

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
SEPTEMBER 13, 2021
7:00 PM

www.montgomerytwp.org

Tanya C. Bamford
Candyce Fluehr Chimera
Annette M. Long
Matthew W. Quigg
Beth A. Staab

Carolyn McCreary
Township Manager

1. Call Meeting to Order
2. Pledge of Allegiance
3. Announcements
4. Announcement of Executive Session
5. Presentations:
 - a. Donation to the Montgomery County Public Library
 - b. Donation to The PEAK Center
 - c. Recognition of Emergency Responders
6. Appointments:
 - a. Gabriel Mejias, Special Fire Police Officer
 - b. Ryan Frazier, Business Development Partnership

7. Consent Agenda:

Consider Approval of Minutes of August 23, 2021 Meeting and Payment of the Bills

8. Public Comment

Planning & Zoning:

9. Public Hearing: Consider Adoption of Ordinance #21-322 Regulating Outdoor Dining
10. Consider Escrow Release No. 2 for Water Tower Square Associates - Millers Ale House
11. Consider Escrow Release No. 1 for Montgomery Crossing Associates - Firebirds Restaurant
12. Consider Escrow Release No. 3 for PEMV Partner's LP - Pete's Car Wash
13. Consider Escrow Release No. 8 for Skrolling Stone Investment - Steever Manor House
14. Consider Escrow Release No. 5 and Start of Maintenance Period for 309 Automall Properties, L.P
- Montgomery Nissan
15. Consider Escrow Release No. 1 for Montgomery Retirement Residence LLC
16. Consider Escrow Release No. 2 and End of Maintenance Period for BJ's Fueling Station
17. Consider Waiver of Permit Fee for Special Event - Bharatiya Temple Ganesh Festival

Public Safety:

18. Authorization to Accept 2020 FEMA Fire Prevention & Safety Grant

Information Technology:

19. Consider Authorization to Purchase Outdoor Digital Signage for Township Facilities

Administration & Finance:

20. Consider Adoption of Resolution Approving Procedures for Act 101 Violations

21. Consider Certification of 2022 Minimum Municipal Obligation (MMO) for the Police Pension Fund and Non-Uniformed Employees' Pension Fund

Other Business:

22. Adjournment

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 3

SUBJECT: Announcements
MEETING DATE: September 13, 2021
BOARD LIAISON:
INITIATED BY: Tanya C. Bamford, Chair

- The Board of Supervisors is pleased to recognize September 15th as the first day of National Hispanic American Heritage Month which traditionally honors the cultures and contributions of both Hispanic and Latino Americans as we celebrate heritage rooted in all Latin American countries. The Board also recognizes the contributions of our residents of Hispanic and Latino heritage.
- Due to the continuing changes and uncertainty in the community resulting from the pandemic, the Township regretfully announces that we are canceling the “Montgomery Day” event scheduled for Saturday, October 9th.

As this is typically a very well-attended family event it means there will be many children present who are unable to be vaccinated. Additionally, we are concerned with the size of the crowds and the ability to be able to successfully maintain social distancing at the various attractions. Originally this event was scheduled to take the place of what would have been our 20th Autumn Festival. We want to be sure our 20th Autumn Festival can be held in as safe an environment as possible and the Committee and Staff hope 2022 will be the year.

However, there is good news to report! In its place, we will once again hold a Halloween/Fall drive thru. As you know last year the Township successfully put together this impromptu event which was enthusiastically received by our residents. The Township staff was equally excited to participate in it, and we expect this year to be no different.

Check out our website and social media platforms for more details as they become available.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 4

SUBJECT: Announcement of Executive Session
MEETING DATE: September 13, 2021
BOARD LIAISON:
INITIATED BY: Sean P. Kilkenny, Esq., Township Solicitor

BACKGROUND:

The Board of Supervisors met in Executive Session at 6:40 PM to discuss one matter of litigation.

The topic discussed is a legitimate subject of an Executive Session pursuant to the Commonwealth of Pennsylvania's Sunshine Law.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 5a

SUBJECT: Presentation: Donation to the Montgomery County Public Library
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY:

BACKGROUND:

This evening the Board will be presenting a check in the amount of \$10,000 to the Montgomery County Norristown Public Library. **Karen DeAngelo, Executive Director** will be present at this meeting to accept the check on behalf of the library.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 5b

SUBJECT: Presentation: Donation to The PEAK Center
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY:

BACKGROUND:

This evening the Board will be presenting a check in the amount of \$3,000 to The PEAK Center. **Peter Stinson, Executive Director** will be present at this meeting to accept the check on behalf of the center.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 5c

SUBJECT: Recognition of Emergency Responders
MEETING DATE: September 13, 2021
BOARD LIAISON: Annette M. Long, Supervisor
INITIATED BY: William Wiegman, Director of Fire Services

BACKGROUND:

The remnants of Hurricane Ida reached Montgomery Township during the early evening of Wednesday September 1, 2021. Hurricane Ida caused catastrophic damage throughout the region including flooding, strong winds, and tornadic activity. The volunteers of the FDMT responded to 19 incidents from 6:00 pm to 2:30 am on September 2, 2021. These incidents included water rescues, fire alarms, traffic control, investigations, a tree into a home, and other storm-related emergencies. The Montgomery Township Police Department responded to approximately 40 calls for service during the storm.

The Township activated the Emergency Operations Center at 6:30 pm. Township Staff worked with the Police Department's Communication Specialists to ensure that all incidents were received and dispatched to the appropriate agencies. The EOC allowed for emergency communications to flow from the county to the township and then back to the county with no interruption in service. Township Public Works Staff assisted with road closures and flood mitigation throughout the township. Township Staff and the volunteers of FDMT worked together to respond to several incidents within Montgomery, Hatfield, and Upper Dublin Townships. Township Staff continued with recovery efforts well after the storm left Montgomery County.

RECOMMENDATION:

It is the recommendation of staff that the Board of Supervisors recognize the Township's First Responders for their efforts during Hurricane Ida on September 1 & 2, 2021.

MOTION:

- 1) **Motion** to recognize the Township's First Responders for their efforts during Hurricane Ida on September 1 & 2, 2021.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 6a

SUBJECT: Swearing in of new FDMT Special Fire Police Officer Angel Gabriel Mejias
MEETING DATE: September 13, 2021
BOARD LIAISON: Annette M. Long
INITIATED BY: William Wiegman, Director of Fire Services

BACKGROUND:

Mr. Angel Gabriel Mejias recently joined the Fire Department of Montgomery Township (FDMT). Mr. Mejias is being nominated by FDMT to be appointed as a Special Fire Police Officer under the Pennsylvania State Fire Police Statute - Act of 1941, P.L. 137, No. 74, Amended July 11, 1980. P.L. 580, No. 122.

Under this law, before the applicant can perform the duties as a Special Fire Police Officer, the nominated candidate must be confirmed by the Board of Supervisors and sworn in by the Chairperson of the Board of Supervisors.

Mr. Mejias has been interviewed by Lt. Dougherty of the Montgomery Township Police Department and based on all the information Lt. Dougherty believes that Mr. Mejias has the understanding and ability to perform the duties of a Special Fire Police Officer in Montgomery Township. Mr. Mejias also recently completed a 16-hour course in Basic Fire Police Training through the Bucks County Public Safety Training Center at the Ivyland Fire Company in Bucks County, PA.

RECOMMENDATION:

It is the recommendation of Staff that the Board of Supervisors appoint Mr. Angel Gabriel Mejias to the position of Special Fire Police Officer, effective September 13, 2021, and welcome him to Montgomery Township.

MOTION/RESOLUTION:

- 1) **Motion** to appoint Mr. Angel Gabriel Mejias to the position of Special Fire Police Officer, effective September 13, 2021, and welcome Mr. Mejias to Montgomery Township.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 6b

SUBJECT: Consider Appointment of Ryan Frazier to the Business Development Partnership Committee
MEETING DATE: September 13, 2021
BOARD LIAISON: Candyce F. Chimera
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

The Township received notice from Bob Cole of Worldwide Stereo that he is stepping away from the day-to-day operations of his business and is resigning from the BDP. Staff asked BDP members to reach out to anyone they think might be interested in serving on the committee.

Ryan Frazier submitted a Volunteer Committee Application. Mr. Frazier is the Marketing Manager for Citadel FCU. He is here tonight to introduce himself to the Board.

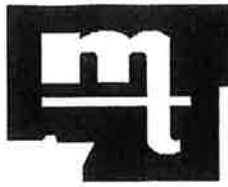
RECOMMENDATION:

Staff recommends the Board of Supervisors appoint Mr. Frazier to the Business Development Partnership Committee.

MOTION/RESOLUTION:

Motion to appoint Ryan P. Frazier to the Business Development Partnership to complete the unexpired term of Bob Cole.

- 1) Motion by: _____ Second by: _____
- 2) Chair will ask for public comment.
- 3) Chair will call for vote.



Montgomery Township
 1001 Stump Road
 Montgomeryville, PA 18936
 Phone: (215) 393-6900, Fax: (215) 855-6656
 Email: generalinfo@montgomerytwp.org
<http://www.montgomerytwp.org>

VOLUNTEER COMMITTEE APPLICATION

Volunteer Committees play a key role in helping maintain the quality of life in Montgomery Township. Residents can volunteer their time to help with Autumn Festival, review development plans, and offer expertise on environmental issues. The Township welcomes volunteers! Please consider volunteering your time on one of the following committees. A brief description of each committee is included on the back of this page. We keep all applications on file for review when vacancies occur. Tune into Channel 22 (Comcast), Channel 34 (Verizon), Montgomery Township Website, or Montgomery Township's E-News for a listing of current vacancies.

Thank you for your interest in helping your community!

Applicant Information

Full Name: Frazier Ryan P
Last First M.I.

Address: 1006 Bethlehem PK
Street Address Apartment/Unit #

Montgomeryville, PA 18936 PA
City State ZIP Code

Home Phone: _____ E-Mail Address _____

PLEASE INCLUDE A CURRENT RESUME WITH THIS FORM.

CHECK ALL OF THOSE OF INTEREST:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Autumn Festival Committee | <input type="checkbox"/> Pension Fund Advisory Committee |
| <input checked="" type="checkbox"/> Business Development Partnership (BDP) Community & Recreation Center Advisory Committee | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Environmental Advisory Committee | <input type="checkbox"/> Public Safety Committee |
| <input type="checkbox"/> Finance Committee | <input type="checkbox"/> Sewer Authority |
| <input type="checkbox"/> Open Space Committee | <input type="checkbox"/> Senior Volunteer Committee |
| <input type="checkbox"/> Park and Recreation Board | <input type="checkbox"/> Shade Tree Commission |
| | <input type="checkbox"/> Zoning Hearing Board |

Please email, drop off, mail or fax to the Montgomery Township Building. Thank you!

Ryan P. Frazier

Hands-On, Performance Process & Results-Oriented Professional

with strong skills in the following areas:

*Implementing Sales Technique and Culture *Strategic Planning *Market Place Analysis * Management * Profit & Loss
Responsibility * Hiring & Motivating Staff members * Leadership Development * Increasing Customer Satisfaction
*Obtaining Sales Goals and Upholding Service Standards

Summary of Qualifications:

- Background encompasses extensive professional experience in Management, Sales, and Customer Service.
- Some key positions of responsibility: Market Manager; Branch Manager; Training Manager;
- Strengths: Proven leadership/managerial abilities. Sales development through teaching of product knowledge and ancillary implementation; excellent communication/interpersonal skills (able to develop positive relationships with customers and employees); highly skilled at problem identification/problem resolution; results-oriented.

Selected Accomplishments:

- Market Manager (Citadel FCU Pottstown, Pa; Limerick, Pa): Opened two branches in new markets as company expanded. Laid ground work in these markets by joining Chambers, establishing Corporate Partners, hiring and training new staff, achieving goals in opening time frame, and twice winning the Citadel Class Service Award. Member of sales development committee and focus group. Coached employees to President's Council, Assistant Market Manager, and Market Manager Positions.
- Branch Manager (Neighborhood Credit Union Highland Village, TX): Re-Established market after initial launch of branch by developing and hiring staff to meet the needs of market. Trained staff to identify opportunities by utilizing credit and qualifile reports. Worked with Chamber and local charities to promote Credit Union mission. Provided World Class service to all branch patrons, leading to increased satisfaction of community needs.

Professional Experience

Citadel FCU (August 2018-Present)

Pottstown, PA; Montgomeryville, PA

Market Manager

- Build relations within a new community in preparation for new branch opening
- Work with Chamber and local nonprofits to expand awareness
- Implement sales coaching techniques in the division
- Work with staff and managers on strategies for selling deposit accounts, draft accounts, loans (consumer, commercial, real estate) ancillary products and investment referrals
- Track metrics for which to hold staff accountable
- Assist in daily huddles and weekly conference calls to set the tone for a sales culture

Neighborhood Credit Union (October 2017- August 2018)

Highland Village, TX

Branch Manager

- Re-establish newly opened branch to build previously underdeveloped market
- Create sales driven culture in branch
- Identify, hire and develop staff implement values of Credit Union
- Review credit reports with staff to garner additional opportunities
- Ensure all needs, spoken and unspoken are met with branch patrons
- Increase sales based on ancillary goals on lending, including, but not limited to: GAP 60%, MMP 40%, Dent and wheel 40%, Life and Disability 40/30% penetration.
- Responsible for the following goals, New Members, Checking, Investments, Loans, and Deposits
- Create/Repair relations within the market with existing and new members
- Provide World Class Service to members and non-members in all transactions, encouraging referral business

Texans Credit Union (October 2016 – October 2017)

Frisco, TX

Branch Manager

- Establish and develop culture change in existing market.
- Identify and develop talented personal for future leadership positions within Texans.
- Aid in and implement net worth restoration plan development and execution to achieve exit of prompt corrective action ahead of schedule.
- Increased lending and ancillary products month over month, year over year.
- Collaborate with supervisors, peers to create achievable action plans.
- Develop sales culture and teach product knowledge.
- Engage current Select Employer Groups to gain new members, and build lending profile.
- Prospect new SEGs to build branches.
- Increased branch lending goal to consistently achieve over 1MM/month

Citadel FCU(June 2014 – October 2016)

Pottstown, PA; Limerick, PA

Market Manager

- Create and implement a branch vision supported by objective and abstract goals.
- Build a relationship with local community expanding Citadel's brand into a new market.
- Develop and train Assistant Manager and employees to prepare them for future roles.
- Promote company values to achieve sales goals while holding employees accountable.
- Develop and maintain relationships with local businesses to increase sales.
- Solicit commercial lending, and suite of products.
- Effectively sell company products including, but not limited to, tiered accounts, consumer loans, mortgages, employer benefits.
- Explore, create, and maintain relationships with Corporate Partners.
- Responsible for obtaining new households, growing deposits, acquiring loans, generating key sales, referring investments, and upholding Citadel Class Service through Net Promoter Surveys.
- Participate in daily operations of 2.5-billion-dollar asset, 180,000-member Credit Union.

Movie Tavern (June 2005 to June 2014)

Denton, TX: Arlington, TX: Colledgeville, PA

Cinema Eatery Manager

- Manage all aspects of food service operations (profit and loss responsibility).
- Hire, train, motivate, supervise, evaluate, schedule and terminate employees.
- Identify and develop hourly employees to future leaders within the company.
- Oversee inventory control, ordering, food sanitation and quality control of food products.
- Maintain excellent guest service and hospitality by stressing the company's ideals at staff meetings.
- Building sales from knowledge gained in serving by providing excellent guest service and growing culture to raise attendance and per person averages.

Education:

- **Bachelor's Degree Economics (2009)**, University of North Texas, Denton Texas
- **Masters of Science in Management, Strategy, and Leadership (In Progress 2017)**, Michigan State University, East Lansing, Michigan

Volunteer:

- **Board Member – YMCA Pottstown; Spring Valley.** December 2014 – October 2016
- **Board Member – Artfusion 19464.** June 2014 – November 2015
- **Chamber Ambassador – Tri County Area Chamber of Commerce.** June 2014 – October 2016
- **Newsletter Committee – Springford Chamber of Commerce.** June 2016 – October 2016
- **Member – Audubon Society, Valley Forge, Pa.**

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # 7

SUBJECT: Consent Agenda:
Approval of Minutes of August 23, 2021 Meeting and Payment of Bills
MEETING DATE: September 13, 2021
BOARD LIAISON:
INITIATED BY:

BACKGROUND:

MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED for the following:

- Minutes of the August 23, 2021 Board meeting and Payment of Bills for September 13, 2021

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
AUGUST 23, 2021**

1. Call to Order: The August 23, 2021 public meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Chair Tanya C. Bamford called the meeting to order at 7:00 p.m.

IN ATTENDANCE:

Chair Tanya C. Bamford
Vice Chair Matthew W. Quigg
Supervisor Candyce Fluehr Chimera
Supervisor Annette M. Long
Supervisor Beth A. Staab
Township Manager, Carolyn McCreary
Township Solicitor, Sean Kilkenny, Esq.

ALSO IN ATTENDANCE:

Police Chief, J. Scott Bendig
Director of Administration & HR, Ann Shade
Director of Planning and Zoning, Bruce Shoupe
Director of Public Works, Greg Reiff
Director of Rec & Community Ctr, Floyd Shaffer
Director of IT, Rich Grier
Recording Secretary, Deborah A. Rivas
Public Information Coordinator, Derek Muller

2. & 3. Pledge of Allegiance and Announcements: Following the Pledge of Allegiance, the following announcements were made by Ms. Bamford:

- Montgomery Township Day community event is scheduled for Saturday, October 9, 2021 from 1pm to 6pm at the William F. Maule Park at Windlestrae Park. Township officials are monitoring current events concerning the surge in COVID cases locally and a decision will be made with regard to continuing the event as the date approaches.
- The Township wishes to thank everyone who donated to the Build-a-Bag Backpack and School Supply Drive.
- Michael "Scoogie" Snyder announced that the annual Turkey Trot which is held the morning of Thanksgiving along the Route 202 Parkway will officially be called the MoTown Turkey Trot in 2021.

4. Public Comment – Under public comment, Gary Gelbart of 103 Preserve Lane stated that residents are very pleased about Friendship Park but are concerned about the use of port-a-potties for bathroom facilities and neighbors are not happy about staring at outhouses that belong to construction sites.

Hana Mondelblatt of 109 Preserve Lane stated that she is surprised and disappointed because no matter where she looks out her window, the port-a-potties are in her view.

Lee Stein of 128 Bayhill Drive suggested a portable bathroom facility that uses composting rather than needing to be emptied by a truck.

Ms. Bamford thanked the residents for their feedback and said that numerous requests were made from people enjoying the park for restroom facilities, which is why the port-a-potties were delivered there. Staff did try to position them in a way that was unobtrusive, but still convenient and accessible to the play areas. Ms. McCreary reported that the Public Works crew will be putting up a structure around the area so that it is partially hidden.

5. Announcement of Executive Session – Township Solicitor Sean Kilkenny, Esquire, announced that the Board of Supervisors met in an Executive Session prior to this public meeting at 6:30 p.m. to discuss one litigation matter and one personnel matter. Mr. Kilkenny stated that the topics discussed are legitimate subjects of an Executive Session pursuant to the Commonwealth of Pennsylvania’s Sunshine Law.

6. Consent Agenda:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the minutes of the August 9, 2021 meeting and the Bills List dated August 23, 2021 were approved as presented.

7a. Presentation: Recognition of Katie Farrell, Jefferson Lansdale Hospital: Police Chief Bendig announced that the Township’s emergency services would like to recognize Katie Farrell, Chief Administrative Officer of Abington-Lansdale Hospital for her efforts in providing COVID-19 vaccinations for Montgomery Township’s first responders.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board recognized Katie Farrell.

7b. Presentation: Swearing-in of Police Officers Rardin and Hernandez: Police Chief Bendig presented, after an extensive hiring process, the top two candidates, Michael Rardin and Eric Hernandez to be sworn in as Recruit Police Officers.

MOTION: Upon motion by Ms. Long, seconded by Mr. Quigg and unanimously carried, the Board appointed Michael Rardin and Eric Hernandez to the position of Recruit Police Officers in the Montgomery Township Police Department, effective August 24, 2021.

8. Solicitor’s Report: Mr. Kilkenny reported on the 2021 Sunshine Act Changes and updated the Board on new publishing requirements, the Board’s limited ability to act on non-agenda items, the required procedures to act on non-agenda items and the effects of not following the new procedures. These amendments are effective August 29, 2021.

Planning & Zoning:

9. Public Hearing: Ordinance #21-320Z – Text Amendment HLI-Zoning District – Proposed Residential Use at Higher Rock Mixed Use Development: Ms. Bamford opened the public

hearing at 7:33 p.m. Notes of testimony were taken by Court Stenographer Tim Kurek. Chris Canavan, President of W.B. Homes, provided a summary of the request for a text amendment to add residential use to the HLI District for the Higher Rock Mixed Use Development. Mr. Canavan explained that there is one remaining undeveloped pad site at the Higher Rock location of approximately four acres. A plan was presented previously, and staff worked with W.B. Homes to come up with a text amendment that would permit this use. The concept plan is to build 36 townhomes on the site with pedestrian connectivity a priority. Discussion followed.

Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the hearing was closed at 7:45 p.m.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, Ordinance #21-320Z – Text Amendment HLI Zoning District – Residential Use at Higher Rock Mixed Use Development was approved.

10. Krispy Kreme Preliminary/Final Land Development Plan Approval: Amy Farrell, Esquire, representing the applicant, summarized the proposed redevelopment of the former Applebee's site. The proposed plan is to remove the existing building, reconfigure the site area and construct a little over 4,000 square foot Krispy Kreme building, with a 480 square foot outdoor dining component. The applicant has agreed to reconstruct the non-ADA compliant curb ramp at the corner of Knapp Road and Route 309, but is requesting that the resolution be modified to allow that site and building permits be issued, and construction be allowed to occur while the PennDOT review is ongoing, because typically those reviews take a long time. The applicant is agreeable to the resolution as presented otherwise. Under public comment, Joanne Cunningham, North Wales, commented about the queue line and where the cars will be lining up. Ms. Cunningham stated that there is a lot of pedestrian traffic in that area. Ms. Judith Stern-Goldstein responded that the queuing for the drive-thru will be further evaluated and addressed.

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board granted preliminary/final land development approval to the Krispy Kreme development, with the modification to allow for site and building permits to be issued and construction to be permitted while the PennDOT review of the ADA curb ramp is underway.

11. Advertisement of Proposed Landscape Ordinance Amendment: Ms. McCreary reported that recent discussions with Township staff and professionals pointed to the need to update the Township's landscape ordinance. Updates will better reflect the current conditions within the Township, provide more flexibility, and meet the Township's performance goals.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board authorized the advertisement of the proposed amendment to the Township's landscape ordinance.

12. Board Positions for Zoning Hearing Board Applications: Mr. Shoupe presented three applications to be considered by the Zoning Hearing Board at their September meeting. The first application is for 129 Preston Drive for the construction of a patio. The second application is for 121 Country Lane for the construction of a deck. The third application is for 111 David Lane for a variance to operate a personal / boxing training facility within the garage of the home. The Board declined to intervene on the applications.

Public Safety:

13. Adoption of “No Parking” Ordinance Amendment for Bridle Path Road:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board adopted an amendment to Chapter 222, Article IV Stopping, Standing, and Parking, section 222-20 *Parking prohibited at all times* regulating parking on Bridle Path Road.

Recreation:

14. Approval of Fall 2021 Recreation Programs and Fees: Recreation Program Supervisor Angelina Capozzi presented the proposed Fall 2021 Recreation Programs and Fees.

MOTION: Upon motion by Ms. Chimera, seconded by Mr. Quigg and unanimously carried, the Board approved the 2021 Fall Recreation Program and Fee Schedule amendment submitted.

15. Purchase of Solar Parking Lot Lighting with EPA Grant Funds: Mr. Shaffer reported that the Township received funds from the Department of Environmental Protection during the first quarter of 2021. The grant application process stipulated that proposed projects had to involve “Green Initiatives” that are energy efficient. Staff proposed the installation of additional solar street lights near the Community Recreation Center’s Stump Road entrance and a grant was awarded in the amount of \$24,680.00. The purchase and installation of the two solar lights has been quoted in the amount of \$26,354.94 under a PA COSTARS contract.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board approved the expenditure of \$26,354.94 for the purchase and installation of two new solar parking lot lights at the Community and Recreation Center.

Administration & Finance:

16. Proposal for Energy Assessment and Development of Ready for 100 Plan: Ms. McCreary outlined the steps that the Board previously approved for the Ready for 100 Renewable Energy resolution. Staff recommended the Township contract with a consultant to guide the committee in the process, and ensure the work doesn’t stall given the short timeframe to work with.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board accepted the proposal from Practical Energy Solutions dated August 17, 2021 in the amount of \$9,900.00 and authorized the Township Manager to execute the agreement.

17. Proposal to Amend Wireless Facilities Ordinance: Ms. McCreary reported that on June 30th, Act 50 was signed into law. This act adds a new set of regulations to municipal management of small cell wireless facilities in the public rights-of-way. Due to these recent legislative and legal actions, staff recommends the Board accept the proposal from the Cohen Law Group thereby positioning the Township to be in full compliance with the Commonwealth legislation and FCC order concerning small wireless facilities.

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board approved the proposal from the Cohen Law Group dated August 10, 2021 for wireless facilities management services in the amount of \$4,800.

18. Authorization to Issue Note for Capital Investment Plan: Ms. McCreary reported that at the last meeting, the Board discussed the Capital Investment Plan, as well as the potential for the Township to borrow money. A majority of the Board authorized staff to move forward with the advertisement for borrowing. Currently, expenditures for the next five years are about \$17.5 million, and without borrowing funds, we would be using a little over \$12 million of the fund balance in the capital, and we do not have \$12 million. With interest rates being historically low, it was the recommendation of staff that we consider borrowing \$15 million. Ms. McCreary stated that this borrowing to maintain capital projects, traffic signals, roads, stormwater, etc. would not only benefit the residents who are here now but are going to benefit residents in future generations. Nothing in the capital investment plan is fluff and the concern if we wait, even for a few years, is the interest rates will be higher and if we have to borrow in the future, it is going to cost more. Discussion followed.

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and carried by a majority vote of 3 to 2, with Ms. Chimera and Ms. Long voting no, the Board authorized the incurrence of Non-Electoral, General Obligation debt pursuant to the issuance of the General Obligation Notes, 2021 A Series in the aggregate principal amount of \$15 million for certain capital projects.

Other Business:

19. Other Business: Department and Committee Liaison Reports: There were no questions for the Department heads regarding their reports for the month of July.

At the request of Ms. Bamford, each Department has been asked to be featured each month and provide an update at the meeting. The Police Department was selected for this meeting. Chief Bendig provided an update on traffic in the township and tracking serious accidents and the steps being taken by the police department to assist motorists in minimizing accidents as much as

possible. Chief Bendig stated that distracted driving has been a continuous problem with drivers using their phones in vehicles.

20. Committee Liaison Reports: Ms. Chimera reported that the Planning Commission reviewed the Outdoor Dining Ordinance. The Business Development Partnership did not meet in August. Ms. Staab reported that the Shade Tree Commission discussed their 2021 planting projects, and a Copper Beech tree was to be installed at the Recreation Center. In addition, there will be a community forestry workshop taking place in the near future.

21. Adjournment: Upon motion by Ms. Bamford and seconded by Ms. Chimera, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary

| Check Date | Bank | Check | Vendor | Vendor Name | Amount |
|--------------------------|------|-------|-----------|-------------------------------------|------------|
| Bank 01 UNIVEST CHECKING | | | | | |
| 09/10/2021 | 01 | 44(S) | 00001323 | GLICK FIRE EQUIPMENT COMPANY INC | 0.00 |
| 08/23/2021 | 01 | 89394 | 100001809 | COMMONWEALTH OF PENNSYLVANIA | 518.75 |
| 08/30/2021 | 01 | 89395 | 00000271 | LANSDALE CHRYSLER PLYMOUTH INC. | 1,111.25 |
| 09/07/2021 | 01 | 89396 | 00000169 | FEDEX | 112.30 |
| 09/10/2021 | 01 | 89397 | 00000496 | 21ST CENTURY MEDIA NEWSPAPERS LLC | 2,536.25 |
| 09/10/2021 | 01 | 89398 | 00000842 | 911 SAFETY EQUIPMENT | 2,043.94 |
| 09/10/2021 | 01 | 89399 | 00002039 | ABINGTON HEALTH LANSDALE HOSPITAL | 16.00 |
| 09/10/2021 | 01 | 89400 | 00000006 | ACME UNIFORMS FOR INDUSTRY | 749.56 |
| 09/10/2021 | 01 | 89401 | 100000892 | ADAM ZWISLEWSKI | 165.00 |
| 09/10/2021 | 01 | 89402 | 00001875 | ADVANCED COLOR AND GRIND LLC | 1,100.00 |
| 09/10/2021 | 01 | 89403 | 100000876 | ALEXANDER J. DEANGELIS | 30.00 |
| 09/10/2021 | 01 | 89404 | 100000814 | AMAZON.COM SERVICES, INC | 1,170.85 |
| 09/10/2021 | 01 | 89405 | 100000814 | VOID | 0.00 V |
| 09/10/2021 | 01 | 89406 | 100000888 | ANDREW WEINER | 145.00 |
| 09/10/2021 | 01 | 89407 | 00000031 | AT&T | 130.82 |
| 09/10/2021 | 01 | 89408 | 100000915 | AUSTIN NEDWICK | 30.00 |
| 09/10/2021 | 01 | 89409 | 00001997 | AUTOMATIC SYNC TECHNOLOGIES, LLC | 901.15 |
| 09/10/2021 | 01 | 89410 | 00000340 | B SAFE INC. | 315.42 |
| 09/10/2021 | 01 | 89411 | 00000043 | BERGEY'S | 210.94 |
| 09/10/2021 | 01 | 89412 | 100001813 | BONNIE LEE | 220.00 |
| 09/10/2021 | 01 | 89413 | 00000209 | BOUCHER & JAMES, INC. | 8,027.10 |
| 09/10/2021 | 01 | 89414 | 100001244 | BRANDI BLUSIEWICZ | 45.00 |
| 09/10/2021 | 01 | 89415 | 100000979 | BRANDON UZDZIENSKI | 110.00 |
| 09/10/2021 | 01 | 89416 | 100001762 | BRITTON INDUSTRIES, INC. | 269.25 |
| 09/10/2021 | 01 | 89417 | 00905000 | BS&A SOFTWARE | 1,000.00 |
| 09/10/2021 | 01 | 89418 | 100000405 | C.E.S. | 189.41 |
| 09/10/2021 | 01 | 89419 | 100000319 | CANDORIS | 2,514.20 |
| 09/10/2021 | 01 | 89420 | 100000878 | CARL HERR | 115.00 |
| 09/10/2021 | 01 | 89421 | 00001601 | CDW GOVERNMENT, INC. | 4,417.02 |
| 09/10/2021 | 01 | 89422 | 00091234 | CENERO, LLC | 1,510.00 |
| 09/10/2021 | 01 | 89423 | 00000648 | COHEN LAW GROUP | 2,400.00 |
| 09/10/2021 | 01 | 89424 | 100000221 | COLMAR VETERINARY HOSPITAL | 105.00 |
| 09/10/2021 | 01 | 89425 | 100000829 | COLROM LLC | 3,060.00 |
| 09/10/2021 | 01 | 89426 | 00000363 | COMCAST | 10.49 |
| 09/10/2021 | 01 | 89427 | 100001621 | COUZINS, INC. | 60,590.67 |
| 09/10/2021 | 01 | 89428 | MISC | CUSTOM CRAFT CONTRACTORS | 9.00 |
| 09/10/2021 | 01 | 89429 | 00001460 | D.J.B. SPECIALTIES, INC. | 795.00 |
| 09/10/2021 | 01 | 89430 | 100001810 | DANIEL CHOI | 60.00 |
| 09/10/2021 | 01 | 89431 | 00906070 | DAVE FULTON | 100.00 |
| 09/10/2021 | 01 | 89432 | 100001797 | DHAVAL SHAH | 320.00 |
| 09/10/2021 | 01 | 89433 | 00000125 | DISCHELL, BARTLE DOOLEY PC | 3,616.00 |
| 09/10/2021 | 01 | 89434 | 100000213 | DOG TOWN | 369.95 |
| 09/10/2021 | 01 | 89435 | 100000893 | DONALD TUCKER | 120.00 |
| 09/10/2021 | 01 | 89436 | 00000967 | DVHT DELAWARE VALLEY HEALTH TRUST | 159,198.10 |
| 09/10/2021 | 01 | 89437 | 00906057 | E.M. GRANT | 1,125.00 |
| 09/10/2021 | 01 | 89438 | 00000152 | ECKERT SEAMANS CHERIN & | 3,380.00 |
| 09/10/2021 | 01 | 89439 | 100000817 | ESO SOLUTIONS, INC. | 3,575.37 |
| 09/10/2021 | 01 | 89440 | 00001057 | ESRI | 9,350.00 |
| 09/10/2021 | 01 | 89441 | 00903110 | ESTABLISHED TRAFFIC CONTROL | 997.46 |
| 09/10/2021 | 01 | 89442 | 100000129 | EUROFINS QC, INC. | 545.00 |
| 09/10/2021 | 01 | 89443 | 00000169 | FEDEX | 193.31 |
| 09/10/2021 | 01 | 89444 | 00000174 | FISHER & SON COMPANY, INC. | 612.00 |
| 09/10/2021 | 01 | 89445 | 100001602 | FRANK BLUSIEWICZ | 120.00 |
| 09/10/2021 | 01 | 89446 | 100000408 | FSSOLUTIONS | 100.40 |
| 09/10/2021 | 01 | 89447 | 00000188 | GALLS, AN ARAMARK CO., LLC | 542.75 |
| 09/10/2021 | 01 | 89448 | 00000817 | GILMORE & ASSOCIATES, INC. | 61,606.28 |
| 09/10/2021 | 01 | 89449 | 00000817 | VOID | 0.00 V |
| 09/10/2021 | 01 | 89450 | 00000817 | VOID | 0.00 V |
| 09/10/2021 | 01 | 89451 | 00000198 | GLASGOW, INC. | 2,359.17 |
| 09/10/2021 | 01 | 89452 | 00000219 | GLOBAL EQUIPMENT COMPANY | 434.22 |
| 09/10/2021 | 01 | 89453 | 00001784 | GOOGLE INC. | 24.00 |
| 09/10/2021 | 01 | 89454 | 00000608 | GOOSE SQUAD L.L.C. | 900.00 |
| 09/10/2021 | 01 | 89455 | 00001709 | GOULDEY WELDING & FABRICATIONS, INC | 48.00 |
| 09/10/2021 | 01 | 89456 | 00000229 | GRAINGER | 269.62 |
| 09/10/2021 | 01 | 89457 | 100000478 | GRANAHAN ELECTRICAL CONTRACTORS, IN | 3,335.00 |
| 09/10/2021 | 01 | 89458 | 00000203 | GRANTURK EQUIPMENT CO., INC. | 709.56 |
| 09/10/2021 | 01 | 89459 | 00000195 | GTR | 435.00 |
| 09/10/2021 | 01 | 89460 | 00000213 | HAJOCA CORPORATION | 421.66 |
| 09/10/2021 | 01 | 89461 | 100000162 | HERMAN GOLDNER COMPANY, INC. | 3,001.00 |
| 09/10/2021 | 01 | 89462 | 00000903 | HOME DEPOT CREDIT SERVICES | 285.64 |
| 09/10/2021 | 01 | 89463 | 00000576 | INDIAN VALLEY APPRAISAL COMPANY | 1,500.00 |
| 09/10/2021 | 01 | 89464 | 00000531 | INTERSTATE GRAPHICS | 190.00 |
| 09/10/2021 | 01 | 89465 | 100000882 | JACOB MILLEVOI | 30.00 |
| 09/10/2021 | 01 | 89466 | 100000881 | JOHN H. MOGENSEN | 165.00 |
| 09/10/2021 | 01 | 89467 | 100000297 | JOHN LEE | 186.00 |
| 09/10/2021 | 01 | 89468 | 100000554 | KEITH GRIERSON | 45.00 |
| 09/10/2021 | 01 | 89469 | 100001204 | KEYSTONE LIGHTING SOLUTIONS, INC | 33,320.82 |
| 09/10/2021 | 01 | 89470 | 100001811 | KEYSTONE MUNICIPAL SERVICES, INC. | 15,225.00 |

| Check Date | Bank | Check | Vendor | Vendor Name | Amount |
|------------|------|-------|-----------|-------------------------------------|-----------|
| 09/10/2021 | 01 | 89471 | 100001254 | KILCOYNE & KELM, LLC | 900.00 |
| 09/10/2021 | 01 | 89472 | 100001592 | KILKENNY LAW, LLC | 8,176.00 |
| 09/10/2021 | 01 | 89473 | 100001815 | KRISTIN MAAS | 79.96 |
| 09/10/2021 | 01 | 89474 | 100001661 | KYLE STUMP | 120.00 |
| 09/10/2021 | 01 | 89475 | 00001706 | LOWE'S COMPANIES INC. | 65.82 |
| 09/10/2021 | 01 | 89476 | 00000354 | MAD SCIENCE OF WEST NEW JERSEY | 1,500.00 |
| 09/10/2021 | 01 | 89477 | 100001765 | MARVIN MOSEBY | 75.00 |
| 09/10/2021 | 01 | 89478 | 00000201 | MASTERTECH AUTO SERVICE, LLC | 825.39 |
| 09/10/2021 | 01 | 89479 | 100000875 | MICHAEL BEAN | 90.00 |
| 09/10/2021 | 01 | 89480 | 100000885 | MICHAEL SHEARER | 60.00 |
| 09/10/2021 | 01 | 89481 | 100001814 | MONTGOMERY COUNTY PUBLIC LIBRARY | 10,000.00 |
| 09/10/2021 | 01 | 89482 | MISC | MONTGOMERYVILLE REALTY ASSOCIATES L | 5,559.00 |
| 09/10/2021 | 01 | 89483 | 100001804 | MOUMITA CHAKRABORTY | 100.00 |
| 09/10/2021 | 01 | 89484 | 00000356 | NORTH WALES WATER AUTHORITY | 68.24 |
| 09/10/2021 | 01 | 89485 | 00001134 | OFFICE DEPOT, INC | 348.72 |
| 09/10/2021 | 01 | 89486 | 100000120 | OTIS ELEVATOR COMPANY | 4,932.84 |
| 09/10/2021 | 01 | 89487 | 00000311 | PA DEPT OF LABOR & INDUSTRY-B | 750.51 |
| 09/10/2021 | 01 | 89488 | 100000039 | PA TURNPIKE TOLL BY PLATE | 21.80 |
| 09/10/2021 | 01 | 89489 | 100000890 | PAUL MOGENSEN | 325.00 |
| 09/10/2021 | 01 | 89490 | 00000661 | PAULA MESZAROS | 388.50 |
| 09/10/2021 | 01 | 89491 | 00000397 | PECO ENERGY | 1,360.22 |
| 09/10/2021 | 01 | 89492 | 00000397 | PECO ENERGY | 13,460.58 |
| 09/10/2021 | 01 | 89493 | 00000399 | PECO ENERGY | 6,922.26 |
| 09/10/2021 | 01 | 89494 | 00000399 | PECO ENERGY | 29.49 |
| 09/10/2021 | 01 | 89495 | 00000595 | PENN VALLEY CHEMICAL COMPANY | 690.56 |
| 09/10/2021 | 01 | 89496 | 03214629 | PENNSYLVANIA CHIEFS OF POLICE ASSOC | 13.95 |
| 09/10/2021 | 01 | 89497 | 00000388 | PENNSYLVANIA ONE CALL SYSTEM, INC. | 150.50 |
| 09/10/2021 | 01 | 89498 | 00000009 | PETTY CASH | 206.64 |
| 09/10/2021 | 01 | 89499 | 00001171 | PHILA OCCHEALTH/DBA WORKNET OCC | 944.42 |
| 09/10/2021 | 01 | 89500 | 00000446 | PHISCON ENTERPRISES, INC. | 700.00 |
| 09/10/2021 | 01 | 89501 | 00000252 | PURE CLEANERS | 746.70 |
| 09/10/2021 | 01 | 89502 | 100001010 | RACHEL GIBSON | 75.00 |
| 09/10/2021 | 01 | 89503 | 100000886 | RACHEL TROUTMAN | 15.00 |
| 09/10/2021 | 01 | 89504 | 00000430 | REM-ARK ALLOYS, INC. | 540.85 |
| 09/10/2021 | 01 | 89505 | 100000780 | RHYTHM ENGINEERING | 1,087.50 |
| 09/10/2021 | 01 | 89506 | MISC | RICHARD & SON CUSTOM CRAFTSMAN | 1,200.00 |
| 09/10/2021 | 01 | 89507 | 00000117 | RIGGINS INC | 1,915.35 |
| 09/10/2021 | 01 | 89508 | 00000115 | RIGGINS, INC | 2,205.02 |
| 09/10/2021 | 01 | 89509 | 00000610 | RUBIN, GLICKMAN, STEINBERG AND | 611.00 |
| 09/10/2021 | 01 | 89510 | 100000873 | RYAN ALLISON | 135.00 |
| 09/10/2021 | 01 | 89511 | 100000884 | RYAN RUDELL | 60.00 |
| 09/10/2021 | 01 | 89512 | 03214573 | SAR AUTOMOTIVE EQUIPMENT | 350.00 |
| 09/10/2021 | 01 | 89513 | 00001618 | SEALMASTER | 6,316.54 |
| 09/10/2021 | 01 | 89514 | 100000874 | SEAN ALLISON | 15.00 |
| 09/10/2021 | 01 | 89515 | 00001939 | SERVICE TIRE TRUCK CENTERS | 1,980.82 |
| 09/10/2021 | 01 | 89516 | 00000465 | SHAPIRO FIRE PROTECTION COMPANY | 1,429.22 |
| 09/10/2021 | 01 | 89517 | 00001030 | SIGNAL CONTROL PRODUCTS, INC. | 1,505.00 |
| 09/10/2021 | 01 | 89518 | 100000701 | STAPLES BUSINESS CREDIT | 390.38 |
| 09/10/2021 | 01 | 89519 | 00003015 | STEPHEN A. SPLENDIDO | 15.00 |
| 09/10/2021 | 01 | 89520 | MISC | THE NEHER GROUP INC | 175.50 |
| 09/10/2021 | 01 | 89521 | 00000772 | THE PEAK CENTER | 3,000.00 |
| 09/10/2021 | 01 | 89522 | 00002020 | THOMSON REUTERS | 247.74 |
| 09/10/2021 | 01 | 89523 | 00001273 | TIM KUREK | 1,251.25 |
| 09/10/2021 | 01 | 89524 | 00001984 | TRAFFIC PLANNING AND DESIGN, INC. | 14,232.00 |
| 09/10/2021 | 01 | 89525 | 00000506 | TRANS UNION LLC | 84.80 |
| 09/10/2021 | 01 | 89526 | 100000897 | TREVOR DALTON | 15.00 |
| 09/10/2021 | 01 | 89527 | 100000290 | TRIAD TRUCK EQUIPMENT | 8,774.00 |
| 09/10/2021 | 01 | 89528 | 100001181 | TURTLE & HUGHES ELECTRICAL & | 184.80 |
| 09/10/2021 | 01 | 89529 | 00000040 | VERIZON | 39.16 |
| 09/10/2021 | 01 | 89530 | 00000040 | VERIZON | 69.40 |
| 09/10/2021 | 01 | 89531 | 00000040 | VERIZON | 575.90 |
| 09/10/2021 | 01 | 89532 | 00000040 | VERIZON | 356.67 |
| 09/10/2021 | 01 | 89533 | 00000040 | VERIZON | 269.00 |
| 09/10/2021 | 01 | 89534 | 00000040 | VERIZON | 257.57 |
| 09/10/2021 | 01 | 89535 | 00000038 | VERIZON WIRELESS SERVICES, LLC | 360.12 |
| 09/10/2021 | 01 | 89536 | 00000038 | VERIZON WIRELESS SERVICES, LLC | 2,283.68 |
| 09/10/2021 | 01 | 89537 | 100000854 | VINAY SETTY | 360.00 |
| 09/10/2021 | 01 | 89538 | 100000891 | VINCENT ZIRPOLI | 135.00 |
| 09/10/2021 | 01 | 89539 | 100000801 | WATCH GUARD | 200.00 |
| 09/10/2021 | 01 | 89540 | 00001329 | WELDON AUTO PARTS | 200.60 |
| 09/10/2021 | 01 | 89541 | MISC | WEPYK STEVEN & JUSTINE | 1,200.00 |
| 09/10/2021 | 01 | 89542 | 00001084 | WITMER ASSOCIATES, INC. | 2,486.49 |
| 09/10/2021 | 01 | 89543 | 00000760 | WM CORPORATE SERVICES, INC | 1,951.50 |
| 09/10/2021 | 01 | 89544 | 100001042 | ZACHARY EIDEN | 45.00 |

01 TOTALS:

(3 Checks Voided)

Total of 149 Disbursements:

523,704.64

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY
Item # 8

SUBJECT: Public Comment
MEETING DATE: September 13, 2021
BOARD LIAISON:
INITIATED BY:

BACKGROUND:

Persons wishing to make public comment during this meeting on any items not listed on the agenda may do so at this time.

Please come forward to the microphone and state your name and address for the record.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD INFORMATION SUMMARY

Item # 9

SUBJECT: Consider Adoption of Ordinance # 21-322Z - Text Amendment 230-156.4
Outdoor Dining – Proposes to allow Outdoor Dining as a By-Right Use
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY: Bruce Shoupe, Director of Planning & Zoning

BACKGROUND:

With the end of Pennsylvania COVID restrictions, Outdoor Dining would fall back to the regulations outlined in 230-156.4 of the Zoning Code. The Board of Supervisors directed staff and consultants to see if the existing code could be amended to allow this use as a By-Right Use which would be reviewed at Staff level for compliance of the code and not have to seek approval from the Zoning Hearing Board.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: Staff and consultants met and have combine the existing standards from the Zoning Code, Building Code and Subdivision Code restating and modifying the existing Section 230-156.4 of the Zoning Code.

RECOMMENDATION: A public hearing had been authorized for the Zoning Text Amendment to provide the Board with information on future Outside Dining requirements. A packet of the review information is attached and contains:

- Print outs of the online advertisement in the Reporter of the Public Hearing on August 27 and September 3, 2021
- Proposed Ordinance #2021- 322Z
- Montgomery County Planning Commission letter dated August 17, 2021
- Montgomery Township Planning Commission recommendation August 19, 2021

MOTION/RESOLUTION:

- 1) **MOTION** to adopt Ordinance # 21-322Z - Text Amendment 230-156.4 Outdoor Dining – Allow Outdoor Dining as a By-Right Use
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.

**MONTGOMERY TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

AN ORDINANCE OF MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 230, ZONING, OF THE MONTGOMERY TOWNSHIP CODE OF ORDINANCES - REGULATING OUTDOOR DINING; REPEALING ALL INCONSISTENT ORDINANCES, OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE

WHEREAS, the number food providers who wish to serve food outdoors and customers who desire to dine outdoors has increased significantly, presenting both opportunities and challenges for local government; and

WHEREAS, it is appropriate to establish reasonable guidelines and regulations to govern outdoor dining in Montgomery Township in an effort to provide opportunities for restaurants and other establishments to operate within the Township; and

WHEREAS, the Township further finds that such regulations are necessary to protect the public health, safety, and welfare of residents, business owners and visitors in the Township.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township as follows:

I.

Section 230-5

RESTAURANT, OUTDOOR CUSTOMER DINING AREA

An area with seats and/or tables located outdoors of a restaurant, coffee shop, or other food service establishment located in a strip mall; also includes any outdoor area where beverages are consumed with or without the provision of dining facilities.

STRIP MALL

Commercial or retail uses, usually one-story high and one-store deep, that front on a major street.

§ 230-156.4 Special regulations for restaurant, outdoor customer dining area.

A. Zoning requirements. Outdoor dining area shall be permitted as an accessory use in the C, S, RS, and ECPOD Overlay Districts.

B. Floor area devoted to outdoor dining shall provide for off-street parking in the same manner as prescribed for restaurant use.

C. The area designated and used for outdoor dining shall comply with all other zoning requirements such as yards, building setbacks, impervious surface ratio, and setbacks from parking areas.

D. The outdoor dining area shall not infringe on any public sidewalk, or encroach upon required green space or parking areas; and shall be physically separated from the above by any combination of railing, fence, deck, planting boxes, or natural vegetation.

E. Where parking spaces abut and are perpendicular to paved walkways the design shall provide for placement of bollards spaced five feet on center, a minimum of 16 inches from the front face of the curb, edge of parking space across the width of all the parking spaces.

F. Outdoor service and music shall end no later than 11:00 P.M., and there shall be no amplified music outdoors.

G. Only tables, chairs, umbrellas, stations for condiments and silverware, and containers for the disposal or recyclable cans/bottles and garbage shall be permitted within any outdoor dining area.

H. Refuse facilities shall be provided.

I. All food preparation shall be in the regular kitchen area of the restaurant, not outside.

J. All outdoor food service is subject to the regulations of the Montgomery County Department of Health, and the Pennsylvania Liquor Control Board.

K. All outdoor dining areas are subject to the regulations of the Building Code including the increase in the number of restroom facilities required due to the increase in occupant load of the facility.

L. All outdoor dining must maintain pedestrian and traffic safety, including a clear path (six feet wide) of travel for pedestrian flow.

II. Severability.

The terms, conditions and provisions of this Chapter are hereby declared to be severable, and should any portion, part or provision of this Chapter be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the Montgomery Township Board of Supervisors hereby declares its intent that the Chapter shall have been repealed without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Chapter.

III. Repealer.

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

IV. Effective Date.

This Ordinance shall be effective immediately enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township on this _____ day of _____, 2021.

Attest:

**MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS**

Carolyn McCreary, Secretary

Tanya C. Bamford, Chair

Reporter, The

Publication Name:
Reporter, The

Publication URL:

Publication City and State:
Lansdale, PA

Publication County:
Montgomery

Notice Popular Keyword Category:

Notice Keywords:

Notice Authentication Number:
202109030919283400431
387451020

Notice URL:

[Back](#)

Notice Publish Date:

Friday, August 27, 2021

Notice Content

MONTGOMERY TOWNSHIP LEGAL NOTICE On Monday, September 13, 2021, at 7:00 p.m. the Montgomery Township Board of Supervisors, during its regularly scheduled meeting at the Township Building located at 1001 Stump Rd., Montgomeryville, PA 18936, will hold a hearing to consider amending the Township Zoning Code to expand and regulate outdoor dining, the title and summary of which appears below: AN ORDINANCE OF MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 230, ZONING, OF THE MONTGOMERY TOWNSHIP CODE OF ORDINANCES - REGULATING OUTDOOR DINING; REPEALING ALL INCONSISTENT ORDINANCES, OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE The amendment will regulate food providers who wish to serve food outdoors by establishing reasonable guidelines and regulations to govern outdoor dining in Montgomery Township in an effort to provide opportunities for restaurants and other establishments to offer outdoor dining within the Township. A copy of the full text of the proposed ordinance is available for inspection and copying by the public by appointment at the Township Building, located at 1001 Stump Rd., Montgomeryville, PA 18936, the offices of this newspaper, and the Montgomery County law library. The public is invited to attend and will be given an opportunity to provide comments regarding this proposed ordinance. Persons with disabilities, wishing to attend the public meeting and requiring auxiliary aid, service or other accommodations to participate, should contact the Montgomery Township Director of Administration & Human Resources at 215-393-6900. CAROLYN MCCREARY TOWNSHIP MANAGER DCT: Aug. 27. Sept. 3. a-1

[Back](#)

Reporter, The

Publication Name:
Reporter, The

Publication URL:

Publication City and State:
Lansdale, PA

Publication County:
Montgomery

Notice Popular Keyword Category:

Notice Keywords:

Notice Authentication Number:
202109030917116585675
387451020

Notice URL:

[Back](#)

Notice Publish Date:

Friday, September 03, 2021

Notice Content

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[Back](#)

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CAROLYN MCCREARY
TOWNSHIP MANAGER

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY
PLANNING COMMISSION**

MONTGOMERY COUNTY COURTHOUSE • PO Box 311
NORRISTOWN, PA 19404-0311
610-278-3722
FAX: 610-278-3941 • TDD: 610-631-1211
WWW.MONTCOPA.ORG

SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

August 17, 2021

Mr. Bruce S. Shoupe, Director of Planning/Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, Pennsylvania 18936-9605

Re: MCPC #21-0220-001
Plan Name: Outdoor Dining Zoning Text Amendment Ordinance
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced zoning ordinance text amendment proposal in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on August 4, 2021. We forward this letter as a report of our review.

BACKGROUND

The applicant, Montgomery Township, is submitting a zoning ordinance text amendment proposal affecting Section 230-156.4 to change outdoor customer dining areas from a special exception accessory use to a permitted accessory use in the Township's C, S, RS, and ECPOD zoning districts. The text amendment includes adding provisions for parking requirements, physical separation requirements from adjoining sidewalk, green space, and parking areas, the addition of bollards to separate parking spaces from paved walkways, limits on hours of operation and music, restrictions on what can be located in the dining areas, and reminders of proper additional code compliance.

COMPREHENSIVE PLAN COMPLIANCE

Montgomery Township's *2008 Comprehensive Plan Update Vision Plan* notes that "a successful town center depends on the creation of an outdoor space or spaces that give people the sense of being in a large, public room." While not explicitly identifying outdoor dining as part of the attraction of town centers, the locations cited as models, such as Venice, Sonoma, and New England villages, offer outdoor dining as part of the overall charm and attractiveness of the destination. We believe that this zoning text amendment is compatible with the spirit of the comprehensive plan.



Montgomery County's comprehensive plan, *Montco 2040: A Shared Vision*, states under the "Vibrant Economy" section that the County will encourage "flexibly adapt[ing] to changing market conditions and demographics". This includes an emphasis on existing retail buildings achieving higher design standards, through connected sidewalks, signage, and street beautification. Proper outdoor dining zoning code provisions will assist with the continued updating and transformation of Montgomery Township's retail and restaurant buildings.

It should be noted that both Montgomery Township and Montgomery County's comprehensive plans were drafted before the COVID-19 pandemic, in which outdoor seating at restaurants was temporarily permitted as a method of allowing businesses to continue while reducing chances of airborne disease exposure. We are happy to see that some of these provisions are slated to become permanent to improve the flexibility of dining arrangements even after the pandemic subsides.

RECOMMENDATION/CONCLUSION

The Montgomery County Planning Commission (MCPC) supports the proposed zoning text amendment. The Township should consider the ramifications of enforcement of these added provisions, as well as whether approval needs to be granted to each participating restaurant as was common in the summer of 2020, but these issues can likely fall under existing code provisions and township authority and should not need any changes to the ordinance itself.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality. Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Matthew Popek, AICP
Transportation Planning Assistant Manager
mpopek@montcopa.org - 610-278-3730

c: Carolyn McCreary, Twp. Manager
Jim Rall, Chrm., Twp. Planning Commission

Planning Commission Meeting – August 19, 2021

In attendance: Jim Rall, Rutuke Patel, Leon McGuire, Dave Fetzer and Steve Kremenecker. Also, in attendance: Candyce Chimera and Bruce Shoupe Absent: Jay Glickman, Frank Davey and Tom Borghetti

Call to Order: 7:30pm

Outdoor Dining Ordinance amendment was reviewed by Bruce Shoupe, Director of Planning and Zoning providing an overview of the proposed changes to the existing code. The major changes would be that Outdoor dining would now be a permitted use providing standards for yard and building setbacks, impervious coverage and setbacks from parking areas along with providing for bollards spaced at 5 feet on center where parking spaces are perpendicular to paved walkways to enhance customer safety and outdoor dining must follow the building code requirements for rest room facilities requirements for increases in the occupancy load.

On a motion made by Steve Krumenacker and Leon McGuire, the Planning Commission recommends the Board of Supervisors approve the amendments to Outdoor Dining Minor ordinance. All members were in favor.

Adjournment: There being no further business to come before the Commission and on a motion made by Jim Rall and seconded by Leon McGuire, the meeting adjourned at 8:00 pm. The next meeting will be held at 7:30 pm on October 21, 2021 at the Montgomery Township Building.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # 10

SUBJECT: Consider Construction Escrow Release 2 – Water Tower Square
Associates – Miller Ale House - LDS 697
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

BACKGROUND:

Attached is a construction escrow release requested by Water Tower Square Associates for Miller Ale House as recommended by the Township Engineer.

The original amount of the escrow was \$501,722.65, held as Cash with the Township. This is the second release and is in the amount of \$72,111.15. The new balance would be \$0.00.

BUDGET IMPACT: None.

RECOMMENDATION: That this construction escrow be released.

MOTION/RESOLUTION:

- 1) **Motion** to authorize a construction escrow release in the amount of \$72,111.15 as recommended by the Township Engineer for Water Tower Square Associates (Millers Ale House) contingent upon payment of all outstanding bills.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

REVISED SEPTEMBER 8, 2021

August 30, 2021

File No. 2018-03056-01

Carolyn McCreary, Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Water Tower Square Associates – Satellite Pad Site – LDS-697
751 Horsham Road (S.R. 0463)
Escrow Release 2 – End of Maintenance

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. We have reviewed the As-Built Plan for Water Tower Square, prepared by Langan, last revised August 30, 2021, and have found it to be acceptable. This letter is to certify that the improvements attached to this letter in the amount of \$72,111.15 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/sl

Enclosure: Release of Escrow Form (8/30/21), Summary of Improvement Escrow Account (8/30/21),

cc: Carolyn McCreary, Township Manager Designee
Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
John Williamson – The Goldenberg Group
Brian M. Conlon, P.E., LEED AP – Langan Engineering and Environmental Services, LLC
Judith Stern Goldstein, ASLA, R.L.A. – Gilmore & Associates, Inc.
Damon Drummond, P.E., PTOE – Gilmore & Associates, Inc.
Brian Dusault, Construction Services Manager - Gilmore & Associates, Inc.

RELEASE OF ESCROW FORM

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 08/23/2021

Development: Water Tower Square Redevelopment - LDS-697

G&A Project #: 2018-03056-01

Release #: 2

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$ 72,111.15. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 08/30/2021

Dear Ms. McCreary:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$ 72,111.15 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

James P. Dougherty

9/8/21

James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Water Tower Square Associates for Water Tower Square Redevelopment - LDS-697, in the amount of \$ 72,111.15, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$ 72,111.15; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$ 72,111.15; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum contingent upon payment of all outstanding bills. BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Performance Bond with Montgomery Township in total sum of \$ 501,722.65 pursuant to a signed Land Development Agreement and that \$ 429,611.50 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$ - in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director

| | | |
|---|--|--------------------------------|
| PROJECT NAME: Water Tower Square Redevelopment | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 40,000.00 | MONTGOMERY TOWNSHIP |
| PROJECT OWNER: Water Tower Square Associates | TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00 | TOWNSHIP NO.: LDS-697 |
| ESCROW AGENT: North American Specialty | | G&A PROJECT NO.: 2018-03056-01 |
| TYPE OF SECURITY: Performance Bond | MAINTENANCE BOND AMOUNT (15%): \$ 68,416.73 | AGREEMENT DATE: 17-Dec-2018 |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---------------------------------------|---------------------|---------------------|----------------------|----------------------|-------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$456,111.50 | \$ 26,500.00 | \$ 429,611.50 | \$ 456,111.50 | \$ - |
| CONTINGENCY (10%) | \$ 45,611.15 | \$ 45,611.15 | \$ - | \$ 45,611.15 | \$ - |
| TOTAL | \$501,722.65 | \$ 72,111.15 | \$ 429,611.50 | \$ 501,722.65 | \$ - |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|---|------|----------|--------------|--------------|-----------------|--------------|----------------|--------------|--|--------------|---|------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| B. SOIL EROSION AND SEDIMENT CONTROL | | | | | | | | | | | | |
| 1. Construction Entrance | SF | 2,500 | \$ 1.00 | \$ 2,500.00 | | \$ - | 2,500.00 | \$ 2,500.00 | 2,500.00 | \$ 2,500.00 | | \$ - |
| 2. 18" Silt Fence | LF | 496 | \$ 3.75 | \$ 1,860.00 | | \$ - | 496.00 | \$ 1,860.00 | 496.00 | \$ 1,860.00 | | \$ - |
| 3. Filter Sock | LF | 226 | \$ 3.75 | \$ 847.50 | | \$ - | 226.00 | \$ 847.50 | 226.00 | \$ 847.50 | | \$ - |
| 4. Inlet Protection | EA | 9 | \$ 250.00 | \$ 2,250.00 | | \$ - | 9.00 | \$ 2,250.00 | 9.00 | \$ 2,250.00 | | \$ - |
| 5. Dust Control | LS | 1 | \$ 5,000.00 | \$ 5,000.00 | | \$ - | 1.00 | \$ 5,000.00 | 1.00 | \$ 5,000.00 | | \$ - |
| 6. Tree Protection Fence | LF | 600 | \$ 2.75 | \$ 1,650.00 | | \$ - | 600.00 | \$ 1,650.00 | 600.00 | \$ 1,650.00 | | \$ - |
| 7. Remove E&S Measures | LS | 1 | \$ 1,000.00 | \$ 1,000.00 | | \$ - | 1.00 | \$ 1,000.00 | 1.00 | \$ 1,000.00 | | \$ - |
| C. EARTHWORK | | | | | | | | | | | | |
| 1. Cut to Fill | CY | 120 | \$ 4.00 | \$ 480.00 | | \$ - | 120.00 | \$ 480.00 | 120.00 | \$ 480.00 | | \$ - |
| 2. Strip Topsoil, 6 inch Depth | CY | 260 | \$ 6.00 | \$ 1,560.00 | | \$ - | 260.00 | \$ 1,560.00 | 260.00 | \$ 1,560.00 | | \$ - |
| 3. Temporary Seeding | SF | 14,050 | \$ 0.50 | \$ 7,025.00 | | \$ - | 14,050.00 | \$ 7,025.00 | 14,050.00 | \$ 7,025.00 | | \$ - |
| 4. Fine Grading | SY | 812 | \$ 1.00 | \$ 812.00 | | \$ - | 812.00 | \$ 812.00 | 812.00 | \$ 812.00 | | \$ - |
| D. STORM SEWER | | | | | | | | | | | | |
| 1. 3 inch HDPE Pipe | LF | 38 | \$ 27.00 | \$ 1,026.00 | | \$ - | 38.00 | \$ 1,026.00 | 38.00 | \$ 1,026.00 | | \$ - |
| 2. 4 inch HDPE Pipe | LF | 18 | \$ 30.00 | \$ 540.00 | | \$ - | 18.00 | \$ 540.00 | 18.00 | \$ 540.00 | | \$ - |
| 3. 5 inch HDPE Pipe | LF | 108 | \$ 33.00 | \$ 3,564.00 | | \$ - | 108.00 | \$ 3,564.00 | 108.00 | \$ 3,564.00 | | \$ - |
| 4. 6 inch HDPE Pipe (Underdrain) | LF | 151 | \$ 35.00 | \$ 5,285.00 | | \$ - | 151.00 | \$ 5,285.00 | 151.00 | \$ 5,285.00 | | \$ - |
| 5. 15 inch HDPE Pipe | LF | 319 | \$ 50.00 | \$ 15,950.00 | | \$ - | 319.00 | \$ 15,950.00 | 319.00 | \$ 15,950.00 | | \$ - |
| 6. 24 inch HDPE Pipe | LF | 97 | \$ 60.00 | \$ 5,820.00 | | \$ - | 97.00 | \$ 5,820.00 | 97.00 | \$ 5,820.00 | | \$ - |
| 7. 42 inch HDPE Pipe | LF | 264 | \$ 120.00 | \$ 31,680.00 | | \$ - | 264.00 | \$ 31,680.00 | 264.00 | \$ 31,680.00 | | \$ - |
| 8. Inlet | EA | 7 | \$ 2,500.00 | \$ 17,500.00 | | \$ - | 7.00 | \$ 17,500.00 | 7.00 | \$ 17,500.00 | | \$ - |
| 9. Manhole | EA | 2 | \$ 2,500.00 | \$ 5,000.00 | | \$ - | 2.00 | \$ 5,000.00 | 2.00 | \$ 5,000.00 | | \$ - |
| 10. Outlet Control Structure | EA | 2 | \$ 5,000.00 | \$ 10,000.00 | | \$ - | 2.00 | \$ 10,000.00 | 2.00 | \$ 10,000.00 | | \$ - |
| 11. Connect to Existing Storm | EA | 1 | \$ 1,500.00 | \$ 1,500.00 | | \$ - | 1.00 | \$ 1,500.00 | 1.00 | \$ 1,500.00 | | \$ - |
| 12. Cleanout | EA | 6 | \$ 350.00 | \$ 2,100.00 | | \$ - | 6.00 | \$ 2,100.00 | 6.00 | \$ 2,100.00 | | \$ - |
| 13. Bioretention Soil | CY | 69 | \$ 50.00 | \$ 3,450.00 | | \$ - | 69.00 | \$ 3,450.00 | 69.00 | \$ 3,450.00 | | \$ - |
| E. SITE IMPROVEMENTS | | | | | | | | | | | | |
| 1. Concrete Curb (w/4 inch stone base) | LF | 1,592 | \$ 15.00 | \$ 23,880.00 | | \$ - | 1,592.00 | \$ 23,880.00 | 1,592.00 | \$ 23,880.00 | | \$ - |
| 2. Concrete Sidewalk (4,000 psi Concrete) | SY | 434 | \$ 35.00 | \$ 15,190.00 | | \$ - | 434.00 | \$ 15,190.00 | 434.00 | \$ 15,190.00 | | \$ - |
| 3. ADA/PennDOT Compliant Ramp | EA | 11 | \$ 3,000.00 | \$ 33,000.00 | 4.00 | \$ 12,000.00 | 7.00 | \$ 21,000.00 | 11.00 | \$ 33,000.00 | | \$ - |
| 4. 1.5 in. Wearing Course | SY | 5,122 | \$ 8.00 | \$ 40,976.00 | | \$ - | 5,122.00 | \$ 40,976.00 | 5,122.00 | \$ 40,976.00 | | \$ - |
| 5. 1.5 in. Base Course | SY | 5,122 | \$ 9.00 | \$ 46,098.00 | | \$ - | 5,122.00 | \$ 46,098.00 | 5,122.00 | \$ 46,098.00 | | \$ - |
| 6. 8 in. 2A Stone | SY | 1,140 | \$ 10.00 | \$ 11,400.00 | | \$ - | 1,140.00 | \$ 11,400.00 | 1,140.00 | \$ 11,400.00 | | \$ - |
| 7. 10 in. 2A Stone | SY | 3,982 | \$ 12.00 | \$ 47,784.00 | | \$ - | 3,982.00 | \$ 47,784.00 | 3,982.00 | \$ 47,784.00 | | \$ - |
| 8. Trash Enclosure | EA | 1 | \$ 16,000.00 | \$ 16,000.00 | | \$ - | 1.00 | \$ 16,000.00 | 1.00 | \$ 16,000.00 | | \$ - |
| 9. Traffic Control Signs Mounted on Poles | EA | 26 | \$ 250.00 | \$ 6,500.00 | | \$ - | 26.00 | \$ 6,500.00 | 26.00 | \$ 6,500.00 | | \$ - |

| | | |
|---|--|--------------------------------|
| PROJECT NAME: Water Tower Square Redevelopment | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 40,000.00 | MONTGOMERY TOWNSHIP |
| PROJECT OWNER: Water Tower Square Associates | TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00 | TOWNSHIP NO.: LDS-697 |
| ESCROW AGENT: North American Specialty | | G&A PROJECT NO.: 2018-03056-01 |
| TYPE OF SECURITY: Performance Bond | MAINTENANCE BOND AMOUNT (15%): \$ 68,416.73 | AGREEMENT DATE: 17-Dec-2018 |

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| CONTINGENCY (10%) | \$ 45,611.15 | \$ 45,611.15 | \$ - | \$ 45,611.15 | \$ - |
| TOTAL | \$501,722.65 | \$ 72,111.15 | \$ 429,611.50 | \$ 501,722.65 | \$ - |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|---|------|----------|--------------|--------------|-----------------|--------------|----------------|--------------|--|--------------|---|------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| F. LIGHTING & LANDSCAPING | | | | | | | | | | | | |
| Lights | | | | | | | | | | | | |
| 1. Pole Mounted Area Light | EA | 3 | \$ 3,000.00 | \$ 9,000.00 | 3.00 | \$ 9,000.00 | \$ - | \$ - | 3.00 | \$ 9,000.00 | \$ - | \$ - |
| 2. Wall Mounted Area Light | EA | 1 | \$ 500.00 | \$ 500.00 | 1.00 | \$ 500.00 | \$ - | \$ - | 1.00 | \$ 500.00 | \$ - | \$ - |
| Shade Trees | | | | | | | | | | | | |
| 3. Acer rubrum 'October Glory' (3 inch cal. min.) | EA | 7 | \$ 600.00 | \$ 4,200.00 | \$ - | \$ - | 7.00 | \$ 4,200.00 | 7.00 | \$ 4,200.00 | \$ - | \$ - |
| 4. Acer saccharum (3 inch cal. min.) | EA | 6 | \$ 600.00 | \$ 3,600.00 | \$ - | \$ - | 6.00 | \$ 3,600.00 | 6.00 | \$ 3,600.00 | \$ - | \$ - |
| 5. Gleditsia triacanthos var. inermis (3 inch cal. min.) | EA | 2 | \$ 600.00 | \$ 1,200.00 | \$ - | \$ - | 2.00 | \$ 1,200.00 | 2.00 | \$ 1,200.00 | \$ - | \$ - |
| 6. Nyssa sylvatica (3 inch cal. min.) | EA | 4 | \$ 600.00 | \$ 2,400.00 | \$ - | \$ - | 4.00 | \$ 2,400.00 | 4.00 | \$ 2,400.00 | \$ - | \$ - |
| 7. Zelkova serrata 'Green Vase' (3 inch cal. min.) | EA | 2 | \$ 600.00 | \$ 1,200.00 | \$ - | \$ - | 2.00 | \$ 1,200.00 | 2.00 | \$ 1,200.00 | \$ - | \$ - |
| Evergreen Trees | | | | | | | | | | | | |
| 8. Ilex opaca (6 ft - 8 ft Ht.) | EA | 6 | \$ 550.00 | \$ 3,300.00 | \$ - | \$ - | 6.00 | \$ 3,300.00 | 6.00 | \$ 3,300.00 | \$ - | \$ - |
| Evergreen Shrubs | | | | | | | | | | | | |
| 9. Ilex x meserveae 'China Girl' (30 - 36 in. Ht.) | EA | 2 | \$ 90.00 | \$ 180.00 | \$ - | \$ - | 2.00 | \$ 180.00 | 2.00 | \$ 180.00 | \$ - | \$ - |
| 10. Ilex glabra compacta (24 - 30 in. Ht.) | EA | 85 | \$ 90.00 | \$ 7,650.00 | \$ - | \$ - | 85.00 | \$ 7,650.00 | 85.00 | \$ 7,650.00 | \$ - | \$ - |
| 11. Myrica pensylvanica (30 - 36 in. Ht.) | EA | 5 | \$ 90.00 | \$ 450.00 | \$ - | \$ - | 5.00 | \$ 450.00 | 5.00 | \$ 450.00 | \$ - | \$ - |
| Deciduous Shrubs | | | | | | | | | | | | |
| 12. Aronia melanocarpa (30 - 36 in. Ht.) | EA | 19 | \$ 90.00 | \$ 1,710.00 | \$ - | \$ - | 19.00 | \$ 1,710.00 | 19.00 | \$ 1,710.00 | \$ - | \$ - |
| 13. Clethra alnifolia 'Hummingbird' (30 - 36 in. Ht.) | EA | 46 | \$ 90.00 | \$ 4,140.00 | \$ - | \$ - | 46.00 | \$ 4,140.00 | 46.00 | \$ 4,140.00 | \$ - | \$ - |
| 14. Ceanothus americanus (30 - 36 in. Ht.) | EA | 51 | \$ 90.00 | \$ 4,590.00 | \$ - | \$ - | 51.00 | \$ 4,590.00 | 51.00 | \$ 4,590.00 | \$ - | \$ - |
| 15. Fothergilla gardenii (30 - 36 in. Ht.) | EA | 6 | \$ 90.00 | \$ 540.00 | \$ - | \$ - | 6.00 | \$ 540.00 | 6.00 | \$ 540.00 | \$ - | \$ - |
| 16. Hydrangea paniculata 'Little Lime' (30 - 36 in. Ht.) | EA | 27 | \$ 90.00 | \$ 2,430.00 | \$ - | \$ - | 27.00 | \$ 2,430.00 | 27.00 | \$ 2,430.00 | \$ - | \$ - |
| 17. Itea virginica 'Henry's Garnet' | EA | 9 | \$ 90.00 | \$ 810.00 | \$ - | \$ - | 9.00 | \$ 810.00 | 9.00 | \$ 810.00 | \$ - | \$ - |
| 18. Ilex verticillata 'Jim Dandy' (30 - 36 in. ht.) | EA | 9 | \$ 90.00 | \$ 810.00 | \$ - | \$ - | 9.00 | \$ 810.00 | 9.00 | \$ 810.00 | \$ - | \$ - |
| 19. Ilex verticillata 'Red Sprite' (30 - 36 in. ht.) | EA | 62 | \$ 90.00 | \$ 5,580.00 | \$ - | \$ - | 62.00 | \$ 5,580.00 | 62.00 | \$ 5,580.00 | \$ - | \$ - |
| 20. Viburnum acerifolium (30 - 36 in. ht.) | EA | 27 | \$ 90.00 | \$ 2,430.00 | \$ - | \$ - | 27.00 | \$ 2,430.00 | 27.00 | \$ 2,430.00 | \$ - | \$ - |
| Ground Cover, Perennials, & Ornamental Grasses | | | | | | | | | | | | |
| 21. Lirope spicata (1 Gal.) | EA | 982 | \$ 12.00 | \$ 11,784.00 | \$ - | \$ - | 982.00 | \$ 11,784.00 | 982.00 | \$ 11,784.00 | \$ - | \$ - |
| 22. Calamintha nepeta 'White Cloud' (1 gal.) | EA | 125 | \$ 20.00 | \$ 2,500.00 | \$ - | \$ - | 125.00 | \$ 2,500.00 | 125.00 | \$ 2,500.00 | \$ - | \$ - |
| 23. Pennisetum alopecuroides 'Hameln' (1 gal.) | EA | 278 | \$ 10.00 | \$ 2,780.00 | \$ - | \$ - | 278.00 | \$ 2,780.00 | 278.00 | \$ 2,780.00 | \$ - | \$ - |
| G. MISCELLANEOUS | | | | | | | | | | | | |
| 1. Striping | LS | 1 | \$ 4,600.00 | \$ 4,600.00 | \$ - | \$ - | 1.00 | \$ 4,600.00 | 1.00 | \$ 4,600.00 | \$ - | \$ - |
| 2. Construction Stakeout | LS | 1 | \$ 3,500.00 | \$ 3,500.00 | \$ - | \$ - | 1.00 | \$ 3,500.00 | 1.00 | \$ 3,500.00 | \$ - | \$ - |
| 3. As-Built Plans | LS | 1 | \$ 5,000.00 | \$ 5,000.00 | 1.00 | \$ 5,000.00 | \$ - | \$ - | 1.00 | \$ 5,000.00 | \$ - | \$ - |
| H. CONTINGENCY | | | | | | | | | | | | |
| 1. 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond) | LS | 1 | \$ 45,611.15 | \$ 45,611.15 | 1.00 | \$ 45,611.15 | \$ - | \$ - | 1.00 | \$ 45,611.15 | \$ - | \$ - |

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # 11

SUBJECT: Consider Construction Escrow Release 1 – Montgomery Crossing Assoc.
Firebirds Restaurant - LDS 695W
MEETING DATE: September 13, 2021
BOARD LIAISON Tanya C. Bamford, Chair
INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

BACKGROUND:

Attached is a construction escrow release requested by Montgomery Crossing Associates for Firebirds Restaurant as recommended by the Township Engineer.

The original amount of the escrow was \$ 266,580.05, held as Cash with the Township. This is the first release and is in the amount of \$ 266,580.05. The new balance would be \$0.00.

BUDGET IMPACT: None.

RECOMMENDATION: That this construction escrow be released.

MOTION/RESOLUTION:

- 1) **Motion** to authorize a construction escrow release in the amount of \$266,580.05 as recommended by the Township Engineer for Montgomery Crossing Associates (Firebirds Restaurant) contingent upon payment of all outstanding bills.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

September 9, 2021

File No. 2017-10045

Carolyn McCreary, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Montgomery Crossing Associates - Firebirds Wood Fired Grill – LDS#695W
Escrow Release 1 – End of Maintenance

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of \$266,580.05 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Please note this release marks the end of the maintenance period.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/si

Enclosure: Release of Escrow Form, Summary of Escrow Account

cc: Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
Bruce Goodman – Montgomery Crossing Associates, LP
Judith Stern Goldstein, ASLA, R.L.A., Senior Project Manager – Gilmore & Associates, Inc.
Damon Drummond, P.E., PTOE, Senior Transportation Engineer – Gilmore & Associates, Inc.
Brian Dusault, Construction Services Manager – Gilmore & Associates, Inc.

RELEASE OF ESCROW FORM

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 09/01/2021

Development: Firebirds Wood Fired Grill - LDS-695W
Release #: 1

G&A Project #: 2017-10045

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$266,580.05. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 09/09/2021

Dear Ms. McCreary

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$266,580.05 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

James P. Dougherty 9/9/21
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Montgomery Crossing Associates c/o Goodman Properties for Firebirds Wood Fired Grill - LDS-695W, in the amount of \$266,580.05, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$266,580.05; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$266,580.05; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum contingent upon payment of any and all outstanding bills. BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Cash with Montgomery Township in total sum of \$266,580.05 pursuant to a signed Land Development Agreement and that \$0.00 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$0.00 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director

| | | |
|--|--|-----------------------------|
| PROJECT NAME: Firebirds Wood Fired Grill | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 24,300.00 | MONTGOMERY TOWNSHIP |
| PROJECT OWNER: Montgomery Crossing Associates c/o Goodman Properties | TOTAL ADMINISTRATION (CASH ESCROW): \$ 2,500.00 | TOWNSHIP NO.: LDS-695W |
| ESCROW AGENT: Montgomery Township | | G&A PROJECT NO.: 2017-10045 |
| TYPE OF SECURITY: Cash | MAINTENANCE BOND AMOUNT (15%): \$ 36,351.83 | AGREEMENT DATE: |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---------------------------------------|----------------------|----------------------|-------------|----------------------|-------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$ 242,345.50 | \$ 242,345.50 | \$ - | \$ 242,345.50 | \$ - |
| CONTINGENCY (10%) | \$ 24,234.55 | \$ 24,234.55 | \$ - | \$ 24,234.55 | \$ - |
| TOTAL | \$ 266,580.05 | \$ 266,580.05 | \$ - | \$ 266,580.05 | \$ - |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|---|------|----------|-------------|--------------|-----------------|--------------|----------------|------|--|--------------|---|------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| A. SITE PREPARATION | | | | | | | | | | | | |
| 1. Remove Asphalt Paving | SY | 3,210 | \$ 6.35 | \$ 20,383.50 | 3,210.00 | \$ 20,383.50 | \$ - | \$ - | 3,210.00 | \$ 20,383.50 | \$ - | \$ - |
| 2. Remove Concrete Curb | LF | 870 | \$ 3.00 | \$ 2,610.00 | 870.00 | \$ 2,610.00 | \$ - | \$ - | 870.00 | \$ 2,610.00 | \$ - | \$ - |
| 3. Remove Concrete Sidewalk | SY | 58 | \$ 4.50 | \$ 261.00 | 58.00 | \$ 261.00 | \$ - | \$ - | 58.00 | \$ 261.00 | \$ - | \$ - |
| 4. Tree Removal | EA | 11 | \$ 50.00 | \$ 550.00 | 11.00 | \$ 550.00 | \$ - | \$ - | 11.00 | \$ 550.00 | \$ - | \$ - |
| 5. Relocate Sign & Post | EA | 1 | \$ 50.00 | \$ 50.00 | 1.00 | \$ 50.00 | \$ - | \$ - | 1.00 | \$ 50.00 | \$ - | \$ - |
| 6. Tree Protection Fence | LF | 438 | \$ 2.75 | \$ 1,204.50 | 438.00 | \$ 1,204.50 | \$ - | \$ - | 438.00 | \$ 1,204.50 | \$ - | \$ - |
| 7. Eradicate Pavement Markings | LS | 1 | \$ 200.00 | \$ 200.00 | 1.00 | \$ 200.00 | \$ - | \$ - | 1.00 | \$ 200.00 | \$ - | \$ - |
| B. SOIL EROSION AND SEDIMENT CONTROL | | | | | | | | | | | | |
| 1. Construction Entrance | EA | 1 | \$ 2,000.00 | \$ 2,000.00 | 1.00 | \$ 2,000.00 | \$ - | \$ - | 1.00 | \$ 2,000.00 | \$ - | \$ - |
| 2. 12" Filter Sock | LF | 475 | \$ 5.50 | \$ 2,612.50 | 475.00 | \$ 2,612.50 | \$ - | \$ - | 475.00 | \$ 2,612.50 | \$ - | \$ - |
| 3. Concrete Wash Out | EA | 1 | \$ 500.00 | \$ 500.00 | 1.00 | \$ 500.00 | \$ - | \$ - | 1.00 | \$ 500.00 | \$ - | \$ - |
| 4. Inlet Protection | EA | 3 | \$ 100.00 | \$ 300.00 | 3.00 | \$ 300.00 | \$ - | \$ - | 3.00 | \$ 300.00 | \$ - | \$ - |
| 5. Topsoil Stockpile w/18" Silt Fence | LS | 1 | \$ 500.00 | \$ 500.00 | 1.00 | \$ 500.00 | \$ - | \$ - | 1.00 | \$ 500.00 | \$ - | \$ - |
| 6. Slope Stabilization | SY | 400 | \$ 6.25 | \$ 2,500.00 | 400.00 | \$ 2,500.00 | \$ - | \$ - | 400.00 | \$ 2,500.00 | \$ - | \$ - |
| 8. E&S Control Maintenance and Removal | LS | 1 | \$ 2,000.00 | \$ 2,000.00 | 1.00 | \$ 2,000.00 | \$ - | \$ - | 1.00 | \$ 2,000.00 | \$ - | \$ - |
| C. EARTHWORK | | | | | | | | | | | | |
| 1. Cut/Fill (Import) | CY | 1,896 | \$ 15.00 | \$ 28,440.00 | 1,896.00 | \$ 28,440.00 | \$ - | \$ - | 1,896.00 | \$ 28,440.00 | \$ - | \$ - |
| 2. Fine Grading | SF | 10,000 | \$ 0.50 | \$ 5,000.00 | 10,000.00 | \$ 5,000.00 | \$ - | \$ - | 10,000.00 | \$ 5,000.00 | \$ - | \$ - |
| 3. Permanent Vegetation | SF | 10,000 | \$ 0.75 | \$ 7,500.00 | 10,000.00 | \$ 7,500.00 | \$ - | \$ - | 10,000.00 | \$ 7,500.00 | \$ - | \$ - |
| E. STORMWATER | | | | | | | | | | | | |
| 1. 6" PVC Roof Drain | LF | 275 | \$ 20.00 | \$ 5,500.00 | 275.00 | \$ 5,500.00 | \$ - | \$ - | 275.00 | \$ 5,500.00 | \$ - | \$ - |
| 2. 8" PVC Roof Drain | LF | 50 | \$ 25.00 | \$ 1,250.00 | 50.00 | \$ 1,250.00 | \$ - | \$ - | 50.00 | \$ 1,250.00 | \$ - | \$ - |
| 3. Type C Inlet (Doghouse Box) | EA | 1 | \$ 2,500.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | \$ - | \$ - | 1.00 | \$ 2,500.00 | \$ - | \$ - |
| 4. Convert Type M Inlet to Manhole | EA | 1 | \$ 1,000.00 | \$ 1,000.00 | 1.00 | \$ 1,000.00 | \$ - | \$ - | 1.00 | \$ 1,000.00 | \$ - | \$ - |
| 5. Roof Drain Cleanouts | EA | 10 | \$ 150.00 | \$ 1,500.00 | 10.00 | \$ 1,500.00 | \$ - | \$ - | 10.00 | \$ 1,500.00 | \$ - | \$ - |
| F. SITE IMPROVEMENTS | | | | | | | | | | | | |
| <i>Paving</i> | | | | | | | | | | | | |
| 1. Asphalt Milling | SY | 1,026 | \$ 5.50 | \$ 5,643.00 | 1,026.00 | \$ 5,643.00 | \$ - | \$ - | 1,026.00 | \$ 5,643.00 | \$ - | \$ - |
| 2. 1.5" Wearing Overlay | SY | 1,026 | \$ 8.00 | \$ 8,208.00 | 1,026.00 | \$ 8,208.00 | \$ - | \$ - | 1,026.00 | \$ 8,208.00 | \$ - | \$ - |
| <i>Standard Pavement</i> | | | | | | | | | | | | |
| 3. 1.5" Wearing Course | SY | 1,356 | \$ 8.00 | \$ 10,848.00 | 1,356.00 | \$ 10,848.00 | \$ - | \$ - | 1,356.00 | \$ 10,848.00 | \$ - | \$ - |
| 4. 5" Superpave Base Course | SY | 1,356 | \$ 21.00 | \$ 28,476.00 | 1,356.00 | \$ 28,476.00 | \$ - | \$ - | 1,356.00 | \$ 28,476.00 | \$ - | \$ - |
| 5. 3" 2A Stone Subbase | SY | 1,356 | \$ 7.25 | \$ 9,831.00 | 1,356.00 | \$ 9,831.00 | \$ - | \$ - | 1,356.00 | \$ 9,831.00 | \$ - | \$ - |

| | | |
|--|--|-----------------------------|
| PROJECT NAME: Firebirds Wood Fired Grill | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 24,300.00 | MONTGOMERY TOWNSHIP |
| PROJECT OWNER: Montgomery Crossing Associates c/o Goodman Properties | TOTAL ADMINISTRATION (CASH ESCROW): \$ 2,500.00 | TOWNSHIP NO.: LDS-695W |
| ESCROW AGENT: Montgomery Township | | G&A PROJECT NO.: 2017-10045 |
| TYPE OF SECURITY: Cash | MAINTENANCE BOND AMOUNT (15%): \$ 36,351.83 | AGREEMENT DATE: |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---------------------------------------|----------------------|----------------------|-------------|----------------------|-------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$ 242,345.50 | \$ 242,345.50 | \$ - | \$ 242,345.50 | \$ - |
| CONTINGENCY (10%) | \$ 24,234.55 | \$ 24,234.55 | \$ - | \$ 24,234.55 | \$ - |
| TOTAL | \$ 266,580.05 | \$ 266,580.05 | \$ - | \$ 266,580.05 | \$ - |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------|----------|-------------|--------------|-----------------|--------------|----------------|------|--|--------------|---|------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| F. SITE IMPROVEMENTS (continued) | | | | | | | | | | | | |
| <i>Loading Area</i> | | | | | | | | | | | | |
| 6. 1" Wearing Course | SY | 108 | \$ 5.50 | \$ 594.00 | 108.00 | \$ 594.00 | | \$ - | 108.00 | \$ 594.00 | | \$ - |
| 7. 1.5" Superpave Base Course | SY | 108 | \$ 7.00 | \$ 756.00 | 108.00 | \$ 756.00 | | \$ - | 108.00 | \$ 756.00 | | \$ - |
| 8. 10" Stone | SY | 108 | \$ 18.50 | \$ 1,998.00 | 108.00 | \$ 1,998.00 | | \$ - | 108.00 | \$ 1,998.00 | | \$ - |
| 9. Sweep & Tack | SY | 2,490 | \$ 1.15 | \$ 2,863.50 | 2,490.00 | \$ 2,863.50 | | \$ - | 2,490.00 | \$ 2,863.50 | | \$ - |
| <i>Concrete</i> | | | | | | | | | | | | |
| 10. Concrete Sidewalk, 4" Thick | SF | 1,744 | \$ 8.00 | \$ 13,952.00 | 1,744.00 | \$ 13,952.00 | | \$ - | 1,744.00 | \$ 13,952.00 | | \$ - |
| 11. Service yard Concrete Pad, 6" Thick | SF | 935 | \$ 9.50 | \$ 8,882.50 | 935.00 | \$ 8,882.50 | | \$ - | 935.00 | \$ 8,882.50 | | \$ - |
| 12. ADA DWS Ramps | EA | 3 | \$ 400.00 | \$ 1,200.00 | 3.00 | \$ 1,200.00 | | \$ - | 3.00 | \$ 1,200.00 | | \$ - |
| 13. Concrete Curb (including curb seal) | LF | 715 | \$ 16.80 | \$ 12,012.00 | 715.00 | \$ 12,012.00 | | \$ - | 715.00 | \$ 12,012.00 | | \$ - |
| 14. Bollards | EA | 10 | \$ 375.00 | \$ 3,750.00 | 10.00 | \$ 3,750.00 | | \$ - | 10.00 | \$ 3,750.00 | | \$ - |
| G. LIGHTING | | | | | | | | | | | | |
| 1. Relocate Existing Light Post | EA | 1 | \$ 2,500.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | | \$ - | 1.00 | \$ 2,500.00 | | \$ - |
| H. LANDSCAPING | | | | | | | | | | | | |
| <i>Shade Trees</i> | | | | | | | | | | | | |
| 1. Acer Rubrum 'Bowhall' (3" Cal. Min.) | EA | 2 | \$ 600.00 | \$ 1,200.00 | 2.00 | \$ 1,200.00 | | \$ - | 2.00 | \$ 1,200.00 | | \$ - |
| 2. Gleditsia Triacanthos Var Inermis (3" Cal. Min.) | EA | 5 | \$ 600.00 | \$ 3,000.00 | 5.00 | \$ 3,000.00 | | \$ - | 5.00 | \$ 3,000.00 | | \$ - |
| <i>Ornamental Trees</i> | | | | | | | | | | | | |
| 3. Amelanchier X Grandiflora 'Autumn Brilliance' (5-stem Min.) | EA | 2 | \$ 400.00 | \$ 800.00 | 2.00 | \$ 800.00 | | \$ - | 2.00 | \$ 800.00 | | \$ - |
| <i>Evergreen Trees</i> | | | | | | | | | | | | |
| 4. Charmaecyparis Obtusa 'Gracilis' | EA | 1 | \$ 550.00 | \$ 550.00 | 1.00 | \$ 550.00 | | \$ - | 1.00 | \$ 550.00 | | \$ - |
| 5. Thuja Occidentalis 'Smaragd' | EA | 9 | \$ 550.00 | \$ 4,950.00 | 9.00 | \$ 4,950.00 | | \$ - | 9.00 | \$ 4,950.00 | | \$ - |
| <i>Shrubs</i> | | | | | | | | | | | | |
| 6. Calycanthus Floridus 'Aphrodite' | EA | 1 | \$ 90.00 | \$ 90.00 | 1.00 | \$ 90.00 | | \$ - | 1.00 | \$ 90.00 | | \$ - |
| 7. Cornus Sericea | EA | 23 | \$ 90.00 | \$ 2,070.00 | 23.00 | \$ 2,070.00 | | \$ - | 23.00 | \$ 2,070.00 | | \$ - |
| 8. Hydrangea Macrophylla | EA | 18 | \$ 90.00 | \$ 1,620.00 | 18.00 | \$ 1,620.00 | | \$ - | 18.00 | \$ 1,620.00 | | \$ - |
| 9. Hydrangea Paniculata 'Little Lime' | EA | 10 | \$ 90.00 | \$ 900.00 | 10.00 | \$ 900.00 | | \$ - | 10.00 | \$ 900.00 | | \$ - |
| 10. Ilex Crenata 'Soft Touch' | EA | 8 | \$ 90.00 | \$ 720.00 | 8.00 | \$ 720.00 | | \$ - | 8.00 | \$ 720.00 | | \$ - |
| 11. Juniperus Squamata Expansa 'Parsonii' | EA | 41 | \$ 90.00 | \$ 3,690.00 | 41.00 | \$ 3,690.00 | | \$ - | 41.00 | \$ 3,690.00 | | \$ - |
| 12. Physocarpus Oputifolius 'Tiny Wine' | EA | 11 | \$ 90.00 | \$ 990.00 | 11.00 | \$ 990.00 | | \$ - | 11.00 | \$ 990.00 | | \$ - |
| 13. Rosa X 'Radtko' | EA | 6 | \$ 90.00 | \$ 540.00 | 6.00 | \$ 540.00 | | \$ - | 6.00 | \$ 540.00 | | \$ - |
| 14. Taxus X Media 'Tauntonii' | EA | 33 | \$ 90.00 | \$ 2,970.00 | 33.00 | \$ 2,970.00 | | \$ - | 33.00 | \$ 2,970.00 | | \$ - |
| 15. Syringa Vulgaris | EA | 3 | \$ 90.00 | \$ 270.00 | 3.00 | \$ 270.00 | | \$ - | 3.00 | \$ 270.00 | | \$ - |
| 16. Viburnum Rhytidophyllum | EA | 8 | \$ 90.00 | \$ 720.00 | 8.00 | \$ 720.00 | | \$ - | 8.00 | \$ 720.00 | | \$ - |
| <i>Perennials</i> | | | | | | | | | | | | |
| 17. Calamagrostis X Acutiflora 'Karl Foerster' | EA | 36 | \$ 15.00 | \$ 540.00 | 36.00 | \$ 540.00 | | \$ - | 36.00 | \$ 540.00 | | \$ - |
| 18. Liriope Muscari | EA | 299 | \$ 5.00 | \$ 1,495.00 | 299.00 | \$ 1,495.00 | | \$ - | 299.00 | \$ 1,495.00 | | \$ - |
| 19. Nepeta X Faassenii 'Novanepjun' | EA | 40 | \$ 12.50 | \$ 500.00 | 40.00 | \$ 500.00 | | \$ - | 40.00 | \$ 500.00 | | \$ - |
| 20. Pennisetum Alopecuroides 'Hamelii' | EA | 139 | \$ 7.50 | \$ 1,042.50 | 139.00 | \$ 1,042.50 | | \$ - | 139.00 | \$ 1,042.50 | | \$ - |
| 21. Rudbeckia 'Little Goldstar' | EA | 25 | \$ 12.50 | \$ 312.50 | 25.00 | \$ 312.50 | | \$ - | 25.00 | \$ 312.50 | | \$ - |

| | | |
|--|--|-----------------------------|
| PROJECT NAME: Firebirds Wood Fired Grill | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 24,300.00 | MONTGOMERY TOWNSHIP |
| PROJECT OWNER: Montgomery Crossing Associates c/o Goodman Properties | TOTAL ADMINISTRATION (CASH ESCROW): \$ 2,500.00 | TOWNSHIP NO.: LDS-695W |
| ESCROW AGENT: Montgomery Township | | G&A PROJECT NO.: 2017-10045 |
| TYPE OF SECURITY: Cash | MAINTENANCE BOND AMOUNT (15%): \$ 36,351.83 | AGREEMENT DATE: |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---------------------------------------|----------------------|----------------------|-------------|----------------------|-------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$ 242,345.50 | \$ 242,345.50 | \$ - | \$ 242,345.50 | \$ - |
| CONTINGENCY (10%) | \$ 24,234.55 | \$ 24,234.55 | \$ - | \$ 24,234.55 | \$ - |
| TOTAL | \$ 266,580.05 | \$ 266,580.05 | \$ - | \$ 266,580.05 | \$ - |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|---|------|----------|--------------|--------------|-----------------|--------------|----------------|------|--|--------------|---|------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| I. MISCELLANEOUS | | | | | | | | | | | | |
| 1. Trash Enclosure | LS | 1 | \$ 2,000.00 | \$ 2,000.00 | 1.00 | \$ 2,000.00 | | \$ - | 1.00 | \$ 2,000.00 | | \$ - |
| 2. Regulatory/Warning Signs | EA | 10 | \$ 250.00 | \$ 2,500.00 | 10.00 | \$ 2,500.00 | | \$ - | 10.00 | \$ 2,500.00 | | \$ - |
| 3. Striping | LS | 1 | \$ 2,000.00 | \$ 2,000.00 | 1.00 | \$ 2,000.00 | | \$ - | 1.00 | \$ 2,000.00 | | \$ - |
| 4. Construction Stakeout | LS | 1 | \$ 2,000.00 | \$ 2,000.00 | 1.00 | \$ 2,000.00 | | \$ - | 1.00 | \$ 2,000.00 | | \$ - |
| 5. As-Built Plans | LS | 1 | \$ 5,000.00 | \$ 5,000.00 | 1.00 | \$ 5,000.00 | | \$ - | 1.00 | \$ 5,000.00 | | \$ - |
| J. CONTINGENCY | | | | | | | | | | | | |
| 1. 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond) | LS | 1 | \$ 24,234.55 | \$ 24,234.55 | 1.00 | \$ 24,234.55 | | \$ - | 1.00 | \$ 24,234.55 | | \$ - |

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 12

SUBJECT: Consider Construction Escrow Release 3 – 1274 Welsh Road– PEMV Partners, LP - LDS 699
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

BACKGROUND:

Attached is a construction escrow release requested by PEMV Partners, LP for 1274 Welsh Road as recommended by the Township Engineer.

The original amount of the escrow was \$810,086.09, held as Tri-Party Set Aside Agreement with Bryn Mawr Trust. This is the third release for this project and is in the amount of \$39,591.37. The new balance would be \$511,286.10.

BUDGET IMPACT: None

RECOMMENDATION: That this construction escrow be released

MOTION/RESOLUTION:

- 1) **Motion** to authorize a construction escrow release in the amount of \$39,591.37 as recommended by the Township Engineer for PEMV Partners, LP.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

August 31, 2021

File No. 2018-01153-01

Carolyn McCreary, Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: PEMV Partners, LP - LD/S#699
Escrow Release 3

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements noted on the enclosed escrow summary in the amount of **\$38,091.37** have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Note the requested flared end section (line item C.8) was not installed at the time we observed the site and is not included in this release.

Please be advised that these improvements will be subject to a final inspection prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/sl

Enclosure: Release of Escrow Form & Summary of Improvement Escrow Account (August 31, 2021), Applicant's Request (August 18, 2021)

cc: Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
Drew Altringer – Pete's Express Carwash
Jeff Altringer – Pete's Express Carwash
Paul F. Boettinger, P.E., – T&M Associates
John Detweiler – RAM Construction
Judith Stern Goldstein, ASLA, R.L.A. – Gilmore & Associates, Inc.
Damon Drummon, PE, PTOE – Gilmore & Associates, Inc.
Brian Dusault, Construction Services Manager - Gilmore & Associates, Inc.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

RELEASE OF ESCROW FORM

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 08/18/2021

Development: Pete's Express Car Wash (1274 Welsh Rd) - LDS-699

G&A Project #: 2018-01153-01

Release #: 3

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$39,591.37. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 08/31/2021

Dear Ms. McCreary:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$38,091.37 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

James P. Dougherty 8/31/2021
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from PEMV Partners, LP for Pete's Express Car Wash (1274 Welsh Rd) - LDS-699, in the amount of \$39,591.37, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$38,091.37; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$38,091.37; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum. BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Tri-Party Set Aside Agreement with Montgomery Township in total sum of \$810,086.09 pursuant to a signed Land Development Agreement and that \$260,708.62 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$511,286.10 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director



| | | |
|--|--|--------------------------------|
| PROJECT NAME: Pete's Express Car Wash (1274 Welsh Rd) | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: PEMV Partners, LP | TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00 | TOWNSHIP NO.: LDS-699 |
| ESCROW AGENT: Bryn Mawr Trust Company | | G&A PROJECT NO.: 2018-01153-01 |
| TYPE OF SECURITY: Tri-Party Set Aside Agreement | MAINTENANCE BOND AMOUNT (15%): \$ 110,466.29 | AGREEMENT DATE: 16-Dec-2019 |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---|----------------------|---------------------|----------------------|----------------------|----------------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$ 736,441.90 | \$ 38,091.37 | \$ 260,708.62 | \$ 298,799.99 | \$ 437,641.91 |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$0.00) | \$ - | \$ - | \$ - | \$ - | \$ - |
| CONTINGENCY (10%) | \$ 73,644.19 | \$ - | \$ - | \$ - | \$ 73,644.19 |
| TOTAL | \$ 810,086.09 | \$ 38,091.37 | \$ 260,708.62 | \$ 298,799.99 | \$ 511,286.10 |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------|----------|---------------|---------------|-----------------|--------------|----------------|---------------|--|---------------|---|--------------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| A. SOIL EROSION AND SEDIMENT CONTROL | | | | | | | | | | | | |
| 1. Construction Entrance | EA | 1 | \$ 3,500.00 | \$ 3,500.00 | | \$ - | 1.00 | \$ 3,500.00 | 1.00 | \$ 3,500.00 | | \$ - |
| 2. 12 inch Filter Sock | LF | 921 | \$ 8.50 | \$ 7,828.50 | | \$ - | 921.00 | \$ 7,828.50 | 921.00 | \$ 7,828.50 | | \$ - |
| 3. 24 inch Filter Sock | LF | 604 | \$ 10.50 | \$ 6,342.00 | | \$ - | 604.00 | \$ 6,342.00 | 604.00 | \$ 6,342.00 | | \$ - |
| 4. Filter Bag Inlet Protection | EA | 13 | \$ 150.00 | \$ 1,950.00 | | \$ - | 13.00 | \$ 1,950.00 | 13.00 | \$ 1,950.00 | | \$ - |
| 5. Temporary Seed Stockpile | SF | 1,130 | \$ 0.15 | \$ 169.50 | | \$ - | | \$ - | | \$ - | 1,130.00 | \$ 169.50 |
| 6. NAG S75 Erosion Control Matting | SF | 5,480 | \$ 0.25 | \$ 1,370.00 | | \$ - | | \$ - | | \$ - | 5,480.00 | \$ 1,370.00 |
| 7. Remove E&S Measures | LS | 1 | \$ 2,150.00 | \$ 2,150.00 | | \$ - | | \$ - | | \$ - | 1.00 | \$ 2,150.00 |
| B. EARTHWORK | | | | | | | | | | | | |
| 1. Site Excavation & Grading | LS | 1 | \$ 87,387.90 | \$ 87,387.90 | 0.30 | \$ 26,216.37 | 0.30 | \$ 26,216.37 | 0.60 | \$ 52,432.74 | 0.40 | \$ 34,955.16 |
| C. STORMWATER | | | | | | | | | | | | |
| 1. 4 in. HDPE | LF | 25 | \$ 30.75 | \$ 768.75 | | \$ - | 25.00 | \$ 768.75 | 25.00 | \$ 768.75 | | \$ - |
| 2. 15 in. HDPE | LF | 510 | \$ 38.00 | \$ 19,380.00 | | \$ - | 510.00 | \$ 19,380.00 | 510.00 | \$ 19,380.00 | | \$ - |
| 3. 18 in. HDPE | LF | 132 | \$ 44.00 | \$ 5,808.00 | | \$ - | 132.00 | \$ 5,808.00 | 132.00 | \$ 5,808.00 | | \$ - |
| 4. Outlet Structure | EA | 1 | \$ 4,000.00 | \$ 4,000.00 | | \$ - | 1.00 | \$ 4,000.00 | 1.00 | \$ 4,000.00 | | \$ - |
| 5. Type C Inlet | EA | 12 | \$ 2,425.00 | \$ 29,100.00 | | \$ - | 12.00 | \$ 29,100.00 | 12.00 | \$ 29,100.00 | | \$ - |
| 6. Storm Manhole | EA | 1 | \$ 2,520.00 | \$ 2,520.00 | | \$ - | 1.00 | \$ 2,520.00 | 1.00 | \$ 2,520.00 | | \$ - |
| 7. Underground Detention Basin | LS | 1 | \$ 110,000.00 | \$ 110,000.00 | | \$ - | 1.00 | \$ 110,000.00 | 1.00 | \$ 110,000.00 | | \$ - |
| 8. Flared End Section | EA | 1 | \$ 1,500.00 | \$ 1,500.00 | | \$ - | | \$ - | | \$ - | 1.00 | \$ 1,500.00 |
| 9. Level Spreader | EA | 1 | \$ 11,875.00 | \$ 11,875.00 | 1.00 | \$ 11,875.00 | | \$ - | 1.00 | \$ 11,875.00 | | \$ - |
| D. SITE IMPROVEMENTS | | | | | | | | | | | | |
| 1. Concrete Curb, inc. curb line sealing | LF | 3,475 | \$ 17.00 | \$ 59,075.00 | | \$ - | 960.00 | \$ 16,320.00 | 960.00 | \$ 16,320.00 | 2,515.00 | \$ 42,755.00 |
| 2. 1.5 in. 9.5mm Wearing Course | SY | 4,631 | \$ 9.00 | \$ 41,679.00 | | \$ - | | \$ - | | \$ - | 4,631.00 | \$ 41,679.00 |
| 3. 3 in. 25mm Binder Course | SY | 4,631 | \$ 17.00 | \$ 78,727.00 | | \$ - | 780.00 | \$ 13,260.00 | 780.00 | \$ 13,260.00 | 3,851.00 | \$ 65,467.00 |
| 4. 6 in. 2A Stone | SY | 4,631 | \$ 11.25 | \$ 52,098.75 | | \$ - | 780.00 | \$ 8,775.00 | 780.00 | \$ 8,775.00 | 3,851.00 | \$ 43,323.75 |
| 5. Concrete Pad (4,000 psi w/ fiber), inc. 6 inch 2A | SY | 103 | \$ 100.00 | \$ 10,300.00 | | \$ - | | \$ - | | \$ - | 103.00 | \$ 10,300.00 |
| 6. Concrete Sidewalk (4,000 psi w/ fiber), inc. 4 inch 2A | SF | 3,747 | \$ 7.50 | \$ 28,102.50 | | \$ - | | \$ - | | \$ - | 3,747.00 | \$ 28,102.50 |
| 7. ADA/PennDOT Compliant Ramp, inc. DWS | EA | 7 | \$ 1,500.00 | \$ 10,500.00 | | \$ - | | \$ - | | \$ - | 7.00 | \$ 10,500.00 |
| E. LIGHTING | | | | | | | | | | | | |
| 1. Pole Mounted Light w/Shield & Foundation | EA | 8 | \$ 3,500.00 | \$ 28,000.00 | | \$ - | | \$ - | | \$ - | 8.00 | \$ 28,000.00 |
| 2. Double Pole Mounted Light w/Shield & Foundation | EA | 6 | \$ 5,000.00 | \$ 30,000.00 | | \$ - | | \$ - | | \$ - | 6.00 | \$ 30,000.00 |
| 3. S4H Fixture (DeKalb Pike Egress) | EA | 1 | \$ 2,000.00 | \$ 2,000.00 | | \$ - | | \$ - | | \$ - | 1.00 | \$ 2,000.00 |
| F. LANDSCAPING | | | | | | | | | | | | |
| Deciduous Trees | | | | | | | | | | | | |
| 1. Acer rubrum 'Bowhall' (3" cal. min.) | EA | 8 | \$ 650.00 | \$ 5,200.00 | | \$ - | | \$ - | | \$ - | 8.00 | \$ 5,200.00 |
| 2. Ginkgo Biloba 'Princeton Sentry' (3" cal. min.) | EA | 13 | \$ 650.00 | \$ 8,450.00 | | \$ - | | \$ - | | \$ - | 13.00 | \$ 8,450.00 |
| 3. Gleditsia Triacanthos 'Skyline' (3" cal. min.) | EA | 6 | \$ 650.00 | \$ 3,900.00 | | \$ - | | \$ - | | \$ - | 6.00 | \$ 3,900.00 |
| 4. Liquidambar Styraciflua 'Rotundiloba' TM (3" cal. min.) | EA | 9 | \$ 650.00 | \$ 5,850.00 | | \$ - | | \$ - | | \$ - | 9.00 | \$ 5,850.00 |
| 5. Quercus Palustris (3" cal. min.) | EA | 7 | \$ 650.00 | \$ 4,550.00 | | \$ - | | \$ - | | \$ - | 7.00 | \$ 4,550.00 |
| 6. Zelkova Serrata 'Green Vase' (3" cal. min.) | EA | 12 | \$ 650.00 | \$ 7,800.00 | | \$ - | | \$ - | | \$ - | 12.00 | \$ 7,800.00 |



| | | |
|--|---|---|
| PROJECT NAME: Pete's Express Car Wash (1274 Welsh Rd) | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: PEMV Partners, LP | TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00 | TOWNSHIP NO: LDS-699 |
| ESCROW AGENT: Bryn Mawr Trust Company | | G&A PROJECT NO.: 2018-01153-01 |
| TYPE OF SECURITY: Tri-Party Set Aside Agreement | MAINTENANCE BOND AMOUNT (15%): \$ 110,466.29 | AGREEMENT DATE: 16-Dec-2019 |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---|----------------------|---------------------|----------------------|----------------------|----------------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$ 736,441.90 | \$ 38,091.37 | \$ 260,708.62 | \$ 298,799.99 | \$ 437,641.91 |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$0.00) | \$ - | \$ - | \$ - | \$ - | \$ - |
| CONTINGENCY (10%) | \$ 73,644.19 | \$ - | \$ - | \$ - | \$ 73,644.19 |
| TOTAL | \$ 810,086.09 | \$ 38,091.37 | \$ 260,708.62 | \$ 298,799.99 | \$ 511,286.10 |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------|----------|--------------|--------------|-----------------|------|----------------|-------------|--|-------------|---|-------------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| Shrubs | | | | | | | | | | | | |
| 7. Cornus Sericea 'Bailey' (30 - 36 in. ht.) | EA | 9 | \$ 95.00 | \$ 855.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 9.00 | \$ 855.00 | |
| 8. Fothergilla Gardenii 'Mt. Airy' (30 - 36 in. ht.) | EA | 7 | \$ 95.00 | \$ 665.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 7.00 | \$ 665.00 | |
| 9. Ilex Glabra 'Shamrock' (24 -30 in. ht.) | EA | 97 | \$ 95.00 | \$ 9,215.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 97.00 | \$ 9,215.00 | |
| 10. Ilex Verticillata 'Sparkleberry' (30 - 36 in. ht.) | EA | 35 | \$ 95.00 | \$ 3,325.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 35.00 | \$ 3,325.00 | |
| 11. Ilex Virginica 'Henry's Gamet' (30 - 36 in. ht.) | EA | 30 | \$ 95.00 | \$ 2,850.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 30.00 | \$ 2,850.00 | |
| 12. Taxus Canadensis (24 - 30 in. ht.) | EA | 29 | \$ 95.00 | \$ 2,755.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 29.00 | \$ 2,755.00 | |
| 13. Viburnum Dentatum 'Chicago Luster' (30 - 36 in. ht.) | EA | 5 | \$ 95.00 | \$ 475.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 5.00 | \$ 475.00 | |
| Ornamental Grasses & Ground Cover | | | | | | | | | | | | |
| 14. Calamagrostis X Acutiflora 'Karl Forester' (2 gal.) | EA | 6 | \$ 15.00 | \$ 90.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 6.00 | \$ 90.00 | |
| 15. Hemerocallis X 'Stella De Oro' (1 gal.) | EA | 40 | \$ 15.00 | \$ 600.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 40.00 | \$ 600.00 | |
| 16. Juniperus Conferta 'Emerald Sea' (15 - 18 in. ht.) | EA | 45 | \$ 15.00 | \$ 675.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 45.00 | \$ 675.00 | |
| 17. Liriope Muscari 'Big Blue' (1 gal.) | EA | 97 | \$ 15.00 | \$ 1,455.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 97.00 | \$ 1,455.00 | |
| G. MISCELLANEOUS | | | | | | | | | | | | |
| 1. Trash Enclosure | EA | 1 | \$ 6,500.00 | \$ 6,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 6,500.00 | |
| 2. Regulatory/Warning Signs | EA | 41 | \$ 250.00 | \$ 10,250.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 41.00 | \$ 10,250.00 | |
| 3. Striping | LS | 1 | \$ 5,000.00 | \$ 5,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 5,000.00 | |
| 4. Construction Stakeout | LS | 1 | \$ 12,350.00 | \$ 12,350.00 | \$ - | \$ - | 0.40 | \$ 4,940.00 | 0.40 | \$ 4,940.00 | 0.60 | \$ 7,410.00 |
| 5. As-Built Plans | LS | 1 | \$ 7,500.00 | \$ 7,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 7,500.00 | |
| H. ANNUAL CONSTRUCTION COST INCREASE PER PA MPC §509(h) | | | | | | | | | | | | |
| 1. 10% Annual Construction Cost Increase (Balance as of mm/dd/yy - \$0.00) | LS | 1 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ - | |
| I. CONTINGENCY | | | | | | | | | | | | |
| 1. 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond) | LS | 1 | \$ 73,644.19 | \$ 73,644.19 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 73,644.19 | |

DEVELOPER'S REQUEST

APPLICATION #3

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT

DATE PREPARED: 6-May-2020

| | | |
|--|---|--------------------------------|
| PROJECT NAME: Sparkies Xpress Car Wash | TOTAL ENGINEERING/LEGAL (CASH ESCROW): \$ 45,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: Pro Real Ventures, LLC | TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00 | TOWNSHIP NO.: LDS-699 |
| ESCROW AGENT: | MAINTENANCE BOND AMOUNT (15%): \$ 110,466.29 | G&A PROJECT NO.: 2018-01153-01 |
| TYPE OF SECURITY: | | AGREEMENT DATE: |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---|----------------------|------------------|-------------|-------------|---------------------|
| | | CURRENT | PRIOR | TOTAL | |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$0.00) | \$ 736,441.90 | \$ - | \$ - | \$ - | \$ 736,441.90 |
| CONTINGENCY (10%) | \$ 73,644.19 | \$ - | \$ - | \$ - | \$ - |
| TOTAL | \$ 810,086.09 | \$ - | \$ - | \$ - | \$ 73,644.19 |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------|----------|---------------|---------------|-----------------|--------------|----------------|------|--|------|---|----------------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| A. SOIL EROSION AND SEDIMENT CONTROL | | | | | | | | | | | | |
| 1. Construction Entrance | EA | 1 | \$ 3,500.00 | \$ 3,500.00 | | | | | | | | |
| 2. 12 inch Filter Sock | LF | 921 | \$ 8.50 | \$ 7,828.50 | | | 1.00 | | 1.00 | | 1.00 | \$ -3,500.00 |
| 3. 24 inch Filter Sock | LF | 604 | \$ 10.50 | \$ 6,342.00 | | | 921 | | 921 | | 921 | \$ -2,828.50 |
| 4. Filter Bag Inlet Protection | EA | 13 | \$ 150.00 | \$ 1,950.00 | | | 604 | | 604 | | 604 | \$ -6,342.00 |
| 5. Temporary Seed Stockpile | SF | 1,130 | \$ 0.15 | \$ 169.50 | | | 13 | | 13 | | 13 | \$ -1,650.00 |
| 6. NAG S75 Erosion Control Matting | SF | 5,480 | \$ 0.25 | \$ 1,370.00 | | | | | | | | \$ 169.50 |
| 7. Remove E&S Measures | LS | 1 | \$ 2,150.00 | \$ 2,150.00 | | | | | | | | \$ 1,370.00 |
| | | | | | | | | | | | | \$ 2,150.00 |
| B. EARTHWORK | | | | | | | | | | | | |
| 1. Site Excavation & Grading | LS | 1 | \$ 87,387.90 | \$ 87,387.90 | 30% | \$ 26,216.37 | 30% | \$ - | 60% | \$ - | 40% | \$ -87,387.90 |
| C. STORMWATER | | | | | | | | | | | | |
| 1. 4 in. HDPE | LF | 25 | \$ 30.75 | \$ 768.75 | | | 25 | | 25 | | 25 | \$ -768.75 |
| 2. 15 in. HDPE | LF | 510 | \$ 38.00 | \$ 19,380.00 | | | 510 | | 510 | | 510 | \$ -19,380.00 |
| 3. 18 in. HDPE | LF | 132 | \$ 44.00 | \$ 5,808.00 | | | 132 | | 132 | | 132 | \$ -5,808.00 |
| 4. Outlet Structure | EA | 1 | \$ 4,000.00 | \$ 4,000.00 | | | 1.00 | | 1.00 | | 1.00 | \$ -4,000.00 |
| 5. Type C Inlet | EA | 12 | \$ 2,425.00 | \$ 29,100.00 | | | 12 | | 12 | | 12 | \$ -29,100.00 |
| 6. Storm Manhole | EA | 1 | \$ 2,520.00 | \$ 2,520.00 | | | 1.00 | | 1.00 | | 1.00 | \$ -2,520.00 |
| 7. Underground Detention Basin | LS | 1 | \$ 110,000.00 | \$ 110,000.00 | | | 1.00 | | 1.00 | | 1.00 | \$ -110,000.00 |
| 8. Flared End Section | EA | 1 | \$ 1,500.00 | \$ 1,500.00 | 1.00 | \$ 1,500.00 | 1.00 | | 1.00 | | 1.00 | \$ -1,500.00 |
| 9. Level Spreader | EA | 1 | \$ 11,875.00 | \$ 11,875.00 | 1.00 | \$ 11,875.00 | 1.00 | | 1.00 | | 1.00 | \$ -11,875.00 |
| D. SITE IMPROVEMENTS | | | | | | | | | | | | |
| 1. Concrete Curb, inc. curb line sealing | LF | 3,475 | \$ 17.00 | \$ 59,075.00 | | | 960 | | 960 | | -2515 | \$ -3,475.00 |
| 2. 1.5 in. 9.5mm Wearing Course | SY | 4,631 | \$ 9.00 | \$ 41,679.00 | | | | | | | 4,631 | \$ 41,679.00 |
| 3. 3 in. 25mm Binder Course | SY | 4,631 | \$ 17.00 | \$ 78,727.00 | | | | | | | | \$ 41,679.00 |
| 4. 6 in. 2A Stone | SY | 4,631 | \$ 11.25 | \$ 52,098.75 | | | 780 | | 780 | | -3851 | \$ -4,631.00 |
| 5. Concrete Pad (4,000 psi w/ fiber), inc. 6 inch 2A | SY | 103 | \$ 100.00 | \$ 10,300.00 | | | 780 | | 780 | | -3851 | \$ -4,631.00 |
| 6. Concrete Sidewalk (4,000 psi w/ fiber), inc. 4 inch 2A | SF | 3,747 | \$ 7.50 | \$ 28,102.50 | | | | | | | | \$ 10,300.00 |
| 7. ADA/PennDOT Compliant Ramp, inc. DWS | EA | 7 | \$ 1,500.00 | \$ 10,500.00 | | | | | | | | \$ 28,102.50 |
| E. LIGHTING | | | | | | | | | | | | |
| 1. Pole Mounted Light w/Shield & Foundation | EA | 8 | \$ 3,500.00 | \$ 28,000.00 | | | | | | | | \$ 28,000.00 |
| 2. Double Pole Mounted Light w/Shield & Foundation | EA | 6 | \$ 5,000.00 | \$ 30,000.00 | | | | | | | | \$ 30,000.00 |
| 3. S4H Fixture (DeKalb Pike Egress) | EA | 1 | \$ 2,000.00 | \$ 2,000.00 | | | | | | | | \$ 2,000.00 |
| F. LANDSCAPING | | | | | | | | | | | | |
| Deciduous Trees | | | | | | | | | | | | |
| 1. Acer rubrum 'Bowhall' (3" cal. min.) | EA | 8 | \$ 650.00 | \$ 5,200.00 | | | | | | | 8.00 | \$ 5,200.00 |
| 2. Ginkgo Biloba 'Princeton Sentry' (3" cal. min.) | EA | 13 | \$ 650.00 | \$ 8,450.00 | | | | | | | 13.00 | \$ 8,450.00 |
| 3. Gleditsia Triacanthos 'Skyline' (3" cal. min.) | EA | 6 | \$ 650.00 | \$ 3,900.00 | | | | | | | 6.00 | \$ 3,900.00 |
| 4. Liquidambar styraciflua 'Rotundiloba' TM (3" cal. min.) | EA | 9 | \$ 650.00 | \$ 5,850.00 | | | | | | | 9.00 | \$ 5,850.00 |
| 5. Quercus Palustris (3" cal. min.) | EA | 7 | \$ 650.00 | \$ 4,550.00 | | | | | | | 7.00 | \$ 4,550.00 |
| 6. Zelkova Serrata 'Green Vase' (3" cal. min.) | EA | 12 | \$ 650.00 | \$ 7,800.00 | | | | | | | 12.00 | \$ 7,800.00 |

**DEVELOPER'S
REQUEST**

APPLICATION #3

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT

DATE PREPARED: 6-May-2020

| | | |
|--|--|--------------------------------|
| PROJECT NAME: Sparkies Xpress Car Wash | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: Pro Real Ventures, LLC | TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00 | TOWNSHIP NO.: LDS-699 |
| ESCROW AGENT: | | G&A PROJECT NO.: 2018-01153-01 |
| TYPE OF SECURITY: | MAINTENANCE BOND AMOUNT (15%): \$ 110,466.29 | AGREEMENT DATE: |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---|----------------------|------------------|-------------|-------------|----------------------|
| | | CURRENT | PRIOR | TOTAL | |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$0.00) | \$ 736,441.90 | \$ - | \$ - | \$ - | \$ 736,441.90 |
| CONTINGENCY (10%) | \$ 73,644.19 | \$ - | \$ - | \$ - | \$ 73,644.19 |
| TOTAL | \$ 810,086.09 | \$ - | \$ - | \$ - | \$ 810,086.09 |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------|----------|--------------|--------------|-----------------|------|----------------|------|--|------|---|--------------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| Shrubs | | | | | | | | | | | | |
| 7. Cotinus Serricea 'Bailey' (30 - 36 in. ht.) | EA | 9 | \$ 95.00 | \$ 855.00 | | | | | | | 9.00 | \$ 855.00 |
| 8. Fothergilla Gardenii 'Mt. Airy' (30 - 36 in. ht.) | EA | 7 | \$ 95.00 | \$ 665.00 | | | | | | | 7.00 | \$ 665.00 |
| 9. Ilex Glabra 'Shamrock' (24 - 30 in. ht.) | EA | 97 | \$ 95.00 | \$ 9,215.00 | | | | | | | 97.00 | \$ 9,215.00 |
| 10. Ilex Verticillata 'Sparkleberry' (30 - 36 in. ht.) | EA | 35 | \$ 95.00 | \$ 3,325.00 | | | | | | | 35.00 | \$ 3,325.00 |
| 11. Ilex Virginica 'Henry's Garnet' (30 - 36 in. ht.) | EA | 30 | \$ 95.00 | \$ 2,850.00 | | | | | | | 30.00 | \$ 2,850.00 |
| 12. Taxus Canadensis (24 - 30 in. ht.) | EA | 29 | \$ 95.00 | \$ 2,755.00 | | | | | | | 29.00 | \$ 2,755.00 |
| 13. Viburnum Dentatum 'Chicago Luster' (30 - 36 in. ht.) | EA | 5 | \$ 95.00 | \$ 475.00 | | | | | | | 5.00 | \$ 475.00 |
| Ornamental Grasses & Ground Cover | | | | | | | | | | | | |
| 14. Calamagrostis X Acutiflora 'Karl Forester' (2 gal.) | EA | 6 | \$ 15.00 | \$ 90.00 | | | | | | | 6.00 | \$ 90.00 |
| 15. Hemerocallis X 'Stella De Oro' (1 gal.) | EA | 40 | \$ 15.00 | \$ 600.00 | | | | | | | 40.00 | \$ 600.00 |
| 16. Juniperus Conferita 'Emerald Sea' (15 - 18 in. ht.) | EA | 45 | \$ 15.00 | \$ 675.00 | | | | | | | 45.00 | \$ 675.00 |
| 17. Liriope Muscari 'Big Blue' (1 gal.) | EA | 97 | \$ 15.00 | \$ 1,455.00 | | | | | | | 97.00 | \$ 1,455.00 |
| G. MISCELLANEOUS | | | | | | | | | | | | |
| 1. Trash Enclosure | EA | 1 | \$ 6,500.00 | \$ 6,500.00 | | | | | | | 1.00 | \$ 6,500.00 |
| 2. Regulatory/Warning Signs | EA | 41 | \$ 250.00 | \$ 10,250.00 | | | | | | | 41.00 | \$ 10,250.00 |
| 3. Striping | LS | 1 | \$ 5,000.00 | \$ 5,000.00 | | | | | | | 1.00 | \$ 5,000.00 |
| 4. Construction Stakeout | LS | 1 | \$ 12,350.00 | \$ 12,350.00 | | | | | | | 1.00 | \$ 12,350.00 |
| 5. As-Built Plans | LS | 1 | \$ 7,500.00 | \$ 7,500.00 | | | | | | | 1.00 | \$ 7,500.00 |
| H. ANNUAL CONSTRUCTION COST INCREASE PER PA MPC \$509/lt) | | | | | | | | | | | | |
| 1. 10% Annual Construction Cost Increase (Balance as of mm/dd/yy - \$0.00) | LS | 1 | \$ - | \$ - | | | | | | | 1.00 | \$ - |
| I. CONTINGENCY | | | | | | | | | | | | |
| 1. 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond) | LS | 1 | \$ 73,644.19 | \$ 73,644.19 | | | | | | | 1.00 | \$ 73,644.19 |

40% 40% 60% 7410.00

39,591.37

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # 13

SUBJECT: Consider Construction Escrow Release 8 – Steever Manor House –
Skrolling Stone Investments - LDS 629

MEETING DATE: September 13, 2021

BOARD LIAISON: Tanya C. Bamford, Chair

INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

BACKGROUND:

Attached is a construction escrow release requested by Skrolling Stone Investments for Steever Manor House as recommended by the Township Engineer.

The original amount of the escrow was \$700,765.40, held as a Tri-Party Agreement. This is the eighth and final release and is in the amount of \$120,059.35. The new balance would be \$0.00.

BUDGET IMPACT: None

RECOMMENDATION: That this construction escrow be released.

MOTION/RESOLUTION:

- 1) **Motion** to authorize a construction escrow release in the amount of \$120,059.35 as recommended by the Township Engineer for Skrolling Stone Investments conditioned upon payment of all invoices owed the Township.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

September 1, 2021

File No. 2017-03007

Ms. Carolyn McCreary, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Reference: Steever Manor – LD/S #629
Financial Security Release 8 – End of Maintenance

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of \$120,059.35 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Please note this release marks the end of the maintenance period.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/jpd

Enclosures: Release of Escrow Form, Escrow Status Report

cc: Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
George Marks, Skrolling Stone Investments

RELEASE OF ESCROW FORM

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 03/28/2018

Development Steever Manor House - LDS-629
Release #: 8

G&A Project #: 2017-03007

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$120,059.35. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 09/01/2021

Dear Ms. McCreary

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$120,059.35 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

James P. Dougherty 9/1/21
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Skrolling Stone Investments LSR, LLC for Steever Manor House - LDS-629, in the amount of \$120,059.35, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release \$120,059.35; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby autho release of \$120,059.35; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum.
BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited vi Tri-Party Agreement with Montgomery Township in total sum of \$700,765.40 pursuant to a signed Land Development Agreement and that \$580,706.05 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$0.00 in escrow.

MOTION BY _____

VOTE: _____

SECOND BY _____

DATED: _____

RELEASED BY: _____

Department Director



| | | |
|---|--|-----------------------------|
| PROJECT NAME: Stoever Manor House | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 30,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: Skrolling Stone Investments LSR, LLC | TOTAL ADMINISTRATION (CASH ESCROW): \$ - | TOWNSHIP NO: LDS-629 |
| ESCROW AGENT: Meridian Bank | | G&A PROJECT NO: 2017-03007 |
| TYPE OF SECURITY: Tri-Party Agreement | MAINTENANCE BOND AMOUNT (15%): \$ 95,558.92 | AGREEMENT DATE: 22-Dec-2006 |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---|----------------------|----------------------|----------------------|----------------------|-------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$637,059.45 | \$ 56,353.40 | \$ 580,706.05 | \$ 637,059.45 | \$ - |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$x,xxx.xx) | \$ - | \$ - | \$ - | \$ - | \$ - |
| CONTINGENCY (10%) | \$ 63,705.95 | \$ 63,705.95 | \$ - | \$ 63,705.95 | \$ - |
| TOTAL | \$ 700,765.40 | \$ 120,059.35 | \$ 580,706.05 | \$ 700,765.40 | \$ - |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------|----------|-------------|--------------|-----------------|--------------|----------------|--------------|--|--------------|---|------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| A. EROSION CONTROL | | | | | | | | | | | | |
| 1. Stone Construction Entrance | EA | 2 | \$ 3,750.00 | \$ 7,500.00 | | \$ - | 2.00 | \$ 7,500.00 | 2.00 | \$ 7,500.00 | | \$ - |
| 2. Super Silt Fence | LF | 679 | \$ 7.50 | \$ 5,092.50 | | \$ - | 679.00 | \$ 5,092.50 | 679.00 | \$ 5,092.50 | | \$ - |
| 3. Stone Inlet Protection | EA | 24 | \$ 225.00 | \$ 5,400.00 | | \$ - | 24.00 | \$ 5,400.00 | 24.00 | \$ 5,400.00 | | \$ - |
| 4. Temp. Seed Stockpiles | LS | 1,500 | \$ 0.04 | \$ 60.00 | | \$ - | 1,500.00 | \$ 60.00 | 1,500.00 | \$ 60.00 | | \$ - |
| 5. Tree Protection Fence | LF | 430 | \$ 2.25 | \$ 967.50 | | \$ - | 430.00 | \$ 967.50 | 430.00 | \$ 967.50 | | \$ - |
| 6. Diversion Berm | LS | 1 | \$ 2,500.00 | \$ 2,500.00 | | \$ - | 1.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | | \$ - |
| 7. Vegetated Swale | LS | 1 | \$ 2,500.00 | \$ 2,500.00 | | \$ - | 1.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | | \$ - |
| 8. Rock Filter | EA | 2 | \$ 500.00 | \$ 1,000.00 | | \$ - | 2.00 | \$ 1,000.00 | 2.00 | \$ 1,000.00 | | \$ - |
| 9. Temp. Outlet Riser Structure | EA | 1 | \$ 2,000.00 | \$ 2,000.00 | | \$ - | 1.00 | \$ 2,000.00 | 1.00 | \$ 2,000.00 | | \$ - |
| 10. Maintenance of Erosion Control | LS | 1 | \$ 3,000.00 | \$ 3,000.00 | 0.03 | \$ 90.00 | 0.97 | \$ 2,910.00 | 1.00 | \$ 3,000.00 | | \$ - |
| B. STORM SEWER | | | | | | | | | | | | |
| 1. 18 inch ADS w/ Stone | LF | 920 | \$ 31.85 | \$ 29,302.00 | | \$ - | 920.00 | \$ 29,302.00 | 920.00 | \$ 29,302.00 | | \$ - |
| 2. 24 inch ADS w/ Stone | LF | 330 | \$ 37.83 | \$ 12,483.90 | | \$ - | 330.00 | \$ 12,483.90 | 330.00 | \$ 12,483.90 | | \$ - |
| 3. 18 inch ADS O-Ring Gasketed | LF | 38 | \$ 24.60 | \$ 934.80 | | \$ - | 38.00 | \$ 934.80 | 38.00 | \$ 934.80 | | \$ - |
| 4. Anti-seep Collars | EA | 2 | \$ 3,600.00 | \$ 7,200.00 | | \$ - | 2.00 | \$ 7,200.00 | 2.00 | \$ 7,200.00 | | \$ - |
| 5. Type C Inlets | EA | 16 | \$ 2,500.00 | \$ 40,000.00 | | \$ - | 16.00 | \$ 40,000.00 | 16.00 | \$ 40,000.00 | | \$ - |
| 6. Type M Inlets | EA | 6 | \$ 2,000.00 | \$ 12,000.00 | | \$ - | 6.00 | \$ 12,000.00 | 6.00 | \$ 12,000.00 | | \$ - |
| 7. Endwalls | EA | 3 | \$ 2,000.00 | \$ 6,000.00 | | \$ - | 3.00 | \$ 6,000.00 | 3.00 | \$ 6,000.00 | | \$ - |
| 8. Basin Outlet Structure | EA | 1 | \$ 5,000.00 | \$ 5,000.00 | | \$ - | 1.00 | \$ 5,000.00 | 1.00 | \$ 5,000.00 | | \$ - |
| 9. Gabion Retaining Wall | LS | 1 | \$ 7,500.00 | \$ 7,500.00 | | \$ - | 1.00 | \$ 7,500.00 | 1.00 | \$ 7,500.00 | | \$ - |
| 10. Storm Manhole | EA | 1 | \$ 2,200.00 | \$ 2,200.00 | | \$ - | 1.00 | \$ 2,200.00 | 1.00 | \$ 2,200.00 | | \$ - |
| 11. Rip Rap R-4 | TN | 22 | \$ 15.00 | \$ 330.00 | | \$ - | 22.00 | \$ 330.00 | 22.00 | \$ 330.00 | | \$ - |
| C. CONCRETE WORK | | | | | | | | | | | | |
| 1. 4 Inch Stone under Curb | LF | 2,860 | \$ 0.30 | \$ 858.00 | 60.00 | \$ 18.00 | 2,800.00 | \$ 840.00 | 2,860.00 | \$ 858.00 | | \$ - |
| 2. 7 in. x 8 in. x 18 in. Concrete Curb | LF | 2,860 | \$ 11.50 | \$ 32,890.00 | 60.00 | \$ 690.00 | 2,800.00 | \$ 32,200.00 | 2,860.00 | \$ 32,890.00 | | \$ - |
| 3. 4 inch Stone under Curb - Reserved | LF | 494 | \$ 0.30 | \$ 148.20 | 494.00 | \$ 148.20 | | \$ - | 494.00 | \$ 148.20 | | \$ - |
| 4. 7 in. x 8 in. x 18 in. Concrete Curb - Reserved | LF | 494 | \$ 11.50 | \$ 5,681.00 | 494.00 | \$ 5,681.00 | | \$ - | 494.00 | \$ 5,681.00 | | \$ - |
| 5. Concrete Sidewalk | SF | 3,660 | \$ 3.75 | \$ 13,725.00 | | \$ - | 3,660.00 | \$ 13,725.00 | 3,660.00 | \$ 13,725.00 | | \$ - |
| 6. 4 inch 2B Clean Stone | SY | 407 | \$ 2.95 | \$ 1,200.65 | | \$ - | 407.00 | \$ 1,200.65 | 407.00 | \$ 1,200.65 | | \$ - |
| D. PAVING | | | | | | | | | | | | |
| 1. Fine Grade | SY | 4,691 | \$ 1.00 | \$ 4,691.00 | | \$ - | 4,691.00 | \$ 4,691.00 | 4,691.00 | \$ 4,691.00 | | \$ - |
| 2. Fine Grade - Reserve | SY | 891 | \$ 1.00 | \$ 891.00 | 891.00 | \$ 891.00 | | \$ - | 891.00 | \$ 891.00 | | \$ - |
| 3. 6 inch Course Aggregate Base Course | SY | 5,582 | \$ 10.00 | \$ 55,820.00 | | \$ - | 5,582.00 | \$ 55,820.00 | 5,582.00 | \$ 55,820.00 | | \$ - |
| 4. 1.5 inch ID-2 Binder | SY | 5,582 | \$ 5.35 | \$ 29,863.70 | | \$ - | 5,582.00 | \$ 29,863.70 | 5,582.00 | \$ 29,863.70 | | \$ - |
| 5. 1 inch ID-2 Wearing | SY | 5,582 | \$ 4.25 | \$ 23,723.50 | 5,582.00 | \$ 23,723.50 | | \$ - | 5,582.00 | \$ 23,723.50 | | \$ - |
| 6. Sweep & Tack | SY | 5,582 | \$ 0.55 | \$ 3,070.10 | 5,582.00 | \$ 3,070.10 | | \$ - | 5,582.00 | \$ 3,070.10 | | \$ - |
| 7. Seal Curb | LF | 2,860 | \$ 0.40 | \$ 1,144.00 | 2,860.00 | \$ 1,144.00 | | \$ - | 2,860.00 | \$ 1,144.00 | | \$ - |
| 8. Seal Curb Reserved | LF | 494 | \$ 0.40 | \$ 197.60 | 494.00 | \$ 197.60 | | \$ - | 494.00 | \$ 197.60 | | \$ - |



ESCROW RELEASE NO.: 8

DATE PREPARED: 1-Sep-2021

| | | |
|--|--|--|
| PROJECT NAME: Steever Manor House | TOTAL ENGIN/NSP/LEGAL (CASH ESCROW): \$ 30,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: Skrolling Stone Investments LSR, LLC | TOTAL ADMINISTRATION (CASH ESCROW): \$ - | TOWNSHIP NO.: LDS-629 |
| ESCROW AGENT: Meridian Bank | | G&A PROJECT NO.: 2017-03007 |
| TYPE OF SECURITY: Tri-Party Agreement | MAINTENANCE BOND AMOUNT (15%): \$ 95,558.92 | AGREEMENT DATE: 22-Dec-2006 |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|---|----------------------|----------------------|----------------------|----------------------|-------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$637,059.45 | \$ 56,353.40 | \$ 580,705.05 | \$ 637,059.45 | \$ - |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of mm/dd/yy = \$x,xxx.xx) | \$ - | \$ - | \$ - | \$ - | \$ - |
| CONTINGENCY (10%) | \$ 63,705.95 | \$ 63,705.95 | \$ - | \$ 63,705.95 | \$ - |
| TOTAL | \$ 700,765.40 | \$ 120,059.35 | \$ 580,705.05 | \$ 700,765.40 | \$ - |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------|----------|--------------|---------------|-----------------|--------------|----------------|---------------|--|---------------|---|------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| E. LANDSCAPING | | | | | | | | | | | | |
| 1. Red Maple | EA | 11 | \$ 400.00 | \$ 4,400.00 | | \$ - | 11.00 | \$ 4,400.00 | 11.00 | \$ 4,400.00 | | \$ - |
| 2. Sugar Maple | EA | 8 | \$ 400.00 | \$ 3,200.00 | | \$ - | 8.00 | \$ 3,200.00 | 8.00 | \$ 3,200.00 | | \$ - |
| 3. Sweetgum | EA | 8 | \$ 400.00 | \$ 3,200.00 | | \$ - | 8.00 | \$ 3,200.00 | 8.00 | \$ 3,200.00 | | \$ - |
| 4. Red Oak | EA | 8 | \$ 400.00 | \$ 3,200.00 | 1.00 | \$ 400.00 | 7.00 | \$ 2,800.00 | 8.00 | \$ 3,200.00 | | \$ - |
| 5. Willow Oak | EA | 7 | \$ 400.00 | \$ 2,800.00 | | \$ - | 6.00 | \$ 2,400.00 | 7.00 | \$ 2,800.00 | | \$ - |
| 6. Kousa Dogwood | EA | 12 | \$ 350.00 | \$ 4,200.00 | 6.00 | \$ 2,100.00 | 6.00 | \$ 2,100.00 | 12.00 | \$ 4,200.00 | | \$ - |
| 7. Eastern Redbud | EA | 10 | \$ 350.00 | \$ 3,500.00 | | \$ - | 10.00 | \$ 3,500.00 | 10.00 | \$ 3,500.00 | | \$ - |
| 8. Sweetbay Magnolia | EA | 8 | \$ 350.00 | \$ 2,800.00 | 2.00 | \$ 700.00 | 6.00 | \$ 2,100.00 | 8.00 | \$ 2,800.00 | | \$ - |
| 9. American Holly | EA | 8 | \$ 350.00 | \$ 2,800.00 | 3.00 | \$ 1,050.00 | 5.00 | \$ 1,750.00 | 8.00 | \$ 2,800.00 | | \$ - |
| 10. Douglas Fir | EA | 3 | \$ 350.00 | \$ 1,050.00 | | \$ - | 3.00 | \$ 1,050.00 | 3.00 | \$ 1,050.00 | | \$ - |
| 11. Shrubs | EA | 77 | \$ 65.00 | \$ 5,005.00 | 3.00 | \$ 195.00 | 74.00 | \$ 4,810.00 | 77.00 | \$ 5,005.00 | | \$ - |
| 12. FACW Welland Meadow Mix | LS | 1 | \$ 2,500.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | | \$ - | 1.00 | \$ 2,500.00 | | \$ - |
| 13. Seed Lawn Areas | LS | 1 | \$ 2,500.00 | \$ 2,500.00 | | \$ - | 1.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | | \$ - |
| 14. Finish Grade | LS | 1 | \$ 2,500.00 | \$ 2,500.00 | | \$ - | 1.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | | \$ - |
| F. MISCELLANEOUS | | | | | | | | | | | | |
| 1. Clearing | LS | 1 | \$ 15,000.00 | \$ 15,000.00 | | \$ - | 1.00 | \$ 15,000.00 | 1.00 | \$ 15,000.00 | | \$ - |
| 2. Construction Stakeout | LS | 1 | \$ 10,000.00 | \$ 10,000.00 | | \$ - | 1.00 | \$ 10,000.00 | 1.00 | \$ 10,000.00 | | \$ - |
| 3. As-built Plans | LS | 1 | \$ 6,500.00 | \$ 6,500.00 | 0.67 | \$ 4,355.00 | 0.33 | \$ 2,145.00 | 1.00 | \$ 6,500.00 | | \$ - |
| 4. Signage & Striping | LS | 1 | \$ 3,000.00 | \$ 3,000.00 | 1.00 | \$ 3,000.00 | | \$ - | 1.00 | \$ 3,000.00 | | \$ - |
| 5. Pavement Marking | LS | 1 | \$ 2,500.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | | \$ - | 1.00 | \$ 2,500.00 | | \$ - |
| 6. Concrete Curb Ramp | EA | 8 | \$ 500.00 | \$ 4,000.00 | 4.00 | \$ 2,000.00 | 4.00 | \$ 2,000.00 | 8.00 | \$ 4,000.00 | | \$ - |
| 7. Traffic Control | LS | 1 | \$ 6,000.00 | \$ 6,000.00 | | \$ - | 1.00 | \$ 6,000.00 | 1.00 | \$ 6,000.00 | | \$ - |
| 8. Retaining Wall | SF | 4,751 | \$ 30.00 | \$ 142,530.00 | | \$ - | 4,751.00 | \$ 142,530.00 | 4,751.00 | \$ 142,530.00 | | \$ - |
| 9. Chain Link Fence | LF | 800 | \$ 55.00 | \$ 44,000.00 | | \$ - | 800.00 | \$ 44,000.00 | 800.00 | \$ 44,000.00 | | \$ - |
| 10. Lamp Post | EA | 24 | \$ 1,000.00 | \$ 24,000.00 | | \$ - | 24.00 | \$ 24,000.00 | 24.00 | \$ 24,000.00 | | \$ - |
| 11. Electric Relocation | LS | 1 | \$ 7,500.00 | \$ 7,500.00 | | \$ - | 1.00 | \$ 7,500.00 | 1.00 | \$ 7,500.00 | | \$ - |
| 12. Monuments & Pins | LS | 1 | \$ 1,500.00 | \$ 1,500.00 | 1.00 | \$ 1,500.00 | | \$ - | 1.00 | \$ 1,500.00 | | \$ - |
| G. ANNUAL CONSTRUCTION COST INCREASE PER PA MPC §509(h) | | | | | | | | | | | | |
| 1. 10% Annual Construction Cost Increase (Balance as of mm/dd/yy - \$x,xxx.xx) | LS | 1 | \$ - | \$ - | 1.00 | \$ - | | \$ - | 1.00 | \$ - | | \$ - |
| H. CONTINGENCY | | | | | | | | | | | | |
| 1. 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond) | LS | 1 | \$ 63,705.95 | \$ 63,705.95 | 1.00 | \$ 63,705.95 | | \$ - | 1.00 | \$ 63,705.95 | | \$ - |

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 14

SUBJECT: Consider Construction Escrow Release 5 - 309 Automall Properties, L.P. - Montgomeryville Nissan – LDS 691
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

BACKGROUND:

Attached is a construction escrow release requested by 309 Automall Properties, L.P. - Montgomeryville Nissan, as recommended by the Township Engineer.

The original amount of the escrow was \$570,323.82 and was filed as a letter of credit with Univest Bank. This is the fifth release and is in the amount of \$ \$61,647.62. The new balance would be \$0.00.

The work is complete, including the installation of the 8-foot-wide walking path across PECO's right-of-way to the Acura Dealership and submitting as-built drawings. The start of maintenance period began on February 22, 2021 and will end on August 22, 2022.

BUDGET IMPACT: None.

RECOMMENDATION: That this construction escrow be released.

MOTION/RESOLUTION:

- 1) **Motion** hereby authorize a construction escrow release #5 in the amount of \$61,647.62, as recommended by the Township Engineer for the 309 Automall Properties, L.P. - Montgomeryville Nissan, contingent upon the developer satisfying all outstanding Township invoices related to this project, and receipt of an as-built plan and approved maintenance security by the Township Solicitor in the amount of \$61,647.62.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

September 9, 2021

File No. 2016-08012

Carolyn McCreary, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: 309 Automall Properties, L.P. - Montgomeryville Nissan – LDS#691
Escrow Release 5 – Start of Maintenance

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of **\$61,647.62** have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

The Applicant should provide a maintenance security in the amount of \$77,771.43 for 18 months.

Please be advised that these improvements will be subject to a final inspection at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/sl

Enclosure: Release of Escrow Form, Summary of Escrow Account

cc: Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
Allan I Nappen – Nappen & Associates
Judith Stern Goldstein, ASLA, R.L.A., Senior Project Manager – Gilmore & Associates, Inc.
Damon Drummond, P.E., PTOE, Senior Transportation Engineer – Gilmore & Associates, Inc.
Christopher E. Green, R.L.A., LEED AP, Senior Landscape Architect – Gilmore & Associates, Inc.
Brian Dusault, Construction Services Manager – Gilmore & Associates, Inc.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

RELEASE OF ESCROW FORM

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 09/03/2021

Development: Montgomeryville Nissan - LD/S#691

G&A Project #: 2016-08012

Release #: 5

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$61,647.62. Enclosed is a copy of our escrow spreadsheet with the quantities noted.


ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 09/09/2021

Dear Ms. McCreary

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$61,647.62 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

 9/9/21

James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Nappen & Associates for Montgomeryville Nissan - LD/S#691, in the amount of \$61,647.62, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$61,647.62; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$61,647.62; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum contingent upon payment of all outstanding bills. BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Letter of Credit with Montgomery Township in total sum of \$570,323.82 pursuant to a signed Land Development Agreement and that \$508,676.20 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$0.00 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 5
RELEASE DATE: 9-Sep-2021

| | | |
|--------------------------------------|--|--|
| PROJECT NAME: Montgomeryville Nissan | TOTAL CONSTRUCTION: \$ 518,476.20 | ORIGINAL CONSTRUCTION AMOUNT: \$ 570,323.82 |
| PROJECT NO.: 2016-08012 | TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 51,847.62 | |
| TOWNSHIP NO.: LD/S#691 | TOTAL CONSTRUCTION ESCROW POSTED: \$ 570,323.82 | AMOUNT OF THIS RELEASE: \$ 61,647.62 |
| PROJECT OWNER: Nappen & Associates | | |
| MUNICIPALITY: Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00 | PRIOR CONSTRUCTION RELEASED: \$ 508,676.20 |
| ESCROW AGENT: Univest | TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 4,500.00 | TOTAL CONSTRUCTION RELEASED TO DATE: \$ 570,323.82 |
| TYPE OF SECURITY: Letter of Credit | | BALANCE AFTER CURRENT RELEASE: \$ - |
| AGREEMENT DATE: 9-Nov-2017 | MAINTENANCE BOND AMOUNT (15%): \$ 77,771.43 | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | | RELEASED TO DATE (including current release) | | AVAILABLE FOR RELEASE | | RELEASE REQ # 6 |
|-------------------------------------|-------|----------|---------------|-----------------|-----------------|-----------------|---|-----------------|-----------------------|-----------------|--------------------|
| CONSTRUCTION ITEMS | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY |
| A. EROSION CONTROL | | | | | | | | | | | |
| 1. Construction Entrance | EA | 1 | \$ 1,750.00 | \$ 1,750.00 | | \$ - | 1.00 | \$ 1,750.00 | | \$ - | |
| 2. Concrete Wash Out | EA | 1 | \$ 500.00 | \$ 500.00 | | \$ - | 1.00 | \$ 500.00 | | \$ - | |
| 3. 18 inch Silt Fence | LF | 120 | \$ 4.00 | \$ 480.00 | | \$ - | 120.00 | \$ 480.00 | | \$ - | |
| 4. 12" Silt Sock | LF | 620 | \$ 6.00 | \$ 3,720.00 | | \$ - | 620.00 | \$ 3,720.00 | | \$ - | |
| 5. Inlet Protection | EA | 5 | \$ 125.00 | \$ 625.00 | | \$ - | 5.00 | \$ 625.00 | | \$ - | |
| 6. E&S Maintenance & Removal | LS | 1 | \$ 700.00 | \$ 700.00 | | \$ - | 1.00 | \$ 700.00 | | \$ - | |
| B. DEMOLITION & CLEARING | | | | | | | | | | | |
| 1. Remove Concrete Curb | LF | 547 | \$ 4.00 | \$ 2,188.00 | | \$ - | 547.00 | \$ 2,188.00 | | \$ - | |
| 2. Remove Concrete Pavement | SY | 1,550 | \$ 12.70 | \$ 19,685.00 | | \$ - | 1,550.00 | \$ 19,685.00 | | \$ - | |
| 3. Remove Brick Pavers | SF | 556 | \$ 2.00 | \$ 1,112.00 | | \$ - | 556.00 | \$ 1,112.00 | | \$ - | |
| 4. Tree Protection Fence | LF | 320 | \$ 2.75 | \$ 880.00 | | \$ - | 320.00 | \$ 880.00 | | \$ - | |
| 5. Tree Removal | LS | 1 | \$ 500.00 | \$ 500.00 | | \$ - | 1.00 | \$ 500.00 | | \$ - | |
| 6. Remove Light | EA | 2 | \$ 250.00 | \$ 500.00 | | \$ - | 2.00 | \$ 500.00 | | \$ - | |
| 7. Remove Asphalt | SY | 718 | \$ 6.35 | \$ 4,559.30 | | \$ - | 718.00 | \$ 4,559.30 | | \$ - | |
| C. EARTH WORK | | | | | | | | | | | |
| 1. Cut to Fill | CY | 1,850 | \$ 6.00 | \$ 11,100.00 | | \$ - | 1,850.00 | \$ 11,100.00 | | \$ - | |
| 2. Import Topsoil | CY | 125 | \$ 25.00 | \$ 3,125.00 | | \$ - | 125.00 | \$ 3,125.00 | | \$ - | |
| 3. Grading | LS | 1 | \$ 1,000.00 | \$ 1,000.00 | | \$ - | 1.00 | \$ 1,000.00 | | \$ - | |
| 4. Permanent Stabilization | LS | 1 | \$ 500.00 | \$ 500.00 | | \$ - | 1.00 | \$ 500.00 | | \$ - | |
| E. STORM SEWER | | | | | | | | | | | |
| 1. 15" HDPE | LF | 264 | \$ 42.50 | \$ 11,220.00 | | \$ - | 264.00 | \$ 11,220.00 | | \$ - | |
| 2. 6" PVC Roof Drain | LF | 64 | \$ 32.50 | \$ 2,080.00 | | \$ - | 64.00 | \$ 2,080.00 | | \$ - | |
| 3. 4" Perforated PVC Underdrain | LF | 45 | \$ 28.00 | \$ 1,260.00 | | \$ - | 45.00 | \$ 1,260.00 | | \$ - | |
| 4. Type 'M' Inlet | EA | 3 | \$ 2,000.00 | \$ 6,000.00 | | \$ - | 3.00 | \$ 6,000.00 | | \$ - | |
| 5. Outlet Structure | EA | 1 | \$ 2,000.00 | \$ 2,000.00 | | \$ - | 1.00 | \$ 2,000.00 | | \$ - | |
| 6. Doghouse Storm Manhole | EA | 1 | \$ 2,000.00 | \$ 2,000.00 | | \$ - | 1.00 | \$ 2,000.00 | | \$ - | |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 5
RELEASE DATE: 9-Sep-2021

| | | |
|--------------------------------------|--|--|
| PROJECT NAME: Montgomeryville Nissan | TOTAL CONSTRUCTION: \$ 518,476.20 | ORIGINAL CONSTRUCTION AMOUNT: \$ 570,323.82 |
| PROJECT NO.: 2016-08012 | TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 51,847.62 | |
| TOWNSHIP NO.: LD/S#691 | TOTAL CONSTRUCTION ESCROW POSTED: \$ 570,323.82 | AMOUNT OF THIS RELEASE: \$ 61,647.62 |
| PROJECT OWNER: Nappen & Associates | | |
| MUNICIPALITY: Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00 | PRIOR CONSTRUCTION RELEASED: \$ 508,676.20 |
| ESCROW AGENT: Univest | TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 4,500.00 | TOTAL CONSTRUCTION RELEASED TO DATE: \$ 570,323.82 |
| TYPE OF SECURITY: Letter of Credit | | BALANCE AFTER CURRENT RELEASE: \$ - |
| AGREEMENT DATE: 9-Nov-2017 | MAINTENANCE BOND AMOUNT (15%): \$ 77,771.43 | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | RELEASED TO DATE (including current release) | AVAILABLE FOR RELEASE | RELEASE REQ # 6 | | | |
|-----------------------------------|--|----|-------|-----------|-----------------|---|-----------------------|--------------------|----------|-----------------|----------|
| CONSTRUCTION ITEMS | | | | | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY |
| E. STORM SEWER (continued) | | | | | | | | | | | |
| 7. | Connect to Existing Inlet | EA | 1 | \$ 490.00 | \$ 490.00 | \$ - | 1.00 | \$ 490.00 | \$ - | | |
| 8. | Rain Garden (Complete) | SF | 1,500 | \$ 20.00 | \$ 30,000.00 | \$ - | 1,500.00 | \$ 30,000.00 | \$ - | | |
| F. SITE WORK | | | | | | | | | | | |
| 1. | 1.5" 9.5mm Wearing Course | SY | 1,602 | \$ 8.00 | \$ 12,816.00 | \$ - | 1,602.00 | \$ 12,816.00 | \$ - | | |
| 2. | 5" 25MM Binder Course | SY | 1,602 | \$ 21.00 | \$ 33,642.00 | \$ - | 1,602.00 | \$ 33,642.00 | \$ - | | |
| 3. | 3" 2A Modified Stone | SY | 1,602 | \$ 7.25 | \$ 11,614.50 | \$ - | 1,602.00 | \$ 11,614.50 | \$ - | | |
| 4. | Milling | SY | 1,744 | \$ 5.50 | \$ 9,592.00 | \$ - | 1,744.00 | \$ 9,592.00 | \$ - | | |
| 5. | 1.5" 9.5MM Wearing Overlay | SY | 1,744 | \$ 8.00 | \$ 13,952.00 | \$ - | 1,744.00 | \$ 13,952.00 | \$ - | | |
| 6. | Sweep & Tack Coat | SY | 3,346 | \$ 1.15 | \$ 3,847.90 | \$ - | 3,346.00 | \$ 3,847.90 | \$ - | | |
| 7. | Concrete Curb | LF | 800 | \$ 16.50 | \$ 13,200.00 | \$ - | 800.00 | \$ 13,200.00 | \$ - | | |
| 8. | Curb Joint Seal | LF | 800 | \$ 0.30 | \$ 240.00 | \$ - | 800.00 | \$ 240.00 | \$ - | | |
| 9. | Concrete Sidewalk, 4" Thick | SF | 3,032 | \$ 8.00 | \$ 24,256.00 | \$ - | 3,032.00 | \$ 24,256.00 | \$ - | | |
| 10. | Concrete Sidewalk, 6" Thick | SF | 3,270 | \$ 9.50 | \$ 31,065.00 | \$ - | 3,270.00 | \$ 31,065.00 | \$ - | | |
| 11. | ADA Ramp DWS | EA | 3 | \$ 400.00 | \$ 1,200.00 | \$ - | 3.00 | \$ 1,200.00 | \$ - | | |
| 12. | Bollards | EA | 8 | \$ 375.00 | \$ 3,000.00 | \$ - | 8.00 | \$ 3,000.00 | \$ - | | |
| G. LANDSCAPING | | | | | | | | | | | |
| <i>Street Trees</i> | | | | | | | | | | | |
| 1. | Acer Rubrum 'Red Sunset', 3" cal. | EA | 3 | \$ 540.00 | \$ 1,620.00 | \$ - | 3.00 | \$ 1,620.00 | \$ - | | |
| <i>Deciduous/Evergreen Trees</i> | | | | | | | | | | | |
| 2. | Acer Rubrum 'Red Sunset', 3" cal. | EA | 4 | \$ 540.00 | \$ 2,160.00 | \$ - | 4.00 | \$ 2,160.00 | \$ - | | |
| 3. | Quercus Bicolor, 3" cal. | EA | 3 | \$ 540.00 | \$ 1,620.00 | \$ - | 3.00 | \$ 1,620.00 | \$ - | | |
| 4. | Amelanchier x Grandiflora 'Autumn Brilliance', 8' Tall | EA | 5 | \$ 375.00 | \$ 1,875.00 | \$ - | 5.00 | \$ 1,875.00 | \$ - | | |
| 5. | Nyssa Sylvatica, 3" cal. | EA | 1 | \$ 540.00 | \$ 540.00 | \$ - | 1.00 | \$ 540.00 | \$ - | | |
| 6. | Prunus subhirtella var. autumnalis, 8' Tall | EA | 2 | \$ 375.00 | \$ 750.00 | \$ - | 2.00 | \$ 750.00 | \$ - | | |
| 7. | Zelkova Serrata 'Green Vase', 3" cal. | EA | 12 | \$ 540.00 | \$ 6,480.00 | \$ - | 12.00 | \$ 6,480.00 | \$ - | | |
| <i>Deciduous/Evergreen Shrubs</i> | | | | | | | | | | | |
| 8. | Ilex Glabra 'Shamrock', 24" Tall | EA | 23 | \$ 100.00 | \$ 2,300.00 | \$ - | 23.00 | \$ 2,300.00 | \$ - | | |
| 9. | Juniperus Chinensis var. Sargentii, 18" Tall | EA | 13 | \$ 65.00 | \$ 845.00 | \$ - | 13.00 | \$ 845.00 | \$ - | | |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 5
RELEASE DATE: 9-Sep-2021

| | | |
|--------------------------------------|--|--|
| PROJECT NAME: Montgomeryville Nissan | TOTAL CONSTRUCTION: \$ 518,476.20 | ORIGINAL CONSTRUCTION AMOUNT: \$ 570,323.82 |
| PROJECT NO.: 2016-08012 | TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 51,847.62 | AMOUNT OF THIS RELEASE: \$ 61,647.62 |
| TOWNSHIP NO.: LD/S#691 | TOTAL CONSTRUCTION ESCROW POSTED: \$ 570,323.82 | |
| PROJECT OWNER: Nappen & Associates | | |
| MUNICIPALITY: Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00 | PRIOR CONSTRUCTION RELEASED: \$ 508,676.20 |
| ESCROW AGENT: Univest | TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 4,500.00 | TOTAL CONSTRUCTION RELEASED TO DATE: \$ 570,323.82 |
| TYPE OF SECURITY: Letter of Credit | | BALANCE AFTER CURRENT RELEASE: \$ - |
| AGREEMENT DATE: 9-Nov-2017 | MAINTENANCE BOND AMOUNT (15%): \$ 77,771.43 | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | RELEASED TO DATE (including current release) | AVAILABLE FOR RELEASE | RELEASE REQ # 6 |
|--|-------|----------|--------------|---------------|-----------------|---|-----------------------|--------------------|
| CONSTRUCTION ITEMS | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT |
| G. LANDSCAPING (continued) | | | | | | | | |
| <i>Perennials & Groundcovers</i> | | | | | | | | |
| 10. Hemerocallis 'Pardon Me', 1 gal. | EA | 9 | \$ 35.00 | \$ 315.00 | \$ - | 9.00 \$ 315.00 | \$ - | \$ - |
| 11. Sedum Spurium 'Dragon Blood', 1 gal. | EA | 21 | \$ 35.00 | \$ 735.00 | \$ - | 21.00 \$ 735.00 | \$ - | \$ - |
| 12. Yucca filamentosa 'Gold Sword', 5 gal. | EA | 3 | \$ 60.00 | \$ 180.00 | \$ - | 3.00 \$ 180.00 | \$ - | \$ - |
| 13. Amsonia "Blue Ice", LP32 | EA | 100 | \$ 5.25 | \$ 525.00 | \$ - | 100.00 \$ 525.00 | \$ - | \$ - |
| 14. Aster Novae-Angliae 'Purple Dome', LP50 | EA | 220 | \$ 5.25 | \$ 1,155.00 | \$ - | 220.00 \$ 1,155.00 | \$ - | \$ - |
| 15. Carex Pensylvanica, LP32 | EA | 400 | \$ 5.25 | \$ 2,100.00 | \$ - | 400.00 \$ 2,100.00 | \$ - | \$ - |
| 16. Chelone Obliqua "Hot Lips", LP50 | EA | 120 | \$ 5.25 | \$ 630.00 | \$ - | 120.00 \$ 630.00 | \$ - | \$ - |
| 17. Coreopsis Verticillata, LP50 | EA | 110 | \$ 5.25 | \$ 577.50 | \$ - | 110.00 \$ 577.50 | \$ - | \$ - |
| 18. Iris Versicolor, LP50 | EA | 220 | \$ 5.25 | \$ 1,155.00 | \$ - | 220.00 \$ 1,155.00 | \$ - | \$ - |
| 19. Rudbeckia Fulgida var. Fulgida, LP50 | EA | 170 | \$ 5.25 | \$ 892.50 | \$ - | 170.00 \$ 892.50 | \$ - | \$ - |
| 20. Tiarella Cordifolia 'Running Tapestry', LP32 | EA | 110 | \$ 5.25 | \$ 577.50 | \$ - | 110.00 \$ 577.50 | \$ - | \$ - |
| 21. Mulch | CY | 25 | \$ 80.00 | \$ 2,000.00 | \$ - | 25.00 \$ 2,000.00 | \$ - | \$ - |
| 22. River Stone, 4"-6" | TON | 18 | \$ 125.00 | \$ 2,250.00 | \$ - | 18.00 \$ 2,250.00 | \$ - | \$ - |
| H. WATER | | | | | | | | |
| 1. 16"x16" Tapping Sleeve | EA | 1 | \$ 6,120.00 | \$ 6,120.00 | \$ - | 1.00 \$ 6,120.00 | \$ - | \$ - |
| 2. Meter Pit | EA | 1 | \$ 20,000.00 | \$ 20,000.00 | \$ - | 1.00 \$ 20,000.00 | \$ - | \$ - |
| 3. 6" DIP | LF | 158 | \$ 55.00 | \$ 8,690.00 | \$ - | 158.00 \$ 8,690.00 | \$ - | \$ - |
| 4. 1" Copper | LF | 160 | \$ 41.00 | \$ 6,560.00 | \$ - | 160.00 \$ 6,560.00 | \$ - | \$ - |
| 5. Stone Backfill | TON | 88 | \$ 15.50 | \$ 1,364.00 | \$ - | 88.00 \$ 1,364.00 | \$ - | \$ - |
| 6. Trench Restoration | SY | 10 | \$ 175.00 | \$ 1,750.00 | \$ - | 10.00 \$ 1,750.00 | \$ - | \$ - |
| I. LIGHTING | | | | | | | | |
| 1. 2 LED Fixtures @ 20' Height (Existing Poles) | EA | 27 | \$ 4,775.00 | \$ 128,925.00 | \$ - | 27.00 \$ 128,925.00 | \$ - | \$ - |
| 2. 3 LED Fixtures @ 20' Height (New Base & Pole) | EA | 3 | \$ 5,285.00 | \$ 15,855.00 | \$ - | 3.00 \$ 15,855.00 | \$ - | \$ - |
| 3. Wall Mounted LED | EA | 7 | \$ 840.00 | \$ 5,880.00 | \$ - | 7.00 \$ 5,880.00 | \$ - | \$ - |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 5
RELEASE DATE: 9-Sep-2021

| | | |
|--------------------------------------|--|--|
| PROJECT NAME: Montgomeryville Nissan | TOTAL CONSTRUCTION: \$ 518,476.20 | ORIGINAL CONSTRUCTION AMOUNT: \$ 570,323.82 |
| PROJECT NO.: 2016-08012 | TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 51,847.62 | AMOUNT OF THIS RELEASE: \$ 61,647.62 |
| TOWNSHIP NO.: LD/S#691 | TOTAL CONSTRUCTION ESCROW POSTED: \$ 570,323.82 | |
| PROJECT OWNER: Nappen & Associates | | PRIOR CONSTRUCTION RELEASED: \$ 508,676.20 |
| MUNICIPALITY: Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 45,000.00 | TOTAL CONSTRUCTION RELEASED TO DATE: \$ 570,323.82 |
| ESCROW AGENT: Univest | TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 4,500.00 | BALANCE AFTER CURRENT RELEASE: \$ - |
| TYPE OF SECURITY: Letter of Credit | | |
| AGREEMENT DATE: 9-Nov-2017 | MAINTENANCE BOND AMOUNT (15%): \$ 77,771.43 | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | | RELEASED TO DATE (including current release) | | AVAILABLE FOR RELEASE | | RELEASE REQ # 6 |
|---|-------|----------|---------------|-----------------|-----------------|-----------------|---|-----------------|-----------------------|-----------------|--------------------|
| CONSTRUCTION ITEMS | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY |
| J. S.R. 309 SIDEWALK | | | | | | | | | | | |
| 1. 5 ft wide Asphalt path between Nissan and Acura | SY | 128 | \$ 18.00 | \$ 2,300.00 | 127.78 | \$ 2,300.00 | 127.78 | \$ 2,300.00 | | \$ - | |
| 2. Curb Ramps and DWS | EA | 2 | \$ 2,000.00 | \$ 4,000.00 | 2.00 | \$ 4,000.00 | 2.00 | \$ 4,000.00 | | \$ - | |
| K. MISCELLANEOUS | | | | | | | | | | | |
| 1. Site Pavement Markings | LS | 1 | \$ 3,000.00 | \$ 3,000.00 | | \$ - | 1.00 | \$ 3,000.00 | | \$ - | |
| 2. ADA Parking Signs | EA | 4 | \$ 250.00 | \$ 1,000.00 | | \$ - | 4.00 | \$ 1,000.00 | | \$ - | |
| 3. ADA Building Signs | EA | 7 | \$ 150.00 | \$ 1,050.00 | | \$ - | 7.00 | \$ 1,050.00 | | \$ - | |
| 4. Traffic Signs | EA | 39 | \$ 200.00 | \$ 7,800.00 | | \$ - | 39.00 | \$ 7,800.00 | | \$ - | |
| 5. As-Built Drawings | LS | 1 | \$ 3,500.00 | \$ 3,500.00 | 1.00 | \$ 3,500.00 | 1.00 | \$ 3,500.00 | | \$ - | |
| 6. Construction Inspection & Testing | LS | 1 | \$ 3,000.00 | \$ 3,000.00 | | \$ - | 1.00 | \$ 3,000.00 | | \$ - | |
| L. CONTINGENCY (10%) <i>(Released upon certification of completion and receipt of Maintenance Bond)</i> | LS | 1 | \$ 51,847.62 | \$ 51,847.62 | 1.00 | \$ 51,847.62 | 1.00 | \$ 51,847.62 | | \$ - | |

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # 15

SUBJECT: Consider Construction Escrow Release 1 - Hawthorne – Montgomery Retirement Residence LLC - LDS 690
MEETING DATE: September 13, 2021
BOARD LIAISON Tanya C. Bamford, Chair
INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

BACKGROUND:

Attached is a construction escrow release requested by Montgomery Retirement Residence, LLC for Montgomery Retirement Residence as recommended by the Township Engineer.

The original amount of the escrow was \$1,752,064.88, held as Performance Bond with the Township. This is the first release for is in the amount of \$147,664.00. The new balance would be \$1,604,400.88.

BUDGET IMPACT:

None.

RECOMMENDATION:

That this construction escrow be released.

MOTION/RESOLUTION:

- 1) **Motion** to authorize a construction escrow release in the amount of \$147,664.00 as recommended by the Township Engineer for Montgomery Retirement Residence, LLC.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

September 7, 2021

File No. 2014-04125-02

Ms. Carolyn McCreary, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Reference: Montgomery Retirement Residences – LD/S #690
Financial Security Release 1

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of \$147,664.00 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Please be advised that these improvements will be subject to a final inspection prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/jpd

Enclosures: Release of Escrow Form, Escrow Status Report

cc: Bruce S. Shoupe, Director of Planning and Zoning
Sean Kilkenny, Esq. – Kilkenny Law
David R. Gilinger - Hawthorn Construction Group LLC
Valerie Liggett, R.L.A. - Boucher & James, Inc.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

RELEASE OF ESCROW FORM

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 08/31/2021

Development: Montgomery Township Retirement Residence - LDS-690
Release #: 1

G&A Project #: 2014-04125-02

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$147,664.00. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 09/07/2021

Dear Ms. McCreary

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$147,664.00 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

James P. Dougherty 9/7/2021
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Montgomery Retirement Residence LLC for Montgomery Township Retirement Residence - LDS-690, in the amount of \$147,664.00, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$147,664.00; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$147,664.00; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum.
BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Performance Bond with Montgomery Township in total sum of \$1,752,064.88 pursuant to a signed Land Development Agreement and that \$0.00 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$1,604,400.88 in escrow.

MOTION BY: _____
SECOND BY: _____
DATED: _____
RELEASED BY: _____
Department Director

VOTE: _____



ESCROW RELEASE NO.: 1

DATE PREPARED: 7-Sep-2021

| | | |
|---|--|---|
| PROJECT NAME: Montgomery Township Retirement Residence | TOTAL ENGINEERING/LEGAL (CASH ESCROW): \$ 45,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: Montgomery Retirement Residence LLC | TOTAL ADMINISTRATION (CASH ESCROW): \$ 4,500.00 | TOWNSHIP NO.: LDS-690 |
| ESCROW AGENT: Philadelphia Indemnity Insurance Company | | G&A PROJECT NO.: 2014-04125-02 |
| TYPE OF SECURITY: Performance Bond | MAINTENANCE BOND AMOUNT (15%): \$ 238,917.94 | AGREEMENT DATE: |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|--|------------------------|----------------------|-------------|----------------------|-----------------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$1,447,987.50 | \$ 134,240.00 | \$ - | \$ 134,240.00 | \$1,313,747.50 |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of 9/13/19 = \$1,447,987.50) | \$ 144,798.75 | \$ 13,424.00 | \$ - | \$ 13,424.00 | \$ 131,374.75 |
| CONTINGENCY (10%) | \$ 159,278.63 | \$ - | \$ - | \$ - | \$ 159,278.63 |
| TOTAL | \$ 1,752,064.88 | \$ 147,664.00 | \$ - | \$ 147,664.00 | \$1,604,400.88 |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------|----------|--------------|--------------|-----------------|--------------|----------------|------|--|--------------|---|------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| A. EROSION AND SEDIMENT CONTROL | | | | | | | | | | | | |
| 1. Construction Entrance | LS | 1 | \$ 3,500.00 | \$ 3,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 3,500.00 | |
| 2. 12" Filter Sock | LF | 987 | \$ 8.50 | \$ 8,389.50 | \$ - | \$ - | \$ - | \$ - | \$ - | 987.00 | \$ 8,389.50 | |
| 3. 24" Filter Sock | LF | 927 | \$ 12.50 | \$ 11,587.50 | \$ - | \$ - | \$ - | \$ - | \$ - | 927.00 | \$ 11,587.50 | |
| 4. Inlet Protection | EA | 25 | \$ 175.00 | \$ 4,375.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 25.00 | \$ 4,375.00 | |
| 5. NAG S-150 Biodegradable | SF | 53,563 | \$ 0.25 | \$ 13,390.75 | \$ - | \$ - | \$ - | \$ - | \$ - | 53,563.00 | \$ 13,390.75 | |
| 6. Baffle in Sedimentation Basin | LF | 130 | \$ 8.00 | \$ 1,040.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 130.00 | \$ 1,040.00 | |
| 7. Tree Protection Fence | LF | 2,909 | \$ 3.00 | \$ 8,727.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 2,909.00 | \$ 8,727.00 | |
| 8. Temp. Stabilize Stockpile | LS | 1 | \$ 1,500.00 | \$ 1,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 1,500.00 | |
| 9. E&S Maintenance and Removal | LS | 1 | \$ 3,762.00 | \$ 3,762.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 3,762.00 | |
| B. EARTHWORK | | | | | | | | | | | | |
| 1. Site Grading | SY | 37778 | \$ 1.50 | \$ 56,667.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 37,778.00 | \$ 56,667.00 | |
| C. STORM SEWER | | | | | | | | | | | | |
| 1. 6 inch PVC | LF | 79 | \$ 34.50 | \$ 2,725.50 | \$ - | \$ - | \$ - | \$ - | \$ - | 79.00 | \$ 2,725.50 | |
| 2. 12 inch PVC | LF | 314 | \$ 41.25 | \$ 12,952.50 | \$ - | \$ - | \$ - | \$ - | \$ - | 314.00 | \$ 12,952.50 | |
| 3. 15 inch RCP | LF | 514 | \$ 35.00 | \$ 17,990.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 514.00 | \$ 17,990.00 | |
| 4. 18 inch RCP | LF | 557 | \$ 38.00 | \$ 21,166.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 557.00 | \$ 21,166.00 | |
| 5. 24 inch RCP | LF | 224 | \$ 44.50 | \$ 9,968.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 224.00 | \$ 9,968.00 | |
| 6. 30 inch RCP | LF | 424 | \$ 52.25 | \$ 22,154.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 424.00 | \$ 22,154.00 | |
| 7. Type 'C' Inlets | EA | 11 | \$ 3,000.00 | \$ 33,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 11.00 | \$ 33,000.00 | |
| 8. Type 'M' Inlets | EA | 4 | \$ 3,000.00 | \$ 12,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 4.00 | \$ 12,000.00 | |
| 9. Double Inlets | EA | 5 | \$ 5,500.00 | \$ 27,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 5.00 | \$ 27,500.00 | |
| 10. Storm Manhole | EA | 4 | \$ 3,000.00 | \$ 12,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 4.00 | \$ 12,000.00 | |
| 11. Yard Drain (YD-01) & Clean Out | EA | 1 | \$ 1,500.00 | \$ 1,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 1,500.00 | |
| 12. Amended Soils (outside Basin) | SY | 6,625 | \$ 6.00 | \$ 39,750.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 6,625.00 | \$ 39,750.00 | |
| Sedimentation Basin/Infiltration Basin | | | | | | | | | | | | |
| 13. Outlet Structure w/ Trash Rack & 4 in. Ball Valve | EA | 1 | \$ 4,500.00 | \$ 4,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 4,500.00 | |
| 14. Endwall/Headwall | EA | 3 | \$ 1,750.00 | \$ 5,250.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 3.00 | \$ 5,250.00 | |
| 15. Post and Rail Fence w/ 13 gauge vinyl coated gal. mesh | LF | 900 | \$ 12.00 | \$ 10,800.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 900.00 | \$ 10,800.00 | |
| 16. Gate w/ 13 gauge vinyl coated gal. mesh | LF | 15 | \$ 20.00 | \$ 300.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 15.00 | \$ 300.00 | |
| 17. Amended Soil | SY | 3,932 | \$ 6.00 | \$ 23,592.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 3,932.00 | \$ 23,592.00 | |
| 18. Emergency Spillway (NAG P300 Lining) | SF | 2,279 | \$ 0.25 | \$ 569.75 | \$ - | \$ - | \$ - | \$ - | \$ - | 2,279.00 | \$ 569.75 | |
| 19. Rip Rap Apron | SY | 44 | \$ 50.00 | \$ 2,200.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 44.00 | \$ 2,200.00 | |
| 20. Concrete Level Spreader | SF | 538 | \$ 6.00 | \$ 3,228.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 538.00 | \$ 3,228.00 | |
| 21. Anti-Seep Collars | EA | 2 | \$ 1,500.00 | \$ 3,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 2.00 | \$ 3,000.00 | |
| 22. Berm Clay Core and Cutoff Trench | CY | 500 | \$ 25.00 | \$ 12,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 500.00 | \$ 12,500.00 | |
| 23. Grade Basin | LS | 1 | \$ 20,000.00 | \$ 20,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 20,000.00 | |
| 24. Convert Sed. Basin to Infiltration Basin | LS | 1 | \$ 10,000.00 | \$ 10,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 10,000.00 | |
| 25. Permanent Vegetation (ENRMX-127) | SY | 2,500 | \$ 4.00 | \$ 10,000.00 | 2,500.00 | \$ 10,000.00 | \$ - | \$ - | 2,500.00 | \$ 10,000.00 | \$ - | |



ESCROW RELEASE NO.: 1

DATE PREPARED: 7-Sep-2021

| | | |
|---|---|---|
| PROJECT NAME: Montgomery Township Retirement Residence | TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 45,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: Montgomery Retirement Residence LLC | TOTAL ADMINISTRATION (CASH ESCROW): \$ 4,500.00 | TOWNSHIP NO.: LDS-690 |
| ESCROW AGENT: Philadelphia Indemnity Insurance Company | | G&A PROJECT NO.: 2014-04125-02 |
| TYPE OF SECURITY: Performance Bond | MAINTENANCE BOND AMOUNT (15%): \$ 238,917.94 | AGREEMENT DATE: |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|--|------------------------|----------------------|-------------|----------------------|-----------------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$1,447,987.50 | \$ 134,240.00 | \$ - | \$ 134,240.00 | \$1,313,747.50 |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of 9/13/19 = \$1,447,987.50) | \$ 144,798.75 | \$ 13,424.00 | \$ - | \$ 13,424.00 | \$ 131,374.75 |
| CONTINGENCY (10%) | \$ 159,278.63 | \$ - | \$ - | \$ - | \$ 159,278.63 |
| TOTAL | \$ 1,752,064.88 | \$ 147,664.00 | \$ - | \$ 147,664.00 | \$1,604,400.88 |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|---|-----------------------|----------|--------------|---------------|-----------------|--------------|----------------|------|--|--------------|---|---------------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| Rain Gardens #1 & #2 | | | | | | | | | | | | |
| 26. Grade Rain Gardens | LS | 1 | \$ 20,000.00 | \$ 20,000.00 | | \$ - | | \$ - | | \$ - | 1.00 | \$ 20,000.00 |
| 27. Outlet Structure | EA | 1 | \$ 2,000.00 | \$ 2,000.00 | | \$ - | | \$ - | | \$ - | 1.00 | \$ 2,000.00 |
| 28. Under Drain (4 inch Perf. HDPE w/ 4 inch stone env. & GT) | LF | 166 | \$ 12.00 | \$ 1,992.00 | | \$ - | | \$ - | | \$ - | 166.00 | \$ 1,992.00 |
| 29. Rip Rap Apron | SY | 20 | \$ 50.00 | \$ 1,000.00 | | \$ - | | \$ - | | \$ - | 20.00 | \$ 1,000.00 |
| 30. Convert Sed. Trap to Rain Garden | LS | 1 | \$ 5,000.00 | \$ 5,000.00 | | \$ - | | \$ - | | \$ - | 1.00 | \$ 5,000.00 |
| 31. Permanent Vegetation (ENRMX-180) | SY | 924 | \$ 4.00 | \$ 3,696.00 | 924.00 | \$ 3,696.00 | | \$ - | 924.00 | \$ 3,696.00 | | \$ - |
| D. SITE WORK | | | | | | | | | | | | |
| 1. Concrete Vertical Curb | LF | 6,111 | \$ 20.00 | \$ 122,220.00 | | \$ - | | \$ - | | \$ - | 6,111.00 | \$ 122,220.00 |
| 2. ADA Ramps, inc. DWS | EA | 24 | \$ 4,000.00 | \$ 96,000.00 | | \$ - | | \$ - | | \$ - | 24.00 | \$ 96,000.00 |
| 3. 4 inch Concrete Sidewalk, inc. 4 inch 2A Stone | SF | 13,796 | \$ 8.00 | \$ 110,368.00 | | \$ - | | \$ - | | \$ - | 13,796.00 | \$ 110,368.00 |
| 4. 6 inch Concrete Loading Area, inc. 6 inch 2A Stone | SF | 3,371 | \$ 12.00 | \$ 40,452.00 | | \$ - | | \$ - | | \$ - | 3,371.00 | \$ 40,452.00 |
| 5. 6 inch 2A Stone | SY | 7,360 | \$ 12.00 | \$ 88,320.00 | | \$ - | | \$ - | | \$ - | 7,360.00 | \$ 88,320.00 |
| 6. 2.5 inch 25mm BCBC | SY | 7,360 | \$ 16.75 | \$ 123,280.00 | | \$ - | | \$ - | | \$ - | 7,360.00 | \$ 123,280.00 |
| 7. 1.5 inch 9.5mm Wearing Course | SY | 7,360 | \$ 8.50 | \$ 62,560.00 | | \$ - | | \$ - | | \$ - | 7,360.00 | \$ 62,560.00 |
| 8. Permanent Vegetation (Lawn) | SY | 3,525 | \$ 3.00 | \$ 10,575.00 | | \$ - | | \$ - | | \$ - | 3,525.00 | \$ 10,575.00 |
| E. LANDSCAPING | | | | | | | | | | | | |
| Shade Trees | | | | | | | | | | | | |
| 1. Acer rubrum 'October Glory' | (3 in. cal.) EA | 21 | \$ 400.00 | \$ 8,400.00 | 21.00 | \$ 8,400.00 | | \$ - | 21.00 | \$ 8,400.00 | | \$ - |
| 2. Acer saccharum 'Bonfire' | (3 in. cal.) EA | 16 | \$ 400.00 | \$ 6,400.00 | 16.00 | \$ 6,400.00 | | \$ - | 16.00 | \$ 6,400.00 | | \$ - |
| 3. Fagus grandifolia | (3 in. cal.) EA | 12 | \$ 400.00 | \$ 4,800.00 | 12.00 | \$ 4,800.00 | | \$ - | 12.00 | \$ 4,800.00 | | \$ - |
| 4. Gymnocladus dioica | (3 in. cal.) EA | 6 | \$ 400.00 | \$ 2,400.00 | 6.00 | \$ 2,400.00 | | \$ - | 6.00 | \$ 2,400.00 | | \$ - |
| 5. Gleditsia triacanthos 'Internis 'Skycole' | (3 in. cal.) EA | 30 | \$ 400.00 | \$ 12,000.00 | 30.00 | \$ 12,000.00 | | \$ - | 30.00 | \$ 12,000.00 | | \$ - |
| 6. Liriodendron tulipifera | (3 in. cal.) EA | 7 | \$ 400.00 | \$ 2,800.00 | 7.00 | \$ 2,800.00 | | \$ - | 7.00 | \$ 2,800.00 | | \$ - |
| 7. Nyssa sylvatica | (3 in. cal.) EA | 21 | \$ 400.00 | \$ 8,400.00 | 21.00 | \$ 8,400.00 | | \$ - | 21.00 | \$ 8,400.00 | | \$ - |
| 8. Platanus x acerifolia 'Bloodgood' | (3 in. cal.) EA | 20 | \$ 400.00 | \$ 8,000.00 | 20.00 | \$ 8,000.00 | | \$ - | 20.00 | \$ 8,000.00 | | \$ - |
| E. LANDSCAPING (continued) | | | | | | | | | | | | |
| 9. Quercus bicolor | (3 in. cal.) EA | 25 | \$ 400.00 | \$ 10,000.00 | 25.00 | \$ 10,000.00 | | \$ - | 25.00 | \$ 10,000.00 | | \$ - |
| 10. Zelkova serrata 'Village Green' | (3 in. cal.) EA | 11 | \$ 400.00 | \$ 4,400.00 | 11.00 | \$ 4,400.00 | | \$ - | 11.00 | \$ 4,400.00 | | \$ - |
| Ornamental Trees | | | | | | | | | | | | |
| 11. Cornus kousa | (2 - 2.5 in. cal.) EA | 9 | \$ 350.00 | \$ 3,150.00 | 9.00 | \$ 3,150.00 | | \$ - | 9.00 | \$ 3,150.00 | | \$ - |
| 12. Oxydendrum arborea | (2 - 2.5 in. cal.) EA | 9 | \$ 350.00 | \$ 3,150.00 | 9.00 | \$ 3,150.00 | | \$ - | 9.00 | \$ 3,150.00 | | \$ - |
| Evergreen Trees | | | | | | | | | | | | |
| 13. Picea glauca | (8 ft. height) EA | 15 | \$ 350.00 | \$ 5,250.00 | 15.00 | \$ 5,250.00 | | \$ - | 15.00 | \$ 5,250.00 | | \$ - |
| 14. Picea pungens | (8 ft. height) EA | 7 | \$ 350.00 | \$ 2,450.00 | 7.00 | \$ 2,450.00 | | \$ - | 7.00 | \$ 2,450.00 | | \$ - |
| Evergreen Shrubs | | | | | | | | | | | | |
| 15. Ilex glabra 'Shamrock' | (30 in. height) EA | 91 | \$ 65.00 | \$ 5,915.00 | 91.00 | \$ 5,915.00 | | \$ - | 91.00 | \$ 5,915.00 | | \$ - |
| 16. Juniperus chinensis 'Sea Green' | (12 - 24 in. hei) EA | 11 | \$ 55.00 | \$ 605.00 | 11.00 | \$ 605.00 | | \$ - | 11.00 | \$ 605.00 | | \$ - |
| 17. Kalma latifolia 'Elf' | (24 - 30 in. hei) EA | 34 | \$ 65.00 | \$ 2,210.00 | 34.00 | \$ 2,210.00 | | \$ - | 34.00 | \$ 2,210.00 | | \$ - |
| 18. Rhododendron maximum 'Rosebay' | (4 - 5 ft. height) EA | 16 | \$ 105.00 | \$ 1,680.00 | 16.00 | \$ 1,680.00 | | \$ - | 16.00 | \$ 1,680.00 | | \$ - |



| | | |
|---|---|--------------------------------|
| PROJECT NAME: Montgomery Township Retirement Residence | TOTAL ENGINEERING/LEGAL (CASH ESCROW): \$ 45,000.00 | MONTGOMERY TOWNSHIP |
| DEVELOPER: Montgomery Retirement Residence LLC | TOTAL ADMINISTRATION (CASH ESCROW): \$ 4,500.00 | TOWNSHIP NO.: LDS-690 |
| ESCROW AGENT: Philadelphia Indemnity Insurance Company | | G&A PROJECT NO.: 2014-04125-02 |
| TYPE OF SECURITY: Performance Bond | MAINTENANCE BOND AMOUNT (15%): \$ 238,917.94 | AGREEMENT DATE: |

| SUMMARY OF IMPROVEMENT ESCROW ACCOUNT | TOTAL COST | RELEASE REQUESTS | | | BALANCE |
|--|------------------------|----------------------|-------------|----------------------|-----------------------|
| | | CURRENT | PRIOR | TOTAL | |
| CONSTRUCTION | \$1,447,987.50 | \$ 134,240.00 | \$ - | \$ 134,240.00 | \$1,313,747.50 |
| ANNUAL 10% CONSTRUCTION COST INCREASE (Balance as of 9/13/19 = \$1,447,987.50) | \$ 144,798.75 | \$ 13,424.00 | \$ - | \$ 13,424.00 | \$ 131,374.75 |
| CONTINGENCY (10%) | \$ 159,278.63 | \$ - | \$ - | \$ - | \$ 159,278.63 |
| TOTAL | \$ 1,752,064.88 | \$ 147,664.00 | \$ - | \$ 147,664.00 | \$1,604,400.88 |

| CONSTRUCTION ITEMS | UNIT | QUANTITY | UNIT COST | TOTAL COST | CURRENT REQUEST | | PRIOR REQUESTS | | TOTAL REQUESTS (incl. current release) | | AVAILABLE FOR RELEASE (incl. current release) | |
|--|------------------|----------|---------------|---------------|-----------------|--------------|----------------|------|--|--------------|---|---------------|
| | | | | | QTY | COST | QTY | COST | QTY | COST | QTY | COST |
| Deciduous Shrubs | | | | | | | | | | | | |
| 19. Clethra alnifolia | (30 in. height) | EA | 71 \$ 65.00 | \$ 4,615.00 | 71.00 | \$ 4,615.00 | \$ - | \$ - | 71.00 | \$ 4,615.00 | \$ - | \$ - |
| 20. Cephalanthus occidentalis | (30 in. height) | EA | 12 \$ 65.00 | \$ 780.00 | 12.00 | \$ 780.00 | \$ - | \$ - | 12.00 | \$ 780.00 | \$ - | \$ - |
| 21. Cornus sericea | (30 - 36 in. hei | EA | 44 \$ 70.00 | \$ 3,080.00 | 44.00 | \$ 3,080.00 | \$ - | \$ - | 44.00 | \$ 3,080.00 | \$ - | \$ - |
| 22. Deutzia gracilis | (30 in. height) | EA | 8 \$ 65.00 | \$ 520.00 | 8.00 | \$ 520.00 | \$ - | \$ - | 8.00 | \$ 520.00 | \$ - | \$ - |
| 23. Hydrangea quercifolia | (30 in. height) | EA | 44 \$ 65.00 | \$ 2,860.00 | 44.00 | \$ 2,860.00 | \$ - | \$ - | 44.00 | \$ 2,860.00 | \$ - | \$ - |
| 24. Itea virginica 'Henry's gamet' | (30 in. height) | EA | 21 \$ 65.00 | \$ 1,365.00 | 21.00 | \$ 1,365.00 | \$ - | \$ - | 21.00 | \$ 1,365.00 | \$ - | \$ - |
| 25. Ilex verticillata 'Afterglow Winterberry' | (30 - 36 in. hei | EA | 51 \$ 70.00 | \$ 3,570.00 | 51.00 | \$ 3,570.00 | \$ - | \$ - | 51.00 | \$ 3,570.00 | \$ - | \$ - |
| 26. Ilex verticillata 'Jlm Dandy Winterberry' | (30 - 36 in. hei | EA | 6 \$ 70.00 | \$ 420.00 | 6.00 | \$ 420.00 | \$ - | \$ - | 6.00 | \$ 420.00 | \$ - | \$ - |
| 27. Linderia benzoin | (30 - 36 in. hei | EA | 69 \$ 70.00 | \$ 4,830.00 | 69.00 | \$ 4,830.00 | \$ - | \$ - | 69.00 | \$ 4,830.00 | \$ - | \$ - |
| 28. Spiraea x vanhouttei | (30 - 36 in. hei | EA | 30 \$ 70.00 | \$ 2,100.00 | 30.00 | \$ 2,100.00 | \$ - | \$ - | 30.00 | \$ 2,100.00 | \$ - | \$ - |
| 29. Vaccinium angustifolium | (15 - 18 in. hei | EA | 24 \$ 55.00 | \$ 1,320.00 | 24.00 | \$ 1,320.00 | \$ - | \$ - | 24.00 | \$ 1,320.00 | \$ - | \$ - |
| 30. Viburnum carlesii | (30 - 36 in. hei | EA | 27 \$ 70.00 | \$ 1,890.00 | 27.00 | \$ 1,890.00 | \$ - | \$ - | 27.00 | \$ 1,890.00 | \$ - | \$ - |
| Ground Covers | | | | | | | | | | | | |
| 31. Juniperus Horizontalis 'Monber' | (4 - 6 in. heigh | EA | 28 \$ 35.00 | \$ 980.00 | 28.00 | \$ 980.00 | \$ - | \$ - | 28.00 | \$ 980.00 | \$ - | \$ - |
| Ornamental Grasses | | | | | | | | | | | | |
| 32. Festuca Cinerea 'Elijah's Blue' | (1 gallon) | EA | 11 \$ 12.00 | \$ 132.00 | 11.00 | \$ 132.00 | \$ - | \$ - | 11.00 | \$ 132.00 | \$ - | \$ - |
| 33. Panicum Virgatum 'Heavy Metal' | (1 gallon) | EA | 6 \$ 12.00 | \$ 72.00 | 6.00 | \$ 72.00 | \$ - | \$ - | 6.00 | \$ 72.00 | \$ - | \$ - |
| F. MISCELLANEOUS | | | | | | | | | | | | |
| 1. Crosswalk Striping | SF | 1,523 | \$ 2.00 | \$ 3,046.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 1,523.00 | \$ 3,046.00 |
| 2. Painted Stop Bars | EA | 8 | \$ 100.00 | \$ 800.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 8.00 | \$ 800.00 |
| 3. Painted ADA Symbols | EA | 5 | \$ 125.00 | \$ 625.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 5.00 | \$ 625.00 |
| 4. ADA Parking Signs | EA | 5 | \$ 225.00 | \$ 1,125.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 5.00 | \$ 1,125.00 |
| 5. Traffic Control Signs | EA | 28 | \$ 250.00 | \$ 7,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 28.00 | \$ 7,000.00 |
| 6. Dumpster Pad and Fence | LS | 2 | \$ 10,000.00 | \$ 20,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 2.00 | \$ 20,000.00 |
| 7. Bollards | EA | 12 | \$ 600.00 | \$ 7,200.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 12.00 | \$ 7,200.00 |
| 8. Site Lighting (Foundations, conduit, wire, poles, luminaries) | EA | 38 | \$ 4,000.00 | \$ 152,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 38.00 | \$ 152,000.00 |
| 9. Construction Stake Out | LS | 1 | \$ 8,000.00 | \$ 8,000.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 8,000.00 |
| 10. Monumentation | EA | 11 | \$ 100.00 | \$ 1,100.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 11.00 | \$ 1,100.00 |
| 11. As Built Drawings | LS | 1 | \$ 7,500.00 | \$ 7,500.00 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 7,500.00 |
| G. ANNUAL CONSTRUCTION COST INCREASE PER PA MPC §509(h) | | | | | | | | | | | | |
| 1. 10% Annual Construction Cost Increase (Balance as of 9/13/19 - \$1,447,987.50) | LS | 1 | \$ 144,798.75 | \$ 144,798.75 | 0.0927 | \$ 13,424.00 | \$ - | \$ - | 0.0927 | \$ 13,424.00 | 0.9073 | \$ 131,374.75 |
| H. CONTINGENCY | | | | | | | | | | | | |
| 1. 10% Contingency (Released upon certification of completion and receipt of Maintenance Bond) | LS | 1 | \$ 159,278.63 | \$ 159,278.63 | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | 1.00 | \$ 159,278.63 |

NOTES:

2019-09-13 Added 10% annual Increase per PA MPC §509(h) (line item G.1).

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # 16

SUBJECT: Consider Construction Escrow Release #2 and End of Maintenance Period
– BJ’s Fueling Station – LDS 682

MEETING DATE: September 13, 2021

BOARD LIAISON: Tanya C. Bamford, Chair

INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

BACKGROUND:

Attached is a construction escrow release requested by BJs Wholesale Club, Inc. for BJ’s Fueling Station as recommended by the Township Engineer.

The original amount of the escrow for was \$557,233.71, held as a Performance Bond. This is the second release for is in the amount of \$76,157.61. The new balance would be \$0.00.

BUDGET IMPACT: None.

RECOMMENDATION: That this construction escrow be released and the 18-month maintenance period be concluded.

MOTION/RESOLUTION:

- 1) **Motion to** hereby authorize a construction escrow release in the amount of \$76,157.61 and the end of the 18-month maintenance period as recommended by the Township Engineer for the BJs Wholesale Club, Inc. conditioned upon payment of all invoices owed the Township.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

August 26, 2021

File No. 2014-11003-01

Ms. Carolyn McCreary, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Financial Security Release 2 – End of Maintenance
Wilkinson Five Point Limited Partnership – BJ's Fueling Station - LD/S#682
Tax Parcel #46-00-01370-50-1; Block 006B, Unit 275 (Condo Unit 3)
Tax Parcel #46-00-00394-00-1; Block 006B, Unit 162 (Common Area)

Dear Carolyn:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements indicated on the enclosed Escrow Status Report in the amount of \$76,157.61 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

We recommend release of the amount noted above and conclusion of the maintenance period.

As always, please call us if you have any questions or if we can be of any assistance regarding this project.

Sincerely,

A handwritten signature in blue ink that reads "James P. Dougherty".

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/si

Enclosure: as referenced

cc: Bruce S. Shoupe, Director of Planning and Zoning – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Sean Kilkenny, Esq., Solicitor – Kilkenny Law
Richard Wilkinson – Wilkinson Five Point, LP
Judith Stern Goldstein, ASLA, R.L.A. – Gilmore & Associates, Inc.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

Gilmore & Associates, Inc.
Building on a Foundation of Excellence
www.gilmore-assoc.com

RELEASE OF ESCROW FORM

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 08/23/2021

Development: Wilkinson Five Point-BJ Fueling - LD/S #682
Release #: 2

G&A Project #: 2014-11003-01

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$76,157.61. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Ms. Carolyn McCreary
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 08/26/2021

Dear Ms. McCreary:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$76,157.61 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

James P. Dougherty 8/26/2021
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Wilkinson Five Point LP, a Delaware LP for Wilkinson Five Point-BJ Fueling - LD/S #682, in the amount of \$76,157.61, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$76,157.61; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$76,157.61; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum.
BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Performance Bond with Montgomery Township in total sum of \$557,233.71 pursuant to a signed Land Development Agreement and that \$481,076.10 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$0.00 in escrow.

MOTION BY: _____
SECOND BY: _____
DATED: _____
RELEASED BY: _____
Department Director

VOTE: _____



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 26-Aug-2021

| | | | | | |
|-------------------|--|---------------------------------------|---------------|--------------------------------------|---------------|
| PROJECT NAME: | Wilkinson Five Point-BJ Fueling | TOTAL CONSTRUCTION: | \$ 506,576.10 | ORIGINAL CONSTRUCTION AMOUNT: | \$ 557,233.71 |
| PROJECT NO.: | 2014-11003-01 | TOTAL CONSTRUCTION CONTINGENCY (10%): | \$ 50,657.61 | AMOUNT OF THIS RELEASE: | \$ 76,157.61 |
| TOWNSHIP NO.: | LD/S #682 | TOTAL CONSTRUCTION ESCROW POSTED: | \$ 557,233.71 | PRIOR CONSTRUCTION RELEASED: | \$ 481,076.10 |
| PROJECT OWNER: | Wilkinson Five Point LP, a Delaware LP | | | TOTAL CONSTRUCTION RELEASED TO DATE: | \$ 557,233.71 |
| MUNICIPALITY: | Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): | \$ 35,000.00 | BALANCE AFTER CURRENT RELEASE: | \$ - |
| ESCROW AGENT: | First Indemnity of America Insurance Company | TOTAL ADMINISTRATION (CASH ACCOUNT): | \$ 3,500.00 | | |
| TYPE OF SECURITY: | Performance Bond | | | | |
| AGREEMENT DATE: | 28-Jul-2015 | MAINTENANCE BOND AMOUNT (15%): | \$ 75,986.42 | | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | | RELEASED TO DATE | | AVAILABLE FOR RELEASE | | RELEASE REQ # 2 |
|--|--|----|-------|-------------|-----------------|--------------|------------------|--------------|-----------------------|--------------|-----------------|
| CONSTRUCTION ITEMS | | | | | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY |
| I. SITE PREPARATION AND DEMOLITION | | | | | | | | | | | |
| 1. | Mobilization | LS | 1 | \$ 7,500.00 | \$ 7,500.00 | | | 1.00 | \$ 7,500.00 | \$ - | |
| 2. | Remove Existing Curbing/Curbed Islands | LF | 2,536 | \$ 3.00 | \$ 7,608.00 | | | 2,536.00 | \$ 7,608.00 | \$ - | |
| 3. | Remove Existing Light Poles and Foundation | EA | 3 | \$ 500.00 | \$ 1,500.00 | | | 3.00 | \$ 1,500.00 | \$ - | |
| 4. | Remove Existing Storm Sewer Catch Basin | EA | 1 | \$ 250.00 | \$ 250.00 | | | 1.00 | \$ 250.00 | \$ - | |
| 5. | Remove Existing Concrete (Pads/Sidewalks) | SF | 1,234 | \$ 0.80 | \$ 987.20 | | | 1,234.00 | \$ 987.20 | \$ - | |
| 6. | Remove Existing Asphalt Pavement | SY | 3,828 | \$ 1.25 | \$ 4,785.00 | | | 3,828.00 | \$ 4,785.00 | \$ - | |
| 7. | Remove Existing Water Main | LF | 101 | \$ 10.00 | \$ 1,010.00 | | | 101.00 | \$ 1,010.00 | \$ - | |
| 8. | Remove Existing Gas Main | LF | 71 | \$ 5.00 | \$ 355.00 | | | 71.00 | \$ 355.00 | \$ - | |
| 9. | Remove Existing Electric Main | LF | 101 | \$ 5.00 | \$ 505.00 | | | 101.00 | \$ 505.00 | \$ - | |
| 10. | Remove Existing 15" Storm Sewer Pipe | LF | 46 | \$ 5.00 | \$ 230.00 | | | 46.00 | \$ 230.00 | \$ - | |
| 11. | Remove Existing Fence | LF | 385 | \$ 4.00 | \$ 1,540.00 | | | 385.00 | \$ 1,540.00 | \$ - | |
| 12. | Remove Existing Retaining Wall | LF | 385 | \$ 10.00 | \$ 3,850.00 | | | 385.00 | \$ 3,850.00 | \$ - | |
| 13. | Remove Existing Bank Building | SF | 2,925 | \$ 5.00 | \$ 14,625.00 | | | 2,925.00 | \$ 14,625.00 | \$ - | |
| 14. | Remove Existing Trees | EA | 31 | \$ 175.00 | \$ 5,425.00 | | | 31.00 | \$ 5,425.00 | \$ - | |
| 15. | Remove Existing Striping | LS | 1 | \$ 250.00 | \$ 250.00 | | | 1.00 | \$ 250.00 | \$ - | |
| II. SOIL EROSION AND SEDIMENT CONTROL | | | | | | | | | | | |
| 1. | Construction Entrance | SY | 165 | \$ 8.00 | \$ 1,320.00 | | | 165.00 | \$ 1,320.00 | \$ - | |
| 2. | Inlet Protection (Filter Bag) | EA | 10 | \$ 125.00 | \$ 1,250.00 | | | 10.00 | \$ 1,250.00 | \$ - | |
| 3. | 12-Inch Compost Filter Sock | LF | 545 | \$ 6.00 | \$ 3,270.00 | | | 545.00 | \$ 3,270.00 | \$ - | |
| 4. | R-3 Rip-Rap | CY | 1 | \$ 75.00 | \$ 75.00 | | | 1.00 | \$ 75.00 | \$ - | |
| 5. | R-4 Rip-Rap | CY | 1 | \$ 75.00 | \$ 75.00 | | | 1.00 | \$ 75.00 | \$ - | |
| 6. | 18-Inch Silt Fence for Soil Stockpiles | LF | 366 | \$ 3.50 | \$ 1,281.00 | | | 366.00 | \$ 1,281.00 | \$ - | |
| 7. | Temporary Seed and Mulch of Stockpiles | SF | 4,900 | \$ 0.25 | \$ 1,225.00 | | | 4,900.00 | \$ 1,225.00 | \$ - | |
| 8. | Erosion Control Matting (3:1 Slopes) | SF | 7,073 | \$ 0.75 | \$ 5,304.75 | | | 7,073.00 | \$ 5,304.75 | \$ - | |
| 9. | Temporary Construction Fence | LF | 651 | \$ 5.00 | \$ 3,255.00 | | | 651.00 | \$ 3,255.00 | \$ - | |
| 10. | Tree Protection Fence | LF | 675 | \$ 3.50 | \$ 2,362.50 | | | 675.00 | \$ 2,362.50 | \$ - | |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 26-Aug-2021

| | | | | | |
|-------------------|--|---------------------------------------|---------------|--------------------------------------|---------------|
| PROJECT NAME: | Wilkinson Five Point-BJ Fueling | TOTAL CONSTRUCTION: | \$ 506,576.10 | ORIGINAL CONSTRUCTION AMOUNT: | \$ 557,233.71 |
| PROJECT NO.: | 2014-11003-01 | TOTAL CONSTRUCTION CONTINGENCY (10%): | \$ 50,657.61 | AMOUNT OF THIS RELEASE: | \$ 76,157.61 |
| TOWNSHIP NO.: | LD/S #682 | TOTAL CONSTRUCTION ESCROW POSTED: | \$ 557,233.71 | PRIOR CONSTRUCTION RELEASED: | \$ 481,076.10 |
| PROJECT OWNER: | Wilkinson Five Point LP, a Delaware LP | | | TOTAL CONSTRUCTION RELEASED TO DATE: | \$ 557,233.71 |
| MUNICIPALITY: | Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): | \$ 35,000.00 | BALANCE AFTER CURRENT RELEASE: | \$ - |
| ESCROW AGENT: | First Indemnity of America Insurance Company | TOTAL ADMINISTRATION (CASH ACCOUNT): | \$ 3,500.00 | | |
| TYPE OF SECURITY: | Performance Bond | | | | |
| AGREEMENT DATE: | 28-Jul-2015 | MAINTENANCE BOND AMOUNT (15%): | \$ 75,986.42 | | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | | RELEASED TO DATE | | AVAILABLE FOR RELEASE | | RELEASE REQ # 2 |
|---------------------------|--|----|-------|--------------|-----------------|--------------|------------------|--------------|-----------------------|--------------|-----------------|
| CONSTRUCTION ITEMS | | | | | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY |
| III. EARTHWORK | | | | | | | | | | | |
| 1. | Earthwork Cut | CY | 810 | \$ 2.50 | \$ 2,025.00 | | \$ - | 810.00 | \$ 2,025.00 | \$ - | |
| 2. | Earthwork Cut (From Raingarden Amended Soil) | CY | 395 | \$ 2.50 | \$ 987.50 | | \$ - | 395.00 | \$ 987.50 | \$ - | |
| 3. | Earthwork Fill | CY | 6,821 | \$ 2.50 | \$ 17,052.50 | | \$ - | 6,821.00 | \$ 17,052.50 | \$ - | |
| 4. | Topsoil Stockpiled Onsite | CY | 1,500 | \$ 2.05 | \$ 3,075.00 | | \$ - | 1,500.00 | \$ 3,075.00 | \$ - | |
| IV. STORM DRAINAGE | | | | | | | | | | | |
| 1. | Clean Existing Storm Pipes | LS | 1 | \$ 1,000.00 | \$ 1,000.00 | | \$ - | 1.00 | \$ 1,000.00 | \$ - | |
| 2. | Raingardens | | | | | | | | | | |
| a. | 1.5' Deep Planting Mix | SF | 5,323 | \$ 3.00 | \$ 15,969.00 | | \$ - | 5,323.00 | \$ 15,969.00 | \$ - | |
| b. | 40 mil Liner | SF | 5,323 | \$ 2.50 | \$ 13,307.50 | | \$ - | 5,323.00 | \$ 13,307.50 | \$ - | |
| c. | 6" Non-Perforated HDPE Underdrain | LF | 94 | \$ 25.00 | \$ 2,350.00 | | \$ - | 94.00 | \$ 2,350.00 | \$ - | |
| d. | 6" Perforated HDPE Underdrain | LF | 202 | \$ 25.00 | \$ 5,050.00 | | \$ - | 202.00 | \$ 5,050.00 | \$ - | |
| e. | Underdrain Cleanouts | EA | 6 | \$ 250.00 | \$ 1,500.00 | | \$ - | 6.00 | \$ 1,500.00 | \$ - | |
| f. | TRM 450 Spillway Liner | SF | 303 | \$ 0.75 | \$ 227.25 | | \$ - | 303.00 | \$ 227.25 | \$ - | |
| 3. | CDS Water Quality Treatment Device with Oil Baffle and Oil Sorbents (2015-4) | EA | 1 | \$ 9,150.00 | \$ 9,150.00 | | \$ - | 1.00 | \$ 9,150.00 | \$ - | |
| 4. | CDS Water Quality Treatment Device with Oil Baffle and Oil Sorbents (2015-5) | EA | 1 | \$ 10,150.00 | \$ 10,150.00 | | \$ - | 1.00 | \$ 10,150.00 | \$ - | |
| 5. | Type C Catch Basin | EA | 4 | \$ 2,900.00 | \$ 11,600.00 | | \$ - | 4.00 | \$ 11,600.00 | \$ - | |
| 6. | Modification of Existing Manhole | EA | 1 | \$ 1,000.00 | \$ 1,000.00 | | \$ - | 1.00 | \$ 1,000.00 | \$ - | |
| 7. | Storm Sewer Manhole | EA | 1 | \$ 3,000.00 | \$ 3,000.00 | | \$ - | 1.00 | \$ 3,000.00 | \$ - | |
| 8. | Headwall | EA | 2 | \$ 1,500.00 | \$ 3,000.00 | | \$ - | 2.00 | \$ 3,000.00 | \$ - | |
| 9. | 12" HDPE Riser (Raingarden Outlets) | EA | 2 | \$ 1,000.00 | \$ 2,000.00 | | \$ - | 2.00 | \$ 2,000.00 | \$ - | |
| 10. | 4" PVC Roof Drain | LF | 203 | \$ 25.00 | \$ 5,075.00 | | \$ - | 203.00 | \$ 5,075.00 | \$ - | |
| 11. | 15" HDPE Pipe | LF | 608 | \$ 32.00 | \$ 19,456.00 | | \$ - | 608.00 | \$ 19,456.00 | \$ - | |
| 12. | 18" HDPE Pipe | LF | 18 | \$ 40.00 | \$ 720.00 | | \$ - | 18.00 | \$ 720.00 | \$ - | |
| 13. | Cleanouts | EA | 9 | \$ 250.00 | \$ 2,250.00 | | \$ - | 9.00 | \$ 2,250.00 | \$ - | |
| 14. | Trenching | CY | 145 | \$ 8.50 | \$ 1,232.50 | | \$ - | 145.00 | \$ 1,232.50 | \$ - | |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 26-Aug-2021

| | | | | | |
|-------------------|--|---------------------------------------|---------------|--------------------------------------|---------------|
| PROJECT NAME: | Wilkinson Five Point-BJ Fueling | TOTAL CONSTRUCTION: | \$ 506,576.10 | ORIGINAL CONSTRUCTION AMOUNT: | \$ 557,233.71 |
| PROJECT NO.: | 2014-11003-01 | TOTAL CONSTRUCTION CONTINGENCY (10%): | \$ 50,657.61 | AMOUNT OF THIS RELEASE: | \$ 76,157.61 |
| TOWNSHIP NO.: | LD/S #682 | TOTAL CONSTRUCTION ESCROW POSTED: | \$ 557,233.71 | | |
| PROJECT OWNER: | Wilkinson Five Point LP, a Delaware LP | | | PRIOR CONSTRUCTION RELEASED: | \$ 481,076.10 |
| MUNICIPALITY: | Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): | \$ 35,000.00 | TOTAL CONSTRUCTION RELEASED TO DATE: | \$ 557,233.71 |
| ESCROW AGENT: | First Indemnity of America Insurance Company | TOTAL ADMINISTRATION (CASH ACCOUNT): | \$ 3,500.00 | BALANCE AFTER CURRENT RELEASE: | \$ - |
| TYPE OF SECURITY: | Performance Bond | | | | |
| AGREEMENT DATE: | 28-Jul-2015 | MAINTENANCE BOND AMOUNT (15%): | \$ 75,986.42 | | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | | RELEASED TO DATE | | AVAILABLE FOR RELEASE | | RELEASE REQ # 2 | |
|-----------------------------|--|----|-------|-------------|-----------------|----------|------------------|--------------|-----------------------|--------------|-----------------|--------------|
| CONSTRUCTION ITEMS | | | | | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT |
| V. SITE IMPROVEMENTS | | | | | | | | | | | | |
| 1. | 6" Concrete Curb | LF | 1,494 | \$ 15.00 | | | \$ 22,410.00 | | | | | |
| | Stone Under Curb - 4" | LF | 1,494 | \$ 1.30 | | | \$ 1,942.20 | | | | | |
| 2. | Heavy Duty Pavement Section | | | | | | | | | | | |
| a. | 2.0" Wearing Course | SY | 275 | \$ 11.00 | | | \$ 3,025.00 | | | | | |
| b. | 2.0" Compacted Binder Course | SY | 275 | \$ 14.00 | | | \$ 3,850.00 | | | | | |
| c. | 6" Crushed Aggregate Base Course (2A Modified) | SY | 275 | \$ 6.50 | | | \$ 1,787.50 | | | | | |
| 3. | Standard Duty Pavement Section | | | | | | | | | | | |
| a. | 1.5" Wearing Course | SY | 3,529 | \$ 8.00 | | | \$ 28,232.00 | | | | | |
| b. | 1.5" Compacted Binder Course | SY | 3,529 | \$ 12.00 | | | \$ 42,348.00 | | | | | |
| c. | 6" Crushed Aggregate Base Course (2A Modified) | SY | 3,529 | \$ 6.50 | | | \$ 22,938.50 | | | | | |
| 4. | Concrete Pavement - 4,500 PSI Concrete | SY | 785 | \$ 8.00 | | | \$ 6,280.00 | | | | | |
| 5. | Sawcutting | LF | 195 | \$ 2.00 | | | \$ 390.00 | | | | | |
| 6. | Wheel Stops | EA | 1 | \$ 150.00 | | | \$ 150.00 | | | | | |
| 7. | Traffic Control Signs Mounted on Poles | EA | 28 | \$ 250.00 | | | \$ 7,000.00 | | | | | |
| 7. | Traffic Control and Handicap Signs Mounted to Building | EA | 2 | \$ 100.00 | | | \$ 200.00 | | | | | |
| 8. | 6' Vinyl Coated Chain Link Fence (for Dumpster Area) | EA | 87 | \$ 30.00 | | | \$ 2,610.00 | | | | | |
| 9. | 4'Chain Link Fence w-Privacy Slats(Adjacent to Retaining Wall) | LF | 46 | \$ 25.00 | | | \$ 1,150.00 | | | | | |
| 10. | 4'Post and Rail Fence w-Wire Mesh (Surrounding Raingardens) | LF | 631 | \$ 25.00 | | | \$ 15,775.00 | | | | | |
| 11. | Concrete Bollards | EA | 18 | \$ 250.00 | | | \$ 4,500.00 | | | | | |
| 12. | Retaining Wall | SF | 220 | \$ 25.00 | | | \$ 5,500.00 | | | | | |
| 13. | Steel Guide Rail | LF | 372 | \$ 25.00 | | | \$ 9,300.00 | | | | | |
| 14. | Striping | LS | 1 | \$ 4,000.00 | | | \$ 4,000.00 | | | | | |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 26-Aug-2021

| | | |
|--|--|--|
| PROJECT NAME: Wilkinson Five Point-BJ Fueling | TOTAL CONSTRUCTION: \$ 506,576.10 | ORIGINAL CONSTRUCTION AMOUNT: \$ 557,233.71 |
| PROJECT NO.: 2014-11003-01 | TOTAL CONSTRUCTION CONTINGENCY (10%): \$ 50,657.61 | |
| TOWNSHIP NO.: LD/S #682 | TOTAL CONSTRUCTION ESCROW POSTED: \$ 557,233.71 | AMOUNT OF THIS RELEASE: \$ 76,157.61 |
| PROJECT OWNER: Wilkinson Five Point LP, a Delaware LP | | |
| MUNICIPALITY: Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): \$ 35,000.00 | PRIOR CONSTRUCTION RELEASED: \$ 481,076.10 |
| ESCROW AGENT: First Indemnity of America Insurance Company | TOTAL ADMINISTRATION (CASH ACCOUNT): \$ 3,500.00 | TOTAL CONSTRUCTION RELEASED TO DATE: \$ 557,233.71 |
| TYPE OF SECURITY: Performance Bond | | BALANCE AFTER CURRENT RELEASE: \$ - |
| AGREEMENT DATE: 28-Jul-2015 | MAINTENANCE BOND AMOUNT (15%): \$ 75,986.42 | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | | RELEASED TO DATE | | AVAILABLE FOR RELEASE | | RELEASE REQ # 2 | |
|------------------------------------|--|----|----|-----------|-----------------|----------|------------------|--------------|-----------------------|--------------|-----------------|--------------|
| CONSTRUCTION ITEMS | | | | | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT |
| VI. LANDSCAPING | | | | | | | | | | | | |
| Shade Trees | | | | | | | | | | | | |
| 1. | Acer rubrum 'Autumn Flame' | EA | 8 | \$ 600.00 | \$ 4,800.00 | \$ - | 8.00 | \$ 4,800.00 | \$ - | | | |
| | (Autumn Flame Red Maple) - 3-3.5" Cal. | | | | | | | | | | | |
| 2. | Liquidambar styraciflua 'Rotundiloba' | EA | 2 | \$ 430.00 | \$ 860.00 | \$ - | 2.00 | \$ 860.00 | \$ - | | | |
| | (Seedless Sweetgum) - 3-3.5" Cal. | | | | | | | | | | | |
| 3. | Nyssa Sylvatica (Sourgum or Tupelo) - 3-3.5" cal. | EA | 6 | \$ 720.00 | \$ 4,320.00 | \$ - | 6.00 | \$ 4,320.00 | \$ - | | | |
| 2. | Quercus Rubra (Red Oak) - 3-3.5" cal. | EA | 2 | \$ 656.00 | \$ 1,312.00 | \$ - | 2.00 | \$ 1,312.00 | \$ - | | | |
| 4. | Tilia Tomentosa 'Green Mountain' | EA | 2 | \$ 640.00 | \$ 1,280.00 | \$ - | 2.00 | \$ 1,280.00 | \$ - | | | |
| | (Green Mountain Silver Linden) -3-3.5" cal. | | | | | | | | | | | |
| Ornamental/ Flowering Trees | | | | | | | | | | | | |
| 5. | Amelanchier Canadensis | EA | 13 | \$ 325.00 | \$ 4,225.00 | \$ - | 13.00 | \$ 4,225.00 | \$ - | | | |
| | (Multi-stem Shadblow Serviceberry) - 3-3.5" cal. | | | | | | | | | | | |
| 7. | Betula nigra 'Dura Heat' | EA | 16 | \$ 325.00 | \$ 5,200.00 | \$ - | 16.00 | \$ 5,200.00 | \$ - | | | |
| | (Dura Heat River Birch) - 3-3.5" Cal. | | | | | | | | | | | |
| 9. | Cercis Canadensis (Eastern Redbud) 3-3 1/2" cal. | EA | 10 | \$ 450.00 | \$ 4,500.00 | \$ - | 10.00 | \$ 4,500.00 | \$ - | | | |
| 10. | Cornus Florida (White Flowering Dogwood) - 3-3 1/2" cal. | EA | 6 | \$ 325.00 | \$ 1,950.00 | \$ - | 6.00 | \$ 1,950.00 | \$ - | | | |
| Evergreen Trees | | | | | | | | | | | | |
| 10. | Abies Concolor (White Fir) - 8-10', high | EA | 5 | \$ 350.00 | \$ 1,750.00 | \$ - | 5.00 | \$ 1,750.00 | \$ - | | | |
| 11. | Juniperus Virginiana 'Emerald Sentinel' | EA | 3 | \$ 390.00 | \$ 1,170.00 | \$ - | 3.00 | \$ 1,170.00 | \$ - | | | |
| | (Emerald Sentinal Redcedar) - 8-10', high | | | | | | | | | | | |
| 13. | Pinus Resinosa (Red Pine) - 8-10' high | EA | 5 | \$ 350.00 | \$ 1,750.00 | \$ - | 5.00 | \$ 1,750.00 | \$ - | | | |
| 14. | Pseudotsuga Menziesii (Douglas Fir) - 8-10' high | EA | 4 | \$ 430.00 | \$ 1,720.00 | \$ - | 4.00 | \$ 1,720.00 | \$ - | | | |
| Evergreen Shrubs | | | | | | | | | | | | |
| 14. | Buxus microphylla 'Winter Gem' | EA | 6 | \$ 84.00 | \$ 504.00 | \$ - | 6.00 | \$ 504.00 | \$ - | | | |
| | (Winter Gem Boxwood) 24-30" | | | | | | | | | | | |
| 16. | Ilex Glabra (Inkberry) - 3-4' high | EA | 28 | \$ 85.00 | \$ 2,380.00 | \$ - | 28.00 | \$ 2,380.00 | \$ - | | | |
| 17. | Juniperus Communis | EA | 23 | \$ 90.00 | \$ 2,070.00 | \$ - | 23.00 | \$ 2,070.00 | \$ - | | | |
| | (Common Juniper) - 4-5' high, 18" minimum spread | | | | | | | | | | | |
| 19. | Thuja occidentalis 'Techny' | EA | 13 | \$ 250.00 | \$ 3,250.00 | \$ - | 13.00 | \$ 3,250.00 | \$ - | | | |
| | (Techany Arborvitea) 8' high, 4' minimum spread | | | | | | | | | | | |
| 21. | Viburnum x Rhytidophyllum 'Cree' ('Cree' Leatherleaf Viburnum) | EA | 64 | \$ 130.00 | \$ 8,320.00 | \$ - | 64.00 | \$ 8,320.00 | \$ - | | | |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 26-Aug-2021

| | | | | | |
|-------------------|--|---------------------------------------|---------------|--------------------------------------|---------------|
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| MUNICIPALITY: | Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): | \$ 35,000.00 | BALANCE AFTER CURRENT RELEASE: | \$ - |
| ESCROW AGENT: | First Indemnity of America Insurance Company | TOTAL ADMINISTRATION (CASH ACCOUNT): | \$ 3,500.00 | | |
| TYPE OF SECURITY: | Performance Bond | | | | |
| AGREEMENT DATE: | 28-Jul-2015 | MAINTENANCE BOND AMOUNT (15%): | \$ 75,986.42 | | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | | RELEASED TO DATE | | AVAILABLE FOR RELEASE | | RELEASE REQ # 2 |
|---|-------|----------|-------------|--------------|-----------------|--------|------------------|-------------|-----------------------|--------|-----------------|
| CONSTRUCTION ITEMS | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | TOTAL | | TOTAL | | TOTAL | | QUANTITY |
| | | | | | QUANTITY | AMOUNT | QUANTITY | AMOUNT | QUANTITY | AMOUNT | |
| Deciduous Shrubs | | | | | | | | | | | |
| 21. Aronia abutilifolia 'Brilliantissima' | EA | 26 | \$ 65.00 | \$ 1,690.00 | | | 26.00 | \$ 1,690.00 | | | |
| 22. (Red Chokeberry) 30" high, 24" minimum spread | | | | | | | | | | | |
| 23. Cornus Sericea "formerly Stolonifera" | EA | 7 | \$ 65.00 | \$ 455.00 | | | 7.00 | \$ 455.00 | | | |
| 24. (Red Osier Dogwood) - 30-36" high | | | | | | | | | | | |
| 25. Itea virginica 'Little Henry' | EA | 51 | \$ 65.00 | \$ 3,315.00 | | | 51.00 | \$ 3,315.00 | | | |
| 26. (Little Henry Sweetspire) 30" High, 24" minimum | | | | | | | | | | | |
| 27. Ilex verticillata 'Jim Dandy' | EA | 6 | \$ 90.00 | \$ 540.00 | | | 6.00 | \$ 540.00 | | | |
| 28. (Male Pollinator Winterberry Holly) - 30-36" high | | | | | | | | | | | |
| 29. Ilex verticillata 'Red Sprite' | EA | 24 | \$ 90.00 | \$ 2,160.00 | | | 24.00 | \$ 2,160.00 | | | |
| 30. (Red Sprite Winterberry Holly) - 30-36" high | | | | | | | | | | | |
| 31. Myrica Pensylvanica (Northern Bayberry) 30"-36" | EA | 21 | \$ 72.00 | \$ 1,512.00 | | | 21.00 | \$ 1,512.00 | | | |
| Ornamental Grasses | | | | | | | | | | | |
| 31. Panicum virgatum 'Shenandoah' (Shenandoah Switch Grass) 1 Gallon | EA | 48 | \$ 20.00 | \$ 960.00 | | | 48.00 | \$ 960.00 | | | |
| Seeding | | | | | | | | | | | |
| 32. Temporary Seeding | LS | 1 | \$ 2,800.00 | \$ 2,800.00 | | | 1.00 | \$ 2,800.00 | | | |
| 33. Permanent Seeding | LS | 1 | \$ 2,800.00 | \$ 2,800.00 | | | 1.00 | \$ 2,800.00 | | | |
| Rain Gardens | | | | | | | | | | | |
| 33. Meadow Mix A | SF | 7,768 | \$ 0.20 | \$ 1,553.60 | | | 7,768.00 | \$ 1,553.60 | | | |
| 34. Meadow Mix B - ERNMX #181 | SF | 2,548 | \$ 0.20 | \$ 509.60 | | | 2,548.00 | \$ 509.60 | | | |
| 35. Echinacea Purpurea (Purple Coneflower) - 2" plug, 12" O.C. | EA | 492 | \$ 4.00 | \$ 1,968.00 | | | 492.00 | \$ 1,968.00 | | | |
| 36. Eupatorium Dubium 'Little Joe' (Joe Pye Weed) - 2" plug, 12" O.C. | EA | 261 | \$ 4.00 | \$ 1,044.00 | | | 261.00 | \$ 1,044.00 | | | |
| 37. Junicus Effusus (Soft Rush) - 2" plug, 12" O.C. | EA | 1,566 | \$ 4.00 | \$ 6,264.00 | | | 1,566.00 | \$ 6,264.00 | | | |
| 38. Lobelia Cardinalis (Cardinal Flower) - 2" plug, 12" O.C. | EA | 522 | \$ 4.00 | \$ 2,088.00 | | | 522.00 | \$ 2,088.00 | | | |
| 39. Monarda Fistulosa (Wild Bergamot) - 2" plug, 12" O.C. | EA | 522 | \$ 4.00 | \$ 2,088.00 | | | 522.00 | \$ 2,088.00 | | | |
| 40. Schizacyrium Scoparium (Little Bluestem) - 2" plug, 12" O.C. | EA | 1,566 | \$ 4.00 | \$ 6,264.00 | | | 1,566.00 | \$ 6,264.00 | | | |



ESCROW STATUS REPORT

SUMMARY OF ESCROW ACCOUNT

RELEASE NO.: 2
RELEASE DATE: 26-Aug-2021

| | | | | | |
|-------------------|--|---------------------------------------|---------------|--------------------------------------|---------------------|
| PROJECT NAME: | Wilkinson Five Point-BJ Fueling | TOTAL CONSTRUCTION: | \$ 506,576.10 | ORIGINAL CONSTRUCTION AMOUNT: | \$ 557,233.71 |
| PROJECT NO.: | 2014-11003-01 | TOTAL CONSTRUCTION CONTINGENCY (10%): | \$ 50,657.61 | AMOUNT OF THIS RELEASE: | \$ 76,157.61 |
| TOWNSHIP NO.: | LD/S #682 | TOTAL CONSTRUCTION ESCROW POSTED: | \$ 557,233.71 | PRIOR CONSTRUCTION RELEASED: | \$ 481,076.10 |
| PROJECT OWNER: | Wilkinson Five Point LP, a Delaware LP | | | TOTAL CONSTRUCTION RELEASED TO DATE: | \$ 557,233.71 |
| MUNICIPALITY: | Montgomery Township | TOTAL ENG/INSP/LEGAL (CASH ACCOUNT): | \$ 35,000.00 | BALANCE AFTER CURRENT RELEASE: | \$ - |
| ESCROW AGENT: | First Indemnity of America Insurance Company | TOTAL ADMINISTRATION (CASH ACCOUNT): | \$ 3,500.00 | | |
| TYPE OF SECURITY: | Performance Bond | | | | |
| AGREEMENT DATE: | 28-Jul-2015 | MAINTENANCE BOND AMOUNT (15%): | \$ 75,986.42 | | |

| ESCROW TABULATION | | | | | CURRENT RELEASE | | RELEASED TO DATE | | AVAILABLE FOR RELEASE | | RELEASE REQ # 2 | | |
|--|--|----|---|-------------|-----------------|----------|------------------|--------------|-----------------------|--------------|-----------------|--------------|----------|
| CONSTRUCTION ITEMS | | | | | UNITS | QUANTITY | UNIT PRICE | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY | TOTAL AMOUNT | QUANTITY |
| VII. LIGHTING (INCLUDES CONCRETE FOUNDATIONS, DOES NOT INCLUDE WALL PACK UNITS) | | | | | | | | | | | | | |
| 1. | Single Area Light with Tapered Round Steel Pole (A) | EA | 2 | \$ 2,900.00 | \$ 5,800.00 | 1.00 | \$ 2,900.00 | 2.00 | \$ 5,800.00 | \$ | - | | |
| 2. | Double Area Light with Tapered Round Steel Pole (B) | EA | 1 | \$ 4,400.00 | \$ 4,400.00 | | \$ - | 1.00 | \$ 4,400.00 | \$ | - | | |
| 3. | Double Area Light with Tapered Round Steel Pole (C) | EA | 1 | \$ 4,400.00 | \$ 4,400.00 | 1.00 | \$ 4,400.00 | 1.00 | \$ 4,400.00 | \$ | - | | |
| 4. | Tiple Area Light with Tapered Round Steel Pole (D) | EA | 1 | \$ 5,900.00 | \$ 5,900.00 | 1.00 | \$ 5,900.00 | 1.00 | \$ 5,900.00 | \$ | - | | |
| 5. | Canopy Light (E) | EA | 8 | \$ 600.00 | \$ 4,800.00 | 8.00 | \$ 4,800.00 | 8.00 | \$ 4,800.00 | \$ | - | | |
| 6. | Light Pole Foundations | EA | 5 | \$ 1,000.00 | \$ 5,000.00 | 5.00 | \$ 5,000.00 | 5.00 | \$ 5,000.00 | \$ | - | | |
| VIII. AS-BUILT PLANS | | | | | | | | | | | | | |
| 1. | As-Built Plans | LS | 1 | \$ 2,500.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | 1.00 | \$ 2,500.00 | \$ | - | | |
| IX. CONTINGENCY | | | | | | | | | | | | | |
| 1. | 10% Contingency | LS | 1 | | \$ 50,657.61 | 1.00 | \$ 50,657.61 | 1.00 | \$ 50,657.61 | \$ | - | | |
| (Released upon certification of completion and receipt of Maintenance Bond) | | | | | | | | | | | | | |

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

Item # 17

SUBJECT: Consider Waiver of Permit Fee for Special Event – Bharatiya Temple – Ganesh Festival
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY: Bruce Shoupe, Director of Planning and Zoning

BACKGROUND:

In the past, it has been the policy of the Board of Supervisors to waive permit fees for non-profit and religious organizations. The Township has received a request from Bharatiya Temple to waive all permit fees associated with their Ganesh Festival which will be held on September 10 – September 19, 2021. The Special Event Permit Fee is \$100.00.

BUDGET IMPACT: None.

RECOMMENDATION: That the permit fee for the Bharatiya Temple be waived.

MOTION/RESOLUTION:

- 1) **Motion** to approve the request of the Bharatiya Temple to waive the Special Event permit fee associated with the Ganesh Festival which will be held on September 10 – September 19, 2021.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



BHARATIYA TEMPLE

Ph 215-997-1181
Street Address: 1612 County Line Rd | Chalfont, PA, 18914
Mailing Address: P.O. BOX 463 | Montgomeryville, PA, 18936
www.b-temple.org

1/1P- 12/21

Executive Officer:

President - Vipul Jfathod
Treasurer - Ravi Oelamju
Secretary - Pratik Patel

Board of Directors

| | |
|----------------------|---------------|
| Sudhakar Namani | 215-290-7482 |
| Umesh Kumar | 215-862-11159 |
| Vinod Jintib | 215-694-5224 |
| Raju Kalidindi | 610-331-4757 |
| Rajni "Anirva" | 215-616-1292 |
| Pratik Patel | 215-616-0782 |
| Umesh Patel | 610-584-9756 |
| Hemanth Ranjan | 215-363-1955 |
| Vipul Rathod | 215-641-8011 |
| Anil Singh S nghrjok | 215-616-1998 |
| Sudh Totli | 215-899-040a |

Committees/Chairs

Capital and Construction Committee
Chair: Umesh Patel 215-862-11159

Education Committee
Chair: Umesh Patel 215-862-11159

Education Committee
Chair: Umesh Patel 215-862-11159

Fundraising
Chair: Umesh Patel 215-862-11159

Gift Shop Committee
Chair: Umesh Patel 215-862-11159

Health and Human Services
Chair: Umesh Patel 215-862-11159

Health and Human Services
Chair: Umesh Patel 215-862-11159

Health and Human Services
Chair: Umesh Patel 215-862-11159

PR & Communication
Chair: Pratik Patel 215-616-0782

Religious Committee
Chair: Umesh Patel 215-862-11159

Religious Committee
Chair: Umesh Patel 215-862-11159

Resource Committee
Chair: Umesh Patel 215-862-11159

Senior Citizens Group
Chair: Umesh Patel 215-862-11159

Senior Citizens Group
Chair: Umesh Patel 215-862-11159

Senior Citizens Group
Chair: Umesh Patel 215-862-11159

Women's Group
Chair: Umesh Patel 215-862-11159

Youth Group
Chair: Umesh Patel 215-862-11159

To whom it may concern:

The Bharatiya temple and Cultural Center have submitted a special event permit for an upcoming program at the temple.

The Temple and Cultural center are a non-profit organization under tax id's:

Bharatiya Temple, Inc (Tax ID# 23-2959416)
Bharatiya Cultural Center, Inc (Tax ID# 76-0706802)

This letter is to request a waiver to the associated fees for the special events permit.

Please feel free to contact me at (267) 939 -9715 for questions or concerns.

Vipul Rathod
Bharatiya Temple
Bharatiya Cultural Center



MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 18

SUBJECT: Fire Department of Montgomery Township 2020 FEMA Fire Prevention & Safety Grant
MEETING DATE: September 13, 2021
BOARD LIAISON: Annette M. Long
INITIATED BY: William Wiegman, Director of Fire Services

BACKGROUND:

The Fire Department of Montgomery Township was notified on September 3, 2021 that the department's application for the FEMA Fiscal Year 2020 Fire Prevention & Safety (FPS) Grant funding opportunity was approved in the amount of \$75,238.10 in federal funding. As a condition of this grant, the FDMT is required to contribute non-federal funds equal or greater than 5.00% of the federal funds awarded, or \$3,761.90 for a total approved budget of \$79,000.00.

The Department's grant writer submitted the department's application for community risk reduction activities including door to door smoke detector installations with home fire safety inspections, Public Fire & Life Safety Educator training and certification for staff, the purchase of smoke detectors designed for the deaf and hard of hearing, and carbon monoxide detector installation. This grant opportunity will be funded for a period of one year and must be successfully completed within two years.

BUDGET IMPACT:

The total approved budget for the grant is \$79,000.00. The FDMT is required to contribute non-federal funds equal or greater than 5.00% of the federal funds awarded, or \$3,761.90.

| | |
|--|-------------|
| Smoke Detectors with 10-year permanent lithium batteries | \$50,000.00 |
| Public Fire & Life Safety Educator Training | \$11,000.00 |
| Smoke Detectors for Hard-of-Hearing | \$3,000.00 |
| CO Detectors | \$15,000.00 |

RECOMMENDATION:

It is the recommendation of Staff that the Board of Supervisors authorize the FDMT to accept the FEMA Fiscal Year 2020 Fire Prevention & Safety (FPS) Grant funding opportunity for a total approved budget of \$79,000.00.

MOTION/RESOLUTION:

- 1) **Motion** to authorize the FDMT to accept the FEMA Fiscal Year 2020 Fire Prevention & Safety (FPS) Grant funding opportunity for a total approved budget of \$79,000.00.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY
Item #19

SUBJECT: Consider Authorization to Purchase Outdoor Digital Signage for Township Facilities
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY: Richard Grier, Director of Information Technology

BACKGROUND:

The 2021 Capital Improvement Plan includes funds for 'Upgrades to Digital Signs' in the amount of \$98,000 for signs located at the Township Building, Recreation Center and Battalions 1 & 2. Three COSTARS approved vendors were contacted by staff and instructed to prepare proposals which would meet, at minimum, the following requirements:

1. Cloud based management for updating signage from anywhere with internet
2. Minimum of 10mm LED resolution for optimal readability from the road
3. Legible in direct sunlight
4. Built in approval workflow for posting of new content
5. Minimum 3-year warranty

Haverford System Inc. (HSI) proposal met all the above requirements and includes 5G service and full warranty on all signs for 5 years. HSI proposed Watchfire signs were also demonstrated onsite and allowed staff to see the resolution and brightness in a proposed location.

BUDGET IMPACT:

Total cost of the project is \$119,780.16.

RECOMMENDATION:

Staff is requesting the Board approve the quote from HSI to upgrade four outdoor digital signs at a cost of \$119,780.16 and approve the supplemental appropriation of Capital Reserve Funds.

MOTION/RESOLUTION:

- 1) **MOTION** to approve the purchase and installation of outdoor digital signs for the Township Building, Recreation Center and both Firehouses as per the attached quote dated September 2, 2021 by Haverford Systems Inc., COSTARS contract ID 003-099, for \$119,780.16.
- 2) Motion by: _____ Second by: _____
- 3) Chair will call for public comment.
- 4) Chair will call for a vote.



Outdoor Signage for Montgomery Township V3 9-2-2021

**COSTARS 003-099 Contract
Pricing**

Created by:

Nicholas Barber Haverford Systems Inc.

Prepared for:

Richard Grier Montgomery Township



Haverford Systems Inc.
152 Robbins Rd
Downingtown, PA 19335

Letter

DATE

Richard Grier
Montgomery Township

Dear Richard,

Thank you very much for the opportunity to provide you with this Proposal and Contract. We appreciate the time spent describing your objectives for this project. Haverford Systems' Integration Team has carefully considered your requirements. Please review this proposal and feel free to contact us with any questions you may have.

Best regards,

Nicholas Barber



Haverford Systems Inc.
152 Robbins Rd
Downingtown, PA 19335

Scope of Work

Scope:

Recreation Center:

- Supply Watchfire sign
- Haverford tech will be onsite for tuning and testing of the LED display.
- Bartush Signs will be responsible for the physical installation of the watchfire display.
- This includes:
 - Removing existing monochromatic double sided Electronic Message Center sign from large monument sign.
 - Installation of the new 4'5" h x 97" w double sided 10mm Electronic Message center in the exact same place.
 - Fabricate aluminum framework between message centers for mounting

PRODUCT SPECIFICATIONS

Pixel Pitch: W10mm LED RGB

Pixel Matrix: 120 X 210

Cabinet Size: 4ft 5in H x 7ft 11in L x 5in D

Viewing Area: 4ft H x 7ft L

Cabinet Style: Double Face Twinpak (Slim)

Character Size: 15 lines / 42.0 Characters at a 3" type

Approx. Weight: 785.00 Lbs.

Warranty: Standard 5 Year Watchfire warranty applies.

Electrical Service: 120 VOLT 34.0 amps (17.00 per face) Single

Phase Service. Refer to the Installation

manual for details on wiring. Based on 18 hours of operation a day, plus or minus 10% depending on how the sign is programmed.

Example: 21.2 KWHrs a day x \$0.07 =

\$1.48/Day

STANDARD FEATURES

Brightness Daytime 7000 NITs Maximum; Nighttime 700



Haverford Systems Inc.
152 Robbins Rd
Downingtown, PA 19335

NITs Maximum
Color LED RGB
Color Capability Min. 1.2 Quintillion
Includes Ignite Graphics Software
Video Up to 30FPS
Viewing Angles 150 Horizontal/95 Vertical

Township Building:

- Supply Watchfire sign
- Watchfire and Haverford tech will be onsite for tuning and testing of the LED display

PRODUCT SPECIFICATIONS

Pixel Pitch: W10mm LED RGB
Pixel Matrix: 90 X 180
Cabinet Size: 41in H x 6ft 3in L x 5in D
Viewing Area: 36in H x 6ft L
Cabinet Style: Double Face Twinpak (Slim)
Character Size: 11 lines / 36.0 Characters at a 3" type
Approx. Weight: 518.00 Lbs.
Warranty: Standard 5 Year Watchfire warranty applies.
Mfg. Lead Time: 2-4 weeks (after this document is signed & returned and receipt of down payment).
Electrical Service: 120 VOLT 22.0 amps (11.00 per face) Single Phase Service. Refer to the Installation manual for details on wiring. Based on 18 hours of operation a day, plus or minus 10% depending on how the sign is programmed.
Example: 13.7 KWHrs a day x \$0.07 = \$0.96/Day

STANDARD FEATURES

Brightness Daytime 7000 NITs Maximum; Nighttime 700 NITs Maximum
Color LED RGB
Color Capability Min. 1.2 Quintillion
Includes Ignite Graphics Software
Video Up to 30FPS
Viewing Angles 150 Horizontal/95 Vertical



Haverford Systems Inc.
152 Robbins Rd
Downingtown, PA 19335

Batt 1:

- Supply Watchfire sign
- Watchfire and Haverford tech will be onsite for tuning and testing of the LED display

PRODUCT SPECIFICATIONS

Pixel Pitch: W10mm LED RGB

Pixel Matrix: 90 X 180

Cabinet Size: 41in H x 6ft 3in L x 5in D

Viewing Area: 36in H x 6ft L

Cabinet Style: Double Face Twinpak (Slim)

Character Size: 11 lines / 36.0 Characters at a 3" type

Approx. Weight: 518.00 Lbs.

Warranty: Standard 5 Year Watchfire warranty applies.

Mfg. Lead Time: 2-4 weeks (after this document is signed & returned and receipt of down payment).

Electrical Service: 120 VOLT 22.0 amps (11.00 per face) Single

Phase Service. Refer to the Installation manual for details on wiring. Based on 18 hours of operation a day, plus or minus 10% depending on how the sign is programmed.

Example: 13.7 KWHrs a day x \$0.07 = \$0.96/Day

STANDARD FEATURES

Brightness Daytime 7000 NITs Maximum; Nighttime 700

NITs Maximum

Color LED RGB

Color Capability Min. 1.2 Quintillion

Includes Ignite Graphics Software

Video Up to 30FPS

Viewing Angles 150 Horizontal/95 Vertical

Batt 2:

- Supply Watchfire sign
- Watchfire and Haverford tech will be onsite for tuning and testing of the LED display



Haverford Systems Inc.
152 Robbins Rd
Downingtown, PA 19335

PRODUCT SPECIFICATIONS

Pixel Pitch: W10mm LED RGB
Pixel Matrix: 90 X 180
Cabinet Size: 41in H x 6ft 3in L x 5in D
Viewing Area: 36in H x 6ft L
Cabinet Style: Double Face Twinpak (Slim)
Character Size: 11 lines / 36.0 Characters at a 3" type
Approx. Weight: 518.00 Lbs.
Warranty: Standard 5 Year Watchfire warranty applies.
Mfg. Lead Time: 2-4 weeks (after this document is signed & returned and receipt of down payment).
Electrical Service: 120 VOLT 22.0 amps (11.00 per face) Single Phase Service. Refer to the Installation manual for details on wiring. Based on 18 hours of operation a day, plus or minus 10% depending on how the sign is programmed.
Example: 13.7 KWHrs a day x \$0.07 = \$0.96/Day

STANDARD FEATURES

Brightness Daytime 7000 NITs Maximum;Nighttime 700 NITs Maximum
Color LED RGB
Color Capability Min. 1.2 Quintillion
Includes Ignite Graphics Software
Video Up to 30FPS
Viewing Angles 150 Horizontal/95 Vertical

IF APPLICABLE:

| | |
|---|--------------------------|
| Permit Fees | \$ At cost |
| Permit Secural Fee | \$ 275.00 minimum |
| Engineering fees (if required by Municipalities) | \$ 400.00 minimum |



Haverford Systems Inc.
 152 Robbins Rd
 Downingtown, PA 19335

Detailed Pricing

Pricing Breakdown

Aug 13, 2021

Quote Ref.: HSII 475
 Exp. Date: Sep 30, 2021

Prepared for Montgomery Township
 Richard Grier
 rgrier@montgomerytwp.org

| NAME | QTY | MSRP/MAP | COSTARS PRICE | SUBTOTAL |
|--|-----|----------|---------------|--------------------|
| RECREATION CENTER | | | | |
| Watchfire 4'x7' 120x120 10mm | 1 | | \$31,025.20 | \$31,025.20 |
| Shipping | 1 | | \$691.86 | \$691.86 |
| Bartush Sign installation | 1 | | \$5,350.00 | \$5,350.00 |
| <p>Removing existing monochromatic double sided Electronic Message Center sign from large monument sign.</p> <p>Installation of the new 4'5" h x 97" w double sided 10mm Electronic Message center in the exact same place.</p> <p>Fabricate aluminum framework between message centers for mounting</p> | | | | |
| Haverford Systems Installation Services | 1 | | \$1,879.81 | \$1,879.81 |
| <p>\ Onsite installation labor, design, administration, project management and logistics</p> | | | | |
| | | | | \$38,946.87 |
| TOWNSHIP BUILDING | | | | |
| Watchfire 3'x6' 90x180 10mm | 1 | | \$23,110.30 | \$23,110.30 |
| Shipping | 1 | | \$514.32 | \$514.32 |
| Haverford Systems Installation Services | 1 | | \$1,879.81 | \$1,879.81 |
| <p>\ Onsite installation labor, design, administration, project management and logistics</p> | | | | |
| | | | | \$25,504.43 |
| BATT #1 | | | | |
| Watchfire 3'x6' 90x180 10mm | 1 | | \$25,270.30 | \$25,270.30 |
| Shipping | 1 | | \$514.32 | \$514.32 |
| Haverford Systems Installation Services | 1 | | \$1,879.81 | \$1,879.81 |
| <p>\ Onsite installation labor, design, administration, project management and logistics</p> | | | | |



Haverford Systems Inc.
152 Robbins Rd
Downingtown, PA 19335

\$27,664.43

BATT #2

| | | | | |
|---|-------------------|---|-------------|-------------|
| Watchfire | 3'x6' 90x180 10mm | 1 | \$25,270.30 | \$25,270.30 |
| Shipping | | 1 | \$514.32 | \$514.32 |
| Haverford Systems Installation Services | | 1 | \$1,879.81 | \$1,879.81 |

\ Onsite installation labor, design, administration,
project management and logistics

\$27,664.43

Discount **\$0.00**

Tax **\$0.00**

Total \$119,780.16



Haverford Systems Inc.
152 Robbins Rd
Downingtown, PA 19335

Terms and Conditions

Terms and Conditions:

- Proposals are valid for thirty (30) days following issue. Should you wish to reconsider a project at a later date, we will review and revise the proposal and timeline to reflect current conditions.
- Proposals reflect present knowledge of existing conditions. Unforeseen conditions, such as the need for overcoming previously unknown construction obstacles, can significantly affect project costs and timeline estimates.
- This proposal and its entire scope of work are limited to the explicit scopes of work and systems descriptions as defined herein. Any changes or modifications beyond these explicit scopes and descriptions may require additional charges, which must be contracted for with guaranteed payment before changes or modifications can be accepted and completed.
- This proposal, its technical design and details and all of its other contents represent a pre-contract investment by Haverford Systems, Inc. and as such, are the sole property of Haverford Systems, Inc. This proposal is provided for engineering reference only and may not be used for the purposes of acquiring competitive bids.
- Shipping charges are additional unless where otherwise stated. Applicable shipping charges will be prepaid and added to the invoice.
- Any and all taxes on the transaction will be added to the invoice and will be the responsibility of the buyer
- Proposal is based upon industry standard hours of Monday – Friday 8AM thru 5PM. Work conducted outside these times may be billed at an overtime rate.

Haverford Systems Workmanship Warranty Description

If your system was installed by Haverford Systems, it is supported by a 1 full year Workmanship Warranty, starting from the date of owner sign-off. As these systems are typically heavily integrated, using products from many manufacturers and software publishers, and are additionally integrated with owner provided and 3rd party provided products and systems, it is important to understand what is covered by our Workmanship Warranty. Haverford Systems does everything that we can to guarantee a successful deployment and lifecycle for every system that we install but many things are not under our control and responsibility must be taken by owner or other involved parties.

Workmanship Warranty – What is covered

- System Design (system design must be capable of fulfilling written system scope as proposed in writing)
- Product selection (all products proposed must be appropriate and suitable for proposed use)
- Product placement (all equipment must be located per system design scope, as approved by owner, during scope development or as modified scope by owner during installation)
- Initial Cable pull integrity (cables must not be damaged during routing)
- Cable terminations (cable terminations must be installed/performed properly)
- Mounting hardware (must be suitably chosen and installed per manufacturer's specifications and any applicable codes)
- Assembly (all components must be assembled per system design)
- Equipment configuration (all proposed equipment must be configured according to design scope)
- System testing (all systems must be fully tested under normally expected operating conditions)
- System training (owner representative must be trained in each major aspect of end user system operation)

Workmanship Warranty – What is NOT covered

A Workmanship Warranty is only designed to cover issues that the provider has direct and sole control over and that are specifically part of the proposed system and are solely supplied by the provider. There are many elements of an integrated system which must be managed and supported by the owner themselves or by third parties. Some of them are described below. These are examples only and this is not an exhaustive list.

- All of the products purchased directly from Haverford Systems are covered by an original manufacturer's warranty of some specific length and scope. The length and scope of these warranties can vary greatly. It is important for you to understand that manufacturer warranties are always limited to varying degrees. Most manufacturers' warranties do not cover: troubleshooting, on-site labor and expenses, loaner equipment or freight expenses for products sent back to and returned from the factory for repair. These additional services (and their associated costs) may be necessary to provide full service of your systems.
- Consumable and high wear items (e.g. projector lamps, filters, interface cables, etc...)
- Component repair or replacement cost for equipment failure outside of manufacturer's warranty scope or

manufacturer's warranty period.

- Replacement or repair costs of any items damaged by abuse or misuse.
- Replacement or repair costs of any items damaged by environmental factors (incl. heat, liquid, smoke, dust, etc...)
- Replacement or repair costs of any items damaged or altered by any party other than Haverford Systems personnel, including other system or service providers.
- Incompatibility relating to owner furnished equipment or systems.
- Programming and other changes to functionality that diverge from the original project design.
- Suitability or proper configuration/operation of owner's infrastructure, including IP or other networks, buildings and furniture.
- Changes to configuration of owner networks or other integrated systems after system has been signed off by owner.
- 3rd Party software, including any operating systems or firmware and including software, firmware and operating system updates.
- Failure or sub-par performance of systems related to any 3rd party or owner provided equipment, software, furniture, infrastructure or systems.
- Any systems, equipment or work provided by 3rd party providers and tradespeople.
- End user operator errors or operator capability limitations of any kind with regard to system use operation or maintenance.
- End user or third party provided content for processing, presentation or distribution.
- Geometric, acoustical, optical, thermal or other physical limitations of owner's provided space for proposed systems.

Workmanship Warranty – Summary

When working with an integrated systems provider, it is important to a system owner's success to understand the limitations and responsibilities of each party involved. If an issue with system performance arises, Haverford Systems will do everything that they can to help you to identify the cause of the issue and if covered under our Workmanship Warranty to correct the issue. If the cause of the issue is unclear or is clearly the fault of something that does not fall under the Workmanship Warranty, we will help to identify the next steps toward correction but will not be held liable for troubleshooting or corrections that fall under the owner's or a 3rd party's responsibility. As an experienced and professional systems integrator, Haverford Systems will always strive to make every effort to alert owner to any potential failure modes that are not covered by the Workmanship Warranty so that they can be avoided or managed by owner.

Additional Support – What can we offer

Haverford Systems can also offer additional support services, such as customized HavaCare™ service contracts, that will help to bridge some of these gaps in overall system support. Some of the things that may be covered under HavaCare™ include: priority service response, system troubleshooting, equipment manufacturer warranty



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facilitation, limited software, firmware and operating system updates, consumables/wear items replacement (labor only) as well as periodic preventative maintenance and system testing.



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HavaCare Service

Why Choose HavaCare™:

If your system was installed by Haverford Systems all workmanship is supported for 1 full year. All of the products purchased from Haverford Systems are also covered by an original manufacturer's warranty. It is important for you to understand that manufacturer warranties are limited. Most manufacturers' warranties do not cover: troubleshooting, on-site labor and expenses, loaner equipment or freight expenses for products sent back to and returned from the factory for repair. These services are necessary to provide full service of your systems. With HavaCare™ you get peace of mind, knowing that your systems will always be working when you need them.

Haverford Systems Service Options

Choose the coverage type and payment plan that works best for your organization.

Prepaid Plans:

1. **HavaCare™ Priority** Service Agreement
2. **HavaCare™ Platinum** Service Agreement (includes equipment insurance)
3. **HavaCare™ Annual Budget Plan** Service Agreement (guaranteed value)

Pay as you go Plans:

1. **T&M** - Time and Materials Based Repair and Maintenance Services
2. **Lump Sum** - Proposed Project Based Repair and Maintenance Services

HavaCare™ Priority Description:

During each year of HavaCare™, Haverford Systems will provide free and unlimited toll-free technical telephone support with 1 hour response time. Haverford Systems will also provide 24 hour response time for on-site technical service. If phone support fails to correct technical issues with the system, a field technician will respond **on-site** within one business day of reporting the problem. Technical service will provide for troubleshooting and repairing the system as required, to return it to full functionality. A field technician will also make a scheduled site visit once each year for preventative maintenance, cleaning, testing and tuning of the system and components. The integrity of all cabling and connections is explicitly covered by this warranty as far as these cables and connections are part of the original system and have not been changed or tampered with by any other party than Haverford Systems. All service calls are immediately logged with a Field Service RMA issued to the client. All Field Service RMAs are actively managed until all related issues are resolved.

HavaCare™ Priority Benefits:

- Priority Technical Support on Toll Free Phone Line – 1 Hour Response Time



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- Priority Troubleshooting and Repair Service – 24 Hour On-Site Response Time
- Consumable Replacement Labor (e.g. projection lamp - cost of consumable materials is not included)
- Annual System Preventative Maintenance, Cleaning, Testing and Tuning
- Facilitation of Manufacturer's Warranties
- Facilitation of Manufacturer Provided Loaners and Replacements (where applicable).
- Local authorized display repair service performed by Haverford Systems. (not exclusive to HavaCare™)

HavaCare™ *Platinum* Description:

The same great service as HavaCare™ *Priority* - with the addition of equipment insurance. Designed for organizations that cannot build equipment replacement into their operating budgets.

HavaCare™ *Platinum* Benefits:

- The same great benefits as HavaCare™ *Priority*
- When equipment fails, it will be replaced without additional cost, even after original manufacturer's warranty has expired.

HavaCare™ *Annual Budget Plan* Description:

Set your own monthly service budget and accrue unused service \$\$ towards new equipment and systems purchases.

HavaCare™ *Annual Budget Plan* Benefits:

- The same priority response as HavaCare™ *Priority*. The same great benefits as HavaCare™ *Priority*.
- Annual or Monthly Billing.
- Service charges are billed against budget balance for each term.
- End of year unused balance is available as new equipment or project purchase credit for one year after budget term.
- Over-budget converts to simple *T&M* billing for remainder of budget term. All other *Priority* benefits continue for budget term. However, Budget amount may be modified on the first of each month to adjust for experience, if desired.

HavaCare™ *Priority* & *Platinum* Limitations:

Items not included or covered by HavaCare™ *Priority* or *Platinum* Plans:

- Consumable items (e.g. projector lamps, filters, etc...)
- Component repair or replacement cost for equipment failure outside of mfg's warranty or warranty period, (except for *Platinum*).



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- Replacement or repair costs of any items damaged by abuse or misuse.
- Replacement or repair costs of any items damaged by environmental factors (incl. heat, liquid, smoke, dust, etc...)
- Replacement or repair costs of any items damaged or altered by any party other than Haverford Systems personnel.
- Incompatibility relating to client furnished equipment or systems.
- Programming and other changes to functionality that diverge from the original project design.
- Delays in scheduled service, due to client use or other limited access to systems and rooms or reasons otherwise not caused by Haverford Systems, may be subject to additional charges to client.
- On-Site Field Service is normally provided between the hours of 7:00 am and 5:30 pm during the working week.

HavaCare™ Priority & Platinum Discounted Rates:

- **HavaCare™ Priority and Platinum Service Agreements are available with Yearly and Discounted Multi-Year Rates.**
- **HavaCare™ Priority and Platinum Service Agreements are available with Discounted Multi-Room Rates.**
- **Partial year coverage is always available on a pro-rated basis.**



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Payments and Payment Schedule

Payment Schedule

- 40% deposit with order
- 40% payment upon sufficient completion or delivery of equipment
- 20% payment upon final sign off

Acceptable Forms of Payment

- Purchase orders upon with Terms upon credit review
- Company Check
- Credit Card, VISA, MC, AMEX, Discover
- EFT, direct or other forms



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Signature and Acceptance

Montgomery Township

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY
Item # 20

SUBJECT: Consider Resolution Approving Procedures for Act 101 Violations
MEETING DATE: September 13, 2021
BOARD LIAISON: Tanya C. Bamford, Chair
INITIATED BY: Carolyn McCreary, Township Manager

BACKGROUND:

The Township is one of eleven (11) municipalities who are members of the Northern Montgomery County Recycling Commission (NMCRC). This Commission was established for the purpose of implementing the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988.

In September 2020 the Board adopted a resolution to address Act 101 violations. Subsequently the NMCRC notified us in August that several members modified the resolution before adopting it which is not permitted. They have revised the resolution again and are asking members to place this on an upcoming agenda for adoption.

PREVIOUS BOARD ACTION: None

BUDGET IMPACT: None.

RECOMMENDATION:

Staff recommends the Board of Supervisors adopt the resolution addressing Act 101 violations by waste haulers and residents.

MOTION/RESOLUTION:

- 1) Motion to adopt Resolution No. 2021-35 adopting procedures for the handling of recycling and solid waste disposal violation by haulers, business institutions or residents of member municipalities of the Northern Montgomery County Recycling Commission.
- 2) Motion by: _____ Second by: _____
- 3) Chair will ask for public comment.
- 4) Chair will call for vote.

MONTGOMERY TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION 2021-35

**A RESOLUTION ADOPTING PROCEDURES FOR THE
HANDLING OF RECYCLING AND SOLID WASTE
DISPOSAL VIOLATIONS BY HAULERS, BUSINESSES,
INSTITUTIONS OR RESIDENTS OF MEMBER
MUNICIPALITIES OF THE NORTHERN MONTGOMERY
COUNTY RECYCLING COMMISSION.**

WHEREAS, the Northern Montgomery County Recycling Commission (the “Commission”) is comprised of eleven (11) municipalities located in Montgomery County, Pennsylvania organized for the purpose of implementing the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, as amended (“Act 101”); and

WHEREAS, the member municipalities of the Commission have assigned and delegated their powers under Act 101 to the Commission in accordance with an Amended and Restated Intermunicipal Agreement dated May 21, 2007, as amended (the “Agreement”); and

WHEREAS, Section 403 of the Agreement grants to each member municipality concurrent jurisdiction with the Commission for the monitoring and enforcement of Act 101; and

WHEREAS, Section 4 of the Municipal Waste Collection and Recycling Ordinance adopted by each of the member municipalities authorizes the Commission to establish, by resolution, rules and regulations related to the administration of the recycling program and to administer and enforce against violations of all such rules and regulations; and

WHEREAS, each member municipality has delegated to the Commission pursuant to Section 8.B(2)(c) the authority to promulgate rules and regulations and to enforce those rules and regulations or to delegate such enforcement to the member municipalities; and

WHEREAS, the Commission and each member municipality desire to establish formal procedures for the enforcement of Act 101 and enforcement against violations by haulers, businesses, institutions and residents of its member municipalities;

NOW, THEREFORE, IT SHALL BE RESOLVED AS FOLLOWS:

Section 1. The Commission and each member municipality hereby adopt the enforcement procedures attached hereto as Schedule “A” and incorporated herein by this reference with the same effect as if they had been set out verbatim in this section, and a copy of which shall be filed with the minutes of the meeting at which this Resolution was adopted.

Section 2. Resolution 2020-147 adopted on September 14, 2020 is hereby rescinded in its entirety.

Section 3. This Resolution shall become effective at the earliest date permitted by law.

DULY ADOPTED this 13th day of September 2021 by Montgomery Township.

TOWNSHIP

Attest: _____
Carolyn McCreary, Secretary

By: _____
Tanya C. Bamford, Chairperson

Regulation re: Violations of Act 101

Procedures for Act 101 Violations

1. First Offense – Upon receipt of sufficient credible evidence and after consultation with the municipality in which the violation occurred, a written violation warning letter may be sent to the violator (i.e., the waste hauler, business, institution or municipal resident) by the NMCRC Solicitor, at the discretion of the NMCRC Solicitor, who may seek guidance from the Commission before moving forward with a written violation warning letter. A warning letter will include a statement that both the municipality and the NMCRC have enforcement powers for a violation of Act 101 and/or the corresponding municipal ordinance.
 - a. Written notice should be sent by certified mail, return receipt requested.
 - b. A copy of the written notice should be sent to the member municipality in which the violation occurred and to the NMCRC Chairman, for distribution to all Commission members.
 - c. Written notice should include a description of each violation, identification of the section(s) of Act 101 and/or the corresponding municipal ordinance being violated.
 - d. Whenever appropriate, initial violations shall be discussed in executive session.
 - e. If the NMCRC Solicitor declines to issue a violation warning letter, the NMCRC Solicitor shall notify the member municipality of the decision. The member municipality may move forward with a violation warning letter.

2. Subsequent Offense – Upon receipt of sufficient credible evidence of a subsequent offense by the same violator within two (2) years of the date of the first offense, the municipality in which the violation occurred should notify its solicitor or code official to consider commencement of enforcement action. The municipality shall notify the NMCRC Solicitor and advise the NMCRC Solicitor whether the affected municipality intends to undertake formal enforcement action on behalf of the affected municipality. In most cases, the affected municipality will be responsible to undertake the formal enforcement action pursuant to guidelines set forth in Act 101 and/or the corresponding municipal ordinance. The municipality shall periodically provide non-confidential enforcement status reports to the NMCRC Solicitor and Chairman.

3. Report to PADEP. If a subsequent offense occurs (as set forth in Section 2 above) and the affected municipality elects not to undertake formal enforcement action, the municipality or NMCRC Solicitor may report the occurrence of the violation to the Pennsylvania Department of Environmental Protection (“PADEP”) and request that PADEP pursue enforcement action.

4. Enforcement Action by NMCRC. If a subsequent violation impacts more than one NMCRC member municipality and PADEP decides not to pursue enforcement action, the NMCRC Solicitor may, after a vote by the Commission, take formal enforcement action on behalf of the affected municipalities, provided the affected municipalities enter into a cost-sharing agreement, prepared by the NMCRC Solicitor and satisfactory in form and substance to the NMCRC, relating to all costs and expenses, including attorneys' fees, relating to the enforcement action.

Recommended Documentation Evidencing Violations

If a resident, business or institution observes an alleged waste disposal or recycling violation, the resident should contact the Municipal Manager to report the alleged violation. The Municipal Manager should obtain as many factual details as possible from the resident, business or institution and determine whether the resident, business or institution can provide any written or visual documentation to support the alleged violation. Recommended documentation would include the following:

- Written witness statement(s) describing what activities occurred, when and where they occurred, and the identity of all witnesses and other individuals who were involved. Include the name, address and contact information for each witness who observed the violation occurrence.
- Photographs/videos taken by witnesses, including the name, address and contact information for the individual(s) who created the photograph/video.
- Certification statement signed and dated by each witness certifying that the evidence provided is correct and complete. (For example: "I, _____, hereby certify that the foregoing information provided by me is correct and complete.")

Sample Ordinance Violations

Some common waste disposal/recycling violations include the following:

- Commingling recyclable materials with municipal solid waste
- Commingling household hazardous waste with municipal solid waste
- Commingling leaf waste with municipal solid waste
- Outdoor burning (including leaf burning)
- Collecting waste/recyclables between the hours of 8:00 pm and 6:00 am
- Violating other time, place and manner restrictions applicable to waste/recycling disposal

Municipal Websites

Each member municipality should include information on its website for reporting Act 101 violations to the municipality.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 21

SUBJECT: Consider Certification of 2022 Minimum Municipal Obligation (MMO) for the Police Pension Fund and Non-Uniform Employees' Pension Fund
MEETING DATE: September 13, 2021
BOARD LIAISON: Annette M. Long, Supervisor
INITIATED BY: Brian Shapiro, Director of Finance

BACKGROUND:

The Minimum Municipal Obligation (MMO) is the calculated funding obligation to the Township's Police and Non-Uniformed Employee Pension Plans. Act 205, Section 304 requires that the Chief Administrative Officer submit the MMO for the upcoming budget year to the Board on or before the last business day in September. Upon acceptance, the amount of the MMO's must be incorporated into the budget for the next year and funded. Based on the instructions from Ashley Wise, Conrad Siegel Actuaries, staff has prepared the 2022 MMO's for both the Police Pension Plan and the Non-Uniformed Pension Plan which are attached hereto.

BUDGET IMPACT:

The MMO will be placed in the 2022 budget.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that the 2022 Minimum Municipal Obligation for the Montgomery Township Police Pension Fund in the amount of \$631,028 is accepted, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that the 2022 Minimum Municipal Obligation for the Montgomery Township Non-Uniformed Employees' Pension Fund in the amount of \$313,632 is accepted.

- 1) Motion by: _____ Second by: _____
- 2) Chair will call for public comment.
- 3) Chair will call for a vote.

**Montgomery Township Police Pension Plan
2022 Minimum Municipal Obligation**

| | |
|--|--------------------------|
| 1 Normal Cost Percentage ¹ | <u>15.1%</u> |
| 2 Administrative Expense Percentage ¹ | <u>1.0%</u> |
| 3 Total Percentage (1 + 2) | <u>16.1%</u> |
| 4 Estimated 2021 Total Gross W-2 Payroll | <u>\$ 4,288,725</u> |
| 5 Annual Cost (3 x 4) | <u>\$ 690,485</u> |
| 6 Amortization Contribution Requirement ¹ | <u>\$ 154,980</u> |
| 7 Financial Requirements (5 + 6) | <u>\$ 845,465</u> |
| 8 Member Contributions Anticipated | <u>\$ 214,436</u> |
| 9 10% of Negative Unfunded Liability ¹ | <u>\$ 0</u> |
| 10 Minimum Municipal Obligation (7 - 8 - 9) (Due Before 12-31-2022) | <u><u>\$ 631,028</u></u> |

Authorized Signature

Date

¹ Based upon 01/01/2021 Actuarial Valuation

**Montgomery Township Non-Uniformed Pension Plan
2022 Minimum Municipal Obligation**

| | |
|---|-----------------------------|
| 1 Employer Contribution Percentage | <u>8.0%</u> |
| 2 Administrative Expense Percentage | <u>0.0%</u> |
| 3 Total Percentage (1 + 2) | <u>8.0%</u> |
| 4 Estimated 2022 Covered Payroll | <u>3,920,403</u> |
| 5 Financial Requirements (3 x 4) | <u>\$313,632</u> |
| 6 Advance Employer Contribution | <u> </u> |
| 7 Minimum Municipal Obligation (5 - 6) (Due Before 12-31-2022) | <u><u>\$313,632</u></u> |

Authorized Signature

Date