

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
JANUARY 24, 2022**

1. Call to Order: The January 24, 2022 public meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Chairwoman Tanya C. Bamford called the meeting to order at 7:00 p.m.

IN ATTENDANCE:

Chair Tanya C. Bamford
Vice Chair Candyce Fluehr Chimera
Supervisor Annette M. Long
Supervisor Beth A. Staab
Supervisor Audrey R. Ware
Township Manager, Carolyn McCreary
Township Solicitor, Sean Kilkenny, Esq.
Township Planner, Judith Stern Goldstein

ALSO, IN ATTENDANCE:

Police Chief, J. Scott Bendig
Director of Fire Services, William Wiegman
Director of Finance, Brian Shapiro
Director of Public Works, Greg Reiff
Director of Rec. & Community Ctr., Floyd Shaffer
Director of Information Technology, Rich Grier
Public Information Coordinator, Derek Muller
Deputy Zoning Officer Marianne McConnell
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:

- The Township has been awarded a grant from the PA Department of Conservation and Natural Resources in the amount of \$250,000, which will be utilized to refurbish Fellowship Park. The proposed work includes the replacement of existing playground equipment with a new playground consisting of inclusive, accessible, sensory play structures, and a pour-in-play safety surface. The site will be enclosed by a fence and include shade structures.
- The Township will host another electronic recycling event on Saturday, April 23, 2022 from 9 AM to Noon at the William F. Maule Park at Windlestrae. The event is free but requires pre-registration to attend.
- The Board acknowledged the contributions of its many volunteer committee members and solicited for new volunteers to join the Township on several committees with vacancies.
- The Board thanked our residents for their generosity in participating in the Toys for Tots campaign as well as the Lt. Patty Simons Food Drive.
- The Board took a moment to remember Canine Cody, loyal partner to Officer Joe McGuigan who was lost suddenly on Tuesday, January 11. Cody will be greatly missed.

4. Public Comment – Ralph Schurr of 109 Hemlock Drive stated that has been a resident for 50 years and has volunteered for many years in youth sports, senior sports and activities and has served as a member of the Township Senior Committee since 2008. Mr. Schurr stated that he had received a letter from the Township indicating that he would not be reappointed for another

term. Mr. Schurr requested the Board reappoint him to the committee or give him a reason as to why he was not reappointed. Ms. Bamford thanked Mr. Schurr for his service and stated that from time to time, the Board likes to change the membership of the committees to allow fresh perspectives to be present. He is welcome to attend the meetings as they are public meetings, but the Board decided to give other residents an opportunity to serve on Township committees.

5. Announcement of Executive Session – Township Solicitor Sean Kilkenny, Esquire, announced that the Board of Supervisors met in an Executive Session on Friday, January 14, at 4:00 p.m. to discuss a personnel 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.

6. Consent Agenda:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the minutes of the January 3, 2022 meeting, the Escrow Release #6 for Firefox Phase 2 and the Escrow Release #7 for PEMV Partners, LP were approved as presented.

7. Introduction – Interested Committee Members: Ms. McCreary reported that the Township has been receiving new applications from residents interested in serving on Township committees. Three of those residents are present, the fourth was unable to attend, to introduce themselves and provide a summary of their interest in serving. Staff is recommending that the Board consider appointing these residents to their respective committees.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board appointed the following residents to committees and boards of the Township:

Lynne Reamer	Parks & Recreation	Term expires 01/01/2027
Heather Pelletier	Parks & Recreation	Term expires 01/01/2027
Jonathan Katz	Environmental Advisory Committee	Term expires 01/01/2025
Catherine Mazzie	Environmental Advisory Committee	Term expires 01/01/2025

8. Presentation: Penn Medicine Proposed Land Development Project – David Falcone, Attorney, Saul Ewing, Theresa Larivee, CEO, Pennsylvania Hospital at Penn Medicine, Scott Huff, Architect, Stantec and Tim Woodrow, Site Engineer/President, Woodrow & Associates were in attendance to provide a conceptual planning presentation for a Proposed Ambulatory Health Care Center to be constructed at DeKalb Pike near the intersection of Welsh Road. Penn Medicine is looking to expand patient care and access to the community of Montgomery County by developing high quality – ambulatory care closer to home for county residents. The facility would provide all outpatient services, with no hospital beds, overnight stays, or emergency department. Ms. Larivee discussed the services that would be provided at the facility and the benefits to the community. Mr. Huff discussed the proposed development of an approximately 150,000 gsf, 3-story building, a structured parking garage, surface parking, landscaping, pedestrian connections,

storm water management, and neighborhood buffering. Mr. Huff indicated that they are sensitive to the surrounding residential area. The operating hours would be 7:00 a.m. to 8:00 p.m. on weekdays and 7:00 a.m. to 4:00 p.m. on Saturdays, with the urgent care center operating on Sunday as well. The Board expressed their excitement that Penn Medicine was interested in locating a facility in the Township, how beneficial it would be for patients in the area and the reputation that Penn Medicine brings to the community. The Board appreciated the presentation and looked forward to discussing the next steps.

Planning and Zoning:

9. Bharatiya Temple Learning Center – Preliminary/Final Land Development: Ms. McCreary reported that representatives from the Bharatiya Temple were present to seek preliminary/final land development approval for their property located at 1612 County Line Road. The Planning Commission reviewed the project and made a recommendation that the Board consider approving the plan. The applicant would have to meet the requirements outlined in the consultants and staff reviews, and also the requirements of the land use settlement stipulation verification agreement which was ordered by the Montgomery County Court of Common Pleas. Mr. David Caracausa, Rick Mast, P.E. and Nand Todi, Trustee of the Bharatiya Temple were in attendance to present the plan and discuss the waivers being requested. After considerable discussion, the applicant agreed to install sidewalk along the front of the property and extend it to their property next door. The applicant also agreed to install eight (8) trees. All waivers requested were granted, except for the basin fencing which the Board is requiring for safety reasons. At the conclusion, Mr. Todi outlined the various services to the community that the temple has provided over the last few years.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board approved Resolution #2022-06, authorizing the preliminary/final land development for the Bharatiya Temple Learning Center Phase II.

10. Shake Shack, Airport Square – Land Development – Ms. McCreary reported that Attorney Jim McGarrity was present to seek land development approval for his client, Shake Shack, for the property located at the Airport Square Shopping Center at the former Wendy's Restaurant pad site. The Planning Commission recommended the project, subject to the consultants and staff reviews. Mr. McGarrity discussed the sidewalk which will extend down to the Bonefish Grill driveway and will be incorporated into the Board's plan for walkability in that area. After some discussion, the applicant agreed to install the sidewalk, curb, handicap ramps and pedestrian crossings and the Board agreed to grant the waivers requested for fee in lieu of items.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board adopted Resolution #2022-05, approving the Shake Shack Land Development Plan.

11. Board Positions for Zoning Hearing Board Applications: Ms. McCreary presented four applications to be considered by the Zoning Hearing Board at their February meeting. The first

application is for Caliber Capital, LLC, 739 Bethlehem Pike for a proposed car wash which requires a variance to allow a less than 25-foot wide landscaped area along the side yards of the property and a variance to allow for no loading space as a proposed car wash does not need a loading space for the operation of its business. The second application is for 700 Moons LLC / Bethlehem Pike for the construction of a two-story mixed use, retail and office building with associated parking, storm water management, and retaining walls. The applicant is seeking relief for a reduction of the rear yard setback, a reduction in height of the retaining wall and a variance for the parking ration. The third application is for TruMark Financial Credit Union / 1200 Welsh Road for an additional freestanding sign along Welsh Road. The Board declined to intervene on these applications. The fourth application is for Huang / 211 Knapp Road for the construction of a two-story structure with roof overhangs and landing with stairs, not meeting the side and rear yard setback requirements. The applicant is seeking variances for this 560-foot two-story structure. The Board authorized the Solicitor's office to oppose this application.

12. Ordinance #22-327 – Amendment to Fire Department Ordinance – Appointment of Fire

Chief: Ms. McCreary reported that the Township Manager and 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 support the vision of One Department, One Mission.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board adopted Ordinance No. 22-327, changing the title of the Director of Fire Services to Fire Chief and reflecting this change in the duties as described.

13. Purchase of Replacement Police Vehicles:

MOTION: Upon motion by Ms. Long, seconded by Ms. Chimera and unanimously carried, the Board awarded the contract for the purchase of three 2022 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 \$108,000.00 per their quote dated August 9, 2021.

MOTION: Upon motion by Ms. Long, seconded by Ms. Chimera and unanimously carried, 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 \$41,179.95 per their quote dated September 2, 2021.

Administration & Finance:

14. Manager's Employment Agreement:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the employment agreement for the Township Manager

for the period of 01/01/22 to 12/31/23 and authorized the Chairwoman to execute the agreement on behalf of the Township.

15. Resolution 2022-03 – Board of Supervisors Public Meeting Guidelines: Ms. McCreary reported that in preparation for the reorganization meeting and the start of 2022, staff reviewed the guidelines for the public meetings and hearings before the Board of Supervisors. The printed guidelines were available to those attending the meeting and found next to the agendas in the back of the meeting room. The guidelines were established in 1999 and revised in 2009. The Solicitor recommended that they be formalized by a resolution which would consolidate multiple documents, making it easier for the Board to refer to, and for the public to find on the Township website.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board adopted Resolution No. 2022-03 memorializing the guidelines established for the Board of Supervisors' public meetings.

16. Advisory Committee Bylaw Amendments: Ms. McCreary reported that in preparing for the reappointment of volunteers to the various committees, she learned that each committee has a set of bylaws which appear to follow a template for consistency. Most have not been reviewed since 2009. With the formation of two new committees, it was a good time to review all bylaws and determine if any updates were needed. The proposed changes include eliminating language noting a specific day and/or time a committee must meet, the inclusion of language concerning postings made on social media or in print as a representative of the Township, and the prohibition of using the Township seal or other designation without proper consent. Additionally, it was suggested that the Board consider removing the mission statement from the Parks and Recreation Advisory Board's bylaws as it is the only committee with a separate mission statement, and its purpose is defined in the bylaws. An example set of bylaws was provided for discussion purposes.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board amended the Volunteer Committee/Commission/Board bylaws as described.

17. Reappointment of Kim Greene to the Parks & Recreation Advisory Board: Ms. McCreary stated that Ms. Greene had not received our communications inquiring if she desired to be reappointed to the Park and Recreation Board as a result of a change in her email address. After the January Park Board meeting, Ms. Greene contacted the Township and advised that she would like to continue to serve on this committee.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board reappointed Kim Greene to the Park and Recreation Advisory Board with a term expiring on January 1, 2027.

18. Manager's Report:

a. Volunteer Appreciation Event – Ms. McCreary reported in the past the Township has recognized its volunteers at a dinner or brunch. The event was discontinued and in place of it, gifts of appreciation were purchased for the volunteers. The last event was held in 2018. Staff is seeking the Board's consensus to explore options to resume holding something to thank the residents who serve on our various committees. The Board was in favor of a social gathering with outdoor patio options where volunteers could mingle together and enjoy some refreshments. Staff will report back to the Board with suggestions and cost details.

b. Application for Disaster Assistance – Ms. McCreary reported that the Sewer Authority Director, Shannon Drosnock, advised her about severe streambank erosion caused by significant flooding in the Little Neshaminy Creek caused by Tropical Storm Ida. The Township Engineer visited the site and photographed the area. MTMSA and the Township have sent a letter to the Natural Resources Conservation Service (NRCS) requesting Federal assistance under the provisions of the Flood Control Act to restore the damaged areas. There is no impact to the Township's budget at this time except for engineering costs. If funding is received, we cannot undertake any activities to remediate the area prior to signing an agreement with NRCS.

c. Resolution 2022-04 Supporting the PA Commission for the US Semiquincentennial - Ms. McCreary presented a resolution endorsing the America250PA Commission. This commission was established by the PA legislature and Governor Wolf as part of a nationwide effort to plan, encourage, develop and coordinate the commemoration of the 250th anniversary of the United States' founding.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board adopted Resolution 2022-04 endorsing America250PA.

Other Business:

22. Department Reports: There were no questions for the Department Heads regarding their reports for the month of December. Derek Muller, Public Information Coordinator, presented a report on statistics for social media public outreach. Mr. Muller reported on the overall growth of social media though 2021. Tracking these insights allows the Township to determine the direction of future content, including new content designed to engage the community. The reports highlighted the growth of Facebook, Instagram and Twitter platforms. The Montgomery Township Police Department Facebook page remains the social media page with the highest public engagement.

23. Committee Liaison Reports: Ms. Staab reporting that the EAC would be meeting the next day.

Ms. Long reported that the Public Safety Committee discussed the new tower ladder, snow removal, vehicle accident increases, the Citizens Police Academy returning, meeting the new VMSC Chief, Shane Wheeler, and the consideration of leash laws for Township parks. The Community and Recreation Center Committee met and discussed the increase in activity at the center during the month of December and the various activities. Ms. Long also mentioned that the CRC committee would like to look at how they can help financially with ideas for the center whether its generating income or fundraising, they want to come up with some ideas.

Ms. Ware met with the Senior Committee and the existing members wanted to make sure that they were still a value add to the Township and that the Board fully supports them. The committee will be repurposing their purpose and each member has committed to soliciting two new volunteers to join the committee. The committee also changed their meetings to be held monthly this year.

Ms. Chimera reported that the Planning Commission met to reorganize. The Park and Recreation Board reviewed their membership and were excited to add two additional members to bring in some new ideas, creativity and flexibility.

Ms. Bamford attended the Shade Tree Commission meeting which was very productive. She learned some things about the Township's involvement in certain aspects of the parks. The Sewer Authority will be participating in a national study called the National Wastewater Surveillance System. A tool will be created to assist in providing an early warning system for the presence of COVID and new COVID variants across the nation.

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

Respectfully submitted,

Deborah A. Rivas, Recording Secretary