

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
AUGUST 10, 2020**

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 Beth A. Staab
Township Manager Carolyn McCreary

ALSO IN ATTENDANCE:

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

ABSENT: Supervisor Annette M. Long

Following the Pledge of Allegiance, Chair Tanya C. Bamford called for public comment from the audience.

Under public comment, Amy Hanson of 116 Gwynmont Circle, stated that she had spoken at the last Board meeting about backyard chicken ownership and she had not educated the Board on what backyard chickens are and how to keep and raise them. Ms. Hanson provided an explanation on backyard chicken ownership. Chair Tanya C. Bamford asked Ms. Hanson to save the remainder of her comments for the discussion to be held later on the agenda regarding permitting chickens in residential zoning districts.

There was no other public comment to come before the Board.

Township Manager Carolyn McCreary announced that the Board had met in four executive sessions on Wednesday, July 29, 2020 at 5:30 p.m., Thursday, July 30, 2020 at 5:30 p.m., Wednesday, August 5, 2020 at 3:00 p.m. and Thursday, August 6, 2020 at 3:00 p.m. to discuss personnel matters. Ms. McCreary stated that these matters are all legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Chair Tanya C. Bamford stated that she had one change to the Board meeting minutes of July 27, 2020 and that was to change the name of Midsummer Madness to Midsummer Mavericks. As amended, Chair Tanya C. Bamford made a motion to approve the minutes of the July 27, 2020 Board of Supervisors meeting minutes and Supervisor Candyce Fluehr Chimera seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Chair Tanya C. Bamford reported that the Township had received nine (9) responses to its Request for Proposal (RFP) for Solicitor. The responses included the firm's qualifications, biographies of the attorneys who would be assigned to the Township, professional references, and hourly rates. The Board of Supervisors chose four (4) firms to interview based on their qualifications. Based on the interviews conducted with the four (4) firms, the consensus of the Board of Supervisors is to appoint Kilkenny Law as the Township Solicitor. Vice Chairman Matthew W. Quigg reported that of the nine (9) responsive firms, four (4) of them have referred cases to him. Mr. Quigg decided to recuse himself from the process to select a Township Solicitor and will abstain from the vote this evening. Resolution #20-130 made by Chair Tanya C. Bamford, seconded by Supervisor Beth A. Staab and adopted unanimously with a vote of 3 to 0, with Vice Chair Matthew

W. Quigg abstaining and Supervisor Annette M. Long absent, appointed Kilkenny Law as the Township Solicitor and amended the Township's fee schedule to include their hourly rate for services.

Director of Planning and Zoning Bruce Shoupe reported that due to resulting difficulties attendant to the COVID crisis, the Township Planning Commission was unable to effect a timely review of proposed Ordinance #20-312Z – Text Amendment – ECPOD Zoning District, Costco – Retail Sales of Gasoline by Conditional Use. As a result, the public hearing that was scheduled for this evening must be postponed and rescheduled. Resolution #20-131 made by Vice Chair Matthew W. Quigg, seconded by Supervisor Candyce Fluehr Chimera and adopted unanimously, set Monday, September 14, 2020 after 7:00 p.m. as the date and time for a public hearing to consider the text amendment.

Township Manager Carolyn McCreary reported that in mid-May an installer began replacing and retrofitting LED bulbs for all of the cobrahead lights located along local, collector and major highways, and decorative four-sided Colonial Style fixtures located throughout residential neighborhoods in the Township. Township staff has been monitoring the progress of the work online. In late June, the staff realized that there were issues with a few of the light fixtures, specifically the lights were either not going on or were staying illuminated. Public Works staff documented the conversion problems, forwarding the information to the installer and Keystone Lighting Solutions (KLS). Staff participated in a video conference with KLS, a representative of DVRPC and other municipalities who are experiencing the same problems in the installation. Faulty photocells have been identified as the problem and KLS stated that they have a remedy for the municipalities that will involve the replacement of photocells in all of the streetlights with the labor charges being paid for by the light fixture provider. Staff informed all on the call that while the resolution needs to be done as quickly as possible, staff does not want a rushed installation unless there is full confidence that the new photocells are not defective. Therefore, the staff is waiting for the other municipalities to begin their replacements first to see if this resolves the problem. KLS advised the manufacturer of the fixtures that none of the municipalities are waiving their right to see a different or new resolution to any newly identified manufacturer product issue. The Board thanked Ms. McCreary for the update as they have been receiving questions from residents regarding the streetlights.

Director of Finance Brian Shapiro presented the outline for the 2021 budget process. Mr. Shapiro is proposing to meet with staff during the months of August and September and then present a streamlined version of the budget to the Board in sections at their September 28, October 12 and October 26 Board meetings. On November 9, 2020, the preliminary budget will be presented for adoption. Mr. Shapiro explained that this process would eliminate the need for budget worksessions. Vice Chair Matthew W. Quigg and Supervisor Candyce Fluehr Chimera expressed concerns over the lack of budget worksessions for the Board. They felt that the worksessions gave them an opportunity to be educated on the financial information and review the important details. Chair Tanya C. Bamford agreed that she felt the worksessions were helpful to the Board. The Board asked Mr. Shapiro to change the timeline to add some budget worksessions for the Board.

Director of Planning and Zoning Bruce Shoupe reported that staff has contacted a number of surrounding municipal peers and assembled a list of what they allow for the raising of backyard chickens in suburban areas. Mr. Shoupe also shared a map highlighting the HOAs in the Township, as the residents residing there would require HOA approval before coming to the Township for approval. Locally, 11 municipalities have adopted ordinances with regard to backyard chickens. Mr. Shoupe recommended that if the Board wished to pursue the adoption of an ordinance, consideration would be to permit it by Special Exception, which may be granted by the Zoning Hearing Board. With this process, this is assurance of public notice for neighboring property owners

and an opportunity for them to comment on the application. Chair Tanya C. Bamford stated that she was in favor of the Special Exception and Supervisor Candyce Fluehr Chimera stated that she was in favor of the neighbors being notified. Vice Chair Matthew W. Quigg inquired if there would be provisions for people who have problems following the ordinance. Mr. Shoupe stated that recommendations and consequences for violating the ordinances would need to be addressed. Township Solicitor Sean Kilkenny stated that Cheltenham Township does require the use by Special Exception. Supervisor Beth Staab asked what the downside was to this approach. Under public comment, Ami Hanson of 116 Gwymont Drive, stated that she thinks this plan is a good start, however, she is concerned about neighbors having a say and applicants not getting fair treatment. Mr. Shoupe explained that the Zoning Hearing Board will listen to the concerns or support of neighbors, but their final say will be determined if you are able to present your plan and how it adheres to the Township's ordinance. Chair Bamford recommended that the Township provide information on the website, social media outreach and proposed a live town hall meeting explaining the process to interested residents so that they are not intimidated with filing a Zoning Hearing Board application for backyard chickens. Ms. Hanson also spoke about a pilot program approach where volunteer residents help setup participants and they go through a training program with how to setup a safe coop, etc. It was agreed that the management of a pilot program would be extensive. The Board asked Mr. Shoupe to research what the Township requirements in the ordinance would include.

A motion to approve the payment of bills was made by Chair Tanya C. Bamford, seconded by Supervisor Candyce Fluehr Chimera, and adopted unanimously, approving the payment of bills as submitted for July 27, 2020.

Under other business, Chair Tanya C. Bamford told a story about losing items while on a bike ride and being grateful to the person who turned in her driver's license, as well as the Montgomery Township police officer who delivered the found license to her home.

There being no further business to come before the Board, the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary