

**AGENDA**  
**MONTGOMERY TOWNSHIP**  
**BOARD OF SUPERVISORS**  
**MARCH 8, 2021**

[www.montgomerytwp.org](http://www.montgomerytwp.org)

Tanya C. Bamford  
Candyce Fluehr Chimera  
Annette M. Long  
Matthew W. Quigg  
Beth A. Staab

Carolyn McCreary  
Township Manager

**ACTION MEETING – 7:00 PM**

1. Call Meeting to Order
2. Pledge of Allegiance
3. Public Comment
4. Announcements
5. Announcement of Executive Session
6. Consent Agenda:

Consider Approval of Minutes of February 22, 2021 Meeting and Payment of Bills

7. Appointments: Human Relations Commission Members

**Parks & Recreation:**

8. Consider Approval of Spring/Summer Programs and Fee Schedule

**Public Safety:**

9. Consider Donation of Police Vehicle

**Administration & Finance:**

10. Consider Approval of Assessment Appeals:

- a. 100-102 Commerce Drive
- b. 980 Bethlehem Pike
- c. 710 North Wales Road

**Planning & Zoning:**

11. Discuss Proposed Property Dimensions to Accommodate Requests for Backyard Chickens

**Other Business:**

12. Adjournment

**PLEASE NOTE:** For the safety of all participants, masks must be worn in the Township building and meeting room. Social distancing measures have been put into place which reduces the number of people who can safely occupy the meeting room. You may be asked to wait in the lobby if the room capacity has been reached. Thank you for your patience and cooperation in working to keep everyone safe.

**MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS**  
**BOARD ACTION SUMMARY**  
Item # **3**

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SUBJECT:               Public Comment  
MEETING DATE:       March 8, 2021  
BOARD LIAISON:  
INITIATED BY:

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**BACKGROUND:**

Persons wishing to make public comment during this meeting on any items not listed on the agenda may do so at this time.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

**BOARD ACTION SUMMARY**

Item # 4

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SUBJECT:	Announcements
MEETING DATE:	March 8, 2021
BOARD LIAISON:	
INITIATED BY:	Tanya C. Bamford, Chair

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Electronic Recycling Event – The Township will once again host an electronic recycling event on Saturday, April 24, 2021 from 9am to Noon. There are two new very important items regarding this event:

- 1) The event location has changed and will now be held in the parking lot at the William F. Maule Park at Windlestrae, located at 1147 Kenas Road.
- 2) The event requires a pre-registration and COVID safety protocols will be in place, including mask wearing by everyone participating. Residents must stay in their vehicles.

We will be promoting the event now and will include the link to pre-register on all Township social media outlets.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

**BOARD ACTION SUMMARY**

Item # **5**

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SUBJECT:                   Announcement of Executive Session  
MEETING DATE:        March 8, 2021  
BOARD LIAISON:  
INITIATED BY:         Tanya C. Bamford, Chair

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**BACKGROUND:**

The Solicitor will announce that the Board of Supervisors met in Executive Session and will summarize the matters discussed.

**The Board of Supervisors met virtually in Executive Session at 6:15pm on February 22, 2021 to discuss two personnel matters and one matter of litigation.**

**The topics discussed were legitimate subjects of an Executive Session pursuant to the Commonwealth of Pennsylvania's Sunshine Law.**

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

**BOARD ACTION SUMMARY**

Item # 6

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SUBJECT:	Consent Agenda: Approval of Minutes of February 22, 2021 and Payment of Bills
MEETING DATE:	March 8, 2021
BOARD LIAISON:	
INITIATED BY:	

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MOTION/RESOLUTION:

**MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED**

Please review and contact Deb Rivas on Monday, March 8, 2021 with any changes to the minutes. Also, attached are the list of bills for review for payment on March 8, 2021.

**MINUTES OF MEETING  
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
FEBRUARY 22, 2021**

**1. Call to Order:** The virtual February 22, 2021 action meeting of the Montgomery Township Board of Supervisors was called to order at 7:15 p.m. by Chair Tanya C. Bamford. The meeting was held remotely by a live-stream event due to an unexpected winter storm. The public and all interested parties were invited to view and participate in the meeting via a web link that was accessible on the Township's website and social media pages.

**IN ATTENDANCE:**

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

**ALSO IN ATTENDANCE:**

Police Chief J. Scott Bendig  
Director of Finance Brian Shapiro  
Director of Fire Services William Wiegman  
Director of IT Rich Grier  
Director of Public Works Greg Reiff  
Recording Secretary Deborah A. Rivas

**2. & 3. Pledge of Allegiance and Public Comment:** Following the Pledge of Allegiance and Roll Call, Chair Tanya C. Bamford called for public comment from the audience, which was available by previously submitted email questions and a live chat during the meeting. There was no public comment submitted.

**4. Announcements:** Ms. Bamford thanked the Public Works Department for their hard work during the last several snow storms. She also reminded residents that their sidewalks need to be shoveled within 24 hours after the storm ceases. Ms. Bamford also announced that the Township has several employment opportunities available at this time. Interested candidates can view the Township website for information.

**5. Announcement of Executive Session –** Township Solicitor Sean Kilkenny, Esquire, announced that the Board of Supervisors met in an Executive Session immediately following their public meeting on February 8, 2021 to discuss one item of potential litigation and three personnel matters. Mr. Kilkenny stated that the topics discussed are legitimate subjects 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. Staab and unanimously carried, the minutes of the February 8, 2021 meeting and the Bills List dated February 22, 2021 were approved as presented.

**7. Appointments: Human Relations Commission Members** This item was tabled to the next Board meeting.

**Public Works:**

**8. Award of Contract for 2021 Curb & Sidewalk Project:**

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board awarded the contract for the 2021 Curb & Sidewalk Project to Drumheller Construction Co., Inc., the lowest responsible bidder, in the amount of \$59,492.00 per the recommendation of Gilmore & Associates, Township Engineer.

**9. Award of Contract for 2021 In-House Paving Project:**

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board awarded the contract for the 2021 In-House Paving Project to Allan Myers, L.P., the lowest responsible bidder, in the amount of \$429,493.32 per the recommendation of Gilmore & Associates, Township Engineer.

**10. Authorization to Purchase Replacement Wheel Balancer:**

**MOTION:** Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board awarded the contract for the purchase of one 2021 Hunter SmartWeight Touch Balancer from Mohawk Resources LTD, an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$9,818.18.

**Planning & Zoning:**

**11. Waiver of Formal Land Development Application – 425 Stump Road Associates, LLC:** Christen G. Pionzio, Esquire, representing 425 Stump Road Associates, formally requested a waiver of land development to construct a new access ramp onto the rear of the existing building located at 425 Stump Road. Ms. Pionzio reported that the building will be adding a new tenant and that tenant requires a very large and expensive printer be installed as part of their production and the ramp is required for the delivery. The Township code defines this new ramp as a structure, which triggers the Township's land development requirement. Discussion followed and all were in favor of approving the waiver.

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the waiver of formal land development requirements was approved for the construction of the access ramp at 425 Stump Road, based on a review of the Township Engineer and the Department of Fire Services.

**12. Construction Escrow Release 4 and Start of Maintenance Period – 309 Automall Properties, L.P. – Montgomeryville Nissan**

**MOTION:** Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board authorized the construction escrow release #4 in the amount of \$369,570.50 for the 309 Automall Properties, L.P. – Montgomeryville Nissan, contingent upon the developer satisfying all outstanding Township invoices related to this project, and receipt of an approved maintenance security by the Township Solicitor in the amount of \$61,647.62.

**13. Board Positions for Zoning Hearing Board Applications:** Mr. Kilkenny presented the four applications to be considered by the Zoning Hearing Board at their March meeting. The four applications are for 108 Major Drive for a fence; 202 Marketplace/411 Doylestown Road for a proposed outdoor play area for a future Day-Care Center in the side yard; 801 & 805 Horsham Road for parking space requirements and 101, 103, 105 & 107 Wynstone Ct. for a variance to construct decks within the 50 foot wide buffer area in the rear of the homes. The Board declined to intervene on any of the applications.

**Administration & Finance:**

**14. Agreement with Constellation Energy to Supply Electrical Energy:** Ms. McCreary reported that in December of 2017, the Board authorized staff to execute a contract with Constellation Energy for electric energy for a three-year contract through the PA Municipal League's "Municipal Utility Alliance Program" (MUA). The current contract expired in December. Staff has contacted Constellation to procure new rates and also requested that they provide rates that utilize 100% Green electric generation. Ms. McCreary stated that based on initial pricing, as compared to the rates in 2017, the Township would realize an overall reduction in cost with a 100% Green electric purchase.

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board approved the execution of a contract with Constellation Energy for electrical energy supply for a five-year period for the Township buildings and streetlights and authorized the Township Manager to execute the five-year agreement on behalf of the Township.

**15. Authorization to Participate in the Montgomery County Consortium Fuel Bid:** Ms. McCreary reported that staff is recommending that the Board authorize the Township's participation in the current Montgomery County Consortium Fuel Bid and to participate in the future fuel bids with the Consortium. By joining the MCC fuel bid, the Township will receive favorable pricing based on bulk purchasing as the MCC has lower pricing for fuel purchases and the Township will realize savings.

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board authorized the Township's participation in the MCC fuel bid effective immediately and for future bids.



**16. Authorization to Issue RFP for Investment Consultant – Police Pension Fund:** Ms. McCreary reported that the Township chose Citigroup Global Markets to manage the investment of and maintain custody of all cash, securities and other investments of the Police Pension Fund. Citigroup merged with Morgan Stanley Wealth Management. The Police Pension plan is a defined benefit plan and the Township is required to meet the pension obligations regardless of state aid received, plan performance, etc. As almost 15 years has passed, staff is recommending the Board grant authorization to prepare an RFP for investment consultant services for this plan.

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board authorized the Township Manager to prepare and distribute an RFP for investment consultant services for the Police Pension Fund.

**17. Adoption of Resolution to Extend Participation in the Wissahickon Clean Water Partnership Intergovernmental Agreement:** Ms. McCreary stated that the Township has participated in the Wissahickon Clean Water Partnership since its inception in 2016. The group is comprised of municipalities, the City of Philadelphia, and other stakeholders including the PA Environmental Council, and the Wissahickon Valley Watershed Association. The partnership was established to develop an Alternative to the proposed EPA Total Phosphorus TMDL. Staff is recommending that the Township continue to participate in the partnership.

**MOTION:** Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved Resolution #2021-18, extending the Township's participation in the Wissahickon Clean Water Partnership by renewing the intergovernmental agreement.

**18. Other Business: Department and Committee Liaison Reports:** Ms. Bamford reported on the most recent Sewer Authority Board meeting. The Sewer Authority GIS system was demonstrated and Ms. Bamford provided facts about the Township's sewer system, including the number of manhole covers, length of pipeline, numbers of parcels and various statistics of the Township's sewer system. Ms. Bamford also reported on the latest Bio Bot study which indicated that the number of COVID cases in the Township were decreasing, but also that the virus is still present in the Township. Ms. Bamford recommended that everyone continue to use safety protocols.

**Adjournment:** Upon motion by Ms. Bamford and seconded by Ms. Staab, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary

03/05/2021 01:25 PM  
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 DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP  
 CHECK DATE FROM 02/22/2021 - 03/08/2021

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Check Date	Bank	Check	Vendor	Vendor Name	Amount
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02/22/2021	01	80879	100001670	ARCHER & GREINER, P.C., TRUSTEE	1,365.62
02/22/2021	01	80880	100001671	OSJ OF MONTGOMERYVILLE, LLC	2,091.11
03/05/2021	01	80881	100001201	309 AUTOMALL PROPERTIES LP	76.50
03/05/2021	01	80882	00000006	ACME UNIFORMS FOR INDUSTRY	327.40
03/05/2021	01	80883	100000892	ADAM ZWISLEWSKI	75.00
03/05/2021	01	80884	00000110	AG INDUSTRIAL	37.87
03/05/2021	01	80885	100000814	AMAZON.COM SERVICES, INC	844.04
03/05/2021	01	80886	100001705	ANDREW BACKLUND	291.20
03/05/2021	01	80887	100000888	ANDREW WEINER	165.00
03/05/2021	01	80888	100001673	ANDY ALDINGER HUNTER PARTS & SERVIC	23.89
03/05/2021	01	80889	100001688	ANTHONY CHIEFFO JR.	159.25
03/05/2021	01	80890	00000027	ARMOUR & SONS ELECTRIC, INC.	826.34
03/05/2021	01	80891	100001682	ARTHUR B. HERLING	24.25
03/05/2021	01	80892	100000388	ASPEN MILL PROPERTIES, LLC	82.25
03/05/2021	01	80893	100000388	ASPEN MILL PROPERTIES, LLC	48.50
03/05/2021	01	80894	100001048	AUSTIN NOVICK	15.00
03/05/2021	01	80895	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	204.44
03/05/2021	01	80896	00000340	B SAFE INC.	315.42
03/05/2021	01	80897	MISC	BENCHMARK GROUP	4,285.00
03/05/2021	01	80898	00000043	BERGEY'S	2,085.28
03/05/2021	01	80899	100001675	BJ'S WHOLESALE CLUB	213.00
03/05/2021	01	80900	100001675	BJ'S WHOLESALE CLUB	262.75
03/05/2021	01	80901	100001675	BJ'S WHOLESALE CLUB	133.75
03/05/2021	01	80902	100001691	BL COMPANIES	351.50
03/05/2021	01	80903	100001244	BRANDI BLUSIEWICZ	45.00
03/05/2021	01	80904	100000979	BRANDON UZDZIENSKI	85.00
03/05/2021	01	80905	100001631	BRIDGE GLOBAL SERVICES	1,035.00
03/05/2021	01	80906	00000069	C L WEBER CO INC.	12.00
03/05/2021	01	80907	100000405	C.E.S.	833.69
03/05/2021	01	80908	100000319	CANDORIS	6,598.45
03/05/2021	01	80909	00001579	CARGO TRAILER SALES, INC	480.00
03/05/2021	01	80910	100000878	CARL HERR	40.00
03/05/2021	01	80911	00001601	CDW GOVERNMENT, INC.	504.57
03/05/2021	01	80912	100001616	CHARLES A. HIGGINS & SONS INC.	2,120.00
03/05/2021	01	80913	100001694	CHRISTIAN BROTHERS AUTOMOTIVE CORP	455.75
03/05/2021	01	80914	100000667	CLYDE S. WALTON INC.	169.98
03/05/2021	01	80915	00000363	COMCAST	10.48
03/05/2021	01	80916	00000363	COMCAST	496.32
03/05/2021	01	80917	00001392	CRAFTWELD FABRICATION CO., INC.	165.00
03/05/2021	01	80918	100001683	CRYSTAL ROAD ENTERPRISES LLC	140.50
03/05/2021	01	80919	100001683	CRYSTAL ROAD ENTERPRISES LLC	171.00
03/05/2021	01	80920	00905026	DON LEN INC.	835.00
03/05/2021	01	80921	100000893	DONALD TUCKER	40.00
03/05/2021	01	80922	100001609	DONE-RITE BUILDING SERVICES, INC.	1,100.00
03/05/2021	01	80923	100001613	DOYLE WINDOW TINTING	250.00
03/05/2021	01	80924	00000967	DVHT DELAWARE VALLEY HEALTH TRUST	152,074.35
03/05/2021	01	80925	00000152	ECKERT SEAMANS CHERIN &	5,802.50
03/05/2021	01	80926	100001680	EDWARD MOSER OF THE MOSER GROUP	49.75
03/05/2021	01	80927	100001685	EMIL AND NACY SALADIK	169.50
03/05/2021	01	80928	00903110	ESTABLISHED TRAFFIC CONTROL	195.00
03/05/2021	01	80929	00000169	FEDEX	43.61
03/05/2021	01	80930	00001132	FERGUSON & MCCANN, INC.	306.00
03/05/2021	01	80931	100001602	FRANK BLUSIEWICZ	45.00
03/05/2021	01	80932	00000180	FRANK CALLAHAN COMPANY, INC.	12.69
03/05/2021	01	80933	00001504	GALETON GLOVES	139.50
03/05/2021	01	80934	00001558	GENERAL HANCOCK PARTNERSHIP	293.50
03/05/2021	01	80935	100001684	GENERAL HANCOCK PARTNERSHIP	145.50
03/05/2021	01	80936	00000192	GENERAL RECREATION, INC.	6,512.00
03/05/2021	01	80937	00000193	GEORGE ALLEN PORTABLE TOILETS, INC.	1,813.00
03/05/2021	01	80938	00000817	GILMORE & ASSOCIATES, INC.	15,952.30
03/05/2021	01	80939	00000817	VOID	0.00
03/05/2021	01	80940	00001323	GLICK FIRE EQUIPMENT COMPANY INC	16,848.75
03/05/2021	01	80941	00001784	GOOGLE INC.	30.00
03/05/2021	01	80942	00000608	GOOSE SQUAD L.L.C.	900.00
03/05/2021	01	80943	00000229	GRAINGER	151.90
03/05/2021	01	80944	100001690	HAWTHORNE DEVELOPMENT LLC	476.50
03/05/2021	01	80945	100001698	HAWTHORNE DEVELOPMENT LLC	125.50
03/05/2021	01	80946	100000162	HERMAN GOLDNER COMPANY, INC.	3,001.00
03/05/2021	01	80947	100000785	HIGHER ROCK PARTNERS LP	835.50
03/05/2021	01	80948	100000785	HIGHER ROCK PARTNERS LP	37.89
03/05/2021	01	80949	00000903	HOME DEPOT CREDIT SERVICES	145.07
03/05/2021	01	80950	100001647	HOYS LANDSCAPING INC	8,040.00
03/05/2021	01	80951	00000829	IMSA - INTERNATIONAL MUNICIPAL	270.00
03/05/2021	01	80952	00000102	INTERSTATE BATTERY SYSTEMS OF	91.95
03/05/2021	01	80953	100000882	JACOB MILLEVOI	60.00
03/05/2021	01	80954	100000889	JACOB WELTMAN	30.00
03/05/2021	01	80955	100001701	JAMES FAGEN	81.00
03/05/2021	01	80956	100001693	JOHN GARIS HOMES, INC	165.63

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DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP  
CHECK DATE FROM 02/22/2021 - 03/08/2021

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03/05/2021	01	80961	100000554	KEITH GRIERSON	15.00
03/05/2021	01	80962	00000264	KENCO HYDRAULICS, INC.	4,411.80
03/05/2021	01	80963	100001686	KRISTOFER FLYNN	102.75
03/05/2021	01	80964	100001661	KYLE STUMP	45.00
03/05/2021	01	80965	100001676	MARKS JEWELERS	48.50
03/05/2021	01	80966	100001676	MARKS JEWELERS	412.25
03/05/2021	01	80967	100001689	MASER CONSULTING	182.25
03/05/2021	01	80968	00000201	MASTERTECH AUTO SERVICE, LLC	1,054.26
03/05/2021	01	80969	100000225	MCATO	248.00
03/05/2021	01	80970	100000788	MCDONALD'S	183.92
03/05/2021	01	80971	100000875	MICHAEL BEAN	45.00
03/05/2021	01	80972	100000885	MICHAEL SHEARER	60.00
03/05/2021	01	80973	00003087	MONTGOMERY COUNTY PUBLIC SAFETY	300.00
03/05/2021	01	80974	100001677	MONTGOMERY CROSSING ASSOC, LP	76.50
03/05/2021	01	80975	100001696	MONTGOMERY CROSSING ASSOCIATES	355.25
03/05/2021	01	80976	00001225	MONTGOMERY TOWNSHIP MUNICIPAL	2,889.25
03/05/2021	01	80977	100001692	MONTGOMERYVILLE REALTY ASSOC LLC	102.00
03/05/2021	01	80978	1264	MORGAN STANLEY SMITH BARNEY INC	135,371.33
03/05/2021	01	80979	00002073	MORTON SALT INC	21,557.40
03/05/2021	01	80980	00000324	MOYER INDOOR / OUTDOOR	155.35
03/05/2021	01	80981	00901719	NAPPEN & ASSOCIATES	214.25
03/05/2021	01	80982	100001650	NEW ERA TECHNOLOGY LI	1,351.27
03/05/2021	01	80983	100000117	NORTH PENN SCHOOL DISTRICT	245.00
03/05/2021	01	80984	00000355	NORTH PENN WATER AUTHORITY	138.00
03/05/2021	01	80985	100000728	NORTH WALES WATER AUTHORITY	21,437.50
03/05/2021	01	80986	100001687	ORLEANS HOMEBUILDERS INC.	302.25
03/05/2021	01	80987	100000867	PATROL PC	7,419.94
03/05/2021	01	80988	00001840	PAUL R. MOGENSEN	140.00
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03/05/2021	01	80990	100000755	PETROLEUM TRADERS CORP.	4,217.07
03/05/2021	01	80991	00000009	PETTY CASH	297.05
03/05/2021	01	80992	00000009	PETTY CASH	150.59
03/05/2021	01	80993	00000446	PHISCON ENTERPRISES, INC.	400.00
03/05/2021	01	80994	00000945	PIPERSVILLE GARDEN CENTER, INC.	705.82
03/05/2021	01	80995	100001674	POTTERYWORKS MOBILE	225.00
03/05/2021	01	80996	00000252	PURE CLEANERS	462.85
03/05/2021	01	80997	100001010	RACHEL GIBSON	75.00
03/05/2021	01	80998	100001699	RAYMOND KING JR.	102.00
03/05/2021	01	80999	100000780	RHYTHM ENGINEERING	580.00
03/05/2021	01	81000	00001662	RICHARD GRIER	75.98
03/05/2021	01	81001	00906119	ROBERT WAGNER	121.25
03/05/2021	01	81002	100001679	ROLLAND H. HENDERSON AND	12.63
03/05/2021	01	81003	100000884	RYAN RUDDLELL	30.00
03/05/2021	01	81004	100001070	SANDS FORD OF RED HILL	143.69
03/05/2021	01	81005	00000163	SHARON TUCKER	100.00
03/05/2021	01	81006	100001704	SKROLLING STONE INVESTMENTS LSR, INC	51.00
03/05/2021	01	81007	100001703	SOMERVILLE MONTGOMERY LP	61.00
03/05/2021	01	81008	100000701	STAPLES BUSINESS CREDIT	363.36
03/05/2021	01	81009	00003015	STEPHEN A. SPLENDIDO	30.00
03/05/2021	01	81010	100001702	STEVE H. MUCHNICK	75.25
03/05/2021	01	81011	100001700	SUSS STEVE LLC	98.25
03/05/2021	01	81012	00906111	THE PROTECTION BUREAU	14.50
03/05/2021	01	81013	03214649	THE TODI FOUNDATION	178.00
03/05/2021	01	81014	100001210	TIMBERLANE, INC	173.00
03/05/2021	01	81015	00000239	TOWN COMMUNICATIONS	1,080.00
03/05/2021	01	81016	100000287	TRACKER PRODUCTS	3,198.00
03/05/2021	01	81017	100000897	TREVOR DALTON	15.00
03/05/2021	01	81018	100000290	TRIAD TRUCK EQUIPMENT	42,745.00
03/05/2021	01	81019	0903444	TURNER SEMRAU	60.00
03/05/2021	01	81020	100001181	TURTLE & HUGHES ELECTRICAL &	408.00
03/05/2021	01	81021	00000327	U.S. MUNICIPAL SUPPLY INC.	628.08
03/05/2021	01	81022	00000327	U.S. MUNICIPAL SUPPLY INC.	4,050.00
03/05/2021	01	81023	00000040	VERIZON	192.69
03/05/2021	01	81024	00000040	VERIZON	584.35
03/05/2021	01	81025	00000040	VERIZON	69.09
03/05/2021	01	81026	00000040	VERIZON	44.01
03/05/2021	01	81027	00000038	VERIZON WIRELESS SERVICES, LLC	1,976.80
03/05/2021	01	81028	100000854	VINAY SETTY	135.00
03/05/2021	01	81029	100000891	VINCENT ZIRPOLI	150.00
03/05/2021	01	81030	100001678	WATER TOWER SQUARE ASSOCIATES	30.50
03/05/2021	01	81031	100001678	WATER TOWER SQUARE ASSOCIATES	0.00
03/05/2021	01	81032	100001681	WB COMMONS	0.00
03/05/2021	01	81033	00001329	WELDON AUTO PARTS	0.00
03/05/2021	01	81034	00002090	WHITMOYER AUTO GROUP	0.00
03/05/2021	01	81035	00000760	WM CORPORATE SERVICES, INC	0.00
03/05/2021	01	81036	100001042	ZACHARY EIDEN	0.00
03/05/2021	01	81037	100000814	AMAZON.COM SERVICES, INC	205.51

03/05/2021 01:25 PM  
User: msanders  
DB: Montgomery Twp

CHECK REGISTER FOR MONTGOMERY TOWNSHIP  
CHECK DATE FROM 02/22/2021 - 03/08/2021

Page: 3/3

Check Date	Bank	Check	Vendor	Vendor Name	Amount
03/05/2021	01	81038	100001706	COLMAR FIRE COMPANY	100.00
03/05/2021	01	81039	00000817	GILMORE & ASSOCIATES, INC.	43,618.79
03/05/2021	01	81040	00000817	VOID	0.00 V
03/05/2021	01	81041	100001254	KILCOYNE & KELM, LLC	525.00
03/05/2021	01	81042	100001678	WATER TOWER SQUARE ASSOCIATES	244.00
03/05/2021	01	81043	100001681	WB COMMONS	25.50
03/05/2021	01	81044	00001329	WELDON AUTO PARTS	599.79
03/05/2021	01	81045	00002090	WHITMOYER AUTO GROUP	55,300.00
03/05/2021	01	81046	00000760	WM CORPORATE SERVICES, INC	1,577.41
03/05/2021	01	81047	100001042	ZACHARY EIDEN	30.00

01 TOTALS:

(8 Checks Voided)

Total of 161 Disbursements:

616,481.30

**Check Register Report For****For Check Dates 02/23/2021 to 03/08/2021**

<b>Check Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
3/4/2021	PA SCDU	Withholding Payment	852.17
3/4/2021	MORGAN STANLEY SMITH BARNEY INC	Police Pension	7,679.90
3/4/2021	UNITED STATES TREASURY	Tax Payment	97,145.00
3/4/2021	CITY OF PHILADELPHIA	Tax Payment	489.75
3/4/2021	EMPOWER RETIREMENT	401 Plan	17,375.30
3/4/2021	EMPOWER RETIREMENT	457 Plan	16,280.13
3/4/2021	PBA	Withholding Payment	1,250.00
3/1/2021	ICMA RC	DROP Payment	16,345.64
2/24/2021	STATE OF PA	Tax Payment	9,765.77
			167183.66
			<b>\$167,183.66</b>

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
**BOARD ACTION SUMMARY**  
Item # **7**

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SUBJECT: Consider Appointments to the Human Relations Commission  
MEETING DATE: March 8, 2021  
BOARD LIAISON:  
INITIATED BY: Board of Supervisors

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**BACKGROUND:**

The Board of Supervisors adopted an ordinance to establish a Human Relations Commission at their October 26, 2020 public meeting. The ordinance went into effect 90 days later.

The Township solicited residents who might be interested in serving on the committee utilizing the website, social media, and the weekly e-news. Seven residents responded with one resident already serving on two committees.

**BUDGET IMPACT:**

This will have nominal impact to the budget, as only the initial training will involve the Solicitor's office as well as drafting a complaint form. Should a claim be made and there is a need for a meeting the Solicitor would be asked to attend.

**RECOMMENDATION:**

Staff recommends the Board of Supervisors appoint the six residents who submitted their respective statements of interests and resumes and do not currently serve on any Township committee.

**MOTION/RESOLUTION:**

**Motion** to appoint the following residents to the Montgomery Township Human Relations Commission.

Brinder Gill	term expires on December 31, 2023
Amy Hanson	term expires on December 31, 2023
Nisha Joy	term expires on December 31, 2022
Leesa Meade	term expires on December 31, 2022
Kunbi Rudnick	term expires on December 31, 2021
Jaszianne Tolbert	term expires on December 31, 2021

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**MONTGOMERY TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 20-315**

**AN ORDINANCE OF MONTGOMERY TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ENACTING A HUMAN RELATIONS ORDINANCE TO PROVIDE FOR THE CREATION OF THE MONTGOMERY TOWNSHIP HUMAN RELATIONS COMMISSION, AND TO PROHIBIT DISCRIMINATION IN EMPLOYMENT, HOUSING, COMMERCIAL PROPERTY AND PUBLIC ACCOMMODATION WITHIN THE TOWNSHIP; REPEALING ALL INCONSISTENT ORDINANCES, OR PARTS THEREOF; AND PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE**

**WHEREAS**, the Constitutions of the United States of America and the Commonwealth of Pennsylvania provide that all individuals are entitled to equality and equal protection under law; and

**WHEREAS**, the Montgomery Township Board of Supervisors finds that the population of the Township is reflective of the general population of the United States, in that it consists of a diverse array of individuals representing different characteristics based upon actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression; and

**WHEREAS**, the Township prides itself on the diversity of its citizens, and the harmonious relations which have been fostered in the Township by a widely practiced and recognized attitude of respect among all citizens of Montgomery Township; and

**WHEREAS**, the Board of Supervisors finds that the direct and secondary negative effects of discrimination and discriminatory practices involving the personal characteristics described above in matters of employment, housing, commercial property and public accommodation, are well documented nationally; and

**WHEREAS**, the practice or policy of engaging in discrimination or discriminatory practices against any individual or group, because of actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression is a matter of highest public concern, and constitutes a paramount threat to the rights, privileges, peace and good order of the citizens of Montgomery Township, and to guests and visitors of the Township, that undermines the basic tenets of our freedom as citizens of the United States, and is utterly unwelcome in this Township, which has a storied tradition of fiercely defending the individual rights of its citizens; and

**WHEREAS**, the Board of Supervisors desires to establish and adopt an official policy of non-discrimination in Montgomery Township, in all matters involving employment, housing and commercial property, and public accommodation.

**NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED** by the Board of Supervisors of Montgomery Township as follows:

**PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 47: HUMAN RELATIONS**

**§47-1 Short Title.**

This Chapter shall be known as the “Montgomery Township Human Relations Ordinance.”

**§47-2 Purpose and Declaration of Policy.**

- A. Montgomery Township finds that it is of high public importance to adopt appropriate legislation to ensure that all persons, regardless of actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap, use of guide or support animals because of blindness, deafness or physical handicap of the user or the user is a handler or trainer of support or guide animals; sexual orientation, gender identity or gender expression enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing and public accommodation.
- B. The Montgomery Township Board of Supervisors hereby declares it to be the public policy of the Township to foster equality and equal opportunity for all citizens, regardless of actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals; sexual orientation, gender identity or gender expression in all matters affecting employment, housing and commercial property, and public accommodation, and to safeguard the right of all persons to remain free of discrimination or discriminatory practices in any of the foregoing aspects of their lives.
- C. Nothing in this Chapter shall be construed as supporting, endorsing or advocating any particular doctrine, point of view, or religious belief. On the contrary, it is the express purpose and intent of this Chapter that all persons be treated fairly and equally, and that all persons in Montgomery Township shall be guaranteed fair and equal treatment under the law.
- D. This Chapter shall be deemed an exercise of the police power of Montgomery Township, as provided under the Pennsylvania Second Class Township Code, to maintain peace, good government and the welfare of the Township, and to protect the health, safety, morals and general welfare of the Township’s inhabitants.



### **§47-3 Definitions.**

The following words and phrases, when appearing in this Chapter, shall have the meanings given to them under this Section:

**BOARD OF SUPERVISORS or BOARD.** The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania.

**CHAPTER.** This chapter, the “Montgomery Township Human Relations Ordinance.”

**COMMERCIAL PROPERTY OR HOUSING.** The opportunity for an individual to obtain any commercial property or housing accommodation for which he or she is qualified.

**DISCRIMINATION.** Any discriminatory act(s) taken by any person, employer, entity, employment agency, or labor organization, with respect to or involving a transaction related to employment, public accommodations, publicly offered commercial property or housing accommodations, on the basis of a person’s actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual’s sexual orientation, gender identity or gender expression.

**DISCRIMINATORY ACTS.** All acts or actions defined in the Pennsylvania Human Relations Act as unlawful discriminatory practices as related to employment, public accommodations, publicly offered commercial property or housing accommodations, actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals; or, though not set forth in the Pennsylvania Human Relations Act, because of an individual’s sexual orientation, gender identity or gender expression.

**EMPLOYEE.** The term does not include any individuals who, as a part of their employment, reside in the personal residence of the employer.

**EMPLOYER.** The term includes the Township, its departments, boards and commissions, any other governmental agency or school district thereof, and any person employing four or more persons within the Township, but except as hereinafter provided, does not include religious fraternal, charitable or sectarian corporations or associations, except such corporations or associations supported, in whole or in part, by governmental appropriations.

**EMPLOYMENT.** The opportunity for an individual to obtain employment for which he or she is qualified.

**GENDER IDENTITY OR EXPRESSION.** Self-perception, or perception by others, as male or female, including an individual’s appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one’s physical anatomy, chromosomal sex, or assigned sex at birth,

and shall include, but is not limited to, persons who are undergoing or who have completed sex reassignment, are transgender or gender variant.

**ORDINANCE.** This Ordinance, which shall be referred to as the "Montgomery Township Human Relations Ordinance."

**PERSON.** Any natural person, fraternal, civic or other membership organization, corporation, general or limited partnership, proprietorship, limited liability company, or similar business organization, including the Township, its departments, boards and commissions, and any other for-profit and nonprofit organization.

**PUBLIC ACCOMMODATION.** The opportunity for an individual to access food, beverages or lodging, resort or amusement which is open to, accepts, or solicits the patronage of the general public, but shall not include any accommodations which are in their nature distinctly private.

**SEXUAL ORIENTATION.** Actual or perceived homosexuality, heterosexuality and/or bisexuality.

Any terms of this Chapter not expressly defined herein shall be construed in a manner consistent with the Pennsylvania Human Relations Act.

#### **§47-4 Unlawful Practices.**

- A. Discrimination in employment, housing and commercial property, or any public accommodation is prohibited under this Chapter.
- B. Retaliation against any individual because such person has opposed any practice forbidden by this Chapter, or because such person has made a charge, testified, or assisted in any manner in any investigation or proceeding under this Chapter is prohibited under this Chapter.
- C. Aiding, abetting, inciting, compelling or coercing the doing of any act declared by this Chapter to be an unlawful practice, or obstructing or preventing any person from complying with the provisions of this Chapter is prohibited under this Chapter.

#### **§47-5 Exceptions.**

Nothing in this Chapter shall bar any religious or denominational institution or organization, or any charitable or educational organization which is operated, supervised or controlled by or in connection with any religious organization, or any bona fide private or fraternal organization from giving preference to persons of the same religion or denomination, or to members of such private or fraternal organization from making such selection as is calculated by such organization to promote the religious principles or the aims, purposes or fraternal principles for which it is established or maintained. Nor shall it apply to rental of rooms in a landlord-occupied rooming house with a common entrance, nor with respect to discrimination based on sex, the advertising,

the rental or leasing of housing accommodations in a single-sex dormitory or rooms in one's personal residence in which common living areas are shared.

#### **§47-6 Establishment of Human Relations Commission.**

Pursuant to the authority set forth under the Pennsylvania Human Relations Act, 43 P.S. § 962.1, there is hereby established a Human Relations Commission for Montgomery Township, which shall be known as the "Montgomery Township Human Relations Commission."

- A. The Montgomery Township Human Relations Commission shall consist of six (6) members, who shall be appointed to terms of three (3) years by the Board. The terms of the members of the Commission shall be staggered, such that the terms of one third (1/3) of the members of the Commission shall expire each year. All members of the Commission shall be residents or business owners of Montgomery Township, and shall serve without compensation.
- B. The Human Relations Commission shall, annually, designate one member to serve as Chairperson of the Commission. The Chairperson shall be responsible for coordinating the activities, meetings, and operations of the Commission, as set forth under this Chapter, such meetings which shall occur a minimum of twice per year. The Chairperson shall also report, from time to time, to the Township Manager regarding the activities of the Commission.
- C. The Chairperson of the Commission will designate one member as needed to receive complaints and conduct an intake meeting with the complainants. The member charged with this duty shall not participate in any mediations involving parties to the complaint for which they handled the intake, nor shall this member vote on complaints brought in front of the Commission.
- D. Members of the Commission shall, as soon after their appointment as practical, attend such training and education seminars or sessions as deemed necessary to acquaint themselves with the functioning of the Montgomery Township Human Relations Commission under this Chapter, as well as the terms, conditions and provisions of the Pennsylvania Human Relations Act, and the operation of the Pennsylvania Human Relations Commission. Such training and education shall be as directed by the Chairperson and shall be performed in conjunction with the state Human Relations Commission.
- E. The Montgomery Township Human Relations Commission shall have all of those powers necessary to execute the duties set forth under this Chapter, provided that such powers shall not exceed those exercised by the Pennsylvania Human Relations Commission under the Pennsylvania Human Relations Act.
- F. The Montgomery Township Human Relations Commission shall operate within the scope of funds which may be allocated, on an annual basis by the Board of Supervisors and shall not exceed the annual allocation in any year, except upon prior approval by the Board. In adopting this Chapter, the Board hereby expresses its intention that the operation of the Montgomery

Township Human Relations Commission under this Chapter shall be supported by volunteers, unpaid staff, and volunteer efforts, and shall be as close to “zero-cost” to the Township as reasonably feasible.

#### **§47-7 Complaint Procedures.**

A. Complaints. Any person claiming to be aggrieved by a practice which is made unlawful under this Chapter may make, sign and file a verified complaint, as provided under §47-7.B(1) of this Chapter, alleging violations of this Chapter. Such complaint shall, at a minimum, contain the following information:

- (1) The name, telephone number, mailing address and email (if applicable) of the aggrieved person(s);
- (2) The name, telephone number, mailing address and email (if applicable) of the person(s) alleged to have committed the prohibited practice;
- (3) A concise statement of the facts, including pertinent dates, time, locations, people, and acts involved constituting the alleged discriminatory practice;
- (4) Such other information as may be required by the Commission.

#### **B. Procedure.**

- (1) Complaints may be filed in person at the office of the Township Manager, or by mailing such complaints to the Township offices, to the attention of the Township Manager or the member of the Commission designated to handle intake. All such complaints must be received by the Township within one hundred eighty (180) days of the occurrence of the last act giving rise to the complaint, or such complaint shall be dismissed as untimely.
- (2) The Township Manager shall transmit all complaints received to the Chairperson of the Commission not later than ten (10) days of receipt of the complaint. The Township Manager shall conspicuously mark the face of the complaint with the date the document was first received in the Township offices.
- (3) The Commission may promulgate forms for use by persons wishing to file a complaint, however, complaints which are prepared without the use of an approved form shall be deemed acceptable under this Chapter so long as the facts set forth under §47-7.A can be clearly determined from the document submitted as a complaint.
- (4) The Commission may provide for a process by which persons seeking to file a complaint may consult with a volunteer or other staff person affiliated with the

Commission, who is trained to assist the prospective complainant in discerning the facts relevant to the prospective complaint. Such process shall also include referral of additional information to the prospective complainant concerning the content of this Chapter, the content of the Pennsylvania Human Relations Act, and the availability of the Pennsylvania Human Relations Commission as an additional venue within which the prospective complainant may seek redress when possible.

C. Notifications and Answer. Within thirty (30) days of receipt of a complaint, the Commission shall:

- (1) Send a copy of the complaint to the person(s) charged with a discriminatory act or practice under this Chapter (the "respondent"), together with a copy of this Chapter.
- (2) Send a notice to the complainant, informing him or her that the complaint has been accepted and processed by the Commission. If the complaint alleges discrimination on a basis proscribed under federal or state law, the Notice shall also inform the complainant of his or her right to file a complaint with the Pennsylvania Human Relations Commission or the federal Equal Employment Opportunity Commission, as well as the U.S. Department of Housing and Urban Development, where applicable.
- (3) The Commission shall notify the Pennsylvania Human Relations Commission of the filing of any complaint that may be deemed to be within the jurisdiction of that Commission, as required under the Pennsylvania Human Relations Act.
- (4) The Commission shall also include a notice to both the complainant and the respondent(s) of their option to elect to proceed to voluntary mediation in order to resolve the matters giving rise to the complaint.
- (5) The respondent(s) shall file a written verified answer to the complaint within thirty (30) days of service of the complaint. An answer shall be filed in the same manner as a complaint.

D. Procedure following Notification and Answer. Within thirty (30) days of receipt of an answer to a complaint, or, where no answer is filed, within sixty (60) days of service of the complaint upon the respondent(s), the Commission shall proceed in accordance with the following options:

(1) Mediation

- (a) In the event that both parties have consented to mediation, the Commission shall refer the matter to a recognized alternative dispute resolution service, which same service may be provided through Montgomery County, the Montgomery County Bar Association, or any other professional mediation

service provider, or may refer the matter to a licensed member of the Pennsylvania bar, who may be willing to perform service to the Commission as a volunteer mediator. Any costs or expenses which may be associated with the mediation shall be the responsibility of the parties. The parties shall jointly select the mediator; however, the Commission shall retain the authority to act as the mediator in the event the parties have agreed to mediation but cannot jointly agree on a mediator. Mediation sessions conducted by the Commission may proceed with a minimum of two eligible Commission Members. Mediation sessions shall remain private and not otherwise subject to public attendance.

(b) When mediation has resulted in an amicable resolution of the complaint and the complaint is resolved, the Commission shall notify the parties that the complaint has been dismissed and shall record the result of the mediation in the Notice of dismissal.

(2) In the event the complaint has not been resolved through mediation, the parties are entitled to proceed to the Court of Common Pleas in Montgomery County and/or the Pennsylvania Human Relations Commission if appropriate.

#### **§47-8 Non-Limitation of Remedies.**

Nothing contained in this Chapter shall be deemed to limit the right of an aggrieved person to recover under any other applicable law or legal theory.

#### **§47-9 Multiple Filings.**

This Chapter shall not apply to matters which are the subject of pending or prior filings made by an aggrieved person before any state or federal court or agency of competent jurisdiction.

#### **§47-10 Penalties.**

- A. Any person who shall violate any provision of §47-4 of this Chapter may be subject by the Montgomery County Court of Common Pleas or any court of competent jurisdiction to the penalties enumerated in Section 9(f)(1&2), Sections 9.2, 9.3, and Sections 10 & 11 of the Pennsylvania Human Relations Act. The penalties contained in this Chapter shall mirror any future changes to the Pennsylvania Human Relations Act as adopted by the General Assembly and approved by the Governor.
- B. This Chapter extends the protections of the Pennsylvania Human Relations Act to include actual or perceived sexual orientation, gender identity or gender expression.
- C. All penalties included in the Pennsylvania Human Relations Act shall be extended to include all protected classes enumerated in the Montgomery Township Human Relations Ordinance.

**§47-11 Severability.**

The terms, conditions and provisions of this Chapter are hereby declared to be severable, and, should any portion, part or provision of this Chapter be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the Montgomery Township Board of Supervisors hereby declares its intent that the Chapter shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Chapter.

**§47-12 Repealer.**

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

**§47-13 Effective Date.**

This Ordinance shall be effective ninety (90) days after enactment.

**ORDAINED AND ENACTED** by the Board of Supervisors of Montgomery Township on this 26<sup>th</sup> day of October, 2020.

Attest:

**MONTGOMERY TOWNSHIP  
BOARD OF SUPERVISORS**

  
Carolyn McCreary, Secretary

  
Tanya C. Bamford, Chair

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
**BOARD ACTION SUMMARY**  
Item # 8

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SUBJECT:	Spring/Summer 2021 Recreation Programs
MEETING DATE:	March 8 <sup>th</sup> 2021
BOARD LIAISON:	Tanya C. Bamford, Chair
INITIATED BY:	Derek Muller, Community & Recreation Center Program Supervisor Floyd S. Shaffer, Community & Recreation Center Director

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**BACKGROUND:**

Attached is the proposed roster of the Montgomery Township Community and Recreation Center (Mont CRC) Spring/Summer 2021 Recreation/Fitness Programs and the recommended fee schedules for the various activities. The schedule will be valid from March 29, 2021 through September 1<sup>st</sup>, 2021. All Mont CRC activities and events will be promoted through the Mont CRC Facebook page, promotional flyers, e-newsletters, and the Township's Instagram account.

The diverse lineup of activities, programs, and special events provides a safe foundation of outdoor and indoor opportunities during the second year of the COVID-19 Pandemic. We intend to continue to cautiously move forward toward "normalcy" in the provision of recreation services to the community.

**PREVIOUS BOARD ACTION:**

Approval of fees and charges for each quarter of Seasonal Recreation Programs.

**BUDGET IMPACT:**

Recreation opportunities are expected to be budget neutral.

**RECOMMENDATION:**

Approve the 2021 Spring/Summer Recreation Program and Fee Schedule amendment as submitted.

**MOTION/RESOLUTION:**

MOTION to approve the 2021 Spring/Summer Recreation Program and Fee Schedule amendment as submitted.

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_



Spring/Summer 2021 Proposed Recreation Fees							
Pre-School Programs							
Program	Venue	Ages	Days	Time	Duration	Member	Non-Member
Arts & Crafts	Event Room	3 to 5	Tuesdays	3:30pm-4:15pm	4 week sessions	\$25	\$30
Creative Drama	Event Room	3 to 5	Thursdays	3:30pm-4:15pm	4 week sessions	\$25	\$30
Fitness, Friends, and Fun (Skills & Drills Programs)	Gym A	3 to 5	Wednesdays	4:30pm-5:15pm	4 week sessions	\$ 25.00	\$ 30.00
North Wales Area Library Programs	Gym A	4 & under	Wednesdays	10:00am-10:45am	Twice each month	Free	Free
Youth & Teen Programs							
Program	Venue	Ages	Days	Time	Duration	Member	Non-Member
Acting/Drama Workshops - Various Topics/Skills	Event Room	Various	Saturdays & Sundays	10:00am-12:00pm	1 date each	\$10	\$15
Active Play	Gym B	9 to 12	Wednesdays	6:00pm-7:15pm	4 week sessions	\$25	\$30
Building Club	Event Room	6 to 8	Tuesdays	4:30pm-5:45pm	4 week sessions	\$25	\$30
Babysitting Certification Class	Event Room	10 to 15	Sunday	9:00am-3:00pm	1 date	\$60	\$65
Chess Club	Senior Lounge	9 to 12	Tuesdays	6:00pm-7:15pm	4 week sessions	\$25	\$30
Comic Book Drawing Class	Event Room	9 to 12	Tuesdays	6:00pm-7:15pm	4 week sessions	\$25	\$30
Elementary Drawing (Young Rembrandts)	Event Room	5 to 14	Saturdays	11:30am-12:30am	4 week sessions	\$65	\$75
Fitness, Friends, and Fun (Skills & Drills Programs)	Gym B	6 to 8	Wednesdays	4:30pm-5:15pm	4 week sessions	\$25	\$30
Fitness, Friends, and Fun (Skills & Drills Programs)	Gym B	6 to 8	Wednesdays	4:30pm-5:15pm	4 week sessions	\$25	\$30
Intro to TV Video Production	Event Room	13 to 16	Mondays	6:00pm-7:15pm	6 week sessions	\$50	\$60
Kids Night Out: Gamer Club	Event Room	9 to 12	Fridays	5:30pm-7:30pm	1 date each	\$5	\$10
Kids Night Out: Movies, Games, Crafts, and Friends	Event Room	6 to 12	Fridays	5:30pm-7:30pm	1 date each	\$5	\$10
One-Act Play	Event Room	6 to 12	Thursdays	6pm-7:30pm	8 week sessions	\$60	\$70
Pottery Classes	Senior Lounge	5 to 15	Mondays	4:00pm-5:00pm	4 week sessions	\$100	\$110
School's Out Days	Event Room/Gym A	6 to 12	Various	9:00am-3:00pm	1 day each	\$30	\$35
Skills & Drills: Flag Football	Front Lawn/Gym A	5 to 8 & 9 to 12	Saturdays	10:15am-11:15am	4 week sessions	\$25	\$30
Soccer Shots	Front Lawn/Gym A	2 to 8 (various sessions)	Sundays	11am-1:15pm	7 weeks	\$90	\$100
Stand-Up Comedy Class	Senior Lounge	14 to 17	Thursdays	6:30pm-7:30pm	6 weeks	\$50	\$60
The Writer's Room - Creative Writing Workshop	Senior Lounge	9 to 12	Thursdays	6:00pm-7:15pm	4 week sessions	\$25	\$30
Adult Programs							
Program	Venue	Ages	Days	Time	Duration	Member	Non-Member
Badminton	Gym B	18+	Sundays	8am-11am	All season	Included	\$5 drop in
CPR Certification Classes	Event Room	12+	Tuesdays	4:30pm-7:30pm	1 date each	\$90	\$100
Group Guitar Lessons	Event Room	18+	Mondays	5:30pm-7:30pm	7 weeks	\$60	\$70
Group Pickleball Lessons	Gym A	18+	Thursdays	5:30pm-7:30pm	3 week sessions	\$40	\$50
Pickleball (by Reservation)	Gym A	18+	Monday to Friday	8am-2pm	All season	Included	\$5
Pickleball (by Reservation)	Gym A	18+	Sundays	9am-11am	All season	Included	\$5 drop in
Pottery Classes	Senior Lounge	16+	Thursdays	5:30pm-7:00pm	4 week sessions	\$100	\$110
Fitness Programs							
Program	Venue	Ages	Days	Time	Duration	Member	Non-Member
Group Fitness Classes	Front Lawn/Gym B	16+	Various	Various	All season	Included	\$5 drop in
Spinning	Outside	16+	Various	Various	Year Round	Included	\$5.00 drop-in
Senior Fitness Classes	Gym B	50+	Various	Various	All season	Included	\$5 drop in
*Offerings in accordance with COVID-19 restrictions.							
Senior Programs							
Program	Venue	Ages	Days	Time	Duration	Member	Non-Member

Book Club	Senior Lounge	50+	Tuesdays	2:00pm-4:00pm	All season	Free	Free
Coloring, Crafts, and Chat	Senior Lounge	50+	Mondays & Wednesday	11:00am-1:00pm	All season	Free	Free
Musical Jam Session	Senior Lounge	50+	Tuesdays	1:00pm-3:00pm	All season	Free	Free
Senior Trivia	Event Room	50+	Thursdays	1:00pm-2:30pm	3 dates	Free	Free
Community Events							
Program	Venue	Ages	Days	Time	Duration	Member	Non-Member
Game Nights	Event Room	Various	Fridays	5:30pm-7:00pm	1 date	\$5	\$10
Canvas Painting Family Events	Event Room	5+	Fridays	5:30pm-7:00pm	3 dates	\$10	\$15
Pottery Family Events	Event Room	5+	Various	6:00pm-7:30pm	1 date	\$30	\$35
Spring Celebration	Gym A & B	Family	Saturday	1pm-4pm	1 date	Free	Free
Bunny Craft Kit Drive-Thru	Bus Loop	Family	Saturday	12pm-2pm	1 date	\$ 10.00	\$ 10.00
Summer Concert Series	Front Lawn/Bus Loop	Family	Thursdays	7pm-8:15pm	1 date each	Free	Free
Kids University							
Program	Venue	Ages	Days	Time	Duration	Member	Non-Member
Kids University	Various (CRC)		12-Jun Monday to Friday	9am-4pm	8 weeks total	\$160 (Residents)	\$175 (Non-Resident)

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 9

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SUBJECT:	Donation of Used Police Vehicle
MEETING DATE:	March 8, 2021
BOARD LIAISON:	Tanya C. Bamford, Chair
INITIATED BY:	J. Scott Bendig, Chief of Police

---

**BACKGROUND:**

In conjunction with the Montgomery County Department of Public Safety, the Montgomery County Chiefs of Police Association sponsors an Emergency Vehicle Operator's Course (EVOC) for law enforcement and other emergency vehicle operators. EVOC provides emergency vehicle operators with the knowledge and skills necessary to safely operate an emergency vehicle in an emergency and non-emergency mode. Instruction includes both classroom and practical exercises.

Funding for vehicles utilized for the EVOC practical exercises is limited. Currently, vehicles utilized for the EVOC are retired police service vehicles donated by municipalities that use the training. In 2017 the police department, in conjunction with funding from the Delaware Valley Insurance Trust, sent all authorized drivers through the EVOC program.

The police department proposes the donation of a 2016 Ford Police Utility Interceptor (VIN: 1FM5K8AR5GGC72665) for the EVOC program. This vehicle currently has 111,644 miles and was retired from the fleet earlier this year.

**PREVIOUS BOARD ACTION:**

The Board of Supervisors previously authorized the donation of a police vehicle for EVOC in 2015.

**BUDGET IMPACT:**

The estimated funds received for a vehicle in this condition at auction is approximately \$2,500.00.

**RECOMMENDATION:**

It is recommended that the Board moves forward with the donation of the vehicle.

**MOTION/RESOLUTION:**

MOTION to authorize the donation of a 2016 Ford Police Utility Interceptor (VIN: 1FM5K8AR5GGC72665) to the Montgomery County Department of Public Safety for use in Emergency Vehicle Operator Courses (EVOC).

MOTION BY: \_\_\_\_\_ SECOND BY: \_\_\_\_\_

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS  
**BOARD ACTION SUMMARY**

Item # **10.**

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SUBJECT:	Consider Approval of Board of Assessment Appeals
MEETING DATE:	March 8, 2021
BOARD LIAISON:	Tanya Bamford, Chair
INITIATED BY:	Carolyn McCreary, Township Manager

---

**BACKGROUND:**

North Penn School District and the property owners of the following parcels 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. The properties in question are as follows:

**100-102 Commerce Drive** owned by AW Real Estate Inc.

(docket no. 2019-26332)

**980 Bethlehem Pike** formerly owned by JPMCC 2017-CIBC19 Bethlehem Pike LLC

(docket no. 2018-24350)

**710 North Wales Road** owned by Montgomeryville Realty Partners LP by Walgreen Eastern Co. Inc.

(docket no. 2018-26870)

**PREVIOUS BOARD ACTION:** None

**BUDGET IMPACT:**

Settlement for the tax appeal of the property located at 100-102 Commerce Drive will result in the Township receiving \$601.19 from the taxpayer for 2020. Settlement for the tax appeal of the property located at 980 Bethlehem Pike will result in the Township refunding the taxpayer \$4,159.78 for 2019 and 2020. Settlement for the property located at 710 N. Wales Road will result in the Township refunding the taxpayer \$1,456.00 for 2019 and 2020.

**RECOMMENDATION:**

Staff recommends the Board of Supervisors approve the identified settlements.

**MOTION/RESOLUTION:**

**Motion** to approve the stipulated settlements for the identified properties and authorize the Township Solicitor to execute the settlement stipulations.

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

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## MONTGOMERY COUNTY COURT OF COMMON PLEAS

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NORTH PENN SCHOOL DISTRICT

vs.

MONTGOMERY COUNTY BOARD  
OF ASSESSMENT APPEALS

:  
: Docket No. 2019-26332  
:  
: Assessment Appeal  
:  
: Property Location: 100-102 Commerce Drive  
:  
: Tax Parcel No.: 46-00-03577-09-4

---

### ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 2021, it is hereby ORDERED and DECREED that the terms and conditions of the attached Stipulation to Settle are accepted, adopted and incorporated herein, as terms and conditions of a binding Court Order.

IT IS FURTHER Ordered and Decreed that the Montgomery County Board of Assessment Appeals shall make the appropriate increases in assessments as agreed to in the attached Stipulation to Settle, that the taxing authorities shall send out any tax bills as a result of the increase in assessments, and that the Prothonotary shall mark the above-captioned action "Settled, Discontinued and Ended."

BY THE COURT:

\_\_\_\_\_  
J.

Copies of the above Order mailed on \_\_\_\_\_ to:  
Michael L. Barbiero, Esquire  
Alexander M. Glassman, Esquire  
Samantha Magee, Esquire  
Brian O. Phillips, Esquire  
Daniel Grieser, Esquire  
Brian L. Nagle, Esquire  
Matthew M. McKeon, Esquire  
Court Administration – Civil

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Judicial Secretary

{01215191;v1}

3854539v1  
010050.66199

RUDOLPH CLARKE, LLC  
BY: Michael L. Barbiero, Esquire  
Attorney I.D. No. 82933  
BY: Alexander M. Glassman, Esquire  
Attorney I.D. No. 314530  
7 Neshaminy Interplex, Suite 200  
Trevose, PA 19053  
215.633.1890  
[aglassman@rudolphclarke.com](mailto:aglassman@rudolphclarke.com)  
[mbarbiero@rudolphclarke.com](mailto:mbarbiero@rudolphclarke.com)

Attorneys for Appellant,  
North Penn School District

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IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PA  
CIVIL ACTION - LAW

NORTH PENN SCHOOL DISTRICT	:	NO. 2019-26332
	:	
	:	REAL ESTATE
	:	ASSESSMENT APPEAL
v.	:	
	:	
MONTGOMERY COUNTY BOARD OF	:	
ASSESSMENT APPEALS, et al.	:	PARCEL NO. 46-00-03577-09-4

---

**SETTLEMENT STIPULATION**

**Parties**

1. Appellant is the North Penn School District.
2. Appellee is the Montgomery County Board of Assessment Appeals.
3. Intervenors are the Property Owner, AW Real Estate Inc., Montgomery County and Montgomery Township.

**Property**

4. The Property, which consists of approximately 2.52 acres is located on 100-102 Commerce Drive, within Montgomery Township, and is further identified as Tax Parcel No. 46-00-03577-09-4 ("Property").
5. The Property's current assessment is \$392,520

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### Appeal

6. On or about October 2019, the District filed an assessment appeal with the Board of Assessment Appeals challenging the Property's amount of \$392,520 for the taxable year beginning January 1, 2020
7. On October 10, 2019, after conducting a hearing on the Appeal, the Board issued a "Notice of No Change in Assessment" determination.
8. On November 8, 2019, the District appealed to this Court from the Board's "Notice of No Change in Assessment" determination.

### Settlement Terms

9. Based upon the risks and costs of litigation, the parties have decided it is in their best interests to settle this matter based upon the terms and conditions set forth in this Stipulation.
10. Accordingly, the parties, intending to be legally bound, and to bind their respective clients, agree to the following settlement terms:

**2020 Assessment:** Effective January 1, 2020 for County and Township tax years and July 1, 2020 for the School District tax year, the assessment on the Property shall be increased from its assessment of 392,520 to 796,000.

**2021 Assessment:** Effective January 1, 2021 for County and Township tax years and July 1, 2021 for the School District tax year, the assessment on the Property shall be increased from its assessment of 392,520 to 796,000.

11. The Property's assessment shall remain at 796,000 for each subsequent tax year after 2021, and tax bills will be issued in accordance with this assessment, until a change as otherwise permitted by Pennsylvania law has been made. Nothing contained herein shall prohibit, limit or impair the property owner from filing an annual or interim assessment appeal (as may be applicable) for the tax year 2022 or any year thereafter and all such rights are expressly reserved.
12. Based upon the increased assessments established by this Stipulation, all counsel agree that additional amounts are owing to the taxing authorities as follows:

### NORTH PENN SCHOOL DISTRICT

Tax Year	Old Assessment	New Assessment	Increase	Millage Rate	Amounts Owing
2020	392,520	796,000	403,480	.0267742	\$10,802.85
				<b>Total</b>	<b>\$10,802.85</b>

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**MONTGOMERY COUNTY**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Increase</b>	<b>Millage Rate</b>	<b>Amounts Owing</b>
2020	392,520	796,000	403,480	.003459	\$1,395.64
				<b>Total</b>	<b>\$1,395.64</b>

**MONTGOMERY COUNTY COMMUNITY COLLEGE (MCCC)**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Increase</b>	<b>Millage Rate</b>	<b>Amounts Owing</b>
2020	392,520	796,000	403,480	.00039	\$157.36
				<b>Total</b>	<b>\$157.36</b>

**MONTGOMERY TOWNSHIP**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Increase</b>	<b>Millage Rate</b>	<b>Amounts Owing</b>
2020	392,520	796,000	403,480	.00149	\$601.19
				<b>Total</b>	<b>\$601.19</b>

13. These calculations are subject to verification by the tax collector and/or treasurers of each taxing authority and their determinations are final.
14. The parties agree that the Property Owner will remit all underpayments set forth in Paragraph 12, as verified by the tax collector and/or business manager of each taxing authority in accord with Paragraph 13, directly to the taxing authorities within 30 days of receipt of bills from the applicable taxing authorities; the Property Owner shall forward these payments directly to the taxing authorities at the following addresses:

**District Payment:**

North Penn School District  
Attn: Stephen B. Skrocki  
Director of Business Administration  
401 E. Hancock Street  
Lansdale, PA 19446

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**County and MCCC Payments (separate checks):**

Montgomery County  
Attn: William Caldwell  
1 Montgomery Plaza, 6<sup>th</sup> Floor  
PO Box 311  
Norristown, PA 19404

**Municipality Payment:**

Montgomery Township  
Attn: Trish Gallagher  
1001 Stump Road  
Montgomeryville, PA 18936

15. That based on the increase in assessments established by this Stipulation and Order of Settlement, all counsel agree that the Taxing Authorities are entitled to receive from the Taxpayer, the additional amounts due and owing to the taxing authorities as a result of the revised assessment, as listed in paragraph 12 of this stipulation.
16. That upon Court approval of this Stipulation and Order of Settlement, the Taxing Authorities shall forward bills to the Taxpayer for the amount of additional payments due as set forth in paragraph 12 of this Stipulation.
17. Any tax bills will be verified by the tax collector and/or treasurers of each taxing authority and their determinations are final.
18. This Stipulation contains the statement of each and every term and provision agreed to by all parties. No other promises, representations or other inducements, oral or written, have been made to any of the other parties in exchange for this Stipulation.
19. The attorneys entering into this Stipulation represent that they and their clients have full authority to enter into this Stipulation and they have been authorized by their clients to enter into this Stipulation.
20. This Stipulation may be executed in one or more counterparts and by facsimile or electronic mail, each of which shall be deemed an original and all of which when taken together shall constitute a single agreement.
21. Each party shall bear its own costs as incurred.
22. This Stipulation shall be binding upon, and inures to the benefit of the undersigned, their clients, successors, grantees, heirs and assigns.

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[Signatures on Next Page]

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010050.66199

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**MARTINA STOLL**

President of the North Penn School District



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**SAMANTHA MAGEE, ESQUIRE**

Attorney for Montgomery County  
Board of Assessment Appeals



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**BRIAN L. NAGLE, ESQUIRE**

**MATTHEW M. MCKEON, ESQUIRE**

Attorney for Taxpayer

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**DANIEL GRIESER, ESQUIRE**

Attorney for Montgomery Township

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**BRIAN O. PHILLIPS, ESQUIRE**

Attorney for Montgomery County

{01215191;v1}

3854539v1  
010050.66199

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PA  
CIVIL ACTION - LAW

JPMCC 2017-CIBC19 BETHLEHEM PIKE LLC	:	NO. 2018-24350
	:	
VS.	:	
	:	ASSESSMENT APPEAL
MONTGOMERY COUNTY BOARD OF	:	
ASSESSMENT APPEALS et al.	:	PARCEL NO. 46-00-00313-00-1

---

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 2020, it is hereby ORDERED and DECREED that the terms and conditions of the attached Stipulation to Settle are accepted, adopted and incorporated herein, as terms and conditions of a binding Court Order.

IT IS FURTHER Ordered and Decreed that the Montgomery County Board of Assessment Appeals shall make the appropriate decreases in assessments as agreed to in the attached Stipulation to settle, that the taxing authorities shall make any appropriate refunds for overpayment as a result of the decrease in assessments, and that the Prothonotary shall mark the above-captioned action "Settled, Discontinued and Ended."

BY THE COURT:

\_\_\_\_\_  
J.

Copies of the above Order mailed on \_\_\_\_\_ to:  
Michael L. Barbiero, Esquire  
Alexander M. Glassman, Esquire  
Andrew W. Hood, Esquire  
Daniel D. Grieser, Esquire  
Samantha Magee, Esquire  
Brian O. Phillips, Esquire  
Court Administration – Civil

\_\_\_\_\_  
Judicial Secretary

RUDOLPH CLARKE, LLC  
BY: Michael L. Barbiero, Esquire  
Attorney I.D. No. 82933  
BY: Alexander M. Glassman, Esquire  
Attorney I.D. No. 314530  
7 Neshaminy Interplex, Suite 200  
Trevose, PA 19053  
215.633.1890

[aglassman@rudolphclarke.com](mailto:aglassman@rudolphclarke.com)  
[mbarbiero@rudolphclarke.com](mailto:mbarbiero@rudolphclarke.com)

Attorneys for Intervenor  
North Penn School District

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IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PA  
CIVIL ACTION - LAW

JPMCC 2017-CIBC19 BETHLEHEM PIKE LLC	:	NO. 2018-24350
	:	
VS.	:	
	:	ASSESSMENT APPEAL
MONTGOMERY COUNTY BOARD OF	:	
ASSESSMENT APPEALS et al.	:	PARCEL NO. 46-00-00313-00-1

---

1. Appellant is the former Property Owner, JPMCC 2017-CIBC19 Bethlehem Pike, LLC. The property was conveyed to 978 Bethlehem Pike, LLC on or about March 26, 2020.
2. Appellee is the Montgomery County Board of Assessment Appeals.
3. Intervenor are the North Penn School District, Montgomery County and Montgomery Township.

Property

4. The Property, which consists of approximately 3.69 acres is located on 980 Bethlehem Pike, within Montgomery Township, and is further identified as Tax Parcel No. 46-00-00313-00-1 ("Property").
5. The Property's current assessment is \$4,151,400.

Appeal

6. In 2018, the Property Owner filed an assessment appeal with the Board of Assessment Appeals challenging the Property's amount of \$4,151,400 for the taxable year beginning January 1, 2019.
7. On September 17, 2018, after conducting a hearing on the Appeal, the Board issued a notice of No Change in Assessment.

8. On October 17, 2018, the Property Owner appealed to this Court from the Board's determination seeking reduction of the assessment.

Settlement Terms

9. Based upon the risks and costs of litigation, the parties have decided it is in their best interests to settle this matter based upon the terms and conditions set forth in this Stipulation.
10. Accordingly, the parties, intending to be legally bound, and to bind their respective clients, agree to the following settlement terms:

**2019 Assessment:** Effective January 1, 2019 for County and Township tax years and July 1, 2019 for the School District tax year, the assessment on the Property shall be **decreased** from its assessment of 4,151,400 to 2,799,500. Applying the County's 2019 common level ratio of .509 this assessment results in an indicated market value of \$5,500,000.

**2020 Assessment:** Effective January 1, 2020 for County and Township tax years and July 1, 2020 for the School District tax year, the assessment on the Property shall be **decreased** from its assessment of 4,151,400 to 2,711,500. Applying the County's 2020 common level ratio of .493 this assessment results in an indicated market value of \$5,500,000.

**2021 Assessment:** Effective January 1, 2021 for County and Township tax years and July 1, 2021 for the School District tax year, the assessment on the Property shall be **decreased** from its assessment of 4,151,400 to 2,579,500. Applying the County's 2021 common level ratio of .469 this assessment results in an indicated market value of \$5,500,000.

11. The Property's assessment shall remain at 2,579,500 for each subsequent tax year after 2021, and tax bills will be issued in accordance with this assessment, until a change as otherwise permitted by Pennsylvania law has been made.
12. The parties acknowledge that this agreement does not limit the Montgomery County Board of Assessment Appeals' statutory authority to revise the assessment of the subject parcel as the result of a countywide reassessment, change in the subject property resulting in the issuance of an interim assessment, or otherwise provided by applicable law. If there is any such change in the assessment of the subject property, all parties shall have the right to appeal from that change as provided by law.
13. Based upon the assessments established in this Stipulation, the taxing authorities owe Property Owners the following overpayment amounts.<sup>1</sup>

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<sup>1</sup> The amount of the refund owed to Property Owner will be adjusted depending upon whether the taxes were paid within the discount, face, or penalty period for the tax year(s) at issue.

**NORTH PENN SCHOOL DISTRICT**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Refund</b>
2019	4,151,400	2,799,500	1,351,900	.0260957	35,278.78
2020	4,151,400	2,711,500	1,439,900	.0267742	38,552.17
				<b>Total</b>	<b>\$73,830.95</b>

**MONTGOMERY COUNTY**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Refund</b>
2019	4,151,400	2,799,500	1,351,900	.003459	4,676.22
2020	4,151,400	2,711,500	1,439,900	.003459	4,980.61
				<b>Total</b>	<b>\$9,656.83</b>

**MONTGOMERY COUNTY COMMUNITY COLLEGE (MCCC)**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Refund</b>
2019	4,151,400	2,799,500	1,351,900	.00039	527.24
2020	4,151,400	2,711,500	1,439,900	.00039	561.56
				<b>Total</b>	<b>\$1,088.80</b>

**MONTGOMERY TOWNSHIP**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Refund</b>
2019	4,151,400	2,799,500	1,351,900	.00149	2,014.33
2020	4,151,400	2,711,500	1,439,900	.00149	2,145.45
				<b>Total</b>	<b>\$4,159.78</b>

14. These calculations are subject to verification by the tax collector and/or treasurers of each taxing authority and their determinations are final.
15. The tax collector shall provide the necessary information to calculate the proper amount of refunds for all tax years at issue, including whether the prior year taxes were paid at face, discount or penalty, to the respective taxing authorities within thirty (30) days from the date of entry of the attached order

16. The taxing authorities agree that all overpayments set forth in Paragraph 13, as verified by the tax collector and/or business manager of each taxing authority in according with Paragraph 14, shall be paid directly to Property Owner within sixty (60) calendar days of the Court's approval of this Settlement Stipulation. The taxing authorities shall forward such payments to the Property Owner at the following address:

**JPMCC 2017-CIBC19 Bethlehem Pike, LLC**

c/o Stavitsky & Associates, LLC

Andrew W. Hood, Esq.

350 Passaic Avenue, Suite 102

Fairfield NJ, 07004

17. This Stipulation contains the statement of each and every term and provision agreed to by all parties. No other promises, representations or other inducements, oral or written, have been made to any of the other parties in exchange for this Stipulation.
18. The attorneys entering into this Stipulation represent that they and their clients have full authority to enter into this Stipulation and they have been authorized by their clients to enter into this Stipulation.
19. This Stipulation may be executed in one or more counterparts and by facsimile or electronic mail, each of which shall be deemed an original and all of which when taken together shall constitute a single agreement.
20. Each party shall bear its own costs as incurred.
21. This Stipulation shall be binding upon, and inures to the benefit of the undersigned, their clients, successors, grantees, heirs and assigns.

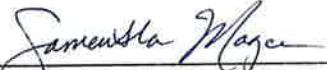
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[Signatures on Next Page]

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**MARTINA STOLL**

President of the North Penn School District



---

**SAMANTHA MAGEE, ESQUIRE**

Attorney for Montgomery County  
Board of Assessment Appeals



---

**ANDREW W. HOOD, ESQUIRE**

Attorney for JPMCC 2017-CIBC19 Bethlehem Pike, LLC  
and 978 Bethlehem Pike, LLC

---

**DANIEL D. GRIESER, ESQUIRE**

Attorney for Montgomery Township



---

**BRIAN O. PHILLIPS, ESQUIRE**

Attorney for Montgomery County



IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PA  
CIVIL ACTION - LAW

MONTGOMERYVILLE REALTY PARTNERS	:	NO. 2018-26870
LP BY WALGREEN EASTERN CO INC.	:	
	:	
VS.	:	
	:	ASSESSMENT APPEAL
MONTGOMERY COUNTY BOARD OF	:	
ASSESSMENT APPEALS et al.	:	PARCEL NO. 46-00-00361-00-7

---

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 2021, it is hereby ORDERED and DECREED that the terms and conditions of the attached Stipulation to Settle are accepted, adopted and incorporated herein, as terms and conditions of a binding Court Order.

IT IS FURTHER Ordered and Decreed that the Montgomery County Board of Assessment Appeals shall make the appropriate decreases in assessments as agreed to in the attached Stipulation to settle, that the taxing authorities shall make any appropriate refunds for overpayment as a result of the decrease in assessments, and that the Prothonotary shall mark the above-captioned action "Settled, Discontinued and Ended."

BY THE COURT:

---

**J.**

Copies of the above Order mailed on \_\_\_\_\_ to:  
Michael L. Barbiero, Esquire  
Alexander M. Glassman, Esquire  
Sharon F. DiPaolo, Esquire  
Daniel D. Grieser, Esquire  
Samantha Magee, Esquire  
Brian O. Phillips, Esquire  
Court Administration – Civil

---

Judicial Secretary

RUDOLPH CLARKE, LLC  
BY: Michael L. Barbiero, Esquire  
Attorney I.D. No. 82933  
BY: Alexander M. Glassman, Esquire  
Attorney I.D. No. 314530  
7 Neshaminy Interplex, Suite 200  
Trevose, PA 19053  
215.633.1890

[aglassman@rudolphclarke.com](mailto:aglassman@rudolphclarke.com)  
[mbarbiero@rudolphclarke.com](mailto:mbarbiero@rudolphclarke.com)

Attorneys for Intervenor  
North Penn School District

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IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PA  
CIVIL ACTION - LAW

MONTGOMERYVILLE REALTY PARTNERS	:	NO. 2018-26870
LP BY WALGREEN EASTERN CO INC.	:	
	:	
VS.	:	
	:	ASSESSMENT APPEAL
MONTGOMERY COUNTY BOARD OF	:	
ASSESSMENT APPEALS et al.	:	PARCEL NO. 46-00-00361-00-7

---

1. Appellant is the Property Owner, Montgomeryville Realty Partners LP by Walgreen Eastern Co. Inc.
2. Appellee is the Montgomery County Board of Assessment Appeals.
3. Intervenor are the North Penn School District, Montgomery County and Montgomery Township.

Property

4. The Property, which consists of approximately 79,497 square feet is located on 710 North Wales Rd., within Montgomery Township, and is further identified as Tax Parcel No. 46-00-00361-00-7 ("Property").
5. The Property's current assessment is \$3,927,000.

Appeal

6. In 2018, the Property Owner filed an assessment appeal with the Board of Assessment Appeals challenging the Property's amount of \$3,927,000 for the taxable year beginning January 1, 2019.
7. On October 23, 2018, after conducting a hearing on the Appeal, the Board issued a notice of No Change in Assessment.

8. On November 14, 2018, the Property Owner appealed to this Court from the Board's determination seeking reduction of the assessment.

Settlement Terms

9. Based upon the risks and costs of litigation, the parties have decided it is in their best interests to settle this matter based upon the terms and conditions set forth in this Stipulation.
10. Accordingly, the parties, intending to be legally bound, and to bind their respective clients, agree to the following settlement terms:

**2019 Assessment:** Effective January 1, 2019 for County and Township tax years and July 1, 2019 for the School District tax year, the assessment on the Property shall be **decreased** from its assessment of 3,927,000 to 3,512,100. Applying the County's 2019 common level ratio of .509 this assessment results in an indicated market value of \$6,900,000.

**2020 Assessment:** Effective January 1, 2020 for County and Township tax years and July 1, 2020 for the School District tax year, the assessment on the Property shall be **decreased** from its assessment of 3,927,000 to 3,364,720. Applying the County's 2020 common level ratio of .493 this assessment results in an indicated market value of \$6,824,990.

**2021 Assessment:** Effective January 1, 2021 for County and Township tax years and July 1, 2021 for the School District tax year, the assessment on the Property shall be **decreased** from its assessment of 3,927,000 to 3,200,930. Applying the County's 2021 common level ratio of .469 this assessment results in an indicated market value of \$6,825,011.

11. The Property's assessment shall remain at 3,200,930 for each subsequent tax year after 2021, and tax bills will be issued in accordance with this assessment, until a change as otherwise permitted by Pennsylvania law has been made.
12. The parties acknowledge that this agreement does not limit the Montgomery County Board of Assessment Appeals' statutory authority to revise the assessment of the subject parcel as the result of a countywide reassessment, change in the subject property resulting in the issuance of an interim assessment, or otherwise provided by applicable law. If there is any such change in the assessment of the subject property, all parties shall have the right to appeal from that change as provided by law.
13. Based upon the assessments established in this Stipulation, the taxing authorities owe Property Owners the following overpayment amounts.<sup>1</sup>

---

<sup>1</sup> The amount of the refund owed to Property Owner will be adjusted depending upon whether the taxes were paid within the discount, face, or penalty period for the tax year(s) at issue.

**NORTH PENN SCHOOL DISTRICT**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Refund</b>
2019	3,927,000	3,512,100	414,900	.0260957	\$10,827.11
2020	3,927,000	3,364,720	562,280	.0267742	\$15,054.60
				<b>Total</b>	<b>\$25,881.71</b>

**MONTGOMERY COUNTY**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Refund</b>
2019	3,927,000	3,512,100	414,900	.003459	\$1,435.14
2020	3,927,000	3,364,720	562,280	.003459	\$1,944.93
				<b>Total</b>	<b>\$3,380.07</b>

**MONTGOMERY COUNTY COMMUNITY COLLEGE (MCCC)**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Refund</b>
2019	3,927,000	3,512,100	414,900	.00039	\$161.81
2020	3,927,000	3,364,720	562,280	.00039	\$219.29
				<b>Total</b>	<b>\$381.10</b>

**MONTGOMERY TOWNSHIP**

<b>Tax Year</b>	<b>Old Assessment</b>	<b>New Assessment</b>	<b>Decrease</b>	<b>Millage Rate</b>	<b>Refund</b>
2019	3,927,000	3,512,100	414,900	.00149	\$618.20
2020	3,927,000	3,364,720	562,280	.00149	\$837.80
				<b>Total</b>	<b>\$1,456.00</b>

14. These calculations are subject to verification by the tax collector and/or treasurers of each taxing authority and their determinations are final.
15. The tax collector shall provide the necessary information to calculate the proper amount of refunds for all tax years at issue, including whether the prior year taxes were paid at face, discount or penalty, to the respective taxing authorities within thirty (30) days from the date of entry of the attached order

16. The taxing authorities agree that all overpayments set forth in Paragraph 13, as verified by the tax collector and/or business manager of each taxing authority in accordance with Paragraph 14, shall be paid directly to Property Owner within sixty (60) calendar days of the Court's approval of this Settlement Stipulation. The taxing authorities shall forward such payments to the Property Owner at the following address:

**Montgomeryville Realty Partners LP**  
Walgreens Co. Tax Department  
P.O. Box 1159  
Deerfield, IL 60015

17. This Stipulation contains the statement of each and every term and provision agreed to by all parties. No other promises, representations or other inducements, oral or written, have been made to any of the other parties in exchange for this Stipulation.
18. The attorneys entering into this Stipulation represent that they and their clients have full authority to enter into this Stipulation and they have been authorized by their clients to enter into this Stipulation.
19. This Stipulation may be executed in one or more counterparts and by facsimile or electronic mail, each of which shall be deemed an original and all of which when taken together shall constitute a single agreement.
20. Each party shall bear its own costs as incurred.
21. This Stipulation shall be binding upon, and inures to the benefit of the undersigned, their clients, successors, grantees, heirs and assigns.

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[Signatures on Next Page]

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**MARTINA STOLL**

President of the North Penn School District



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**SAMANTHA MAGEE, ESQUIRE**

Attorney for Montgomery County  
Board of Assessment Appeals



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**SHARON F. DIPAOLO, ESQUIRE**

Attorney for Property Owner

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**DANIEL D. GRIESER, ESQUIRE**

Attorney for Montgomery Township



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**BRIAN O. PHILLIPS, ESQUIRE**

Attorney for Montgomery County

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS

BOARD ACTION SUMMARY

Item # 11

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SUBJECT:	Discuss Proposed Property Dimensions to Accommodate Requests for Backyard Chickens
MEETING DATE:	March 8, 2021
BOARD LIAISON:	Tanya C. Bamford, Chair
INITIATED BY:	Bruce S. Shoupe, Director of Planning and Zoning

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BACKGROUND:

Locally Doylestown, Bristol, Horsham, Towamencin, Upper Gwynedd, Lower Gwynedd, Limerick, and New Britain Townships, New Britain Borough, Radnor Township, North Wales and Phoenixville Borough have all adopted ordinances.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

Presently this use is allowed in the LI - Limited Industrial zoning district. If this use is pursued in other zoning districts, staff is recommending the adoption of an ordinance allowing this as an incidental use on an actively used residential properties and requiring a process giving assurance of public notice for neighboring property owners and an opportunity for them to comment on the application.

RECOMMENDATION:

Attached is the Zoning Map of the Township showing the various residential districts. Based on the housing stock in the Township, the minimum property size would be 20,000 square feet which would support 4 chickens and 40,000 square feet or larger would support 6 chickens. Roosters would be prohibited.

Once you allow domestic poultry, good management practices are required for the care of these animals. These standards would be included in the proposed ordinance.

Provide staff direction with direction on how you wish use to proceed.



