

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
JANUARY 25, 2021**

1. Call to Order: The January 25, 2021 action 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 7:00 p.m.

IN ATTENDANCE:

Chair Tanya C. Bamford
Vice Chair Matthew W. Quigg
Supervisor Beth A. Staab
Supervisor Annette M. Long
Township Manager Carolyn McCreary
Township Solicitor Sean Kilkenny, Esq.

ALSO IN ATTENDANCE:

Police Chief J. Scott Bendig
Director of Finance Brian Shapiro
Director of Planning & Zoning Bruce Shoupe
Director of IT Rich Grier
Director of Public Works Greg Reiff
Recording Secretary Deborah A. Rivas

ABSENT:

Supervisor Candyce Fluehr Chimera

2. & 3. Pledge of Allegiance and Public Comment: Following the Pledge of Allegiance, there was no public comment.

4. Announcements: Ms. Bamford acknowledged the recent passing of long time Township resident and volunteer, Anne Roller. Mrs. Roller served on many volunteer activities of the Township over the years and the Board sends its heartfelt condolences to her husband, Richard Roller.

5. Announcement of Executive Session: Township Solicitor Sean Kilkenny, Esquire announced that the Board met in executive session at 6:30 p.m. this evening to discuss two (2) litigation and personnel matters.

6. Presentation: The Board recognized long-time resident, Mary Griffith-Alfarano, for her recent selection to serve as the Chairperson of the Chamber of Commerce for Greater Montgomery County, as well as her many years of service to the Township on various committees and boards.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, Resolution #2021-14 recognized and congratulated Mary Griffith-Alfarano for being named Chairperson of the Chamber of Commerce for Greater Montgomery County.

7 & 8. Consent Agenda:

MOTION: Upon motion by Mr. Quigg, seconded by Ms. Long and unanimously carried, the minutes of the January 4, 2021 meeting and the Bills List dated January 25, 2021 were approved as presented.

Public Works:

9. Authorization to Advertise for Bids – 2021 Curb and Sidewalk Project:

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the bid advertisement for the 2021 Curb and Sidewalk Project was authorized.

10. Authorization to Advertise for Bids – 2021 Paving Project:

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the bid advertisement for the 2021 Paving Project was authorized.

11. Authorization to Purchase Dump Truck under PA COSTARS Contract:

MOTION: Upon motion by Mr. Quigg, seconded by Ms. Staab and unanimously carried, the purchase of a new 2021 Peterbilt Dump Truck from G.L. Sayre Peterbilt at a cost of \$147,016.00 and the purchase of a dump body, snowplow and installation from Triad Truck Equipment at a total cost of \$89,225.00 was approved.

Planning & Zoning:

12. Authorization to Advertise for Conditional Use Hearing: Costco Gasoline Sales:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the advertisement and scheduling of the required Conditional Use public hearing, upon receipt of an application from Costco for gasoline sales, was approved.

13. Tree City USA Recertification and Growth Award Application:

MOTION: Upon motion by Ms. Staab, seconded by Mr. Quigg and unanimously carried, the submission of the application for the 2020 Tree City USA Recertification and 2020 Growth Award was approved.

13a. Board Positions for Zoning Hearing Board Application: Director of Planning and Zoning Bruce Shoupe presented the two applications to be considered by the Zoning Hearing Board at their February meeting. The two applications are for 311 Stump Road for a lot subdivision and 102 Ashley Circle for an addition that does not meet the requirements for setback from the property line. The Board declined to intervene on either application.

Public Safety:

14. Adoption of Amendment to Township Ordinance: Police Chief J. Scott Bendig reported that staff is recommending the amendment of Section 9-A of the Township ordinance for Vehicles and Traffic, specifically governing the speed limit of Vilsmeier Road. The current speed limit is 35 mph. It is recommended that the speed limit be reduced to 25 mph.

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the adoption of amendment to Chapter 222, Section 9-A, reducing the speed limit on Vilsmeier Road to 25 miles per hour was approved.

15. Authorization to Purchase Replacement Police Vehicles:

MOTION: Upon motion by Mr. Quigg, seconded by Ms. Staab and unanimously carried, the purchase of two 2021 Ford Police Interceptor Utility vehicles from Fred Beans Ford Lincoln at a total cost of \$71,184.00 and the purchase and installation of equipment for the vehicles from Havis, Inc. at a cost of \$24,214.35 was approved.

Administration and Finance:

16. Escrow Release for Korean War Memorial and American-Korea Alliance Peace Park: Ms. McCreary reported that the committee has requested the release of the financial security that was held by the Township for this project. Ms. Bamford announced the recent passing of the Architect for the project, Mr. Joseph Lavalle. Ms. Long stated that Mr. Lavalle served his community in Upper Moreland Township as a Commissioner for a long time. When he was approached about serving as the architect for this project, he did not hesitate to join the committee. Ms. Long said that it was his design work on the project that brought the concept to life. He will be sorely missed and we have this park because of him.

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, with Ms. Long abstaining, the Board authorized the release of \$70,000 of the financial security posted to ensure completion of the memorial.

17. Affirm Tax Collector's Compensation:

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board affirmed and maintained the current salary of \$16,735.00 for the Montgomery Township tax collector.

18. Approve Settlement of Board Assessment Appeals: Ms. McCreary reported that the North Penn School District and the property owners of 988 Bethlehem Pike (OSJ of Montgomeryville LLC) and 913 Bethlehem Pike (Lukoil North America LLC) have reached an agreement as to the assessment appeals and reverse assessment appeals, which now require action by the Board of

Supervisors on behalf of the Township. Settlement of the appeal for 988 Bethlehem Pike will result in the Township refunding \$2,091.11 for the year 2020 and settlement of the appeal for 913 Bethlehem Pike would result in the Township reimbursing the tax payer \$1,365.62 for the years 2017 through 2020.

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board approved the stipulated settlements for the properties identified and authorized the Township Solicitor to execute the settlement stipulations.

19. Dissolution of Pension Committee for 401 and 457 Plans: Ms. McCreary reported that the current plan administrator for the non-uniform pension plan and the divert compensation plan for the employees was recently changed to Empower Retirement which provides excellent investment options and customer service for employees. Based on this change, the increased oversight being provided by the Finance Director and staff, the updating of the plan policies and the increased direct contact by Empower with individual employees, it is recommended that the Board dissolve the non-uniform pension committee.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board dissolved the Money Purchase Plan/Deferred Compensation Plan Committee as permitted by the bylaws adopted by resolution of the Board of Supervisors on April 27, 2009.

20. Affirmation of Volunteer Firefighter Criteria for Qualified Active Member Status: Ms. McCreary reported that the Board approved the First Responder Recruitment and Retention Stipend on April 13, 2020 to incentivize volunteer first responders for their service in 2019. Prior to adopting this resolution in 2021, for volunteer service in 2020, the Township must acknowledge the fire company's or EMS squad's written criteria for determining Qualified Active Member status. Per FDMT by-laws, active status is determined with a point system. Members accrue various points for fire calls, duty crew, drills and meetings, stipend shifts, public relations/community events and fundraisers. Members must achieve 20% of total points accumulated to be considered as an active member and status as a member in good standing.

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board affirmed the FDMT criteria for determining the Qualified Active Member status.

Other Business:

21. Department Reports: Ms. Bamford announced that Department reports for the month of December were available in the packet. Ms. Bamford also reported that there were two items that staff were seeking further direction on from the Board.

Chief Bendig reported that over the past few weeks there has been an uptick in food truck activity within the Township. Currently, these trucks are being regulated through the current ordinance

governing peddling and soliciting. Discussions have been held regarding this issue and staff is requesting further direction from the Board regarding how they would like the staff to proceed regarding the regulation of food truck activity within the Township. Township Solicitor, Mr. Kilkenny, reported that two other municipalities that he represents have decided to regulate food trucks through zoning, providing certain zoning districts, or a zoning district for approved trucks which are permitted with appropriate regulations in that district. Mr. Kilkenny stated that he recommends that food trucks be regulated through zoning with at least one district where it will be permitted because a zoning classification ordinance is more likely to be challenged successfully, if you don't permit that use somewhere. Discussion followed. The Board expressed the need to be sensitive to current established brick and mortar food establishments as well as the strong interest and demand for the food trucks. Under public comment, Vince Tulio of 101 Glasgow Circle stated that he watched a food truck come to his cul-de-sac on an early afternoon. Many kids were still riding bikes in the neighborhood. A lot of traffic drove into and out of the cul-de-sac to pick up their orders. Mr. Tulio recommended that if the Board were to approve some kind of regulation, that it be mindful of the pedestrian traffic and location. The Board agreed to allow staff to come forward with a potential zoning solution for their consideration.

Ms. McCreary reported that a resident had reached out to Mr. Reiff about placing a bench in one of the parks in memory of a loved one who passed away. Mr. Reiff shared that it had been past practice to not allow it because the sentiment was that if the Township did it for one, it would have to do it for all requests. It was suggested that a plan could be created which would allow only a certain number of benches per park, type of low maintenance bench and a tasteful presentation. The Board was agreeable to entertaining a recommendation of a memorial bench program from staff.

22. Committee Liaison Reports: There were no committee reports discussed. Ms. Bamford reported that the Sewer Authority had met and discussed the latest BioBot study report. The numbers have come down slightly, but they are still very high. Everyone needs to continue to wear masks and stay socially distant.

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

Respectfully submitted,

Deborah A. Rivas, Recording Secretary