

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
JULY 13, 2020**

At 6:00 p.m., Chair Tanya C. Bamford called to order the Executive Session at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. In attendance were Vice Chairman Matthew W. Quigg, Supervisors Candyce Fluehr Chimera, Annette M. Long and Beth A. Staab. Also in attendance was Township Manager Carolyn McCreary.

At 7:00 p.m., Chair Tanya C. Bamford called to order the action meeting at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA.

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 Robert J. Iannozzi, Esquire

ALSO IN ATTENDANCE:

Police Chief J. Scott Bendig
Director of Finance Brian Shapiro
Director of Fire Services William Wiegman
Director of Planning & Zoning Bruce Shoupe
Director of Administration & HR Ann M. Shade
Director of Recreation & CRC Floyd Shaffer
Director of Public Works Kevin Costello
Director of Information Technology Rich Grier
Recording Secretary Deborah A. Rivas

Following the Pledge of Allegiance, Chair Tanya C. Bamford called for public comment from the audience and there was none.

Chair Tanya C. Bamford announced that the Township building is open for appointments only at this time. Visitors can contact the department they wish to visit and make an appointment. In accordance with Governor Wolf's July 1st order, all visitors to the Township building must wear a face mask at all times. All park amenities are open, except for the public restrooms. We are pleased to announce that the Montgomery Township Baseball and Softball Association will begin playing games on the ballfields. The Community and Recreation Center is open for use of the walking track and fitness facility with capacity limits. The monthly leaf and yard waste drop off will be happening this Saturday, July 18 from 8:00 a.m. to Noon at the William F. Maule Park at Windlestrae. Ms. Bamford also announced that today the Township sadly learned of the passing of resident Michael Okino. Mr. Okino was a former member of the Township Park and Recreation Board and also served on the Montgomery Township Baseball Softball Association. The Board and staff send their condolences to Mr. Okino's family.

Township Manager Carolyn McCreary announced that the Board had met in an executive session prior to this meeting at 6:00 p.m. to discuss three personnel matters and one matter of potential litigation. Ms. McCreary stated that these matters are all legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chair Tanya C. Bamford made a motion to approve the minutes of the June 22, 2020 Board of Supervisors meeting and Supervisor Candyce Fluehr Chimera seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Director of Fire Services William Wiegman introduced Andrew Backlund, who began his employment as a fulltime firefighter with the Department of Fire Services on Monday, May 11, 2020. Andrew has been an active member of the volunteer fire service community for over 20 years. Andrew comes to the Township most recently from Montgomery County as a Supervisor of Quality

Assurance with the Juvenile Probation Department. He holds a Bachelor of Arts in Sociology from Ithaca College and a Master of Science in Homeland Security from Saint Joseph's University. His combined education and experience have prepared him well for his new responsibilities as a firefighter in Montgomery Township. Resolution #20-106 made by Chair Tanya C. Bamford, seconded by Vice Chair Matthew W. Quigg and adopted unanimously, welcomed Andrew Backlund and acknowledged his position as a fulltime firefighter with the Department of Fire Services, effective May 11, 2020.

Chief of Police J. Scott Bendig reported that two vacancies occurred within the Police Department in 2019. After an extensive hiring process, conditional offers of employment were extended to the top two candidates with the intention to conduct a formal swearing-in at a Board of Supervisors meeting in March. With the onset of the COVID-19 pandemic and subsequent cancellation of in-person Board of Supervisor meetings, our Board of Supervisors Chair formerly swore-in the candidates in a social-distancing private ceremony on March 23, 2020. Chief Bendig introduced Officer Johnny Saada and Officer Anne Marie Dobson for introduction as recruit police officers and to officially present them with their badges. Resolution #20-107 made by Vice Chair Matthew W. Quigg, seconded by Supervisor Annette M. Long and adopted unanimously, appointed Johnny Saada and Anne Marie Dobson to the position of Recruit Police Officer in the Montgomery Township Police Department, effective March 23, 2020.

Township Manager Carolyn McCreary reported that the Township received seven (7) responses to its Request for Proposal (RFP) for Traffic Engineer. Based on the review of the submissions, it is recommended that the Board of Supervisors appoint Gilmore & Associates, Inc. as the Township Traffic Engineer. Ms. McCreary introduced Russ Dunlevy, Senior Executive Vice President of Gilmore & Associates, who introduced Damon Drummond, leader of the Traffic Division and Leslie Salisbury. Mr. Drummond and Ms. Salisbury stated that they were excited to be working on traffic projects in the Township in which they reside. Resolution #20-108 made by Chair Tanya C. Bamford, seconded by Vice Chair Matthew W. Quigg and adopted unanimously, appointed Gilmore & Associates, Inc. as the Township Traffic Engineer and amend the Township's fee schedule to include their hourly rate for services.

Township Manager Carolyn McCreary reported that the Township received correspondence from the Montgomery County Tax Claim Bureau advising the Township that the annual Upset Tax Sale is scheduled for September 24, 2020. This sale involves properties within the Township that are delinquent on their 2018 or prior real estate taxes. Taxing authorities are able to remove the properties from the scheduled sale in response to the COVID-19 emergency. This would only be for this year and both the Township and the North Penn School District would have to agree to it. Resolution #20-109 made by Chair Tanya C. Bamford and seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, removed the delinquent properties within the Township from the 2020 Upset Sale.

Township Manager Carolyn McCreary reported that PennDOT offers grants utilizing revenue received from the Automated Red Light Enforcement (ARLE) System. The Township prepared an application to implement Optical Emergency Vehicle Preemption Systems to each of the identified signalized intersections that currently do not have this safety feature. This project is Phase 1 of a Township-wide initiative to implement Optical Preemption at all of the Township's signalized intersections. This will provide an optimal performing system that is compatible with the region's emergency first responders. Phase 1 of the project is estimated to be \$591,237. The Township's match of \$305,780 would be included in the Capital Reserves Fund 2021 and/or 2022 proposed budgets. Resolution #20-110 made by Chair Tanya C. Bamford, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, ratified the submission of the ARLE grant for traffic signal upgrade improvements.

Township Manager Carolyn McCreary reported that the Township has been experiencing operational problems at the intersection of Horsham Road and Pheasant Run Road going back a number of years. It was determined that now would be an opportune time to update this intersection and address the outstanding issues. The Township must submit an application to PennDOT and receive approval for the update by execution of a resolution. Resolution #20-111 made by Vice Chairman Matthew W. Quigg, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, adopted the resolution in support of the traffic signal improvement project at Horsham Road and Pheasant Run Road.

Township Manager Carolyn McCreary reported that the Township has received correspondence from Boucher & James dated June 23, 2020 concerning the completion of the landscaping installation at Montgomery Pointe, Montgomery Preserve and Montgomery Walk. Final payment in the amount of \$4,183.45 is due to the contractor, GoreCon, Inc., with an additional \$2,400.00 due for repairs to damaged irrigation lines at Montgomery Walk. Resolution #20-112 made by Chair Tanya C. Bamford, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized the payment to GoreCon, Inc. in the amount of \$6,583.45, and authorize the commencement of the 18-month maintenance period per the recommendation of Boucher & James, the Township's landscape architect.

Township Manager Carolyn McCreary reported that Young Lungs at Play is a program aimed to help communities create tobacco-free parks, playgrounds and recreational areas for children. The project goal is to prevent second-hand smoke exposure and promote healthy areas for physical activity. Ms. McCreary stated that a sample resolution was provided, but Chair Tanya C. Bamford expressed an interest in enacting an ordinance so that the program could be enforced. Members of the Board expressed concerns about enforcement. Chief J. Scott Bendig stated that he was not overly concerned about enforcement and that the role of the Police would be to educate residents rather than handing out citations and fines. When asked about educating the public, Ms. McCreary stated that the Township would create a social media campaign to get the word out about the new program at the parks. Resolution #20-113 made by Chair Tanya C. Bamford, seconded by Supervisor Annette M. Long and adopted unanimously, authorized the preparation and advertisement of the Young Lungs at Play ordinance.

Resolution #20-114 made by Chair Tanya C. Bamford, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized a construction escrow release in the amount of \$22,204.00, as recommended by the Township Engineer, for the 309 Automall Properties, L.P. Montgomeryville Nissan.

Resolution #20-115 made by Chair Tanya C. Bamford, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, authorized a construction escrow release in the amount of \$96,500.00 for Phase 2, as recommended by the Township Engineer, for the Higher Rock Partners, LP.

Director of Planning and Zoning Bruce Shoupe reported that Costco Wholesale has submitted a proposed text amendment to the ECPOD – Expressway Corridor Preservation Overlay District regulations governing the Costco property. The proposed change involves amending standard retail uses allowed by Conditional Use to include a gasoline filling station on the same lot as a warehouse club or wholesale club situated in a unified development and not open to the general public, members only. Resolution #20-116 made by Chair Tanya C. Bamford, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, set Monday, August 10, 2020 after 7:00 p.m., in the Township building, as the date, time and place for a Public Hearing to consider the Text Amendment application of Costco Wholesale.

Director of Finance Brian Shapiro reported that the Township collects Business Privilege/Mercantile and Amusement Tax per Act 511 of the General Assembly of the Commonwealth of PA. This is a specialized tax that is based on the gross receipts of a business in the Township. Due to the specialized nature of this tax and the demand on staff, other options for collections were investigated. Berkheimer Associates presently collects Earned Income Tax and Local Services Tax for the Township. They also collect Business Privilege/Mercantile and Amusement Tax for other municipalities and specialize in this collection. The proposed commission rate is 2.25% of gross collection of the tax. Based on the 2019 collections, this equates to \$73,000. The cost of collection for the Township in 2019 was \$144,000. By outsourcing the collection to Berkheimer Associates, the net savings to the Township is \$71,000. Resolutions #20-117 through #20-122, made by Chair Tanya C. Bamford, seconded by Candyce Fluehr Chimera and adopted unanimously, appointed Berkheimer Associates as the Business Privilege/Mercantile and Amusement Tax Collector effective January 1, 2021 and approve all agreements and resolutions confirming this appointment.

A motion to approve the payment of bills was made by Chair Tanya C. Bamford, seconded by Vice Chairman Matthew W. Quigg, and adopted unanimously, approving the payment of bills as submitted for July 13, 2020.

There being no further business to come before the Board, the meeting adjourned at 7:45 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary