

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
APRIL 24, 2023**

1. Call to Order: The April 24, 2023 action meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Chair Candyce Fluehr Chimera called the meeting to order at 7:05 p.m.

IN ATTENDANCE:

Chair Candyce Fluehr Chimera
Supervisor Tanya C. Bamford
Supervisor Beth A. Staab
Township Solicitor John F. Walko, Esq.
Township Manager Carolyn McCreary

ALSO IN ATTENDANCE:

Fire Chief Bill Wiegman
Director of Finance Brian Shapiro
Director of Planning & Zoning Bruce Shoupe
Director of Public Works Greg Reiff
Director of Comm. Ctr. & Recreation Floyd Shaffer
Asst. Dir. of Planning & Zoning Marianne McConnell
Director of Information Technology Rich Grier
Recording Secretary Deborah A. Rivas

ABSENT:

Attending Conference for Twp. Business
Supervisor Annette M. Long
Supervisor Audrey R. Ware

2. & 3. Pledge of Allegiance and Announcements: Following the Pledge of Allegiance, the following announcement was made:

- We are excited to share that Montgomery Township received First Place from the Pennsylvania State Association of Township Supervisors (PSATS) for Citizen Communications in the category of Social Media.
- The Roy Rodriguez Arbor Day Tree Giveaway is this Saturday, April 29th from 9 am to Noon or while supplies last. This will take place at the gazebo outside of the Township Administration Building. One tree per household.
- Beth Staab announced that April is Autism Awareness Month and ...

4. Public Comment: Ben Hartranft of 101 Bellows Way thanked the Board for recognizing Autism Awareness Month and for participating in the event at the Mall. Ben said that he will be visiting Harrisburg tomorrow at the invitation of State Senator Maria Collett.

Elisha Gee of 102 Addison Lane read a prepared statement addressing an incident she recently experienced involving a Police vehicle stop in her neighborhood, expressing concerns with how she felt she had been treated. Public comments were also made by Lauren Wilson of 113 Thames, Kunbi Rudnick of 306 Abbey Lane, Jonathan Kassa of 139 Gwynmont Drive, Donald Crump of 100 Camp Drive, Nicole Black of 110 Usher Lane and a friend of Dr. Gee from Gwynedd Hunt in Lower Gwynedd Township. The comments included concern for Dr. Gee and how the situation could have been handled differently, requests for more transparency on the Police Department's website, more training, harassment and swatting concerns from neighborhood residents, investment in more community policing, and an apology for the incident. Solicitor

Walko stated, after speaking with the Township Manager, that the Township would address transparency on the website. The department's annual report is on the website, and the department participates in Lexipol, and those statistics are also available online. Solicitor Walko also suggested that Dr. Gee review the police video of the incident to determine what could have been done differently.

5. Announcement of Executive Session – Township Solicitor John F. Walko, Esquire, announced that the Board of Supervisors met in Executive Session on Thursday, April 13 at 3:30 p.m. and at 6:30 p.m. in the Township building earlier this evening to discuss personnel matters. Mr. Walko stated that the topics discussed are legitimate subjects of an Executive Session under the Commonwealth of Pennsylvania's Sunshine Law.

6. Consent Agenda:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the minutes of the April 10, 2023 meeting, the Payment of Bills List dated April 24, 2023, and the Construction Escrow Release No. 4 for Westrum Montgomeryville – 425 Stump Road, were approved as presented.

Planning and Zoning:

7. Arbor Day Proclamation: Mr. Shoupe reported that the Shade Tree Commission sponsors an annual event to celebrate Arbor Day. This year, the Roy Rodriguez Annual Arbor Day Tree Give-Away will be held on Saturday, April 29, 2023 at the Montgomery Township Building Gazebo Park. Montgomery Township has been named as a 2022 Tree City USA and Growth Award recipient. This has been the 26th year that the Township has been awarded the Growth Award.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board proclaimed Saturday, April 29, 2023 as Arbor Day in Montgomery Township.

8. Waiver of Fees – Mary, Mother of the Redeemer Church (MMR): Mr. Shoupe reported that MMR has requested the Township consider waiving the permit fees to replace their current freestanding sign placed along Upper State Road. The cost of the project is \$30,365. In addition, the Township received a letter from the MMR Summer Festival Chairman, requesting the Township consider waiving the fees for the associated permits for their annual Summer Festival to be held June 20-24, 2023. The Board has waived such permit fees in the past. The fees are calculated to \$225 for the sign permit and \$149.50 for the special event and electric permit.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board waived the fees associated with the permits for the sign replacement and annual summer festival for Mary, Mother of the Redeemer Church.

9. Review of Zoning Hearing Board Applications: Mr. Shoupe identified the pending hearings before the May 3, 2023 Zoning Hearing Board. Application 23040001 is for Montgomery Mall Realty Holding LLC – 230 Montgomery Mall (804 Bethlehem Pike) for a Special Exception to hold a Carnival from May 23 to May 28, 2023 in the parking lot area of the mall adjacent to JC Penney. Ms. Staab reported that she spoke with Mall officials and the carnival proprietor about the event. It will benefit the North Penn Educational Foundation. Ms. McCreary stated that staff met with Mall officials to discuss safety concerns. Mall officials agreed to comply with the health and safety concerns of the Police and Fire Departments.

Application #23040002 – is for Demetrius and Janet Walker – 230 Montgomery Mall (804 Bethlehem Pike). The applicants request permission to occupy Unit 2063 of the Montgomery Mall to operate their proposed business, The Venue at Montgomery. The applicant desires to utilize the 12,997 square foot 2nd floor unit as an event space for parties, meetings and the like and is seeking a variance from the provisions of Section 230-94A of the code of Montgomery Township to allow the proposed indoor recreation/amusement use.

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

Administration and Finance:

10. Authorization to Sell Municipal Equipment by Online Auction – Mr. Shapiro reported that the Township is authorized to dispose of surplus assets through Municibid, an online auction company. The Public Works Department, Police Department and Recreation Department have items for sale.

- **MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board authorized the sale of the following equipment through the online auction company Municibid: Public Works Department - 90XT Skid Loader, Beacon Warning Lights, Bomag Roller, Case Backhoe, Cobra Head Streetlight Equipment, Comnet Fiber Switch, John beam Wheel Balancer, John Deere 1445, Kubota ZD331 (Qty 2), Legend Bush Hog, Mack Truck, Metrotech Utility Locating Equipment, Motorola 2-Way Radios, Onan Generator (Qty 3), Residential Streetlight Equipment, Spectra Candela II tester, Wacker Vibroplate Compactor, Wood Chuck Chipper. Police Department - 2005 Kustom Signals Speed Trailer, 2009 Dodge Charger, 2010 Chrysler 300, 2014 Dodge Charger Pursuit, 2016 Ford Police Interceptor Utility, 2016 Chevy Tahoe. Recreation Department - Life Fitness Treadmills (Qty 6)**

11. Bid for Concrete Work at Community and Recreation Center – Ms. McCreary reported that D'Huy Engineering LLC was hired to inspect the Community and Recreation Center and issue a report to the Township to become the basis for the prioritization and scheduling of any capital improvement projects. To ensure that work already identified by staff can be done in a timely manner, staff is requesting the Board to authorize the advertisement of a bid for the work related to the repairs/replacement of concrete outside the facility. The work could be done with

the least impact on the facility if it is done over the summer. The estimated cost of the project based on the original scope of work was \$53,580.00.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board authorized the advertisement of the bid for the concrete replacement project at the Community and Recreation Center.

Public Safety:

12. Purchase of New Emergency Management Digital Radios: Chief Wiegman reported that the Township continues to engage in Continuity of Operations Planning to ensure that Township Governmental Services are not interrupted in the event of a disaster. Township emergency communication upgrades are needed to replace aging infrastructure and increase the effectiveness, reliability, and range of our current Township radio system. The upgrades include the placement of a radio repeater on the top of the new NWWA Water Tower at Airport Square. Staff is working with Marriott's Emergency Equipment for the purchase and installation of the repeater, mobile radios, portable radios, and related radio equipment to transition the Township to new digital repeated radio system.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board approved the purchase of Emergency Management Digital System Radio Equipment from Marriott's Emergency Equipment in the amount of \$68,387.00.

Public Works:

13. Bid Award for Demolition Work at Zehr Tract – Ms. McCreary reported that the Township received and opened bids utilizing PennBid on April 13, 2023. Township Engineer, Gilmore & Associates reviewed the three bids ranging from \$233,801.98 to \$339,889.00 and is recommending award of the bid to M. Dobron & Sons, Inc., the lowest responsible bidder with a bid of \$233,801.98.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board awarded the contract for the Zehr Tract Building Demolition to M. Dobron & Sons, Inc. in the amount of \$233,801.98 per the recommendation of Gilmore & Associates, Township Engineer.

14. Confirmation of Purchase of Peterbilt Dump Trucks: Mr. Reiff reported that included in the 2023 Capital Investment Plan are the purchase of two (2) Peterbilt Dump Trucks to replace Trucks #16 & 17. In October of 2022, the Board approved the request to reserve our build spots for the second half allocation of 2023. The purchase and builds are ready to move forward.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board awarded the contracts for the purchase of two (2) 2024 Peterbilt Dump Trucks to G.L. Sayre, Inc., an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$291,048.00 per their quotes dated April 13, 2023;

and award the contracts for the purchase of two (2) dump bodies, snowplows, salt spreaders and installations to Triad Truck Equipment, Inc., an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$241,546.00 per their quotes dated April 18, 2023.

Old Business: None.

New Business:

15. Department Reports: Monthly reports were submitted by each department for activity in the month of March. Mr. Reiff provided an update on the Public Works Department. There was no winter weather to contend with this year. The curb and ramp replacement project will be starting up this week, and the paving project is scheduled to begin in July to be completed by mid-August. Other projects currently in process or upcoming include the traffic signals at Rt. 463 and Five Points Plaza, North Wales Road and Rt. 309, Montgomery Mall Jug Handles A and B and the Rapid Flashing Beacon Crosswalk installations at Upper State Road and Kenas Road. The Bocce Ball Courts project is scheduled for completion by Memorial Day, and the Fellowship Park Renovation is also underway. Mr. Reiff provided an explanation of the process of purchasing a dump truck. The purchase involves buying the chassis from one vendor, then sending the chassis to another vendor for the body installation, and then onto a third vendor to install the plow, spreader, and other accessories.

16. Committee Reports: Ms. Chimera reported that the Planning Commission did not meet. Ms. Bamford reported that the Shade Tree Commission would be hosting Arbor Day, and the Park Board has been holding its meetings at different parks each month. Last month they met at the William F. Maule at Windlestrae Park and discussed possible uses for the Windlestrae house. Ms. Staab stated that the EAC will present the single-use plastic survey recommendations for moving forward soon. They also participated in the Electronic Recycling event this past Saturday.

17. Adjournment: Upon motion by Ms. Chimera and seconded by Ms. Bamford, the meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary