

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
AUGUST 22, 2022**

1. Call to Order: The August 22, 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 7:02 p.m.

IN ATTENDANCE:

Chair Tanya C. Bamford
Vice Chairwoman Candyce Fleuhr Chimera
Supervisor Annette M. Long
Supervisor Beth A. Staab
Supervisor Audrey R. Ware
Township Manager Carolyn McCreary
Township Solicitor Sean Kilkenny, Esq.

ALSO, IN ATTENDANCE:

Police Chief, J. Scott Bendig
Fire Chief, William F. Wiegman
Director of Planning, Bruce Shoupe
Director of Public Works, Greg Reiff
Director of Comm. Ctr & Recreation Floyd Shaffer
Public Information Coordinator Derek Muller
Recording Secretary, Deborah Rivas

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

- The Battle of the Badges Blood Drive will be held tomorrow from 9:00 a.m. to 7:00 p.m. at the Community and Recreation Center. Our Fire and Police Departments will face off in a friendly competition to save lives. Donors can cast their votes for their favorite team to determine the winner. Some appointments are still available. Free giveaways and T-Shirts will be available.

4. Public Comment – Ben Hartranft of 105 Bellows Way announced that there will be a fundraiser in support of the Philadelphia Eagles Autism Challenge Give Back Night at Miller’s Ale House in Montgomeryville on Wednesday, August 24th from 11am to 11pm. Ben also announced that his mother recently published a book about raising an autistic child called “Swinging from the Chandelier”. Ben stated that he was very proud of his mother and her new book.

5. Announcement of Executive Session – Township Solicitor Sean Kilkenny, Esquire, announced that the Board of Supervisors met in an Executive Session earlier this evening at 6:30 p.m. to discuss two litigation 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 (5-0), the minutes of the July 25, 2022 meeting, the ratification of payment of bills for August 8, 2022, the payment of bills for August 22, 2022, End of Maintenance

Period for 309 Automall Properties, L.P. – Montgomeryville Nissan, and Escrow Release #5 (\$34,175.00) for Montgomery Realty Associates LLC for 740 Bethlehem Pike were approved as presented.

Recognition:

7. Promotion of Officer Joseph Schott to Sergeant: Chief J. Scott Bendig announced that Sergeant Robert Hart will retire on September 1, 2022. As a result, a supervisory vacancy will exist within the Department. In October of 2021, a multiple-phase promotional process was initiated. The process included both a written examination and an oral review board. After this highly competitive process, Officer Joseph Schott was ranked the top candidate and is recommended for promotion to the rank of Sergeant.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried (5-0), the Board promoted Officer Joseph Schott to the rank of Sergeant for the Montgomery Township Police Department effective September 1, 2022.

Swearing In:

8. Appointment and Swearing in of New FDMT Fire Police Officers:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long, and unanimously carried (5-0), the Board appointed Robin Robinett, Annie Robinett, and Lorena Rosario-Mejias to the position of Special Fire Police Officers, effective August 22, 2022, and welcome them to Montgomery Township.

Planning and Zoning:

9. Advertisement of Amendment to Stormwater Ordinance (22-330): Mr. Shoupe reported that the Township must update its Stormwater Management Ordinance to comply with the PA Department of Environmental Protection's (PADEP) new MS4 Stormwater requirements. It has been recommended that the Township repeal the existing Ordinance #15-291 and replace it with a new ordinance which complies with the new standards.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried (5-0), the Board authorized the advertisement of Ordinance #22-330 for consideration at the Board of Supervisors' regularly scheduled meeting on September 12, 2022.

10. Advertisement of Amendment to Zoning Code – Medical Marijuana, Smoking Lounges, Vape Shops: Mr. Shoupe reported that the Township wishes to update the Zoning Code to provide definitions and word usage for Medical Marijuana Dispensaries / Grower / Processors / Smoking Lounges / Vape Stores, subject to certain criteria requirements and locations. Ms Bamford inquired if the current stores would be subject to the new ordinance and Mr. Shoupe

explained that any existing stores would be grandfathered in. If an existing store closed and remained vacant for one year, a new store selling these products would then be subject to the new ordinance.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried (5-0), the Board authorized the advertisement of Ordinance #22-329Z for consideration at the Board of Supervisors' regularly scheduled meeting on September 12, 2022.

11. Advertisement of Amendment to Zoning Code – Ambulatory Health Care Center: Mr. Shoupe reported that the Township wishes to update the Zoning Code to allow Ambulatory Health Care Center in the C-Commercial zoning district by Conditional Use.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried (5-0), the Board authorized the advertisement of Ordinance #22-331Z for consideration at the Board of Supervisors' regularly scheduled meeting on September 12, 2022.

Public Works:

12. Ratification of Change Order for Road Paving Project: Mr. Reiff reported that earlier this month, as the paving project was underway for 2022, it was determined that the Township Engineer inadvertently excluded part of Domorah Drive in the contract. The Township Manager was notified of this oversight and the resulting incomplete paving of Domorah Drive. She verbally approved the additional paving, noting it would be brought before the Board of Supervisors at their August 22nd public meeting. Ms. McCreary is requesting the Board of Supervisors ratify her approval of the change order from James D. Morrissey, Inc. in the amount of \$18,983.20 as recommended by Gilmore & Associates, Township Engineer.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Ware and unanimously carried (5-0), the Board approved the change order from James D. Morrissey, Inc. in the amount of \$18,983.00 as recommended by Gilmore & Associates, Township Engineer.

13. Award of Bid for Traffic Signal Modernization: Mr. Reiff reported that the Township received bids utilizing PennBid on August 9, 2022 for the Traffic Signal Modernization on Bethlehem Pike (SR 0309) and the Montgomery Mall Access Drives project. Gilmore & Associates, Township Engineer, reviewed the four (4) bids ranging from \$1,264,205.80 to \$1,614,159.20. Township Engineers prepared a cost estimate of \$1,046,115.00 which was included in the 2022 approved final Budget. Gilmore & Associates is recommending that the bid be awarded to the lowest responsible bidder, Marino Corporation at a cost of \$1,264,205.80. Ms. McCreary reminded the Board that a \$400,206.00 grant was received from the Greenlight Go program and those funds will be used towards this project.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried (5-0), the Board awarded the bid for the traffic signal modernization at Bethlehem Pike (SR 0309) and the Montgomery Mall Access Drive North and the Montgomery Mall Access Drive South to Marino Corporation, the lowest responsible bidder, in the amount of \$1,264,205.80 per the recommendation of Gilmore & Associates, Township Engineer.

14. Montgomery County Consortium Fuel Bid Participation: Mr. Reiff reported that the Township has the opportunity to purchase petroleum products through the Montgomery County Consortium Fuel Contract. The contract has been awarded to Petroleum Traders Corporation and is for one year running from September 1, 2022 to August 31, 2023.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried (5-0), the Board approved the Township's participation in the Montgomery County Consortium Fuel Contract awarded to Petroleum Traders Corporation for the purchase of petroleum products for a period of one year ending on August 31, 2023.

Parks and Recreation:

15. Approval of Fall 2022 Recreation Programs and Fee Schedule: Mr. Shaffer presented the proposed Fall 2022 Recreation Programs and Fees.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board approved the 2022 Fall Recreation Program and Fee Schedule amendment submitted.

16. Appoint John Jastrzembki to Park and Recreation Board: Ms. McCreary reported that with the resignation of Scott Fontaine, there is a vacancy on the Park and Recreation Board. At the last Park and Recreation Board meeting, it was suggested that a member of the Senior Committee would be an ideal member to join the Park Board. John (Jess) Jastrzembki expressed an interest and had noted both committees on his original application.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board appointed John Jastrzembki to the Park & Recreation Board for the remainder of the term which expires on January 1, 2025.

Administration:

17. Amendment to VMSC Lease Agreement: Ms. McCreary reported that when the Township building was constructed in 1995, the project also included the building to house the Volunteer Medical Service Corps (VMSC). At that time, the Township and VMSC executed a 10-year lease agreement which subsequently has been extended. Under the agreement, VMSC is required to perform all maintenance on the building. They are also responsible for the payment of utility bills. At the time of the original lease, the Township requested VMSC establish an escrow which

they held to ensure capital repairs were made to the building as needed. With the building now being 27 years old, Ms. McCreary is recommending the Township eliminate this requirement so the funds may be drawn down to make improvements deemed desirable by the VMSC Chief and the Board of Directors. The VMSC will continue to be responsible for any capital improvements to the building.

MOTION: Upon motion by Ms. Long, seconded by Ms. Chimera and unanimously carried, the Board amended the lease agreement between Montgomery Township and the Volunteer Medical Service Corp., removing the requirement for a separate escrow for capital improvements, and authorize the Solicitor to prepare the necessary amendment and the Township Manager to execute it on behalf of the Township.

New Business:

18. Department Reports – Chief Wiegman reported that the Fire Department hosted a Junior Firefighter Camp which was well attended. They added an additional session with each session having 30 children. The camp was held at the Community and Recreation Center and Chief Wiegman thanked Mr. Shaffer and his staff for their assistance. In addition the Fire Department hosted another Junior Firefighter camp at Spring Valley Park with 40+ children in attendance. In September the Fire Department staff will be participating in training, including first aid and CPR training. In October, which is Fire Prevention Month, staff will be at schools, daycare centers, and nursing homes presenting fire safety programs. The annual emergency services night will be at Wegmans again and will be held on October 10, 2022.

Chief Bendig reported that National Night Out was held on August 2, 2022 at the William F. Maule Park at Windlestrae. Everyone was happy with the weather, the turnout and the participating organizations who joined us. It was a group effort and the Public Works Department stole the show with their giveaway safety vests and hats, as well as pools of sand and child sized equipment to move the sand around. Costco provided the hot dogs and cooking as well as drinks and water for the crowd. The helicopter landing is always a hit and this year we had princesses too. Much of the credit for organizing the event goes to Officer Rob Johnson. Lt. Peoples and Administrative Assistant Nicole Conicelli were involved and instrumental in assisting Officer Johnson in getting the event off the ground. It is always a great community event every year.

19. Committee Reports: Ms. Chimera reported that the Planning Commission discussed the presentation from Penn Medicine regarding a proposed Ambulatory Health Care Center and zoning text amendment. The Park Board did not have meeting. Ms. Staab and Ms. Long's committees/boards did not have meetings. Ms. Ware reported that the Senior Committee did meet and they discussed the upcoming Autumn Festival event and what they want to have at their table. Ms. Ware also reached out to Rep. Stephens' office on behalf of the Senior Committee to discuss his assistance in providing a mailing to senior residents of the Township. The committee will also have a table at Rep. Stephens' Senior Expo on September 29, 2022 from 10:00 a.m. to 12:00 p.m. at the Community and Recreation Center. The committee also discussed the proposed bocce ball courts and pickleball courts.

Under Old Business, Ms. Bamford stated that she wanted to have another discussion about turf fields. She wanted to include Ms. Long in the discussion as she was not present for the meeting where the engineering firm had lowered their proposal number to \$10,000.00 for a turf field feasibility study, the amount which was in the budget. The motion had failed with a 2 – 2 vote. Ms. Bamford stated that she wanted to bring the issue back up for discussion to see if there was any interest in looking at a feasibility study for turf fields in another location or if there is no interest whatsoever in pursuing turf fields anywhere in the Township. Ms. Long stated that if she had been at that meeting, it would have been a 3 to 2 vote not in favor of pursuing a study. Ms. Long said that she would not be looking to spend that amount of money on turf fields, so she did not see any point in spending money on a study when she would not be voting to approve any turf fields later. Ms. Bamford mentioned the possibility of utilizing grants to offset costs of building turf fields, like other communities in the area, but Ms. Long stated that the grants would not fund the entire project. Ms. Bamford stated that fees for the use of the fields could be set aside for future maintenance and that these are some of the items that could be addressed in a feasibility study. Ms. Staab agreed. Ms. Bamford asked the Board members if their opposition to the turf fields was related to a specific location or if this was something that could be revisited if the location was changed. Ms. Ware stated that the location played no part in her decision. Ms. Chimera said her decision was the same. Ms. Bamford inquired if there was any interest in turf fields. Ms. Long, Ms. Chimera and Ms. Ware stated no.

22. Adjournment: Upon motion by Ms. Bamford and seconded by Ms. Chimera, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary