</sup> ward) Michael Molinaro (6<sup>th</sup> ward) and Daniel Leefson (7<sup>th</sup> ward). Absent/Excused: Jan Ceton (2<sup>nd</sup> ward)

Staff: Sharon Angelaccio, Township Secretary – Anthony T. Hamaday, Township Manager – Adam Matlawski, Township Solicitor – Joe Mastronardo, Township Engineer – Bill Creighton, Director of Public Works – Edward O’Lone, Finance Director and Thomas Murray, Chief of Police

- ◆ **Executive Session:** held at 6 PM prior to this meeting to discuss Litigation, Personnel and contractual items.

### 1. Public Forum

- John Butler, Laurel Lane – various items: EAC openings, PECO poles, traffic light Lawrence Road.
- Marcy Harper, Ravens Cliff – ongoing concerns/problems with her unit and Phase I.

### 2. Presentation – Contribution to the Broomall Volunteer Fire Company for new Fire Truck

### 3. Staff Reports

- Bill Creighton, Public Works – announced fall yard waste drop off Saturday & Sunday 9 am to 1 pm October 22 to November 20. Curbside leaf pickup starts 10/24 and will end 12/30.
- Ed O’Lone, Finance Director – 2017 budget time line
- Tom Murray, Chief of Police – gave stats for August and announced on 9/29 7 to 9 will be hosting a “Race Talk” Meeting.
- Joe Mastronardo, Engineer – updates: Paxon project, Road Program, Sproul & Kent traffic issues, Vets Park and Old Marple school fields.

### 4. Police officer Appointment - On a motion by Commissioner Molinaro, and seconded by Commissioner Lucas to approve the hiring of Kyle Engleman to the position of full-time police officer, effective October 1, 2016 in accordance with the Township Codified Ordinances, Civil Service Regulations and the Collective Bargaining Agreement, the vote was 5 in favor with Commissioner Longacre vote no. (5-1)

### 5. Board Minutes Regular Meeting – 8-8-16 – On a motion by Commissioner Leefson, and seconded by Commissioner Lucas to approve the August 8, 2016, Regular Meeting Minutes of the Board, the vote being unanimous. (6-0)

- 6. Disbursement Report and Check Register #2016-9** – On a motion by Commissioner Leefson, and seconded by Commissioner Lucas to approve the Disbursement Report and Check Register Number 2016-9, the vote being unanimous. (6-0)
- 7. Resolution No. 3740 – Transfers General Fund \$2,143.56** - On a motion by Commissioner Lucas, and seconded by Commissioner Leefson to adopt Resolution #3740 authorizing the transfers to be made in the General Fund in the amount of \$2,143.56 for the month of August, 2016 as outlined in the Resolution and as recommended by the Director of Finance, the vote being unanimous. (6-0)
- 8. Resolution No. 3741 – Transfers Refuse Fund \$8,105.16** – On a motion by Commissioner Leefson, and seconded by Commissioner Lucas to adopt Resolution #3741 authorizing the transfers to be made in the Refuse Fund in the amount of \$8,105.16 for the month of August, 2016 as outlined in the Resolution and as recommended by the Director of Finance, the vote being unanimous. (6-0)
- 9. Resolution # 3742 – Transfers Paxon Fund \$12,241.44** – On a motion by Commissioner Leefson, and seconded by Commissioner Lucas to adopt Resolution #3742 authorizing the transfers to be made in the Paxon Fund in the amount of \$12,241.44 for the month of August, 2016 as outlined in the Resolution and as recommended by the Director of Finance, the vote being unanimous. (6-0)
- 10. Resolution # 3743 – Transfers Sewer Fund \$1,838.00** – On a motion by Commissioner Lucas, and seconded by Commissioner Leefson to adopt Resolution #3743 authorizing the transfers to be made in the Sewer Fund in the amount of \$1,838.00 for the month of August, 2016 as outlined in the Resolution and as recommended by the Director of Finance, the vote being unanimous. (6-0)
- 11. Resolution #3744 – Act 205 Police Pension Plan Funding** – On a motion by Commissioner Molinaro, and seconded by Commissioner Lucas to adopt Resolution #3744 acknowledging the funding requirements for the Marple Township Police Pension Plan and making provisions for the cost as part of the Township Budget for the year 2017, the vote being unanimous. (6-0)
- 12. Resolution #3745 – Act 205 Non-Uniformed Pension Plan Funding** – On a motion by Commissioner Leefson, and seconded by Commissioner Leefson to adopt Resolution #3745 acknowledging the funding requirements for the Marple Township Non-Uniformed Pension Plan and making provisions for the cost as part of the Township Budget for the year 2017, the vote being unanimous. (6-0)
- 13. Code Waiver - David & Michele Rogers, 362 Westfield Dr.– Apron Curb Cut** – On a motion by Commissioner Lucas, and seconded by Commissioner Longacre to approve the driveway waiver request of David & Michele Rogers, 362 Westfield Drive increasing the 15' driveway curb cut for residential driveways to 20' as submitted on plot plan, the vote being unanimous. (6-0)

- 14. Appointment of Township Auditor for 2017** – On a motion by Commissioner Longace, and seconded by Commissioner Lucas to appoint the firm of Leitzell and Economidis, PC. of Media, PA as Township Auditor to perform the independent audit for the Township and Library and to provide the necessary financial statements and other financial documents for calendar year 2016 in accordance with their proposal and as recommended by the Township Controller, the vote being unanimous. (6-0)
- 15. Special Events Request – Thomas Massey House Harvest Day Festival** – On a motion by Commissioner Lucas, and seconded by Commissioner Leefson to approve the request of the Thomas Massey House pursuant to Chapter 300, Section 300-115, Special Events, of the Township Code, to conduct their Annual Harvest Day Festival on October 15, 2016 and to permit limited event advertising signage on the property and on Township property as approved by the Code Enforcement Department subject to the provisions outlined in Section 300-115, the vote being unanimous. (6-0)
- 16. Special Events Request – Wesley Enhanced Living Annual 5K to Defeat Dementia** – On a motion by Commissioner Leefson, and seconded by Commissioner Lucas to approve the request of the Wesley Enhanced Living, pursuant to Chapter 300, Section 300-115, Special Events, of the Township Code, to conduct their Annual 5K to Defeat Dementia on October 16, 2016 and to permit limited event advertising signage on the property and on Township property as approved by the Code Enforcement Department subject to the provisions outlined in Section 300-115, the vote being unanimous. (6-0)
- 17. Public Works Employee Promotion – Public Works Supervisor** – On a motion by Commissioner Lucas, and seconded by Commissioner Leefson to approve the promotion of Roy Weaver from Operator to Public Works Supervisor subject to the Marple Township Employee Handbook and the Marple Township Code effective immediately, the vote being unanimous. (6-0)
- 18. Capital Equipment Purchase** – On a motion by Commissioner Lucas, and seconded by Commissioner Longacre to approve/not approve the following equipment purchases and authorize bidding of the equipment or purchase through any available PA Costars or State Equipment Contracts:
1. Township Meeting Room AV Equipment & Sound Equipment
  2. Replacement Pickup Truck – PHCC
  3. Pole Barn – PHCC, the vote being unanimous. (6-0)
- 19. Cell Site Equipment Modification – American Tower/Verizon Cell Site Facility, Marple Grade School, 2641 West Chester Pike** – On a motion by Commissioner Molinaro, and seconded by Commissioner Lucas to approve, pursuant to the provisions of the American Tower Ground Sub-Lease and Verizon Ground Lease Agreements for the cell facility at the Marple Grade School Property, the modification of the ground equipment schedule to permit the installation of an emergency backup generator within the existing equipment compound subject to the compliance with all Township Ordinances and Code requirements, the vote being unanimous. (6-0)

**20. T-Mobile ROW Easement Agreement Amendment – Utility Pole Antenna Facility, Rolling Road** - On a motion by Commissioner Molinaro, and seconded by Commissioner Lucas to approve the Easement Agreement Amendment with T-Mobile Northeast LLC., for the non-exclusive use of a portion of the Township right-of-way on Rolling Road as identified in the agreement for the installation of a pole top telecommunications facility on a PECO Pole No. 6907 subject to the terms and conditions outlined in said amendment agreement. The proper Township officials are authorized to execute said agreement on behalf of the Township, the vote being unanimous. (6-0)

**21. Resolution #3746 - Declaration of Default of Developer's Agreement – Sentinel Ridge Development, LLC, Ravenscliff Subdivision Phase I** – On a motion by Commissioner Leefson, and seconded by Commissioner Longacre to adopt Resolution #3746 reaffirming the default of Sentinel Ridge Development, LLC. with respect to required improvements under the development agreement with Marple Township, declaring the Township's intention to complete such improvements and/or draw upon any improvement security fund and to pursue any and all remedies available to the Township under the Development Agreement, the Improvement Security Agreement and at law or in Equity to complete the improvements and to obtain payment/reimbursement of all of the Township's costs and expenses occurred in connection therewith, to obtain bids or quotations for such work and to enter into contracts for same, and further directing the Township Manager, Township Solicitor, and Township Engineer to take any and all actions in furtherance thereof, the vote being unanimous. (6-0)

**22. Resolution #3747 - Declaration of Default of Developer's Agreement – Sentinel Ridge Development, LLC III, Ravenscliff Subdivision Phase II** – On a motion by Commissioner Leefson, and seconded by Commissioner Longacre to adopt Resolution #3747 reaffirming the default of Sentinel Ridge Development, LLC III. with respect to required improvements under the development agreement with Marple Township, declaring the Township's intention to complete such improvements and/or draw upon any improvement security fund and to pursue any and all remedies available to the Township under the Development Agreement, the Improvement Security Agreement and at law or in Equity to complete the improvements and to obtain payment/reimbursement of all of the Township's costs and expenses occurred in connection therewith, to obtain bids or quotations for such work and to enter into contracts for same, and further directing the Township Manager, Township Solicitor, and Township Engineer to take any and all actions in furtherance thereof, the vote being unanimous. (6-0)

**23. Escrow Release # 20 – Ravenscliff Subdivision – Phase II** – On a motion by Commissioner Leefson, and seconded by Commissioner Longacre to not approve escrow release #20 in the amount of \$ 59,028.76 requested by the Benson Companies for completion of required improvements to date in the subdivision and as recommended by the Township Engineer for the following reasons:

1. The current balance in the escrow fund is required to ensure completion of the remaining site improvements.
2. The developer has not addressed construction punch list items outlined in the Township Engineer's correspondence dated May 20, 2016 and August 30, 2016.
3. The developer has not submitted corrected development As-Built Plans.
4. The request for Escrow Release No. 20 was not properly submitted per the Subdivision Agreement, the vote being unanimous. (6-0)

- 24. Resolution No. 3748 - Conditional Use Application - Proposed Fitness Center Use - Marple Associates & L.A. Fitness, West Chester Pike & Langford Road** – On a motion by Commissioner Molinaro, and seconded by Commissioner Lucas to adopt Resolution No. 3748 approving the Conditional Use Application of Marple Associates & L.A. Fitness, West Chester Pike & Langford Road, to permit the use and operation of a health club, fitness and exercise facility in a 34,000 S.F. building to be constructed on the property located at West Chester Pike & Langford Road subject to those conditions outlined in said resolution, the vote being unanimous. (6-0)
- 25. Resolution #3749 - Sewerage Facilities Planning Module, RobDonc, LLC, Gamma Lane** – On a motion by Commissioner Molinaro, and seconded by Commissioner Longacre to adopt Resolution #3749 adopting the Sewage Facilities Planning Module for the proposed RobDonc, LLC Subdivision on Gamma Lane and authorize the proper Township Officials to submit said module to PA DEP for approval, the vote being unanimous. (6-0)
- 26. Contract 2016- 6 - General Trades Contractor Change Orders No. 6 & 7 Station Project** – On a motion by Commissioner Lucas, and seconded by Commissioner Longacre to approve the following Change orders submitted by S.B. Conrad, General Trades Contractor, as part of the Contract No. 2016-6 Police Station Project and as recommended by the Project Architect and Construction Manager:
1. Change Order No. 6 – Concrete Replacement in the Vehicle Investigation Garage in the amount of \$14,214.00.
  2. Change Order No. 7 - Masonry Stair Wall Painting Prep in the amount of \$1656.00, the vote being unanimous. (6-0)
- 27. Contract 2015-7 - Police Station Project, Payment #6 – Stan Roch Plumbing** – On a motion by Commissioner Leefson, and seconded by Commissioner Lucas to approve Certificate of Payment #6 in the amount of \$45,866.54 for Contract #2015-7 to Stan Roch Plumbing for work to date on the Police Station Project as recommended by the Project Architect and Project Manager, the vote being unanimous. (6-0)
- 28. Contract 2015-6 - Police Station Project, Payment #7 - S.B. Conrad** – On a motion by Commissioner Lucas, and seconded by Commissioner Leefson to approve Certificate of Payment #7 for Contract #2015-6 in the amount of \$447,619.28 to S. B Conrad, Inc for work to date on the Police Station Project as recommended by the Project Architect and Project Manager, the vote being unanimous. (6-0)
- 29. Contract 2015-9 - Police Station Project, Payment #8 - AJM Electric** – On a motion by Commissioner Lucas, and seconded by Commissioner Longacre to approve Certificate of Payments #8 in the amount of \$5,220.00 to AJM Electric for work to date on the Police Station Project as recommended by the Project Architect and Project Manager, the vote being unanimous. (6-0)

**30. Contract 2015-8 - Police Station Project, Payment #4 – JBM Mechanical –**  
On a motion by Commissioner Lucas, and second by Commissioner Longacre to approve Certificate of Payment #4 in the amount of \$126,023.49 for Contract #2015-8 to JBM Mechanical for work to date on the Police Station Project as recommended by the Project Architect and Project Manager, the vote being unanimous. (6-0)

**31. Policy Adoption – Revised Township Sexual Abuse Policy –** On a motion by Commissioner Longacre, and seconded by Commissioner Lucas to adopt the revisions to the Sexual Abuse Policy as recommended by the Township Manager.

**32. Permission to Advertise Public Hearing– Proposed Zoning Map Amendment, “Jocelyn Tract” Media Line Road & Newtown Township Boundary - pass**

**33. Other Business**

- Residential Home Daycare Requirements
- Youth Aid Panel – Call for Volunteers
- Annual Community Festival – Oct 14-16, 2016

**34. Adjourn -** On a motion by Commissioner Lucas to adjourn the Regular Meeting of the Board at 8:15 pm on Monday, September 12, 2016.

Respectfully submitted,

*Sharon L. Angelaccio*  
Township Secretary