

**MINUTES OF MEETING  
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
FEBRUARY 26, 2024**

**1. Call to Order:** The February 26, 2024 action meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Vice-Chairwoman Audrey R. Ware called the meeting to order at 7:00 p.m.

**IN ATTENDANCE:**

Vice Chair Audrey R. Ware  
Supervisor Tanya C. Bamford  
Supervisor Annette M. Long  
Supervisor Beth A. Staab  
Township Solicitor John Walko, Esq.  
Township Manager Carolyn McCreary

**ALSO IN ATTENDANCE:**

Police Chief J. Scott Bendig  
Fire Chief Bill Wiegman  
Director of Finance Brian Shapiro  
Director of Planning & Zoning Marianne McConnell  
Director of Public Works Greg Reiff  
Director of Rec & Community Ctr. Floyd Shaffer  
Director of IT Richard Grier  
Public Information Coordinator Derek Muller  
Recording Secretary Deborah Rivas

**ABSENT:**

Chair Candyce Fluehr Chimera

**2. & 3. Pledge of Allegiance and Announcements:** Following the Pledge of Allegiance, Ms. Ware made the following announcements:

- The Township is hiring staff for its summer camp program, including counselors, directors, and a First Aid Director. Job descriptions and how to apply can be found on the Township's website.
- Applications for the Citizens Police Academy are now being accepted. This program offers the opportunity to experience police work hands on. Classes will be held on Tuesday evenings from 7pm to 9pm. Applications are available in the Police Department lobby.
- The Township is hosting a Red Cross Blood Drive on March 20, 2024 from 1pm to 6pm.
- Officer Robert Johnson is retiring. Please join Township staff on Friday, March 8, 2024 at 8:30 a.m. for a final shift salute to celebrate the career of Officer Johnson.

**4. Public Comment:** Several Montgomery Place community residents expressed concerns about the construction of a gasoline station adjacent to the Redner's Market directly behind their homes. Nancy Pennelli of 106 Colette's Court, Nick Sarelakos of 2006 Naomi's Court, Leslie Simon of 1708 Naomi's Court, Carol Goldstein of 2808 Maryanne's Court, and two other individuals made comments about the distance between the gas station and their homes, lack of notification of the project, traffic concerns, lighting concerns, environmental concerns, and property values. Township Solicitor John Walko outlined the project's timeline, including the public meetings, such as the Conditional Use hearing held in February 2020. Mr. Walko also explained that, as required by law, the surrounding property owners were notified of the project by mail when the conditional use hearing was scheduled. The applicant placed the project on hold but resurrected it late last year, and it is permitted to be built as the plans are good for five years once approved. The residents were told that many of their questions and concerns could be addressed by reviewing the file for the project in the Planning and Zoning office. An open records request can be submitted to view the file. Ms. Staab and Ms. Bamford provided background on the project and assured that

they held the applicant to strict standards when the project was discussed during the conditional use hearing. There was no other public comment.

## **5. Consent Agenda:**

**MOTION: Upon motion by Ms. Staab, seconded by Ms. Long, and unanimously carried (4-0), the minutes of the February 12, 2024 Board meeting, the payment of bills for February 26, 2024, the escrow release #1 and start of maintenance for Fahy Minor Subdivision, and the escrow release #9 end of maintenance for PEMV Partners, LP were all approved as submitted.**

## **Introduction:**

## **6. Appointment to the Environmental Advisory Committee –**

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Staab, and unanimously carried (4-0), the Board appointed Tim Miehle to the Environmental Advisory Committee for the remainder of the term, which expires on January 1, 2025.**

## **Planning and Zoning:**

**7. Review of Zoning Hearing Board Application:** Ms. McConnell identified the pending hearing application received for the March 6, 2024 Zoning Hearing Board meeting. Application 24020001 is for 203 Dayton Drive North for relief for an inground swimming pool with decking, gazebo, and shed 10 feet from the rear property line where a minimum of 15 feet is required for the pool and decking and a minimum of 30 feet is required for the shed and gazebo.

**Board consensus was not to enter an appearance for the application, allowing the Zoning Hearing Board to render a decision based on the testimony presented.**

**8. Village Shopping Center – Approval of Sewage Facilities Planning Module:** Ms. McConnell reported that the Township's Act 537 Plan serves as the plan for providing sanitary sewer service for the Township. The Montgomery Township Municipal Sewer Authority (MTMSA) is responsible for implementing this plan. Occasionally, the plan must be changed due to development/redevelopment, and a planning module must be submitted to the PA Department of Environmental Protection (PADEP). This application is for the Village Shopping Center for the proposed mixed-use complex at 511-521 Stump Road. This plan proposes to connect to the existing privately owned Montgomery Sewer Company Inc. Orchard Development STP for treatment and disposal. DEP will review the plan for compliance and approval. The Township is required to complete Component 4a (Municipal Planning Agency Review) of the Sewage Facilities Planning Module. The Planning Commission has reviewed and acknowledged receipt of the application and recommended that the Board of Supervisors authorize the completion of Component 4a as presented. Applicant Harry Hassan was represented by Bernadette Kearney, Esquire, and Nicole Gambone, Planning Specialist from Ebert Engineering, Inc. Ms. Kearney explained that this was a private plan regulated by the DEP and PUC. Ms. Bamford inquired if the

sewer plant had received any fines or had any past violations. Mr. Hassan stated that DEP inspected the plant, and the last inspection had no violations. Ms. Ware inquired how often it was inspected. Mr. Hasson stated that reports are submitted monthly, and the DEP determines when to inspect based on the reports. Ms. Bamford expressed concern that the Montgomery Township Municipal Sewer Authority had not reviewed the plan and was unaware of its submission. Ms. Kearney said it was a private sewer and not part of the MTMSA.

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and approved by a vote of 3 to 1, with Ms. Bamford voting nay, the Board authorized completion and submittal of Component 4a of the Sewage Facilities Planning Module for the proposed redevelopment project identified as The Village at 511-521 Stump Road.**

**9. Waiver of Full Land Development Process – 140 Domorah Drive** - Ms. McConnell reported that the 2.33-acre parcel sits within the LI-Limited Industrial District and is currently improved with a one-story warehouse and associated paved parking areas. The applicant proposes to add a 2,987 square feet of additional paving in the rear of the parking lot to aid in truck circulation for the loading docks. A rain garden is proposed to manage runoff from the increase in impervious areas. The applicant has requested a waiver of the full land development process for this proposed project. The applicant has reviewed the consultants and Township letters and has submitted a response letter complying with all comments noted.

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Staab, and unanimously carried (4-0), the Board approved Resolution 2024-06, granting a waiver of the formal land development process requirement to World Wide Stereo at 140 Domorah Drive for the proposed minor parking lot expansion.**

**10. Advertisement of Amendments to the Zoning Ordinance:** Ms. McConnell reported that Township staff and consultants are recommending amendments to the Zoning Code, Chapter 230, to create provisions for “Standby Generators”; to revise the definition and provisions for “Special Events”; to create separate provisions for “Temporary Outdoor Sales”; to permit changeable copy signs for institutional uses located in residential districts and amend the copy change rate; to create provisions for “Menu/Drive-Through Signs”; and to prohibit storage above ground or partially above ground of inflammable or explosives materials in excess of 550 gallons.

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and unanimously carried (4-0), the Board authorized staff to advertise the proposed amendments to Chapter 230 of the Code of Montgomery Township as presented.**

#### **Public Works:**

**11. Authorization for Traffic Calming Installation – Grays Lane:** Mr. Reiff reported that complaints have been received concerning excessive speeding on Grays Lane in the area of Cove Circle. Traffic studies were conducted confirming the validity of the complaints and recommendations were made by the Highway Safety Unit. After extensive discussion, the Township Traffic Engineer is recommending that traffic calming measures in the form of chicanes be installed at two locations

on Grays Lane. The purchase of the PEXCO chicanes, anchor bolts, and signage, along with the cost of the contract for the line striping, total \$7,578.42. The installation will be completed in-house by the Public Works staff.

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and unanimously carried (4-0), the Board authorized staff to purchase and install the recommended traffic calming system on Grays Lane at a cost of \$7,578.42.**

**12. Purchase of Groundmaster Mower:**

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Bamford, and unanimously carried (4-0), the Board approved the purchase of a Toro Groundsmaster 5900 (Model #31698) mower from Turf Equipment and Supply Company, an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$135,514.06 per their quote dated February 14, 2024.**

**13. Purchase of Two (2) Zero-Turn Mowers:**

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and unanimously carried, the Board approved the purchase of two (2) Toro Z Master 7500 Series (Model #72076) zero-turn mowers from Turf Equipment and Supply Company, an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$56,924.70 per their quote dated February 14, 2024.**

**14. Authorization to Bid Storm Sewer Infrastructure Improvements:** Mr. Reiff reported that the 2024 Capital Investment Plan included improvements to various storm sewer infrastructures throughout the Township. After various site visits, it is the recommendation of Gilmore & Associates, the Township Engineer, that the work be completed at the following storm sewer basin locations: 207 Pioneer Drive, 213 Pioneer Drive, 129 Gwynmont Drive, and 104 Flintlock Circle in compliance with MS4 Stormwater Compliance. Competitive bids will be solicited utilizing the PennBid website.

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and unanimously carried (4-0), the Board authorized the bid advertisement for storm sewer infrastructure improvements utilizing the PennBid website.**

**Public Safety:**

**15. Purchase of Replacement Police Vehicles –** Chief Bendig reported that the Police Department will purchase four vehicles in 2024. After researching available models and powertrains, the Police Department proposes purchasing four 2024 Ford Police Interceptor Utility models and equipment as approved in the 2024 final budget.

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Staab, and unanimously carried (4-0), the Board awarded the contract for the purchase of four 2024 Ford Police**

**Interceptor Utility vehicles from Fred Beans Ford Lincoln, an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$175,884.00 per their quote and**

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and unanimously carried (4-0), the Board awarded the contract for the purchase and installation of equipment for these vehicles from Havis, Inc., an authorized vendor under the Co-Stars Cooperative Purchase Program at a total cost of \$77,158.07 per their quote.**

**16. Adoption of Ordinance 24-338 – Amending Township Code to Create Massage Establishments:** Chief Bendig previously reported that staff requested authorization to advertise for an amendment to the Montgomery Township Code Part II, General Legislation, to create a new chapter entitled “Massage Establishments.” This amendment was requested in response to an identified need to regulate massage establishments within the Township due to a recent increase in the number of illegal massage or alternative therapy establishments around Montgomery Township that promote unlawful conduct such as prostitution, sex trafficking, and unfair labor practices.

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and unanimously carried (4-0), the Board adopted Ordinance 24-338 – amending the Township Code Part II, General Legislation, to create a new chapter entitled “Massage Establishments.”**

**17. Authorize Advertisement for Ordinance Amendment – Speed Limits and Weight Limits:** Chief Bendig reported that Gilmore and Associates conducted a study last year on two culverts located on Knapp Road between Norway Drive and Valleybrook Drive. To maintain the structural integrity of the culverts and the safety of those traveling over them, Gilmore and Associates have recommended that the maximum speed of all vehicles driving over the culverts be reduced to fifteen (15) miles per hour and their maximum weight be restricted to eighteen (18) tons. Additionally, recent state and county bridge construction projects on Route 152 at Lower State Road and Stump Road over Little Neshaminy Creek have resulted in recommendations by state and county officials to repeal the current weight limit restrictions on those bridges. An ordinance amendment has been drafted to amend Township Code Part II, General Legislation, Chapter 222-Vehicles and Traffic.

**MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and unanimously carried (4-0), the Board authorized staff to advertise for an amendment to the Township Code Part II, General Legislation, Chapter 222-Vehicles and Traffic.**

**18. Red Light Camera Enforcement Initiative:** Chief Bendig introduced Highway Safety Officers Mike Jenkins and Peter Byrne, who presented the concept of the potential application of red-light cameras at intersections within Montgomery Township. The Automated Red Light Enforcement Program (ARLE) refers to using camera technology to enforce existing traffic safety laws. The primary purpose is to improve safety at signalized intersections by providing automated enforcement at locations where red light running has been an issue. PennDOT reviewed intersections over five years and identified intersections within the township with a high number

of vehicle crashes, where running the red light was a contributing factor. PennDOT has identified seven Montgomery Township intersections approved by ARLE. Of those seven, two intersections have the highest number of crashes: Horsham Road at Route 202 Parkway and Bethlehem Pike at North Wales Road. Officer Jenkins presented real statistics showing that crashes were reduced at red light camera intersections in Abington Township. Abington Township's daily average traffic is similar in volume to Montgomery Township. The system works by capturing the event or running the red light. A 3rd party vendor reviews the event, and a sworn Township police officer then reviews the violation. The event becomes a violation if approved, and a traffic citation is mailed out. The red-light camera fines would be \$100; the violations are civil, not criminal. No points are assessed. If an officer observes a red-light violation in real-time, the fine is \$171.75 and 3 points. This violation does not appear on the driving record, nor is it reported to insurance. For the first 60 days of implementation, warnings would only be issued. There is no cost to the Township for installing, operating, or maintaining the system and the Township receives no revenue from the program. Discussion followed and the Board members were unanimously in support of this program. The next steps would be to pass an ordinance authorizing enforcement of Section 3112(a)(3) of the Vehicle Code by recording violations using an ARLE system approved by the Department, and to select a vendor for ARLE cameras and operation. There are four vendors currently approved by PennDOT.

**Old Business:** None.

**New Business:**

**19. Department Reports** - Monthly reports were submitted by each department for activity in January. Public Information Coordinator Derek Muller provided updates on the Township's public information initiatives to engage its residents and the role of the Public Information Intern.

**20. Committee Liaison Reports** – Ms. Staab reported that the BDP will change its meeting time to 12:30 pm on the third Tuesday of each month. The Environmental Advisory Committee discussed the single-use plastic reduction ordinance and its upcoming enactment. The EAC also discussed ideas on responsible land management, reduced mowing, and the use of pesticides.

Ms. Bamford reported that the Shade Tree Commission discussed the annual Arbor Day event and a change to the landscape plan for the new dog park, with additional trees to be placed around the perimeter, outside the fencing. The commission also continued the discussion on street trees and suggested revisions to the ordinance. Bamboo concerns were also raised.

Ms. Long stated that the Public Safety Committee discussed the Police Department's recommendation to consider the red-light camera enforcement program.

**21. Adjournment:** Upon motion by Ms. Ware and seconded by Ms. Staab, the meeting was adjourned at 9:31 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary