

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
AUGUST 28, 2023**

1. Call to Order: The August 28, 2023 action meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Vice-Chairwoman Annette M. Long called the meeting to order at 7:00 p.m.

IN ATTENDANCE:

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

ALSO IN ATTENDANCE:

Police Chief J. Scott Bendig
Fire Chief Bill Wiegman
Director of Finance Brian Shapiro
Director of Planning & Zoning Marianne McConnell
IT Systems Administrator Favian Zendejas
Recording Secretary Deborah A. Rivas

ABSENT: Chair Candyce Fluehr Chimera

2. & 3. Pledge of Allegiance and Public Comment: Following the Pledge of Allegiance, Ms. Long called for public comment.

Mr. George Schutte of 109 Cove Circle stated that he was concerned about his neighbor's security camera facing directly into his backyard. He said he had spoken to his neighbor and the Township Police Department to try to resolve the matter. His family does not feel safe in their backyard. Ms. McCreary stated that the Township was aware of the situation and was working on what the Township might be able to do.

4. Consent Agenda:

MOTION: Upon motion by Ms. Long, seconded by Ms. Bamford, and unanimously carried, the minutes of the August 14, 2023 Board meeting, and the payment of bills for August 28, 2023, were approved as submitted.

Introduction:

5. Appointment of Senior Committee Member Darshan Bhatt – Ms. Ware announced that the Senior Committee has a vacancy and Township resident Darshan Bhatt expressed an interest in serving on the committee. Mr. Bhatt has attended two meetings and is recommended for consideration by the members of the Senior Committee.

MOTION: Upon motion by Ms. Ware, seconded by Ms. Long, and unanimously carried, the Board appointed Darshan Bhatt to the Senior Committee for the remainder of the one-year term which expires on January 1, 2024.

Planning and Zoning:

6. Penn Medicine Preliminary/Final Land Development – Attorney Greg Davis, representing Penn Medicine, and Christopher Poterjoy, Civil Engineer, reviewed the site plan for the 11-plus acre property located on the east side of Route 202/Dekalb Pike. The applicants propose to construct an ambulatory healthcare center with a parking garage. The concept was first introduced to the Board of Supervisors at their January 24, 2022 public meeting. A public conditional use hearing was held as part of the Board of Supervisors meeting on Monday, March 27, 2023. At the public meeting on April 10, 2023, the Board of Supervisors deliberated on the application, identified conditions for approval, and rendered their decision. Township staff and consultants have had the opportunity to review the details of the land development plan, and the corresponding review letters and waiver requests. At their August 17th meeting, the Planning Commission unanimously recommended the Board of Supervisors grant preliminary/final approval for the project. Township engineers, Damon Drummond, and Jim Dougherty, both in attendance, when polled had no concerns regarding the waivers requested. Mr. Davis concurred that the resolution had been reviewed and Penn Medicine was agreeable to all conditions.

MOTION: Upon motion by Ms. Long, seconded by Ms. Bamford, the Board adopted Resolution No. 2023-15, approving the preliminary/final land development application with requested waivers for the Trustees of the University of Pennsylvania, owner, and operator of the University of Pennsylvania Health System (Penn Medicine) by a vote of 3 to 1, with Ms. Ware opposing.

Public Works:

7. Authorization to Bid Basketball Court Improvements at Fellowship Park – Mr. Reiff reported that improvements to the basketball court at Fellowship Park were included in the 2023 Capital Investment Plan. The Township Engineer has prepared the required bid specifications and bids will be solicited utilizing the Penn Bid website.

MOTION: Upon motion by Ms. Long, seconded by Ms. Bamford, and unanimously carried, the Board authorized the advertisement of the bid for the basketball court improvements at Fellowship Park utilizing PennBid.

Parks and Recreation:

8. Proposal for Feasibility Study of the Windlestrae Farmhouse – Ms. McCreary reported that previously, members of the Park and Recreation Board made a recommendation concerning the vacant farmhouse at Windlestrae Park. The Board asked the Township Manager to obtain a cost estimate for a feasibility study of the building. Phillips & Donovan Architects, LLC prepared a proposal for a feasibility study after inspecting the interior and exterior of the building. The cost for the Basic Services is \$12,400.00, with options for additional services. Ms. McCreary reminded the Board that several park projects are happening at this time, including the new dog park, the improvements at Fellowship Park, the renovation of Whistlestop Park, and the extension of the

Powerline Trail. In addition, Ms. McCreary reminded the Board that the recent borrowing of \$15 million to offset the many capital improvement projects has a balance remaining of \$2.5 million. Discussion followed and the Board was in unanimous agreement to move forward with the feasibility study at this time.

Administration and Finance:

9. Approve the Purchase and Installation of Switch Replacements for the Police Department:

Chief Bendig reported that IT Director Rich Grier had planned to upgrade the network switches in the Police Department in 2024. However, with the stepped-up plan to replace the body-worn cameras, this change is needed in 2023. Adding one new switch to the existing network will provide the Police Department with the ability to run WatchGuard and the new Axon system simultaneously. In 2024, a second new switch will be installed, and the remaining old switches removed, giving the department an all-new network infrastructure.

MOTION: Upon motion by Ms. Long, seconded by Ms. Bamford, and unanimously carried, the Board approved the proposal from Omega Systems Corp., dated August 16, 2023, in the amount of \$20,792.85, for the purchase and installation of the Police Department network switch.

10. Montgomery County-Norristown Public Library Request for Funding: Ms. McCreary reported that the Township received a letter from the Executive Director of the library thanking the Board for its annual support and requesting consideration to increase it in 2024. The Township has budgeted \$10,000 in the 2023 budget. Discussion followed and the Board agreed that it is currently donating to the North Wales Library which serves many of the Township residents, and the county library provides a weekly visit from the bookmobile to the recreation center. The consensus was to leave the annual contribution at \$10,000 for the county library.

11. Ratification of Real Estate Tax Appeal Settlement – 976 Bethlehem Pike – Mr. Shapiro reported that in 2022, the taxpayer filed an appeal for the property at 976 Bethlehem Pike. The assessed value of the property is now \$2,655,000.00. The proposed settlement negotiated between the School District and the Taxpayer resulted in the Township issuing a refund of \$2,554.81 for tax year 2022 and \$3,406.32 for tax year 2023.

MOTION: Upon motion by Ms. Long, seconded by Ms. Staab, and unanimously carried, the Board approved the stipulated settlement for 976 Bethlehem Pike and authorized the Township Solicitor to execute the document on behalf of the Township.

Old Business:

12. Update on Zoning Hearing Board Application for The Venue at Montgomery Mall – Ms. McCreary reported that the applicant seeks to expand the use variance granted on May 19, 2023, related to indoor recreation/entertainment to now permit BYOB events. At the August 14, 2023 Board of Supervisors public meeting, staff sought and received ratification of the Board's prior

opposition to the application and decision to send the Solicitor to the hearing to oppose the application or, in the alternative, authorize the Township staff and the Solicitor to discuss the matter with the applicant and their attorney to determine if conditions can be agreed to that would satisfy the Township's concerns related to the BYOB use, thereby resulting in a withdrawal of the authorization to send the Solicitor to oppose the hearing if the applicant agrees to such conditions as a part of any zoning relief granted by the Zoning Hearing Board. Staff, including the Township Manager, Police Chief, and Director of Planning and Zoning along with the Township Solicitor, John Walko, met with the applicants, their attorney, and the operations manager of the Montgomery Mall on August 21st. Based on the explanation provided, and representations made, staff was unable to develop conditions that would allow the Township to rescind the recommendation with the Township Solicitor opposing the application. There are concerns about not having licensed bartenders, lack of security for the volume of people in attendance at events, existing businesses in the mall, no outside entrance/exit, and no restrooms in the venue, resulting in patrons accessing the mall and utilizing the restrooms in the food court area. Based on this information, the Board ratified their decision to send the Township Solicitor to oppose the application at the Zoning Hearing Board.

New Business:

13. Department Reports: Monthly reports were submitted by each department for activity in the month of July. Ms. McCreary provided the Board with an update on the Township's capital projects. The Friendship Park and Recreation and Community Center Bocce Courts are completed. The Fellowship Park improvements bid was awarded on August 14, 2023. The Knapp Road Dog Park is currently out to bid with an anticipated award at the second meeting in September. The Whistlestop Park project is currently under design development. The Upper State Road and Spring Valley Drive and Kenas Road and Windlestrae Park Rectangular Rapid Flashing Beacon projects are almost complete. The Bethlehem Pike and English Village ADA Upgrades and Bethlehem Pike and English Village signal upgrades are in progress. The Stump Road sidewalk crosswalk to the community center is complete. Signal upgrades that are complete include the mall jughandles and the No Turn on Red signage at 202 Parkway and Horsham Road. Projects currently under review include Bethlehem Pike & Taylor Road/McLaughlin Rd Signal Upgrade, Five Points Plaza (Lowe's) / Horsham Road for full camera/traffic adaptive replacement, and Knapp Road and North Wales Road signal upgrade.

14. Committee Liaison Reports: Ms. Long reported that the Community and Recreation Center just completed Kids University with 160 children participating. This summer the concert series included food trucks and was very well attended. The fall program registration is live and the splash pad had another successful summer with the last day to be on Labor Day, September 5, 2023. Ms. Bamford reported that the Sewer Authority is discussing the possibility of gifting a restroom facility to the Township to be in the Rose Twig Section of Windlestrae Park. The Park and Recreation Board was excited to hear about the possibility of a restroom facility in Rose Twig Park and possible plans for the Windlestrae House. As the Park Board met in different parks over the summer, the last meeting was held at Memorial Grove. Recently a resident requested that the Township consider making more reflective passive park areas in the Township instead of adding

more sports fields. The Shade Tree Commission did not meet. Ms. Staab reported that the EAC and Ready for 100 Committee did not meet. Ms. Ware did not attend the Senior Committee but did announce that there were two future dates for Medicare seminars in October sponsored by the Senior Committee.

Adjournment: Upon motion by Ms. Long and seconded by Ms. Staab, the meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary