

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
OCTOBER 25, 2021**

1. Call to Order: The October 25, 2021 public 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
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 Fire Services, William Wiegman
Director of Finance, Brian Shapiro
Director of Admin. & Human Resources, Ann Shade
Director of Planning & Zoning, Bruce Shoupe
Director of Public Works, Greg Reiff
Director of Rec. & Community Ctr., Floyd Shaffer
Director of Information Technology, Rich Grier
Information Tech, Wes Whitaker
Recording Secretary, Deborah A. Rivas

ABSENT:

Supervisor Candyce Fluehr Chimera
Vice Chair Matthew W. Quigg

2. & 3. Pledge of Allegiance and Announcements: Following the Pledge of Allegiance, the following announcements were made by Ms. Bamford:

- On October 30th the Township is partnering with Senator Maria Collett's office and holding a FREE shredding event at the William F. Maule Park at Windlestrae. Residents are limited to 4 file-sized boxes per car and no bound materials can be accepted.
- The Montgomery Township Police Department is collecting non-perishable food items in support of Montgomery County Children & Youth Services for Thanksgiving Dinners for families in financial hardship. Donations will be accepted in the Township Building Lobby from September 27th to October 31st.
- On November 12th to 14th Montgomery Township will host the 2021 United States Police Canine Association Region 6 "Police Dog 1" Field Trials. This certification is for the canine and handlers to display their ability to proficiently work as a team and receive an independent evaluation and certification from the organization.
- Our annual Toys for Tots drive is underway! With ongoing supply concerns, we are asking residents to consider purchasing new toys now and dropping them off in the lobby of the Township building and/or community center. Toys are being collected now through December 15th.

4. Public Comment – There was no public comment from the audience.

5. Announcement of Executive Session - Township Solicitor Sean Kilkenny, Esquire, announced that the Board of Supervisors met in an Executive Session prior to this public meeting at 6:45 p.m. to discuss one potential litigation matter. Mr. Kilkenny stated that the topic discussed is a legitimate subject of an Executive Session pursuant to the Commonwealth of Pennsylvania's Sunshine Law.

6. Presentations - Fire Prevention Week and FDMT Awards: Mr. Wiegman announced that the Department of Fire Services and the FDMT will be engaging in various fire prevention activities throughout the week to bring the message of fire safety to our community. In addition, the FDMT recognized several members who have gone above and beyond for the community and the department with their annual awards presentation.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board recognized Fire Prevention Week and the 2020 FDMT Award recipients:

President's Award – Lee Morano

Chief's Award – Carl Herr

Dave Bennett Firefighter of the Year Award – Brandi Blusiewicz

Department Community Sponsor Award – BJ's Wholesale Club.

7. Consent Agenda:

MOTION: Upon motion by Ms. Long, seconded by Ms. Staab and unanimously carried, the minutes of the October 11, 2021 meeting and the Bills List dated October 25, 2021 were approved as presented.

Public Hearing:

8. Continuance of Westrum Luxor Lifestyle Apartments Conditional Use Hearing: Ms. Bamford opened the hearing at 7:11pm. Notes of testimony were taken by Court Stenographer Tim Kurek. Mr. Shoupe reported that the applicant has requested that the hearing originally scheduled for this evening be continued until Monday, November 22, 2021. By motion of Ms. Bamford, second by Ms. Long, the hearing was closed at 7:12pm.

MOTION: Upon motion by Ms. Long, seconded by Ms. Staab and unanimously carried, the public hearing for the Westrum Luxor Lifestyle Apartment Conditional Use Application C-77 has been continued until Monday, November 22, 2021.

Planning and Zoning:

9. Zoning Hearing Board Case Review: Keystone Homebrew, Use of Township Right-of-Way for Permanent Outdoor Dining – Mr. Shoupe reported that Keystone Homebrew is located at 435 Doylestown Road. The 1.7-acre property sits within the R-5 Residential zoning district. Keystone Homebrew received relief in 2009 to permit certain uses. The applicant is currently requesting amendments to the previous decisions/relief with regard to the use and parking, in order to allow outdoor dining on the property to the extent that was previously approved under the 2020 Temporary Approval provided by the Township as a result of the impact of the COVID-19 pandemic. Temporary outdoor dining was allowed along the Montgomery Avenue side of the property. Unknown at that time, the area requested sits within the Public Right-of-way owned by Montgomery Township. If this had been known at that time, a permit would not have been issued to use this area for outdoor dining. The applicant is now asking the Township to enter into a private agreement to use the right-of-way and assume liability in the event of an accident or injury. Solicitor Kilkenny opined that this was an

unorthodox request and inquired of Mr. Shoupe if he was aware of any other arrangements that have been made with Township businesses using Township right-of-way for their business use. Mr. Shoupe indicated that there were none. The Board members expressed concerns regarding setting a bad precedent and instructed the Solicitor to draft a letter to the Zoning Hearing Board opposing this measure.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board authorized the Solicitor to draft a letter opposing the Keystone Homebrew Zoning Hearing Board application.

10. Accept End of Maintenance Period – Police and Fire Federal Credit Union

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board authorized the release of the Maintenance Period surety in the amount of \$23,506.34 as recommended by the Township Engineer, conditioned upon payment of all invoices owed the Township.

Public Safety:

11. Adoption of Ordinance 21-326 for Truck Restrictions in the Pine Crest Community: Chief Bendig stated that earlier this year there was damage to property reportedly due to a tractor trailer attempting to make a right turn into the Pine Crest Development. The Police Department's Highway Safety Unit was asked to prepare a study to determine if truck restrictions in the Pine Crest community should be considered to avoid future damage. It was determined that a truck restriction is justified, especially with alternate state routes being available for commercial vehicles. The proposed ordinance was authorized for advertisement at the September 27, 2021 meeting.

MOTION: Upon motion by Ms. Staab, seconded by Ms. Bamford and unanimously carried, the Board adopted Ordinance 21-326 for Truck Restrictions in the Pine Crest Community.

Public Works:

12. Participation in the Montgomery County Consortium Rock Salt Contract:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board authorized the Township's participation in the Montgomery County Consortium Cooperative Rock Salt Contract, awarded to Morton Salt, Inc. for the purchase of bulk rock salt at a price of \$58.33 per ton delivered.

13. Ratification of Price Change for 2021 Peterbilt Truck: Mr. Reiff reported that in January of 2021, the Board approved the purchase of a 2021 Peterbilt Dump Truck chassis at a price of \$147,016.00. A price increase has been received on the chassis in the amount of \$22,909.00, bringing the total to \$169,925.00. The change had to be approved by October 14th to lock in the order or else it would be deemed cancelled and the Township would be facing an even higher cost for a new order placed in 2022 as well as a prolonged delivery of the truck, possibly to 2023. Under public comment, Vince

Tulio of 101 Glasgow Circle, stated that if the Township does not order the vehicle now and wait until next year, the vehicle will not be delivered until at least the end of next year.

MOTION: Upon motion by Ms. Staab, seconded by Ms. Long and unanimously carried, the Board approved the price increase of \$22,909.00 on the 2021 Peterbilt Dump Truck chassis from G.L. Sayre Peterbilt per their quote dated October 8, 2021.

Administration, Finance and IT:

14. Resolution Supporting PennDOT Multimodal Transportation Fund Grant Application: Ms. McCreary reported that the Multimodal Transportation Fund provides grants to encourage economic development and to ensure that a safe and reliable system of transportation is available to the residents of the Commonwealth. In reviewing the Capital Investment Plan, the proposed traffic signal modernization at Bethlehem Pike and McLaughlin Road/Taylor Road was identified as a possible project for this grant program including pedestrian signal and ramp upgrades. The total cost for the proposed project is \$500,337 and the required match is \$115,463. To make the application more competitive, staff is proposing a match of \$250,337. The increased match will improve the score during evaluation by PennDOT.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board adopted Resolution #2021-36 supporting the grant application to the PennDOT Multimodal Transportation Fund.

15. Appoint Brian Shapiro Trustee for Delaware Valley Property and Liability Trust: Ms. McCreary recommended that the Board consider appointing Mr. Shapiro as the Trustee for the Delaware Valley Property and Liability Trust as this role fits with Mr. Shapiro's extensive work with all Departments on the Capital Investment Plan and the 2022 Administration goals to offer more opportunities for professional development to staff.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board appointed Finance Director Brian Shapiro as the Montgomery Township Trustee for the Delaware Valley Property and Liability Trust.

16. Participation in the PA Attorney General's Office National Opioid Settlement Agreements: Ms. McCreary reported that the Township received notification from the Office of the Attorney General about the national opioid settlements. After years of negotiations, two proposed nationwide settlement agreements have been reached. Pennsylvania has elected to participate in both settlements and the Township may participate as a result of this action. The Township Solicitor's office has advised that the Township should opt-in to the settlement so that we can share any funds and/or non-monetary benefits made available to local municipalities as part of the settlement.

MOTION: Upon motion by Ms. Long, seconded by Ms. Staab and unanimously carried, the Board authorized Township to opt-in to the settlements and to authorize the Township Manager to execute the necessary documents to participate in the settlement.

17. Approval of Monuments and Mounting of Outdoor Digital Signage for Township Facilities: Mr. Grier presented a quote for the fabrication and installation of two monuments and three outdoor LED panels to replace existing outdated monuments at Township facility locations. Bartush Signs is a Watchfire Certified partner, and they will coordinate with Watchfire techs onsite for the tuning and testing of the LED displays. The total cost of the project will be \$55,397.00.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board approve the purchase and installation of outdoor digital signs for the Township building, Recreation Center and both firehouses per the quote dated October 18, 2021 by Bartush Signs, COSTARS Vendor 032-026 for \$55,397.00.

Other Business:

18. Department Reports: There were no questions for the Department heads regarding their reports for the month of September.

At the request of Ms. Bamford, each Department has been asked to be featured each month and provide an update at the meeting. The Administration and Human Resources Department was selected for this meeting. Ms. Shade reported on current Human Resources activities, such as updating policies for the employee handbook, modifying, and implementing new performance management and evaluation forms, ongoing recruitment efforts, partnering with the recreation center for the hiring of new program instructors and ongoing efforts to incorporate training opportunities for all staff. On November 9, staff will be participating in a virtual training session with Nancy Lewis, the title of which is Navigating Through Change.

19. Committee Liaison Reports: Ms. Staab reported on the upcoming Environmental Advisory Committee webinar on Weatherization to be held on Tuesday, October 26. The Shade Tree Commission annual forestry workshop will be held on Friday, November 5, from 8am to 4pm. The program teaches the importance of trees and how to care for them. Ms. Long reported that the Finance Committee did not meet. Ms. Long participated in the Citizens Police Academy graduates' event whereby they stuffed 1,000 bags with candy for the police officers to hand out during Halloween Trick or Treating.

15. 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