

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

**1. Call to Order:** The December 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 7:05 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 Fire Services, William Wiegman  
Director of Finance, Brian Shapiro  
Director of Admin. & Human Resources, Ann Shade  
Director of Planning & Zoning, Bruce Shoupe  
Director of Public Works, Greg Reiff  
Director of Rec. & Community Ctr., Floyd Shaffer  
Director of Information Technology, Rich Grier  
Public Information Coordinator, Derek Muller  
Information Tech, Favian Ruiz  
Recording Secretary, Deborah A. Rivas

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

- Our annual Toys for Tots drive is winding down. Thank you to everyone who contributed this year. Toys are being collected through December 15<sup>th</sup>.
- Ms. Bamford acknowledged Mr. Quigg on his retirement from the Board of Supervisors and thanked him for his service to the community over the last four years.

**4. Public Comment** – Mary Beth Meehan of 113 Conrad Lane, stated that she was the Chair of the Park and Recreation Board and expressed her disappointment in the lack of response from the Board of Supervisors regarding the Park Board presentation made in July of this year for the consideration of an ordinance to preserve and protect Windlestrae Park. Ms. Meehan stated that she reviewed the agendas and minutes of the last several months of Board meetings and was also disappointed to hear that the Board spent a considerable amount of time discussing a backyard chicken ordinance as well as a presentation from Montgomery United Soccer requesting turf fields be considered for Windlestrae Park. In addition, Ms. Meehan was disappointed to learn that the Board authorized a \$10,000 study in the budget to review the feasibility of turf fields. Ms. Meehan said that she felt that the Park Board's voices were not being heard and that she was being treated as an adversary and is not being reappointed after one term on the Park and Recreation Board. Ms. Bamford apologized for the lack of proactive communication and advised Ms. Meehan that she was being invited to continue for another term. Ms. Bamford stated the presentation had taken the Board by surprise as the Park Board had taken this initiative on by itself and the Board was not prepared to have a discussion at that

time. Ms. Meehan asked the Board to commit to a future discussion at a January Board meeting and Ms. Bamford stated that the Board would consider her request to place the discussion on a January agenda.

Linda Brooks, 217 Mallard Drive, and Vice Chair of the Park Board, of which she has served over 10 years, stated that communication matters to her and that as a volunteer, she is on the Board's side. The Park Board needs to be stewards of the Township's future, promoting clean air and preserving natural resources and Ms. Brooks asked the Board how it plans to preserve the parks. A written statement provided by Ms. Brooks is attached to and provided as part of these minutes. Ms. Bamford stated that she is aware of how important our parks are, and she will come to the next Park Board meeting for a discussion.

Marilyn Tontoni, of 219 Mallard Drive, stated that our parks are the most valuable natural resource. She led the charge opposing the installation of the disc golf course years ago. She walks through Windlestrae Park from her home and many residents she encounters state that they were not aware of all the parkland that exists in the Township.

Hope Grosse, of 115 Samantha Lane, stated she is a 29-year resident of the Township and a soccer mom, stated that her goal is to protect children's health. She is familiar with turf fields and PFAS which are toxic chemicals used in the production of turf fields. Ms. Grosse is a cofounder of Buxmont coalition for safer water, educating the community about environmental toxins. She requested to be included in the group which will review turf fields and review the study that was authorized by the Board. She also requested to be on a future Board agenda to discuss more information about turf fields. Mr. Kilkenny suggested that Ms. Grosse forward her information to the Township Manager for consideration and when and if a study is done and confirmed that a public vote would be held if the Board were to move forward with awarding a study to a vendor. A written statement provided by Ms. Grosse is attached to and provided as part of these minutes.

Amy Hanson, of 116 Gwymont Circle, stated she had come before the Board in early November to provide an update on her attempts to apply for a zoning variance for a special exemption to raise backyard chickens. Ms. Hanson indicated that she had forgotten two other points that she wanted to bring to the Board's attention. 1) In her preparation of the Zoning Hearing Board application, she sent letters to 30 neighbors proactively informing them of her intent to request a variance to raise backyard chickens; and 2) Upon the recommendation to seek the advice of an attorney, she received various quotes ranging from \$6,000 to \$10,000 to represent and fill out the application. Ms. Hanson stated that it would be better for residents to have an easier path to legal backyard chickens without the excessive legal fees and \$600 Zoning Hearing Board application fees.

**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 6:15 p.m. to discuss personnel matters. Mr. Kilkenny stated that the topic discussed is a legitimate subject 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 November 22, 2021 meeting and the Bills List dated December 13, 2021 were approved as presented.**

**7. Presentation – Recognition of Master Bong Pil Yang:** Ms. Bamford stated that the Board wished to recognize a Township resident who celebrated a milestone in 2021. Master Yang is known by many as an engaged citizen and leader of the Korean community, not only in Montgomery Township but the greater North Penn community as well. Earlier this year Master Yang's family, friends and associates gathered to celebrate his 70<sup>th</sup> birthday. The Board presented Master Yang with an American Flag that was flown over the American Korean Alliance Peace Park, as Master Yang was instrumental in having it designed and built in Montgomery Township.

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board formally recognized Master Bong Pil Yang for his 70<sup>th</sup> birthday and wished him many happy, healthy, and prosperous years ahead.**

**8. Introductions: Ready for 100 Committee Members –** Ms. McCreary announced that that the Township received applications from several residents interested in serving on the newly formed Ready for 100 Committee. This committee is an initiative of the Sierra Club brought forward by Ms. Staab who will serve as the Board liaison and coordinator of activity as the committee begins its work. Richard Roller and Kevin Kowalick provided brief backgrounds of their various activities and interests and why they wished to serve on the committee. Ms. Bamford thanked them both and stated that they would be appointed to the committee at the re-organization meeting. She also announced that there are more vacancies on this committee.

## **Planning and Zoning:**

**9. Public Hearing – Higher Rock Partners LP/W.B. Homes Inc. - Conditional Use Hearing:** Ms. Bamford opened the hearing at 7:53pm. Notes of testimony were taken by Court Stenographer Tim Kurek. Carl Weiner, Esquire, represented the applicant, Higher Rock Partners. The applicant is proposing the development of the vacant 4.5 +/- acre parcel of land (aka 105 Witchwood Drive) behind the Wawa on Bethlehem Pike for approximately 36 Residential Townhouses. Witnesses who testified for Higher Rock Partners were Ronald Klos, Jr., P.E. of Bohler Engineering and Christopher Canavan, President of W.B. Homes Inc. The Board expressed concerns regarding sufficient number of parking spaces, especially for visitors and the number of children who may reside there, adding to the school system population. At the conclusion of testimony, questions and no public comment, the hearing closed at 8:30 p.m.

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the conditional use permitted for Higher Rock Partners LP/W.B. Homes Inc. townhouse development with the additional condition of reviewing the shared parking arrangements during the land development process.**

**10. Adoption of Ordinance #21-325 – Landscape Amendment** – Staff and Township professionals discussed the need to update the Township’s landscape ordinance due in part to 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 adopted Ordinance #21-325, amending the Township’s landscape ordinance.

**11. 2021 Tree City USA Recertification and Growth Award:**

**MOTION:** Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board approved the applications for Montgomery Township to receive the 2021 Tree City USA Recertification and 2020 Growth Award.

**12. Escrow Release #1 – Montgomery Realty Association, LLC:**

**MOTION:** Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board authorized a construction escrow release in the amount of \$15,302.50 as recommended by the Township Engineer for Montgomery Realty Association, LLC.

**13. Escrow Release #6 – PEMV Partners, LP – 1274 Welsh Road (Pete’s Car Wash):**

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board authorized a construction escrow release in the amount of \$229,675.54 as recommended by the Township Engineer for PEMV Partners, LP.

**Administration & Finance:**

**14. Affirm Criteria for Qualified Active Member Status and Resolution 2021-39, Setting the Volunteer Firefighter Stipend for 2022:** Ms. McCreary reported that the Township approved the First Responder Recruitment and Retention Stipend on April 12, 2020 to incentivize volunteer first responders for their service. The Township must acknowledge the fire company’s written criteria for determining Qualified Active Member Service.

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board affirmed the FDMT criteria for determining Qualified Active Member status and authorized Resolution 2021-39, setting the Volunteer Firefighter Stipend for 2022 at \$500 per Qualified Active Member.

**15. Adoption of the 2022 Budget:** Ms. McCreary reported that the Township Department Heads drafted operating budgets which were reviewed by the Finance Director and Township Manager.

The proposed capital expenditures were presented in September and the proposed operating budgets were presented by Departments and discussed with the Board of Supervisors at worksessions in October.

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board adopted the 2022 budget for all funds with expenditures totaling \$26,221,979.**

**16. Establish Real Estate Tax Millage for 2022:** Ms. McCreary reported that staff is recommending that the Board consider a 1 mill property tax increase, which would be the first in 15 years. The 1 mill property tax increase will generate about \$1.9 million and be used for costs related to fire services, parks, and debt service. Without this increase in revenue the Township could not transfer dollars for fire services, parks, and debt service without completely depleting its reserves and potentially cutting back on some services in 2023.

Proposed expenditures, including those related to capital projects, total \$26.7 million with \$13.9 million in the General Fund, which pays for 24/7 Police Department protection, Public Works, Code Enforcement, Planning/Zoning, and Administration. Expenditures for this budget are \$50,000 less than 2021.

Fire services will account for \$1.5 million of the total expenditures to ensure the continued level of service with paid full-time career staff during the day and a committed group of volunteers serving on nights and weekends.

In 2021 the Township refinanced the bond associated with the construction of the Community and Recreation Center (CRC), resulting in \$1 million savings to the Township's taxpayers. However, Ms. McCreary noted it is unrealistic for the annual debt payment to be covered by users of this community asset. This tax increase will establish a steady revenue stream until the debt is paid off.

She reminded the Board the approved borrowing of \$15 million earlier this year is solely for capital projects and is expected to be depleted with the completion of the Township's five-year Capital Investment Plan.

Capital projects of \$8.1 million for 2021 include road paving projects, installation of two bocce ball courts, construction of a second dog park, completion of a trail connector from the 202 Parkway to the CRC, installation of crosswalks with pedestrian activated flashing beacons at two park entrances, replacement of a fire truck, replacement of Public Works equipment, and replacement and improvements to traffic signals. Without this borrowing necessary infrastructure improvements could not be completed. It allows the Township to maintain money in its capital reserves for unforeseen expenditures and unexpected opportunities like developing more parkland or acquiring open space.

In closing Ms. McCreary reported the Township is receiving \$2.7 million federal ARPA funds that it will utilize for stormwater management projects. Some of these are required due to our MS4 permit requirements and because we are part of the Wissahickon watershed. Township staff advised the Board of Supervisors that this use will be the most significant with the broadest impact particularly after witnessing the effects of Hurricane Ida.

**MOTION: Upon motion by Ms. Chimera, seconded by Mr. Quigg and unanimously carried, the Board adopted Resolution #2021-40, setting the real estate tax millage at 2.49 mils and the homestead exclusion at \$30,000 for 2022.**

**17. Approve Montgomery Township Municipal Sewer Authority (MTMSA) 2022 Budget:**

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the MTMSA budget for the fiscal year 2022.**

**18. Approve Montgomery Township Municipal Sewer Authority (MTMSA) 2021 Tapping Fee Agreements:**

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board confirmed that they have reviewed and approved the MTMSA tapping fee agreements as presented.**

**19. Approve Disposal of Non-Permanent Township Records:**

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the disposal of non-permanent Township records as noted.**

**20. Approve ExactHire Applicant Tracking and Employee Onboarding Software:**

**MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board accepted the proposal from ExactHire for the purchase of a hiring and new employee onboarding system at the cost of \$5,880.00.**

**Public Safety:**

**21. Advertise Ordinance Amendment: Appointment and Duties of Fire Chief:** Ms. McCreary reported she and the Director of Fire Services have been working to eliminate any conflicting language in the fire services agreement and ordinance while the volunteers of FDMT are simultaneously updating their bylaws. This is being done to operationally and administratively to support the vision of One Department, One Mission.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board authorized the advertisement of an ordinance amendment**

**changing the title of the Director of Fire Services to Fire Chief and reflecting this change in the duties as described.**

**Other Business:**

**22. Department Reports:** There were no questions for the Department Heads regarding their reports for the month of November.

**23. Committee Liaison Reports:** Ms. Chimera reported that the Planning Commission held another Comprehensive Plan meeting which was not well attended. Ms. Chimera was disappointed that more residents are not interested in making decisions about the future land use of the Township.

Mr. Quigg thanked his fellow Board members for the pleasure of serving with them over the last two years, as well as former Supervisors Fox and McDonnell the two years prior. He also thanked the Township staff and said he never really thought about how much work goes on behind the scenes that most people don't necessarily notice. Mr. Quigg said that there is so much great work that goes into making Montgomery Township a wonderful place to live, raise a family, to own or run a business or to work in. Mr. Quigg thanked every person in every department for all of their hard work every day.

**15. Adjournment:** Upon motion by Ms. Bamford and seconded by Ms. Chimera, the meeting was adjourned at 9:02 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary