

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
MARCH 14, 2022**

1. Call to Order: The March 14, 2022 public meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Chairwoman Tanya C. Bamford called the meeting to order at 7:00 p.m.

IN ATTENDANCE:

Chair Tanya C. Bamford
Vice Chair Candyce Fluehr Chimera
Supervisor Annette M. Long
Supervisor Beth A. Staab
Supervisor Audrey R. Ware
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 Public Works, Greg Reiff
Director of Information Technology, Rich Grier
Public Information Coordinator, Derek Muller
Deputy Zoning Officer, Marianne McConnell
Info Tech Jr. Sys Admin, Wes Whitaker
Recording Secretary, Deborah A. Rivas

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

- The Township was recently notified that the annual comprehensive financial report for the fiscal year ending December 31, 2020 has qualified for GFOA's Certificate of Achievement for Excellence in Financial Reporting.

4. Public Comment – Bruce Whiteman of 206 Eisenhower Lane stated that he was shocked by the recent real estate tax increase for the Township. He said that he has lived in the Township for seven years and the taxes have been well managed. He inquired as to why the taxes were increased so much? Ms. McCreary replied that this is the 1st increase in Township taxes in 15 years. The increase was necessary to cover the debt service, much needed improvements for infrastructure and fire services. The Township's general fund and expenses have been steady. Due to a decrease in volunteers for the fire department, the Township has had to hire additional full time paid staff to cover the Township, as well as replace fire apparatus. Due to a misrepresentation during the planning and construction of the community center and also as a result of the shut down during the pandemic, the community center does not have a steady stream of revenue to cover its expenses. Mr. Shapiro provided a history of operating expenses, indicating the increase of fire funds. Ms. McCreary outlined the capital improvement plan which included the Township infrastructure which requires maintenance and replacement such as 74 miles of roads, 48 traffic signals, 5 building facilities, 15 parks, and 1359 streetlights.

Chris Keefrider of 308 W. Kennedy Road questioned the accounting and graphs that were presented showing operating expenses. Ms. McCreary explained that capital expenditures were

the bulk of the reason as to why the taxes were increased. Mr. Keefrider asked to see the budget for 2022 and he was told that it is available on the Township's website for everyone to view.

Mr. Whiteman asked if the increase was a one-time situation or will taxes be increased every year. Ms. McCreary explained that there are no plans for new debt or the need to increase taxes further at this time. Ms. Bamford explained that this increase was 15 years in the making and it was put off by previous Boards. The Board was not in favor of a tax increase, but it was done because it was necessary. Ms. Long stated that as residents of the Township, the Board is also paying those increased tax amounts. Mr. Shapiro explained that due to the pandemic the Township also saw a significant decrease in Business Privilege and Mercantile Tax over the last several years. Overall, the Township is ranked 24th out of 38 Montgomery County municipalities in tax millage, with many municipalities below that number having no police force.

5. Announcement of Executive Session – Township Solicitor Sean Kilkenny, Esquire, announced that the Board of Supervisors met in an Executive Session earlier this evening at 6:30 p.m. to discuss a matter of litigation and a personnel 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. Consent Agenda:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the minutes of the February 28, 2022 meeting, the Payment of Bills for March 14, 2022 were approved as presented.

7. Appointment and swearing in of FDMT Special Fire Police Officers:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Long and unanimously carried, the Board appointed Christopher Owoc and Edward Pratt to the position of Special Fire Police Officers, effective March 14, 2022 and welcomed them to Montgomery Township.

Public Hearing:

8. Intermunicipal Transfer of Liquor License – Montgomery Commons, 1200 Welsh Road – The Township received an application for a liquor license transfer for North Wales Restaurant Associates, LLC for 1200 Welsh Road. This is an inter-municipal transfer of a type "R" Restaurant liquor license, which is normally associated with an establishment which will have a minimum of 400 square feet, equipment with table and seating, and sufficient food, to accommodate at least 30 patrons at once. Based on the plan provided, a new unidentified user is the proposed recipient of this license. Ms. Bamford opened the public hearing at 7:25 p.m. Notes of testimony were taken by Court Reporter Tim Kurek. Mr. Kilkenny introduced the exhibits into the record. J. Kenneth Butera, Esquire, represented the applicant, Pennmark Properties. Robert Sichelstiel, Broker of Record for Pennmark Properties was sworn in as the witness. Mr. Butera summarized

the application with Mr. Sichelstiel and discussed the type of quality dining restaurant that the applicant intends to attract to the shopping center by having the liquor license already in place. The public hearing was closed at 7:43 p.m. Discussion followed regarding sidewalks and walkability which would fall under the land development agreement already in place for this location and not the liquor license transfer resolution.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board approved Resolution 2022-16, granting approval of the transfer of Restaurant Liquor License No. R-14112 into the Township of Montgomery from Plymouth Meeting, PA.

Planning and Zoning:

9. Escrow Release 8 – PEMV Partners, LP, 1274 Welsh Road and Start of 18-Month Maintenance Period:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board authorized the construction escrow release in the amount of \$110,571.58 as recommended by the Township Engineer for PEMV Partners, LP, contingent upon payment of all outstanding bills and the receipt of an 18-month Financial Maintenance Surety approved by the Township Solicitor.

Parks and Recreation:

10. Concept Plan Approval and DCNR Grant Application for Whistlestop Park: Ms. McCreary reported that the new round of applications to the DCNR grant program are open and the Public Works Director recommended the next park in line for redevelopment that would meet the criteria for this grant. Staff met with Township planning consultants at Whistlestop Park to evaluate a redevelopment plan. The regional advisor for DCNR visited the site and supports the Township's initiative. Ms. McCreary presented the scope of the work and the three options for a conceptual plan. The DCNR grant provides a 50% match (up to \$250,000). If the grant is awarded, the Township's share of the project will be included in the 2023 or 2024 budget. Discussion followed and Option 3 was chosen. The scope of the work would include removing the existing playground equipment and installing new inclusive, accessible equipment with sensory components situated on a poured safety surface. Shade structures and a 6-foot-wide looped trail will be incorporated into the design. Option 3 proposes to rehabilitate the Softball field, relocate the playground area, change the second ball field into an open play area field, and install six Pickleball Courts at the cost of approximately \$1.39 million. The Township's portion of the project cost would come from the recent borrowing for the five-year Capital Investment Plan (CIP).

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved Resolution 2022-14, supporting the grant application to the Department of Conservation and Natural Resources for the Whistlestop Park Improvement Project Identified at Option 3.

Public Works:

11. Award of Bid - 2022 Road Paving Project:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Ware and unanimously carried, the Board awarded the contract for the 2022 In-Place Paving project to James D. Morrissey, the lowest responsible bidder, in the amount of \$877,559.80 per the recommendation of Gilmore & Associates, Township Engineer.

12. Authorization to Purchase Dump Truck:

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board awarded the contract for the purchase of one 2022 Peterbilt Dump Truck from G.L. Sayre Peterbilt, an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$144,828.00 per their quote dated January 17, 2022; and the Board also awarded the contract for the purchase of and installation of the dump body, snowplow, salt spreader and installation from Triad Truck Equipment, an authorized vendor under the Co-Stars Cooperative Purchase Program at a total cost of \$112,633.00 per their quote dated March 11, 2022.

13. Authorization to Purchase a Graco GrindLazer:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board awarded the contract for the purchase of one Graco GrindLazer DC89G Standard w/8" PCD Flat Drum from Sherwin Williams, an authorized vendor under the Co-Stars Cooperative Purchase Program, at a total cost of \$7,176.00 per their quote dated March 7, 2022.

14 a,b,c. Authorization to Upgrade Traffic Signal Intersections: Mr. Reiff reported that the Public Works Department is scheduled to upgrade the Traffic Signal Intersections at Route 463 and Kenas Road, Route 463 and Hartman Road, and Route 63 and Bell Run Boulevard. Under the PA Purchasing Requirements, certain purchases are exempt, including maintenance, repairs, or replacements for water, electric light, or other public works of the municipality, provided they do not constitute new additions, extensions, or enlargements of existing facilities and equipment. These purchases would fall under this exemption. Staff is proposing to upgrade these three traffic signal intersections as approved in the 2022 Final Budget. Quotes were received from Signal Control Products, a single source vendor, to provide the requested equipment necessary for the upgrades. In addition, the lowest of three quotes for the installation of the equipment was provided by Armour & Sons Electric, Inc.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board awarded the contract for the purchase of the equipment necessary to upgrade the traffic signal intersection at Route 463 and Kenas Road to Signal Control Products, a single vendor, at a total cost of \$43,240.00 per their quote dated

March 8, 2022; and awarded the contract for the installation of the equipment necessary for the signal upgrade to Armour & Sons Electric, Inc., at a cost of \$20,857.00 per their quote dated February 10, 2022.

Under public comment, Bruce Whiteman of 206 Eisenhower Lane asked what an updated signal was. Mr. Reiff explained that the traffic signal includes not only the light fixture, but the cabinet which holds all of the electronic updated equipment inside.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board awarded the contract for the purchase of the equipment necessary to upgrade the traffic signal intersection at Route 463 and Hartman Road to Signal Control Products, a single vendor, at a total cost of \$32,525.00 per their quote dated February 8, 2022; and awarded the contract for the installation of the equipment necessary for the signal upgrade to Armour & Sons Electric, Inc., at a cost of \$19,318.00 per their quote dated February 10, 2022.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Staab and unanimously carried, the Board awarded the contract for the purchase of the equipment necessary to upgrade the traffic signal intersection at Route 63 and Bell Run Boulevard to Signal Control Products, a single vendor, at a total cost of \$43,860.00 per their quote dated February 3, 2022; and awarded the contract for the installation of the equipment necessary for the signal upgrade to Armour & Sons Electric, Inc., at a cost of \$20,937.00 per their quote dated February 10, 2022.

Administration and Finance:

15. Ratification of Real Estate Tax Appeal Settlement: Ms. McCreary reported that in 2020 the North Penn School District filed an assessment appeal with the Board of Assessment Appeals challenging the property's value of \$675,520.00 for the taxable year beginning 01/01/2021 for 140 Commerce Drive. The school district appealed the decision of "no change in assessment" and a settlement was reached with the property owner.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board approved the stipulated settlement for 140 Commerce Drive and authorize the Township Solicitor to execute the document on behalf of the Township.

16. Authorize RFP for Municipal Software: Mr. Shapiro stated that staff is requesting that the Board authorize an RFP for municipal software to replace the current BS&A system which has been in place since 2015 and has had no enhancements since that time. The RFP would seek proposals from qualified firms who specialize in local government software to provide a full range of ERP (Enterprise Resource Planning) applications that include software, compliance with State and Federal mandated requirements and ongoing enhancements.

MOTION: Upon motion by Ms. Bamford, seconded by Ms. Chimera and unanimously carried, the Board authorized the publishing of an RFP to request proposals for municipal software.

17. Glasgow Springhouse Asphalt Plant/Quarry Notice: Ms. McCreary reported that on March 9th, the Township received a notification from Compliance Management International (CMI) regarding a plan approval application submitted to the PaDEP. The Pennsylvania Code states that the applicant for a plan approval shall notify the local municipality and county where the air pollution source is to be located that the applicant has applied for. The letter received states that the Glasgow Springhouse plant is proposing an increase in permitted SOx emissions from Batch Asphalt Plant 2 to address current, actual emission rates as determined during recent stack tests. Discussion followed and the Board requested Ms. McCreary to draft a letter requesting additional information and opposing any approval of increased pollution to Township residents.

Old Business:

18. Ready for 100 Energy Transition Plan Amendment: Ms. McCreary reported that at the May 10, 2021 public meeting, the Board voted to adopt the Ready for 100 Renewable Energy resolution. At the public meeting held on February 28th, it was noted that the date of May 2022 is not feasible to have any energy transition plan prepared and the Board indicated that they would like to amend the resolution.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab and unanimously carried, the Board adopted Resolution No. 2022-15, amending Resolution 2021-26.

New Business:

19. Manager's Report: Ms. McCreary provided an update to the Board on a number of initiatives:

- a. Open Space Committee – The committee will meet on March 21st at 7:00 p.m. to review a list of the properties originally outlined in the 2006 Open Space Plan to see if there are any opportunities remaining to obtain open space and to discuss the next steps for this committee.
- b. Ready for 100 Ad Hoc Committee – This committee will have its first meeting on March 24th at 7:00 p.m. The energy audit for the Township building and the Community and Recreation Center has been completed. Each committee member will be assigned a task to review other municipalities who are well underway with their Ready for 100 plans.
- c. The Volunteer Appreciation Social is scheduled for May 5th from 5:30 p.m. to 8:30 p.m. at Pinecrest. Invitations have been sent out to all volunteers.
- d. The Michael Okino Field Dedication is scheduled for May 14th at the park. The Okino family is planning an event following the dedication at the park.

- e. VMSC – Chief Wheeler has reported that their efforts for recruitment have been very successful with staffing levels at 94% at this time.
- f. Friendship Park – Staff has been receiving inquiries and requests to rent the pavilion at this park. One request included an additional tent and band for a party. Staff has concerns regarding the rental of this pavilion as it is in a neighborhood park close to residential homes vs. Spring Valley Park or Windlestrae Park which are more centrally located with a lot of space. Discussion followed and the consensus of the Board was not to rent the pavilion but leave it for the residents to use casually on a first come, first served basis.

20. Adjournment: Upon motion by Ms. Bamford and seconded by Ms. Chimera, the meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary