

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
AUGUST 12, 2024**

1. Call to Order: The August 12, 2024 action meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Chairwoman Candyce Fluehr Chimera called the meeting to order at 7:00 p.m.

IN ATTENDANCE:

Chair Candyce Fluehr Chimera
Vice-Chair Audrey R. Ware
Supervisor Tanya C. Bamford
Township Solicitor John Walko, Esq.
Township Manager Carolyn McCreary

ALSO IN ATTENDANCE:

Police Chief J. Scott Bendig
Fire Chief William Wiegman
Director of Finance Brian Shapiro
Director of Planning & Zoning Marianne McConnell
Director of Public Works Greg Reiff
Director of Rec. & Community Center Floyd Shaffer
Director of IT Richard Grier
Public Information Coordinator Derek Muller
Recording Secretary Deborah Rivas

ABSENT:

Supervisor Annette M. Long
Supervisor Beth A. Staab

2. & 3. Pledge of Allegiance and Announcements: Following the Pledge of Allegiance, Ms. Chimera made the following announcements: National Night Take 2 Event has been rescheduled to Tuesday, August 20, 2024 from 6:00 pm to 9:00 pm at the William F. Maule Park at Windlestrae. Come out and celebrate Police and community partnerships. The August Blood Drive will be held on Wednesday, August 28, 2024 from 1:00 p.m. to 6:00 p.m. at the Community and Recreation Center.

4. Public Comment: Stephanie and Otto Gaylord, 109 Kelsey Drive, expressed concerns about the Zoning Hearing Board's decision to approve the extensive addition to the property located at 108 Cathedral Drive. Harry Smyser of 111 Kelsey Drive supported the Gaylords' position and asked what options the Board of Supervisors had going forward. Mr. Walko indicated that the Township has a standing in the matter but is waiting for the Zoning Hearing Board's written decision before deciding to appeal. Mr. Smyser stated that he supports the Board of Supervisors appealing the matter and recommended removing two members of the Zoning Hearing Board for malfeasance.

5. Announcement of Executive Session: Township Solicitor John Walko, Esquire, announced that the Board of Supervisors met in Executive Session earlier this evening at 6:30 p.m. in the Township building to discuss three litigation matters. Mr. Walko stated that the topics discussed are legitimate subjects of an Executive Session under the Commonwealth of Pennsylvania's Sunshine Law.

6. Consent Agenda:

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried (3-0), the minutes of the July 8, 2024 Board meeting, the ratification of Payment

of Bills for July 19, 2024 in the amount of \$401,124.46, the Payment of Bills for August 12, 2024 in the amount of \$1,411,612.91, Escrow Release #5 – Beer & Wine Mill Realty LP, Escrow Release #3 and Start of Maintenance Period – LUV Car Wash, Escrow Release #10 – Westrum Development and Escrow Release #1 – Bharatiya Learning Center were approved as submitted.

Presentation:

7. Swearing-In of New Police Officers: Chief Bendig reported that recruit hiring processes were initiated to fill vacancies within the Department's Patrol Division on January 29, 2024 and March 17, 2024. Fifty-four applicants competed for the position of Recruit Police Officer in this hiring process. Chief Bendig introduced the top candidates, Mason Strauss and Louis Ricci, to be considered for appointment to the position of Recruit Police Officer. Ms. Chimera administered the oath of office to Mr. Strauss and Mr. Ricci.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford and unanimously carried (3-0), the Board appointed Mason Strauss and Louis Ricci to the position of Recruit Police Officers in the Montgomery Township Police Department, effective August 13, 2024.

Planning and Zoning:

8. Proposed Text Amendment Discussion – 1008 Upper State Road: Marc Kaplan, Esquire, representing Daniel Dunleavy, reported that he owns two adjacent properties located at 1008 Upper State Road. In 2008, these properties and several adjoining parcels along Horsham Road were re-zoned from Residential (R2) to BP – Business Professional with a corresponding zoning text amendment, Special Regulations, where a BP property abuts a residential zoning district. Mr. Kaplan proposed a text amendment to the 5,000 sq ft building size provision, specifically increasing it to a single floor area of 10,000 square feet provided that certain conditions were met. Mr. Kaplan explained that over the years, various businesses were interested in purchasing the property but could not make a 5,000-square-foot building functional for their use. Mr. Dunleavy has a prospective buyer for the property, but they need the larger building for their business. The Board consensus was that they were not opposed to the idea. Mr. Kaplan was instructed to submit a formal application for a Change of Zoning / Text Amendment to proceed.

9. Authorization to Advertise the Shade Tree Amendments Ordinance: Ms. McConnell reported that proposed amendments to the Shade Tree Ordinance are ready for advertisement. The proposed amendments include updating definitions, adding provisions for permitting the removal/replacement of residential street trees, and updating shade tree protection, replacement, and pruning provisions.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried (3-0), the Board authorized staff to advertise the proposed amendments to Chapter 189 of the Code of Montgomery Township as presented.

10. Amending Appointments for Planning Commission – Ms. McConnell reported that the Planning Commission has seven members and two alternates appointed by the Board of Supervisors. Tom Borghetti has served on the Planning Commission since July 2019. He was previously appointed as an alternate and would like to be appointed as a member. To maintain the number of members and alternates, Rutuke Patel has volunteered to modify his appointment to the alternate role.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Ware, and unanimously carried (3-0), the Board appointed Tom Borghetti as a member of the Planning Commission with a term to expire January 2025 and appointing Rutuke Patel as an alternate member of the Planning Commission with a term to expire January 2026.

Public Safety:

11. Adoption of Ordinance #24-343, Amend Vehicles and Traffic: Automated Red-Light Enforcement – Chief Bendig presented the amendment to add Automated Red Light Enforcement. In 2023, members of the police department’s Highway Safety Unit conducted a comprehensive evaluation of traffic crashes within the township to identify how best to reduce crashes and ensure the safety of the motoring public and pedestrians within the community. High accident locations were identified, and strategies were implemented to reduce these crashes. On February 26, 2024, members of the police department’s Highway Safety Unit conducted a presentation at the Board of Supervisors meeting, requesting input regarding the implementation of an automated red-light enforcement camera program to be utilized at intersections that continue to trend with high crash occurrence despite efforts undertaken to reduce these collisions.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried (3-0), the Board adopted Ordinance #24-343 - amending the Township Code Part II, General Legislation, Chapter 222—Vehicles and Traffic, adding Article IX, *Automated Red-Light Enforcement*.

12. Capital Purchase of Mobile Data Computers – Chief Bendig reported that mobile data computers (MDCs) are installed in each police vehicle utilized for patrol activities. These devices act as the patrol officer’s link to several information services. The existing MDCs were installed in 2019 and have reached their end of life. The department is proposing the replacement of these MDCs while maintaining the original docking stations that are operational and compatible with the new equipment. A quote was received from Patrol PC, an authorized vendor under the Co-Stars Cooperative Purchasing Program to provide the MDCs, at \$61,967.38. The 2024 approved Budget for the Police Department included \$62,000 to purchase replacement MDCs.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Ware, and unanimously carried (3-0), the Board approved the purchase of the fourteen (14) MDCs, from the

authorized vendor under the Co-Stars Cooperative Purchase Program and a total cost of \$61,967.38 per their quote dated August 7, 2024.

Public Works:

13. Montgomery County Consortium Fuel Bid - Mr. Reiff reported that the Township can purchase petroleum products from the Montgomery County Consortium Fuel Contract. Pilot Thomas Logistics has been awarded the contract, which is valid for one year and will run from September 1, 2024, to August 31, 2025.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried (3-0), the Board approved the Township's participation in the Montgomery County Consortium Fuel Contract awarded to Pilot Thomas Logistics for the purchase of petroleum products for a period of one year ending on August 31, 2025.

14. Ratification of Emergency Replacement of Traffic Signal Controller – Mr. Reiff reported that as part of the Westrum project (Luxor Apartments), Armour & Sons Electric, Inc. was contracted to install battery backup, emergency preemption, and pedestrian crossings to the traffic signal at Route 309 & Knapp Road. While in the progress of the upgrades, Armour & Sons determined that due to the age and condition of the controller cabinet and its components, there is no way for them to make the necessary upgrades to the cabinet and ensure proper operation of the signal. Armour & Sons and Signal Control Products advised that the controller cabinet needs immediate replacement to avoid dangerous signal malfunction.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried (3-0), the Board ratified the purchase and installation of a replacement traffic signal controller cabinet for Route 309 & Knapp Road at a total cost of \$31,168.00.

Parks and Recreation:

15. Approval of Fall 2024 Recreation Programs and Fee Schedule – Mr. Shaffer provided the lineup of fall activities and programs and announced that the community and recreation center is thriving.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Ware, and unanimously carried (3-0), the Board approved the 2024 Fall Recreation Programs and Fee Schedule amendment as submitted.

Administration and Finance:

16. Advertisement of Proposed Ordinance Amendment – Municipal Waste Collection and Recycling Ordinance: Ms. McCreary reported that the Township is one of eleven (11) municipalities that are members of the Northern Montgomery County Recycling Commission (NMCRC). This Commission was established to implement the Municipal Waste Planning,

Recycling and Waste Reduction Act of 1988. Correspondence was received from the NMCRC's Solicitor informing the Township of the changes recommended by the Commissioners of the NMCRC. The recommended changes are included in a new ordinance, which the Commission requests each member to adopt.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Bamford, and unanimously carried (3-0), the Board authorized the advertisement of the Proposed Amendment to the Municipal Waste and Recycling Ordinance.

17. Adjournment: Upon motion by Ms. Chimera and seconded by Ms. Bamford, the meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary