

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

1. Call to Order: The March 22, 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 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
Director of Recreation Floyd Shaffer
Director of Planning & Zoning Bruce Shoupe
Director of Administration & HR Ann Shade
Recording Secretary Deborah A. Rivas

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

4. Announcements: Ms. Bamford announced that over the last 14 days, the positive rate of COVID-19 cases in Montgomery County has fallen below %5. The Sewer Authority Biobot study also indicates that the number of cases in the Township has fallen to levels that have not been seen since last summer. Ms. Bamford reminded everyone to not let their guard down and to continue to practice safety precautions.

Ms. Bamford reported that during the pandemic there has been an increase in hate crimes against the Asian community. Ms. Bamford stated that hate is never the solution and it is not to be tolerated against any singular group of people. Ms. Bamford encouraged the Township's Asian community to report any issues or concerns by calling 911 and to please not stay silent if you are the victim of a hate crime.

Director of Fire Services Bill Wiegman reported that on March 8, 2021, the American Red Cross held a virtual award ceremony honoring ten local heroes for their actions during a medical emergency at a township business. The American Red Cross presented four members of the Department of Fire Services, five members of the Volunteer Medical Service Corps of Lansdale and an employee of the business with Lifesaving Awards.

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 March 8, 2021 to discuss two personnel matters. The Board of Supervisors also met in an Executive Session at 6:30pm this evening to discuss three litigation 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. Chimera and unanimously carried, the minutes of the March 8, 2021 meeting and the Bills List dated March 22, 2021 were approved as presented.

7. Presentation: Public Works Department Recognition: Representative members of the Department of Public Works were present to accept the commendation for the department's service.

MOTION: Upon motion by Ms. Chimera, seconded by Mr. Quigg and unanimously carried, the Board adopted resolution #2012-19 commending and congratulating the Public Works staff for their commitment to the community and their dedicated efforts on behalf of the Township and its residents.

Public Hearing:

8. Costco Conditional Use Hearing: Gasoline Sales – Ms. Bamford opened the public hearing at 7:13 p.m. Notes of testimony were taken by Court Reporter Tim Kurek. Robert Brant, Esquire, represented the applicant, along with J.P. Andrews of Costco, Clifford Bock, P.E., and John Harter, Traffic Engineer. Mr. Andrews presented the proposal for the gasoline filling station, including the layout, hours of operation and staffing. Questions regarding blasting safety from the quarry, lighting and screening from nearby properties, traffic congestion on Costco Drive and Garden Golf Blvd. and future electronic charging stations were discussed. The hearing was closed at 7:41 p.m.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the conditional use to allow for gasoline sales at the Costco Warehouse, with the following conditions: 1) the applicant shall install infrastructure to support the eventual installation of electric vehicle charging stations to the satisfaction of the Township Engineer; and 2) the applicant shall resolve all traffic control issues, specifically Garden Golf Blvd. and Costco Drive, to the satisfaction of the Township's Traffic Engineer in the land development process.

Planning & Zoning:

9. Board Positions for Zoning Hearing Board Applications: Mr. Shoupe presented the three applications to be considered by the Zoning Hearing Board at their April meeting. The three applications are for 218 Grays Lane for a fence replacement; 110 Matthew Drive for a fence; and 1005 Horsham Road for an enlargement to an existing outdoor patio. The Board declined to intervene on any of the applications.

10. Westrum Proposed Development Response to Pedestrian Crossing: Mr. Shoupe reported that staff has met with representatives from Westrum along with the Township's Traffic Engineer and Planning Consultant to discuss the potential pedestrian crossing at Route 309 and Knapp Road, and the connector to the 202 Parkway. Fran Hanney, Senior Manager of the Traffic Services Division of PennDOT was also in attendance.

Carrie Nase, Esquire, representing the applicant, stated that after review of the crossing location proposed by the Township and its consultants, the developer does not believe that this is the best location for a pedestrian crossing and indicated that a crossing at the intersection of Stump Road would be a safer alternative. Ms. Nase indicated that there is a steep drop off at the Knapp Road location as well as the poor condition of the gabion wall and other significant improvements that make this location undesirable for a crossing. In addition, Ms. Nase indicated that residents would have to walk through the parking lot of the local hotel to reach the crossing. Ms. Nase indicated that an estimate to create the crossing at this location was in excess of \$800,000. Mr. Drummond, the Township's Traffic Engineer, stated that the pedestrian bridge should cost about \$350,000 and PennDOT would be responsible to repair the gabion wall. Ms. Nase suggested that the developer make a donation towards the crossing of \$200,000 and that the Township bid the improvements as a Township project. Ms. Bamford asked the developer to take another look at the Knapp Road crossing because it is understood that people will take the shortest route and cross Route 309, making a dangerous situation for pedestrians and vehicles. Ms. Nase stated that they did take a very hard look at the Knapp Road crossing and the whole crossing is not feasible for this project. Ms. Chimera stated that if the developer is not interested in keeping the residents safe, then possibly this is not a project that the Township is interested in pursuing. Ms. Nase thanked the Board for their comments.

Public Safety & Emergency Services:

11. Food Truck Ordinance Advertisement: Mr. Shoupe reported that staff has worked with the Solicitor's office to develop an ordinance for the Board's review. The purpose of the ordinance is to regulate operation of mobile food vendors and establish reasonable guidelines and regulations, as well as provide locations where mobile food vendors can operate within the Township. Discussion followed with questions concerning insurance and private parties with food vendors, hours of operation and health department licenses, etc. It was agreed to table this ordinance advertisement until the revisions discussed were made and presented to the Board at a future meeting.

12. Authorization to Sell 2002 E-One Tower Ladder Truck: Mr. Wiegman reported that the Township was approached by several brokers who are interested in assisting the Township in the sale of the 2002 E-One Tower Ladder Truck. Mr. Wiegman is seeking the Board's authorization to sell the ladder truck and utilize a broker to do so.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the sale of the current Ladder 18 (2002 E-One Rear Mount Platform) in the fourth quarter of 2021, and approved the utilization of a broker(s) to

assist in the marketing and sale of Ladder 18. The broker(s) commission will be 5% of the final sale price of Ladder 18.

Public Works:

13. Recognition of Pennsylvania 811 Safe Digging Awareness Month

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board approved Resolution #2021-20 recognizing April as Pennsylvania 811 Safe Digging Awareness Month.

14. Approve Park Bench Donation Program: Mr. Reiff presented the plan for a park bench donation program which included the estimated bench cost along with the parks and bench quantities recommended.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board approved the inauguration of the Park Bench Donation Program.

Administration & Finance:

15. Approval of Board of Assessment Appeals: Ms. McCreary reported that the 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.

MOTION: Upon motion by Ms. Bamford, seconded by Mr. Quigg and unanimously carried, the Board approved the stipulated agreements and authorized the Township Solicitor to execute the settlement stipulations for: 1200 Welsh Road, owned by Toy Partners of North Wales LLC, and 593 Bethlehem Pike, owned by Norman & Teresa Mittman and Stewart & Arlene Liebman.

16. Resolution Supporting DCNR Grant Application: Ms. McCreary reported that the state has notified the Township that the new round for applications to the DCNR grant program are open. Staff identified a park that might meet the criteria for a grant application and met with Township planning consultants at Fellowship Park to evaluate further. The scope of work includes the replacement of outdated play equipment, as well as ADA access from the parking lot to the playground and other site improvements.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the resolution supporting the grant application to the Department of Conservation and Natural Resources for the Fellowship Park Improvement Project.

17. & 18. Other Business: Department and Committee Liaison Reports:

Ms. Staab reported on the Environmental Advisory Committee. The committee recommended a single use battery recycling collection for Township residents and will also participate in the electronic recycling event on April 24, 2021. The Shade Tree Commission is working on the Arbor Day event for tree giveaways at the Township building on April 24, 2021.

Mr. Quigg reported that the Autumn Festival Committee is cautiously optimistic that the event can run outdoors at William F. Maule Park at Windlestrae Park this year. The Park and Recreation Board is discussing turf fields at Windlestrae Park with MonU Soccer.

Ms. Bamford reported that she attended the Community and Recreation Center Advisory Committee meeting and they discussed the community center programming and erring on the side of caution for which programs or amenities would be offered this spring and summer. The Sewer Authority Board reported on the latest Bio Bot study which indicated that the number of COVID cases in the Township were decreasing, but Ms. Bamford recommended that everyone continue to use safety protocols

Ms. Chimera reported that the Planning Commission discussed the Costco Gasoline proposed development and the start of the comprehensive plan update for the Township.

Ms. Long reported that the Finance Committee discussed the audit and the DCED report. The Public Safety Committee discussed the hiring of two replacement police officers and the pending sale of the Ladder 18 truck.

Ms. Bamford inquired as to the announcement of the Public Information Coordinator position. Ms. McCreary stated that he would be recognized at the next Board meeting, but she was pleased to announce that Derek Muller, the recreation program director at the Community and Recreation Center will be taking over the duties of Public Information Coordinator as of March 29, 2021.

Adjournment: Upon motion by Ms. Bamford and seconded by Ms. Chimera, the meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary