

**MINUTES OF MEETING  
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
SEPTEMBER 13, 2021**

**1. Call to Order:** The September 13, 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  
Township Manager, Carolyn McCreary  
Township Solicitor, Sean Kilkenny, Esq.

**ABSENT:**

Supervisor Beth A. Staab

**ALSO IN ATTENDANCE:**

Police Chief, J. Scott Bendig  
Director of Finance, Brian Shapiro  
Director of Planning & Zoning, Bruce Shoupe  
Director of Public Works, Greg Reiff  
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:

- The Board recognized September 15, 2021 as the first day of National Hispanic American Heritage Month.
- Due to continuing uncertainty resulting from the pandemic, the Township regretfully announced that the Montgomery Township Community Day has been canceled. In its place, the Township will host another Halloween/Fall drive thru event on Saturday, October 9, 2021 from 2pm to 4pm at the William F. Maule Park at Windlestrae.

**4. 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 6:40 p.m. to discuss one litigation matter. Mr. Kilkenny stated that the topic discussed is a legitimate subject of an Executive Session pursuant to the Commonwealth of Pennsylvania’s Sunshine Law.

**5. Presentations:** Ms. Bamford presented a check in the amount of \$10,000 to the Montgomery County Norristown Public Library. Executive Director Karen DeAngelo was present to accept the donation. Ms. Bamford also presented a check in the amount of \$3,000 to the PEAK Center. Executive Director Peter Stinson was present to accept the donation.

Chair Bamford, the Board of Supervisors and Pennsylvania Senator Maria Collett recognized the Township’s First Responders for their efforts during Hurricane Ida on September 1 and 2, 2021.

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board recognized the Township’s First Responders for their outstanding efforts to keep our residents and businesses safe during Hurricane Ida.**

## **6. Appointments:**

### **a. Appointment and swearing in of FDMT Special Fire Police Officer:**

**MOTION: Upon motion by Ms. Long, seconded by Ms. Chimera and unanimously carried, the Board appointed Angel Gabriel Mejias to the position of Special Fire Police Officer, effective September 13, 2021 and welcomed him to Montgomery Township.**

### **b. Appointment to the Business Development Partnership:**

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board appointed Ryan P. Frazier to the Business Development Partnership to complete the unexpired term of Bob Cole.**

## **7. Consent Agenda:**

**MOTION: Upon motion by Ms. Chimera, seconded by Mr. Quigg and unanimously carried, the minutes of the August 23, 2021 meeting and the Bills List dated September 13, 2021 were approved as presented.**

**8. Public Comment** – Under public comment, Richard Roller of 1142 Knapp Road, and Township representative on the Northern Montgomery County Recycling Commission, presented a check in the amount of \$43,949.84 which represents the Township's residents and businesses recycling efforts for the year 2020.

Also under public comment, Wayne Beck of 207 Grays Lane stated that he opposed the recent behavior of Supervisor Beth Staab. Mr. Beck said that her conduct was unjustifiable and the excuse of a momentary lack of judgment was not acceptable as this behavior occurred on a school property. Mr. Beck also stated that Ms. Staab should be held to a code of conduct as a supervisor and that she should step down from her position as it paints the Township in a bad light.

Also under public comment, Joanne Cunningham of 117 Narcissus Way stated that all elected officials are representatives of the Township, and they have a duty and obligation to treat others with respect. Ms. Cunningham stated that she was concerned about issues raised recently on social media regarding an unpleasant incident involving Supervisor Beth Staab and that she felt that Ms. Staab must make a public apology.

Also under public comment, Mike Woznyj of 400 Pimlico Way stated that he was concerned about the number of medical marijuana facilities that are coming to the Township. Ms. Chimera stated that she had spoken to State Rep. Todd Stephen's office regarding any measures being put in place by the State to regulate how many facilities can be located in one area. Mr. Shoupe explained that the marijuana shops are retail sales and are therefore permitted in the Township. The Board confirmed that they are following up with Rep. Stephens office on this matter.

**Planning & Zoning:**

**9. Public Hearing: Ordinance #21-322 – Regulating Outdoor Dining:** Ms. Bamford opened the public hearing at 7:37 p.m. Notes of testimony were taken by Court Stenographer Tim Kurek. Mr. Shoupe stated that as directed by the Board, in coordination with consultants, staff created an amendment to permit outdoor dining 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. There were no comments from the Board or public.

Upon motion by Ms. Long, seconded by Ms. Chimera and unanimously carried, the hearing was closed at 7:41 p.m.

**MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, Ordinance #21-322 – Text Amendment 230-156.4 Outdoor Dining as a By-Right Use was approved.**

**10. Escrow Release No. 2 for Water Tower Square Associates – Millers Ale House:**

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board authorized 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.**

**11. Escrow Release No. 1 for Montgomery Crossing Associates – Firebirds Restaurant:**

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board authorized a construction escrow release in the amount of \$266,580.05 as recommended by the Township Engineer for Montgomery Crossing Associates, contingent upon payment of all outstanding bills.**

**12. Escrow Release No. 3 for PEMV Partners LP – Pete’s Car Wash:**

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board authorized a construction escrow release in the amount of \$39,591.37 as recommended by the Township Engineer for PEMV Partners LP.**

**13. Escrow Release No. 8 for Skrolling Stone Investment – Steever Manor House:**

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board authorized a construction escrow release in the amount of \$120,059.35 as recommended by the Township Engineer for Skrolling Stone Investments, contingent upon payment of all outstanding bills.**

**14. Escrow Release No. 5 and Start of Maintenance Period for 309 Automall Properties, L.P. for Montgomeryville Nissan:**

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board authorized a construction escrow release in the amount of \$61,647.62 as recommended by the Township Engineer for the 309 Automall Properties, L.P. – Montgomeryville Nissan, contingent upon payment of all outstanding bills, and receipt of an as-built plan, and approved maintenance security in the amount of \$61,647.62.

**15. Escrow Release No. 1 for Montgomery Retirement Residence LLC:**

**MOTION:** Upon motion by Ms. Chimera, seconded by Mr. Quigg and unanimously carried, the Board authorized a construction escrow release in the amount of \$147,664.00 as recommended by the Township Engineer for Montgomery Retirement Residence, LLC.

**16. Escrow Release No. 2 and End of Maintenance Period for BJ's Fueling Station:**

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board authorized 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 BJ's Wholesale Club, Inc., contingent upon payment of all outstanding bills.

**17. Waiver of Permit Fee for Special Event – Bharatiya Temple Ganesh Festival:**

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved 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 through the 19, 2021.

**Public Safety:**

**18. Acceptance of 2020 FEMA Fire Prevention & Safety Grant:** Ms. McCreary reported that the FDMT was notified 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. A condition of the grant required the FDMT to contribute non-federal funds, equal or greater than 5% of the federal funds awarded, or \$3,761.90 for a total of \$79,000.00. The grant will provide smoke detectors, public fire and life saving educator training, smoke detectors for hard of hearing and CO detectors.

**MOTION:** Upon motion by Ms. Chimera, seconded by Mr. Quigg and unanimously carried, the Board authorized 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.**

**Information Technology:**

**19. Outdoor Digital Signage for Township Facilities:** Mr. Grier reported that three COSTARS approved vendors were contacted and instructed to prepare proposals which would meet, at minimum, the requirements for upgrades to the Township's digital signs. The 2021 Capital Improvement Plan included funds for upgrades to the digital signs in the amount of \$98,000.00. The Haverford Systems Inc. (HIS) proposal met all of the requirements and included additional features above those requirements. The signs were demonstrated onsite which allowed staff to view the resolution and brightness in a proposed location. The additional supplemental funds would come from Capital Reserve Funds. Discussion followed. Under public comment, Mike Woznyj of 400 Pimlico Way inquired if the Cloud based services would be in the United States. Mr. Grier stated that the cloud-based service would be Verizon 5G which is based in the United States.

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the purchase and installation of outdoor digital signs for the Township Building, Recreation Center and both Firehouses as per the quote provided by Haverford Systems Inc., for \$119,780.16.**

**Administration & Finance:**

**20. Resolution Approving Procedures for Act 101 Violations:** Ms. McCreary reported that the Township is one of eleven (11) municipalities who are members of the Northern Montgomery County Recycling Commission (NMCRC). In September 2020, the Board adopted a resolution to address Act 101 violations. Subsequently the NMCRC notified the Township that several members modified the resolution before adopting it which is not permitted. The resolution has been revised again and members have been asked to adopt the revised resolution as presented.

**MOTION: Upon motion by Ms. Chimera, seconded by Mr. Quigg and unanimously carried, the Board approved 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 NMCRC.**

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

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board adopted Resolution No. 2021-36, accepting the 2022 MMO for the Police Pension Plan in the amount of \$631,028; and accepting the 2022 MMO for the Non-Uniformed Employees' Pension Fund in the amount of \$313,632.**

**Other Business:**

**22. Adjournment:** Upon motion by Ms. Bamford and seconded by Ms. Chimera, the meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary