

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
MAY 8, 2023**

1. Call to Order: The May 8, 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 7:10 p.m.

IN ATTENDANCE:

Chair Candyce Fluehr Chimera
Supervisor Tanya C. Bamford
Supervisor Annette M. Long
Supervisor Beth A. Staab
Township Solicitor Sean Kilkenny, Esq.
Township Manager Carolyn McCreary

ALSO IN ATTENDANCE:

Fire Chief Bill Wiegman
Director of Finance Brian Shapiro
Director of Public Works Greg Reiff
Director of Information Technology Rich Grier
Public Information Coordinator Derek Muller
Recording Secretary Deborah A. Rivas

ABSENT:

Supervisor Audrey R. Ware

2. Pledge of Allegiance and Announcements: Following the Pledge of Allegiance, Township Manager Carolyn McCreary read a prepared statement (attached) in response to the public comments that were made at the April 24, 2023 Board meeting.

3. Public Comment: There was no public comment.

4. Announcement of Executive Session – Mr. Kilkenny announced that the Board of Supervisors met earlier this evening at 6:30 p.m. in the Township building to discuss a litigation matter and a personnel matter. Mr. Kilkenny stated that the topics discussed are legitimate subjects of an Executive Session under the Commonwealth of Pennsylvania’s Sunshine Law.

5. Consent Agenda: Ms. Long requested that the minutes be amended to note that she and Ms. Ware were absent from the April 24, 2023 meeting because they were attending a Township business conference.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried, the minutes of the April 24, 2023 meeting as amended, and the Payment of Bills List dated May 8, 2023, were approved.

Presentation:

6. Proposed Plastic Waste Reduction Ordinance: Environmental Advisory Committee (EAC) Chair Ryan Rex presented the recommendation of the EAC for a proposed ordinance to reduce plastic waste in the Township. A residential and business survey was recently completed with most responses in favor of a reduction. In addition, Mr. Rex explained that many businesses in the Township are already implementing changes with regard to single-use plastic. Recommendations

from the EAC include the banning of plastic bags, plastic straws, and styrofoam. A charge for paper bags if the customer does not bring their own bags to help offset costs, and violations based on warnings and the number of offenses. In addition, there would be a grace period of six months and communication and education would be key in promoting this new initiative. The Board consensus was to move forward with the drafting of an ordinance for plastic waste reduction in the Township.

Public Safety:

7. Department of Fire Services Quick Response Service Program (QRS): Firefighter Jake Weltman and Dr. Ryan Overberger, DO, provided a summary of the Quick Response Service Program (QRS). The Montgomery Township Department of Fire Services began planning their Quick Response Service Program (QRS) in 2022. A QRS is an Emergency Medical Service that is provided by a Fire Department. It is designed to reduce the time between when a 911 call is placed and when help arrives. It also increases available medical providers on priority calls. A QRS does not transport patients, but it begins or assists with care until the ambulance provider arrives and can transport the patient. Members of the department completed their National Registry EMT-B certification in June of 2022. This certification was achieved through a partnership with Thomas Jefferson University, JeffSTAT Education Center and requires that the Department obtain medical direction from a licensed provider. The Department has entered into an agreement with Einstein Practice Plan, INC. and Dr. Ryan Overberger, DO, MS, EMT-PHP for medical direction. Dr. Overberger also serves at the Medical Director for the VMSC of which the Department has worked closely with for the implementation of the QRS Program. The Department is planning to begin the QRS Program in the early summer of 2023.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board approved the Department's participation in the QRS Program and medical direction with Einstein Practice Plan, INC. with Dr. Ryan Overberger, DO.

8. New Fire Police Officer:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long, and unanimously carried, the Board appointed Amber DeGregorio to the position of Special Fire Police Officer, effective May 8, 2023, and welcomed him to Montgomery Township.

Administration and Finance:

9. Ordinance 23-335 – Comcast Franchise Agreement: Ms. McCreary reported that the Cohen Law Group successfully negotiated the cable franchise renewal agreement with Comcast of Pennsylvania, LLC. Comcast continues to require a 10-year agreement. The franchise fee percentage remains the same as our current agreement with the definition of gross revenue including language for sources that may not exist at this time. The Township can also conduct a franchise fee audit with new terms deemed fair to both sides.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried, the Board adopted Ordinance No. 23-335, approving the renewal of the Cable Franchise Agreement with Comcast of Pennsylvania, LLC.

10. DVRPC Grant Application – EV Charging Stations: Ms. McCreary stated that she had received notification from the Delaware Valley Regional Planning Commission (DVRPC) of an opportunity to participate in their grant application for federal funding as part of the Charging Fueling Infrastructure Program. After participating in a virtual meeting that outlined the needs and asked for potential project locations, Ms. McCreary prepared a letter of intent for the Township to participate upon the Board’s approval. After staff input, the locations suggested which might benefit from EV Charging stations were the Township building, the Community & Recreation Center, Windlestrae Park, and Whistlestop Park. The Township’s match would be 20% of the project cost. Users would pay per charge to the companies supplying the stations.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried, the Board ratified Montgomery Township’s preliminary submission and letter of intent to the Delaware Valley Regional Planning Commission and support the grant application for Charging Fueling Infrastructure.

11. Ratification of Real Estate Tax Appeal Settlement – 1218 Welsh Road: Mr. Shapiro reported that in September 2020, owners of property at 1218 Welsh Road, Condo 1 presented information to the Board of Assessment Appeals (“BOAA”) and the BOAA issued a “Notice of No Change in Assessment” determination. The assessed value of the property is \$2,614,380. Based upon the applicable Common Level Ratio, the implied market value for the property is \$6,601,969.70 for the tax year 2023. A proposed settlement was negotiated between the School District and the Taxpayer. The fair market value would become \$5,493,989.00 for the tax year 2023, resulting in a new decreased assessed value of \$2,175,620.00. Based on the proposed settlement, the Township would issue a refund in the amount of \$2,271.86 for tax years 2021, 2022 and 2023.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab, and unanimously carried, the Board approved the stipulated settlement for 1218 Welsh Road, Condo 1, and authorize the Township Solicitor to execute the document on behalf of the Township.

12. Ratification of Real Estate Tax Appeal Settlement – 1222 Welsh Road: Mr. Shapiro reported that in September 2020, owners of property at 1222 Welsh Road, Condo 2 presented information to the Board of Assessment Appeals (“BOAA”) and the BOAA issued a “Notice of No Change in Assessment” determination. The assessed value of the property is \$7,135,690. Based upon the applicable Common Level Ratio, the implied market value for the property is \$18,019,419.19 for the tax year 2023. A proposed settlement was negotiated between the School District and the Taxpayer. The fair market value would become \$15,006,010.00 for the tax year 2023, resulting in a new decreased assessed value of \$5,942,380.00. Based on the proposed settlement, the Township would issue a refund in the amount of \$6,172.31 for tax years 2021, 2022 and 2023.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Staab, and unanimously carried, the Board approved the stipulated settlement for 1222 Welsh Road, Condo 2, and authorize the Township Solicitor to execute the document on behalf of the Township.

Public Works:

13. Authorize Bids for Traffic Signal Modernizations: Mr. Reiff reported that the Capital Investment Plan includes traffic signal modernizations on the intersections of Cowpath Road (SR 0463) & Five Points Plaza and Bethlehem Pike (SR 0309) and Taylor Road (SR2006)/McLaughlin Road. Gilmore & Associates, the Township Engineer prepared the signal specifications to meet Township requirements, and contractors' bids will be solicited utilizing the PennBid website. A total of \$743,000.00 was included in the 2023 Capital Investment Plan for the Traffic Signal Modernization.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried, the Board authorized the advertisement of the bid for the Traffic Signal Modernization on the intersections of Cowpath Road (SR 0463) & Five Points Plaza and Bethlehem Pike (SR 0309) & Taylor Road (SR2006)/McLaughlin Road.

13. Approval of Replacement Pickup Truck: Mr. Reiff reported that the Public Works Department is scheduled to replace a 2005 Chevrolet Tahoe and is proposing to purchase one 2024 GMC Sierra 3500HD Pickup Truck and snowplow from Star Buick-GMC-Cadillac Quakertown as approved in the 2023 Capital Investment Plan.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board awarded the contract for the purchase of one 2024 GMC Sierra 3500HD Pickup Truck and snowplow from Star Buick-GMC-Cadillac Quakertown, an authorized vendor under the Co-Stars Cooperative Purchasing Program, at a total cost of \$68,670.00 per their quote dated April 6, 2023.

Old Business: None.

New Business:

14. Resolution Recognizing National Police Week: Ms. McCreary reported that each year the Board of Supervisors recognizes National Police Week, which was established by a joint resolution of Congress in 1962. It is recommended that the Board of Supervisors continue this tradition and recognize the week from May 15, 2023 through May 21, 2023 as National Police Week. Ms. Chimera made remarks supporting and thanking the Montgomery Township Police Department for everything that they do to keep the community safe.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board adopted Resolution No. 2023-06, recognizing the week of May 15 through May 21, 2023, as National Police Week.

15. Resolution Recognizing National Public Works Week: Ms. McCreary reported that each year the Board of Supervisors recognizes National Public Works Week, which was established by the American Public Works Association 63 years ago. It is recommended that the Board of Supervisors continue this tradition and recognize the week from May 21, 2023 through May 27, 2023 as National Public Works Week. This year's theme is "Connecting the World Through Public Works".

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried, the Board adopted Resolution No. 2023-07, recognizing the week of May 21 through May 27, 2023, as National Public Work Week.

16. Resolution Recognizing National Emergency Services Week: Ms. McCreary reported that each year the Board of Supervisors recognizes National Emergency Services Week, which was authorized in 1974 by President Gerald Ford, to celebrate EMS practitioners and the important work they do in our nation's communities. It is recommended that the Board of Supervisors continue this tradition and recognize the week from May 21, 2023 through May 27, 2023 as EMS Week.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long and unanimously carried, the Board adopted Resolution No. 2023-08, recognizing the week of May 21 through May 27, 2023, as EMS Week.

17. Adjournment: Upon motion by Ms. Chimera and seconded by Ms. Long, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary



The following is in response to statements made during the public comment portion of the April 24, 2023, Board of Supervisors public meeting. Statements concerned the Police Department's response to a call for service on April 11, 2023.

Background:

Since March 16, 2023, Montgomery Township Police Department has received three calls pertaining to suspicious activity within the development where this incident occurred:

- Suspicious Person: On March 16, 2023, a suspicious person was seen running through backyards overnight in the area of Magdalena Lane and Line St.
- Suspicious Person: On April 3, 2023, a suspicious person was seen walking through backyards overnight in the area of Magdalena Lane.
- Suspicious Person: On April 9, 2023, a suspicious person was seen walking through backyards overnight in the area of Magdalena Lane.

Incident Summary and Investigation:

On Tuesday, April 11, 2023, at 9:56 pm, Montgomery Township Police Department officers were dispatched by the Montgomery County Communications Center to the area of Wentworth Drive and Manor Drive for a suspicious vehicle. The caller advised that since approximately 9:36 pm ("for the last twenty minutes"), he observed a white Suburban looping around, making four passes through the development at a slow speed while he was walking his dog. The resident advised that he had never seen the vehicle before, nor could he see who was driving because it was dark and the vehicle had partially tinted windows.

Two single-officer patrol units responded to the call for service. At 10:01 pm, an officer arrived in the area of the development and began checking for the vehicle. At

10:06 pm, the same officer observed a 2019 white GMC Yukon traveling on Wentworth Drive. The officer conducted a traffic stop of the vehicle on Addison Lane and Wentworth Drive. The vehicle met the description provided by the Montgomery County Communications Center. (NOTE: A Suburban and Yukon are GM products and can be easily confused due to their striking similarities).

The officer approached the vehicle and verbally engaged the driver as he approached. At 10:06:10 pm, the officer spoke to the driver for the first time, asking the driver if she was lost. The officer explained the reason for his interaction based upon the information provided in the call for service. During the interaction, the officer requested the driver's license, per standard procedures. In concluding the traffic stop, the officer requested the driver's phone number, as officers are required to obtain phone numbers when responding to calls for service for records management purposes. However, the driver declined to provide such information, and the officer chose to forego this records requirement. In concluding the interaction, at 10:07:55 pm, the officer returned the driver's license. The officer's interaction time with the driver lasted less than two minutes.

Policies and Training:

Comments were also made about the Police Department's policies and training of officers.

Policy 401 of the Montgomery Township Police Department addresses biased-based policing. It was last reviewed on February 6, 2023.

Relevant Biased Training:

- Discovering Diversity and Creating Community on February 21, 2019, and February 28, 2019, through Pearl S. Buck International. All sworn personnel completed the instruction.
- Managing Implicit Bias for Law Enforcement in 2020 through the Anti-Defamation League of Philadelphia, PA. A portion of sworn personnel completed instruction. The training was paused due to COVID-19.

- The Municipal Police Officers Education and Training Commission develops a course curriculum each year and requires current municipal officers to receive training in this curriculum to keep their certification. Every year the curriculum includes legal updates which review changes in federal and state laws and several other topics the Commission selects. In 2022, every municipal officer was required to take a block titled Understanding Bias. This training was a 3-hour block that included an exam to ensure officers understood the course material. All sworn personnel completed the training.

- History of Policing and Cultural Diversity Training on November 8, 2021, November 29, 2022, December 1, 2022, and December 2, 2022, a portion of sworn personnel (due to scheduling-not ALL can attend at one time) attended this County-wide training initiative conducted by the Pennsylvania State Police Heritage Affairs Division sponsored by the Chiefs of Police Association of Montgomery County (as one of my county-wide training initiatives as President of the Association).

- The Department subscribes to PlanIt, a program designed for managing, scheduling, and training in Law Enforcement Agencies. Utilizing this platform, all Department members were assigned training in various topics, including reviewing Department policies and procedures. The following training was assigned and has been completed by all members of the Department:

- 2015- Critical Montgomery Township Policy Review of General Order 1.8.3 Bias-Based Policing (Pennsylvania Law Enforcement Accreditation Commission approved)

- 2016 - Critical Montgomery Township Policy Review of General Order 1.8.3 Bias-Based Policing (Pennsylvania Law Enforcement Accreditation Commission approved)

- 2017 - Critical Montgomery Township Policy Review of General Order 1.8.3 Bias-Based Policing (Pennsylvania Law Enforcement Accreditation Commission approved)

- 2018 - Critical Montgomery Township Policy Review of General Order 1.8.3 Bias-Based Policing (Pennsylvania Law Enforcement Accreditation Commission approved)

- 2019 - Critical Montgomery Township Policy Review of General Order 1.8.3 Bias-Based Policing (Pennsylvania Law Enforcement Accreditation Commission approved)

- The Department subscribed to the Police One Academy online training platform in 2019. This platform has hundreds of training programs and videos, many of which are approved through the Pennsylvania Municipal Police Officers Education and Training Commission. The platform also allows departments to customize training programs to allow for the review of department policies. Officers must also complete monthly training in relevant topics selected by Command Staff. Officers are also tested at the end of select courses to ensure course material is understood.

Through this platform, the following training was assigned and has been completed by all members of the Department.

- 2020 - Anti-Bias Training for Law Enforcement (1-hour full-length course)
- 2020 - Critical Montgomery Township Policy Review of General Order 1.8.3 Bias-Based Policing (Pennsylvania Law Enforcement Accreditation Commission approved)
- 2021 - Critical Montgomery Township Policy Review of General Order 1.8.3 Bias-Based Policing (Pennsylvania Law Enforcement Accreditation Commission approved)
- 2022 - Critical Montgomery Township Policy Review of General Order 1.8.3 Bias-Based Policing (Pennsylvania Law Enforcement Accreditation Commission approved)

Additionally, all individuals as part of their Act 120 certification to become a police officer, receive 17 hours of instruction bias-based/equity/inclusion instruction per the Director of Public Services Training Programs at Montgomery County Community College.

As President of the Chiefs Association, Chief Bendig organized and attended a four-hour Inclusive Policing for Leaders training conducted by the Anti-Defamation League for Montgomery County Chiefs of Police on October 21, 2021.

Montgomery Township, comprised of our elected officials (Board of Supervisors) and staff, strives to treat our residents and those we interact with daily with respect and dignity regardless of their race, ethnicity, national origin, religion, gender, or sexual orientation.