

**MINUTES OF MEETING  
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
JANUARY 23, 2023**

**1. Call to Order:** The January 23, 2023 action meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Chair Candyce Fluehr Chimera called the meeting to order at 7:00 p.m.

**IN ATTENDANCE:**

Chair Candyce Fluehr Chimera  
Supervisor Annette M. Long  
Supervisor Beth A. Staab  
Supervisor Audrey R. Ware  
Township Solicitor Sean Kilkenny  
Township Manager Carolyn McCreary

**ALSO IN ATTENDANCE:**

Police Chief J. Scott Bendig  
Director of Fire Services Bill Wiegman  
Director of Finance Brian Shapiro  
Director of Public Works Greg Reiff  
Director of Rec & Community Center Floyd Shaffer  
Director of Information Technology Rich Grier  
Deputy Zoning Officer Marianne McConnell  
Recording Secretary Deborah A. Rivas

**ABSENT:**

Supervisor Tanya C. Bamford

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

- Ms. Long noted that the Police Department will host their 2023 Citizens Police Academy, a free program for residents, business owners, or non-residents employed within Montgomery Township on Tuesdays, starting March 7<sup>th</sup> through May 9<sup>th</sup> from 7:00 p.m. to 9:00 p.m. The deadline for registration is February 21, 2023.
- Ms. Chimera announced that the very popular summer program Kids University will begin its registration on March 27, 2023 at noon.
- Ms. Staab stated that the Electronic Recycling Event will be held this year on Earth Day, Saturday, April 22, 2023, at the William F. Maule Park at Windlestrae from 9:00 a.m. to 12:00 p.m.

**4. Public Comment:** There was no public comment.

**5. Announcement of Executive Session** – Township Solicitor Sean Kilkenny, Esquire, announced that the Board of Supervisors met this evening at 6:30 p.m. in person at the Township building to discuss one personnel and two litigation matters. Mr. Kilkenny stated that the topics discussed are legitimate subjects of an Executive Session under the Commonwealth of Pennsylvania's Sunshine Law.

**6. Consent Agenda:**

**MOTION:** Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the minutes of the January 3, 2023 meeting, the Payment of Bills List dated

**January 23, 2023, and the Construction Escrow Release No. 1 and Commencement of the 18-Month Maintenance Period – Costco Wholesale Corporation, Gasoline Filling Station were approved as presented.**

**Recognition:**

**7. Promotion of Officer John Rushin to Sergeant:** Chief Bendig announced that as a result of a restructuring of the department, a supervisory vacancy will exist. In October of 2021, a multiple-phase promotional process was initiated to establish a list of candidates for promotion to the rank of Sergeant. After this highly competitive process, Officer John Rushin is recommended for promotion to the rank of Sergeant. Officer Rushin joined the Police Department on December 17, 2012 and serves as a Field Training Officer, Firearms Instructor and as Officer-in-Charge of his patrol squad in the absence of the Sergeant. He also serves as an Assistant Team Leader and Breaching Element Leader of the Montgomery County SWAT-Central Region team.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long, and unanimously carried, the Board approved the promotion of Officer John Rushin to the rank of Sergeant for the Montgomery Township Police Department effective January 24, 2023.**

**Presentation:**

**8. Wissahickon Clean Water Partnership:** Brandon Ford, Watershed Partnership Co-Chair, and Erin Landis, Water Programs Manager with Wissahickon Trails spoke to the Board about the partnership initiative and provided an update on the proposed water quality plan and its implementation. The municipalities located in the Wissahickon Creek Watershed are obligated under the PA DEP's MS4 and NPDES programs to meet the municipality's MS4, NPDES and TMDL obligations. In 2016, US EPA was poised to issue a new TMDL for the Wissahickon Creek Watershed, which would have included a new Total Phosphorus TMDL, which is believed to include requirements that are unachievable. As a result, in 2016, the Wissahickon Clean Water Partnership was established to develop an Alternative to the proposed EPA Total Phosphorus TMDL. The Township is one of the founding members of the Wissahickon Clean Water Partnership. The group is comprised of municipalities, the City of Philadelphia, and other stakeholders including the Pennsylvania Environmental Council, and the Wissahickon Valley Watershed Association. Ms. McCreary stated that it was important for the Board to understand that there will be Wissahickon Clean Water Partnership projects in the future that will require a financial contribution from all members of the partnership, whether or not the project is in that municipality.

**Public Safety:**

**9. Ordinance No. 23-332 – Adoption of the 2018 International Fire Code:** Chief Wiegman reported that the Commonwealth adopted the 2018 International Building Codes earlier this year. The Fire Department currently enforces the 1996 BOCA Fire Code and utilizes the 2015 International Fire Code when conducting Life Safety Fire Inspections. The Fire Department is seeking a new ordinance that adopts the 2018 International Fire Code as well as establishing

certification standards for those employees that conduct Life Safety and Fire Inspections in Montgomery Township.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Ware, and unanimously carried, the Board adopted Ordinance No. 23-332 – 2018 International Fire Code.**

**10. Ordinance No. 23-333 – Regulation of Consumer Fireworks and Display Fireworks:** Chief Bendig reported that in 2017, the Pennsylvania legislature passed legislation permitting Pennsylvania residents over the age of 18 to purchase, possess, and use consumer-grade fireworks. Many municipalities and fire service professionals expressed concern about the legislation and its impact. In 2022 Act 74 was signed into law which amended the prior legislation and gave municipalities the power to enact conditions, prohibitions, and limitations on the use and sale of fireworks provided they do not conflict with this new legislation. The consensus of staff and the members of the Public Safety Committee is for the Board to consider adopting the use of consumer fireworks by exception involving a permit process as presented in the draft ordinance.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board adopted Ordinance No. 23-332 – Regulating the Use of Consumer Fireworks and Display Fireworks.**

**11. Purchase of Police Vehicles:** Chief Bendig requested the authorization to purchase two new 2023 Ford Police Interceptor Utility model vehicles and equipment as approved in the 2023 Final Budget. Due to manufacturer production delays, the Department is requesting authorization to place the vehicle order at this time. The total cost to replace these two police vehicles, including equipment and installation, is \$107,327.43.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board awarded the contract for the purchase of two 2023 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 \$79,782.00 per their quote; and**

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long 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 \$27,545.43 per their quote.**

**12. Authorize Bid for Replacement Sidearms:** Chief Bendig reported that the Police Department proposes to replace the Glock sidearms carried by officers on duty at an estimated cost of \$50,000. The sidearms were last replaced in 2014. Since that time, these sidearms have been exposed to extreme conditions. They are beginning to show the general wear and tear that comes with nine years of sidearm qualifications, training, and practice, with thousands of rounds being put through each sidearm. The Department proposes replacing these sidearms with a

similar sidearm, holsters, and sighting system that will significantly improve accuracy. As this item is not available to be purchased on COSTARS, this purchase requires formal bidding. Under public comment, Vince Tulio of 101 Glasgow Circle, inquired if the Township would require a Hold Harmless Agreement when returning firearms to the dealer and Chief Bendig confirmed that it would.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long, and unanimously carried, the Board authorized staff to prepare and advertise bid specifications for the replacement of sidearms.**

#### **Planning and Zoning:**

**13. Review of Zoning Hearing Board Applications:** Ms. McCreary identified the pending hearings before the February 1, 2023 Zoning Hearing Board meeting. Application 23010001 is for Krispy Kreme Doughnut Corporation, 1281 Knapp Road, for signage related to drive-through operations including a Clearance Bar sign, Menu Board, and Drive-thru Canopy with speakers. Application 23010002 is for DiAntonia, 112 Schreiner Drive, for a variance to construct a pool/pool decking from the side property line.

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

**14. 2022 Tree City USA Recertification and Growth Award:** Ms. McConnell reported that the Township is ready to apply for the 2022 Tree City USA Recertification and 2022 Growth Award. The Township has received the Tree City recognition for the last twenty-five years and the Growth Award for twenty-one of those years. The program recognizes urban and community forestry programs in towns and cities that meet the following four standards: A Tree Board or department, a Tree Care Ordinance, a Community Forestry Program with an annual budget of at least \$2 per capita, and an Arbor Day Observance and Proclamation.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab, and unanimously carried, the Board approved the application for Montgomery Township to receive the 2022 Tree City USA Recertification and 2022 Growth Award.**

#### **Public Works:**

**15. Purchase of Four Ford F-550 Trucks:** Mr. Reiff reported that the Public Works Department is scheduled to replace four vehicles and is proposing to purchase two 2023 Crew Cab Trucks and two 2023 Dump Trucks. In addition, these trucks will need dump bodies, snowplows, salt spreaders and installation of this equipment.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Ware and unanimously carried, the Board awarded the contract for the purchase of four 2023 vehicles from**

**Whitmoyer Auto Group, at a total cost of: a) \$63,450.00, b) \$68,800.00, c) \$58,950.00, and d) \$73,450.00;**

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Ware and unanimously carried, the Board awarded the contract for the purchase of and installation of the dump body, snowplow, salt spreader and installation to Triad Truck Equipment, at a total cost of: a) \$92,242.00, b) \$70,670.00, c) \$70,670.00, and d) \$92,242.00.**

**16. Purchase of Replacement Bucket Truck:** Mr. Reiff reported that the Public Works Department is scheduled to replace a Ford F550 Bucket Truck and is proposing to purchase one 2023 Ford F550 Bucket Truck.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board awarded the contract for the purchase of one 2023 Ford F550 Bucket Truck from Whitmoyer Auto Group, at a cost of \$216,625.00 per their quote dated January 13, 2023.**

**Administration and Finance:**

**17. Real Estate Tax Appeal Settlement – 119 Garden Golf Boulevard –** Mr. Shapiro reported that the taxpayer had filed an appeal for the property tax for the 2021 tax year. The assessed value for 119 Garden Golf Boulevard was \$12,572,000.00. Based upon the applicable Common Level Ratio, the implied market value for the property for the 2021 Tax Year would be \$26,805,970.15. On September 18, 2022, after the Taxpayer presented information to the Board of Assessment Appeals (“BOAA”) the BOAA adjusted the assessed value of the property to \$10,576,000.00. Based upon the applicable Common Level Ratio, relying upon the adjusted assessed value of the property, the implied market value for the property for the 2021 Tax Year would be \$22,550,106.61. Based on the proposed settlement, the Taxpayer will immediately receive a refund of \$2,480.85 for the 2021 Tax Year, and a refund of \$5,186.67 for the 2022 tax year. The assessment for the Property will be decreased to \$7,524,000.00 for the 2023 tax year.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board approved the stipulated settlement for 119 Garden Golf Boulevard and authorized the Township Solicitor to execute the document on behalf of the Township.**

**18. Furniture Purchase for Planning and Zoning Department:** Ms. McCreary reported that as part of the 2023 Capital Investment Plan, the Planning and Zoning Department proposed replacing five workspaces within the department which are original to the building. Staff obtained a quote for furniture replacement from Lizell’s Office Furniture, including delivery and installation.

**MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board approved the purchase of replacement furniture for the Planning and Zoning Office in the amount of \$13,059 from Lizell's Office Furniture.**

**New Business:**

**19. Department Reports:** Monthly reports were submitted by each department for activity in the month of December. Derek Muller, Public Information Coordinator, provided an update on the Township's social media presence, the newly formed communications team, and the Township website update.

**20. Committee Reports:** Ms. Chimera reported that the Planning Commission did not meet. Ms. Long stated that she had missed the Community and Recreation Center Committee meeting. At the Public Safety Committee meeting, they discussed the fire ordinance, fire inspections, snow equipment and the Public Works truck purchases. Ms. Staab reported that the Business Development Partnership members spoke about the increase in fraud, ATMs with skimmers and increased check washing. Ms. Ware said that the Senior Committee did not meet in December.

**21. Adjournment:** Upon motion by Ms. Chimera and seconded by Ms. Long, the meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary