

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
JANUARY 27, 2025**

1. Call to Order: The January 27, 2025 action meeting of the Montgomery Township Board of Supervisors was held at the Montgomery Township Municipal Building, 1001 Stump Road, Montgomeryville, PA. Chairwoman Audrey R. Ware-Jones called the meeting to order at 7:03 p.m.

IN ATTENDANCE:

Chair Audrey R. Ware-Jones
Supervisor Tanya C. Bamford
Supervisor Candyce Fluehr Chimera
Vice-Chair Annette M. Long
Supervisor Beth A. Staab
Township Solicitor John Walko, Esq.
Carolyn McCreary, Township Manager

ALSO IN ATTENDANCE:

Police Chief William R. Peoples
Fire Chief William Wiegman
Public Works Director Greg Reiff
Director of Planning & Zoning Marianne McConnell
Director of IT Richard Grier
Public Information Coordinator Derek Muller
Public Information & Admin Asst Ava Komasz
Recording Secretary Deborah Rivas

2. Pledge of Allegiance: Prior to the Pledge of Allegiance, Ms. Staab announced that today is the 80th anniversary of the liberation of the Auschwitz Birkenau Concentration Camp and this is International Holocaust Remembrance Day. Ms. Staab asked for a moment of silence to remember the six million Jewish victims and the victims of other Jewish persecution so that we may never forget.

3. Announcements: Ms. Ware-Jones announced that Montgomery Township has been awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association for the annual comprehensive financial report for the fiscal year ending December 31, 2023. This recognition reflects our commitment to transparency and excellence in governmental accounting, marking a significant achievement for the Township and its management. In addition, Ms. Ware-Jones stated that she would be remiss if she did not mention that today is Community Manager Appreciation Day. Ms. Ware-Jones said she thinks she can speak for the Board when she says we truly believe we have the best of the best in Carolyn McCreary as our Township Manager. Ms. Ware-Jones thanked Ms. McCreary for all that she does, for the Board, for her team and for the community.

4. Public Comment: Ms. Ware-Jones called for public comment from the audience and there was none.

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 a litigation matter. Mr. Walko stated that the topic discussed is a legitimate subject of an Executive Session under the Commonwealth of Pennsylvania's Sunshine Law.

6. Consent Agenda:

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Staab, and unanimously carried (5-0), the minutes of the January 6, 2025 Board meeting, the Payment of Bills for January 27, 2025 in the amount of \$695,186.49, Escrow Release #5 for Bharatiya Temple Cultural and Learning Center, Escrow Release #7 for Higher Rock Partners, LP Residential Development and Escrow Release #3 and Start of Maintenance for the Montgomery Retirement Residences (Hudson Estates) were approved as submitted.

Public Hearing:

7. Appointment of Special Counsel for Conditional Use Hearing: Ms. McCreary stated that this evening the Board will hold a conditional use hearing for 92 County Line Road Associates, LLC, relating to their application to lease a space to operate 15 indoor batting cages in the LI – Light Industrial District. It is recommended that the Board appoint Special Counsel to appear on behalf of the Township to advocate for the need to have sidewalks or other pedestrian connections related to this proposed use.

MOTION: Upon motion by Ms. Chimera, seconded by Ms. Long, and unanimously carried (5-0), the Board appointed Michael Furey, Esquire as special counsel for the Conditional Use Hearing relating to the 92 County Line Road Associates LLC application.

8. Conditional Use Application – 92 County Line Road Associates, LLC: Upon motion by Ms. Ware-Jones, second by Ms. Chimera, and unanimously carried, the public hearing was opened at 7:08 p.m. Notes of testimony were taken by Court Reporter Tim Kurek. Ms. McConnell reported that the applicant has submitted a Conditional Use application to lease a 22,192 square foot tenant space within an existing 75,950 square foot building, to D-Bats, for an indoor athletic facility. The proposed indoor athletic facility, consisting of 15 batting cages, is permitted by Conditional Use, in the LI Limited Industrial District. Township staff, the Montgomery County Planning Commission, and Township consultants have had the opportunity to review the details of the application. During their January 16, 2025 public meeting, the Planning Commission unanimously recommended the Board of Supervisors approve the conditional use. Christen Pionzio, Esquire, represented the applicant and called Todd Montigney, Franchise Owner, and Kim Fasnacht, RLA as witnesses. Mr. Furey stated that he and Ms. Pionzio had spoken prior to the hearing and an agreement was made to have the paved trail along County Line Road be installed in lieu of a traditional sidewalk. Discussion followed and questions were raised regarding a worn path that is taken by residents to get to Whistlestop Park. Ms. Bamford inquired if the owner of the building would consider installing a bike rack in the parking lot to accommodate children who might bike to the new facility and the owner agreed. The hearing closed at 7:47p.m.

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Staab, and unanimously carried (5-0), the Board permitted the proposed indoor athletic facility use on the

property located at 92 County Line Road with conditions, as noted, including an exterior bike rack.

Planning and Zoning:

9. Public Hearing – Ordinance #25-346 – BP Zoning Text Amendment (1008 Upper State Road):

Upon motion by Ms. Ware-Jones, second by Ms. Long, and unanimously carried, the public hearing was opened at 7:50 p.m. Notes of testimony were taken by Court Reporter Tim Kurek. Ms. McConnell reported that the applicant, Mr. Dunleavy, owns two adjacent properties located at 1008 Upper State Road and in 2008, these properties, along with several adjoining parcels along Horsham Road, were re-zoned from Residential (R-2) to BP – Business Professional with a corresponding text amendment, creating Section 230-83K, Special Regulations where a BP Property abuts a residential zoning district. The applicants are proposing text amendments to the 5,000 sq ft building size provision, including parallel and temporary sign provisions, add an animal hospital use allowed by Conditional Use and provide parking requirements for animal hospital use. Township staff, the Montgomery County Planning Commission, and Township consultants have had the opportunity to review the details of the proposed amendment.

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Long, and unanimously carried (5-0), the Board adopted Ordinance #25-346 – BP Zoning Text Amendment – Permit Animal Hospital by conditional use.

10. Review of Zoning Hearing Board Applications: Ms. McConnell identified the hearing applications received for the February 5, 2025 Zoning Hearing Board meeting. Application 24120002 is for Shen & Xu / 102 Lily Way seeking a variance from the provisions of Section 230-53.3C(1) in order to construct a proposed sunroom enclosure. Application 25010001 is for Costazul, LLC / 668 Bethlehem Pike requesting relief from provisions requiring a specific number of parking spaces and the dimensions of the existing parking spaces.

Board consensus was not to enter an appearance for the application, allowing the Zoning Hearing Board to render a decision based on the testimony presented.

11. 2024 Tree City USA Recertification and Growth Award Application:

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Staab, and unanimously carried (5-0), the Board approved the applications for Montgomery Township to receive the 2024 Tree City USA Recertification and 2024 Growth Award.

Public Safety:

12. Award of Bids – Municibid Online Surplus Asset Sale: Chief Wiegman reported that on January 7, 2025, the Board of Supervisors authorized the sale of Township surplus assets through the online auction company Municibid. The auction concluded successfully on January 22, 2025

with a successful bid of \$310 for eight (8) Key Secure Knox boxes to Coty Marsh, the highest bidder.

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Long and unanimously carried (5-0), the Board authorized the sale of the above-listed equipment to the highest bidder as noted.

Public Works:

13. Award of Contract for Upgrade of the Fuel Pumps at the Public Works building: Mr. Reiff reported that the original Gasboy Islander system was installed in 2015 (with the fuel pump upgrade) and has been problematic for the past 10 years. The low bid equipment provider/installer went out of business shortly after the upgrade. Attempts at troubleshooting, part replacement and repairs have been unsuccessful resulting in the system being reset more frequently. The concern surrounding the upgrade request is complete failure resulting in emergency vehicles being without the ability to obtain fuel. Three quotes were obtained from three qualified and responsible vendors/contractors ranging from \$16,606.10 to \$24,960.

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Chimera and unanimously carried (5-0), the Board awarded the contract for the upgrade to Gasboy Island Prime at the fuel pumps located at the Public Works building to E.M. Grant Fleet Automation Specialists, the lowest qualified vendor/contractor, in the amount of \$16,606.10.

Administration and Finance:

14. Amend Resolution 2022-16 for North Wales Restaurant Associates: Ms. McCreary reported that she received correspondence from J. Kenneth Butera, Esquire, dated January 15, 2025 referring to the liquor license transfer approved by the Board of Supervisors on March 14, 2022. He noted that the Pennsylvania Liquor Control Board (PLCB) has requested that the Township amend its resolution to include the suite address.

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Long, and unanimously carried (5-0), the Board adopted Resolution 2025-04, amending Resolution 2022-16 regarding the intermunicipal transfer of liquor license for North Wales Restaurant Associates.

15. Completion of Ready for 100 Ad Hoc Committee Work: Ms. McCreary reported that the Board voted to adopt the Ready for 100 renewable energy resolution at its meeting on May 10, 2021. Subsequently, the Board commissioned a committee to help draft an energy transition plan, reviewing the work done by the Township's consultant. With the completion of the work and the issuance of the report, the Township many now dissolve this committee with staff continuing to work on the recommendations in the energy transition plan. Members who served on this committee are Anushk Gupta, Al Gryga, Kevin Kowalick, Jon Love, and Paul Mau. Supervisor Staab and Township Manager, Carolyn McCreary served as the Board and staff liaison.

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Staab, and unanimously carried (5-0), the Board agreed to dissolve the Ready for 100 Ad Hoc Committee and thank its members for the work they have completed on this important initiative.

16. Appointment of Tax Collection Committee Delegates: Ms. McCreary reported that Act 32 § 505 (b) requires the government bodies of school districts, townships, boroughs, and cities, that impose an earned income tax, appoint one primary voting delegate and one or more alternate delegates to be their Tax Collection Committee (TCC) representatives. Staff is recommending that the Board appoint the Finance Director to serve as the delegate, the Township Manager to serve as the first delegate, and the Board of Supervisors liaison to the Finance Committee as the second alternate delegate. It is recommended that titles, rather than individuals names, be appointed to alleviate the need to reappoint if there are changes.

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Long, and unanimously carried (5-0), the Board adopted Resolution 2025-03 appointing the Finance Director to serve as the delegate, the Township Manager to serve as the first alternate delegate, and the Board of Supervisor liaison to the Finance Committee as the second alternate delegate to the Montgomery County Earned Income Tax Collection Committee.

17. Volunteer Committee Appointments: Ms. McCreary reported that applications for volunteer committees have been received from interested residents. Staff have matched the applicants in order that their applications were received to existing vacancies.

MOTION: Upon motion by Ms. Ware-Jones, seconded by Ms. Long and unanimously carried (5-0), the Board appointed the following residents to volunteer committees and boards:

- **Richard Morrow to the Finance Committee for the remainder of a one-year term, which expires on January 1, 2026; and**
- **Nancy M. Saladik to the Park and Recreation Board for the remainder of the five-year term, which expires on January 1, 2026; and**
- **Christopher Leonardo to the Public Safety Committee for the remainder of the one-year term, which expires on January 1, 2026; and**
- **Kathleen Karatas to the Zoning Hearing Board as an Alternate member for the remainder of the three-year term which expires on January 1, 2026; and**
- **Staci Klemmer to the Planning Commission as an Alternate member for the remainder of the four-year term, which expires on January 1, 2029; and**
- **Wesley Nappen to the Business Development Partnership for the remainder of the one-year term, which expires on January 1, 2026.**

Old Business: None

New Business:

18. Consider Ordinance to Increase Board of Supervisors Salary: Mr. Walko reported that Act 94 of 2024 amended the Second-Class Township Code to adjust the maximum thresholds for supervisor compensation and to allow township supervisors to be paid on a per-meeting basis. Mr. Walko indicated that his firm has researched this matter, and they believe that the ordinance will need to be in place by February 15th in order for it to be effective for the Supervisors running in the next election due to the Emoluments Clause of the PA Constitution. Discussion followed and the majority of the Board felt that the increase was not necessary at this time. No action was taken.

19. Department Reports: Monthly reports were submitted by each department for activity in the month of December. Public Information Coordinator Derek Muller and Public Information and Administration Assistant Ava Komasz summarized the 2024 public information metrics and provided an overview of the outreach for 2024 and the goals for 2025.

20. Community Liaison Reports: Ms. Staab reported that the Environmental Advisory Committee will be hosting a film on March 18, 2025 called "Kiss the Ground" which discusses managing and healing the soil. Ms. Long reported that the Community & Recreation Center discussed the replacement of the gym floor in March. The Public Safety Committee discussed the three fire fighters who graduated to Firefighter 1 and the Boy Scout Explorer program which currently has 7 14/15 year olds enrolled. Ms. Chimera stated that the Planning Commission discussed all the items presented at tonight's meeting. Ms. Bamford reported that the Sewer Authority discussed the ongoing Rose Twig Bathroom project, and the Authority was recognized with the 7 Seals Award for their support of employee Dennis Flynn, who is a member of the National Guard, during his previous and upcoming deployments. Ms. Ware-Jones stated that the Senior Committee has almost completed setting up its free seminars for the year.

21. Discussion on Expansion of Polling Places: Ms. Staab stated that the polling places in the Township have had long lines the past several elections. The target number for registered voters for each location is 1,500 and the Township has 3,000 to 4,000 in some districts. Ms. Staab stated that she is working with Voter Services of Montgomery County to see what can be done to rectify this situation.

22. Adjournment: Upon motion by Ms. Ware-Jones and seconded by Ms. Staab, the meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Deborah A. Rivas, Recording Secretary