

The stated monthly meeting of the Board of Commissioners of Lower Moreland Township was conducted on the above date in the Township Building. The meeting was also streamed via Zoom.

President Sirken called the meeting to order at 7:00 p.m. Present were Commissioners Kuritz, Canale, Odhner and Pace; Secretary/Manager Hoffman, Solicitor Eberle, Police Chief Scirrotto, Public Works Director Woerner, Code Enforcement Officer Schadegg, Fire Marshal Scholly, Tax Collector Saile, Assistant Manager Lee, Finance Assistant Simmons, and four citizens. Commissioner Hausen and several citizens joined via Zoom. The Pledge of Allegiance was recited.

Commissioner Sirken announced that the Board had met in executive session to discuss a personnel matter.

PUBLIC SAFETY COMMITTEE

Police Personnel Matter All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22.

On motion and second by Commissioners Canale and Kuritz, the Board of Commissioners unanimously accepted Chief Scirrotto's recommendation for Officer Kelly Heist. Commissioner Hausen abstained because she did not attend the executive session. Commissioner Sirken recused himself from the vote because he serves on the Civil Service Commission, the group which would hear an appeal of a disciplinary decision by the Board of Commissioners.

Police Benevolent Association Contract All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22 and a draft Memorandum of Understanding.

Manager Hoffman provided the details of the three-year contract with the Police Benevolent Association effective January 1, 2022. He recommended the Board approve the contract terms which had been approved by the PBA the prior evening. He also stated the full contract terms would be brought back to the Board at the July meeting. There were no questions from the Board or public. On motion and second by Commissioners Canale and Pace, the Board of Commissioners unanimously approved the Memorandum of Understanding for the contract terms with the PBA.

Police and Fire Marshal Reports All Commissioners, the Solicitor and Engineer received a copy of the police report for the month of May 2022 and the Fire Marshal's report for the month of May 2022.

Chief Scirrotto detailed local crime activity encountered over the past month and provided updates on various cases being investigated. He also advised several Lower Moreland

High School students to do their CAPS program with the Police Department this year.

Fire Marshal Scholly reported on fire response activities by the Huntingdon Valley Fire Company. He complimented Deputy Emergency Management Coordinator Richardson Worthington for his work with the CAPS students. Lastly, he reported on Use & Occupancy and other inspections performed throughout the month.

Liaison Report Commissioner Canale provided monthly updates for HVAA and the Huntingdon Valley Library.

INTERNAL AFFAIRS COMMITTEE

Minutes All Commissioners, the Solicitor and Engineer received a copy of the Minutes of May 10, 2022. There were no additional questions or comments and on motion and second by Commissioners Sirken and Canale, the Board of Commissioners unanimously approved the minutes for the month of May 2022.

Bill List All Commissioners, the Solicitor and Engineer received a copy of the May Bill List in the amount of \$991,748.32. There were no questions or comments and on motion and second by Commissioners Sirken and Kuritz, the Board of Commissioners unanimously approved the Bill List for the month of May 2022.

Records Destruction All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22 and a proposed resolution.

Manager Hoffman reviewed the proposed resolution authorizing the destruction of public records in accordance with the Commonwealth of Pennsylvania's Municipal Records Act. The list has been updated by adding an additional year of both administrative and police records. On motion and second by Commissioners Sirken and Kuritz, the Board of Commissioners unanimously approved the following resolution:

Resolution No. 22-26

A resolution authorizing the disposition of public records is shown on the June 14, 2022 Records Disposition List.

A complete copy of this resolution is attached hereto and made a part of the minutes of this meeting.

Nonuniformed Pension Plan Restatement All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Assistant Manager dated 5-26-22 and a proposed resolution.

Manager Hoffman described the nonuniformed employee-defined contribution pension

plan. He stated that IRS regulations require the plan to be restated on a standard schedule. Assistant Manager Lee worked with Solicitor Rice's office to organize the necessary information for the plan restatement, which is done by resolution.

There were no questions by the Board or public. On motion and second by Commissioners Sirken and Kuritz, the Board of Commissioners unanimously approved the following resolution:

Resolution No. 22-27

A resolution approving the execution of the adoption agreement for the Township's defined contribution plan.

A complete copy of this resolution is attached hereto and made a part of the minutes of this meeting.

Non-Discrimination Ordinance All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22 and a draft ordinance.

Solicitor Rice highlighted the draft ordinance prepared for the Board's discussion. He noted that the Board had met in an executive session several months ago to discuss various legal options related to this topic. Many neighboring municipalities have passed local Human Relations Commission ordinances because the state act does not cover LGBTQ+ individuals and it is unlikely the Legislature will amend the act. Since the state act permits municipalities to form their own HRC's, many municipalities have taken this path. Solicitor Rice's draft ordinance was also based on conversations with Carl Summerson from the state Human Relations Commission. If the Board would like to proceed with this ordinance concept, he is recommending a non-discrimination ordinance that creates a mediator position to deal with complaints regarding discrimination. To proceed, the Board would have to authorize advertising the ordinance for a public hearing at an upcoming meeting.

Commissioner Pace asked if the ordinance covers minors and how the mediator's office would interact with the Police Department. Solicitor Rice minors could file a complaint and that police matters would be a separate consideration. The state act and ordinance define specific discriminatory acts which are eligible. Commissioner Pace then asked if there were federal protections for these matters. Commissioner Hausen hopes having this type of ordinance can de-escalate these situations before becoming a bigger issue. Commissioner Sirken added perhaps the mediator could even help solve individual matters. Commissioner Kuritz commented she thought the ordinance was crafted well. Commissioner Hausen stated her hope this ordinance shows the community's desire to be neighborly.

There were no questions from the public. On motion and second by Commissioners Sirken and Kuritz, the Board of Commissioners authorized advertising the non-discrimination ordinance for a public hearing. Commissioner Pace voted nay.

Administration Report All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22 and a memorandum from the Assistant Manager dated 6-14-22.

Manager Hoffman stated he had nothing specific to report.

Assistant Manager Lee reported that registration for the Summer Recreation Program would soon close and that the program was nearly full. Commissioner Sirken inquired if a waiting list would be formed once the registration fills.

Tax Collector's Report All Commissioners, the Solicitor and Engineer received a copy of the Tax Collector's Report for the month ending May 31, 2022. Tax Collector Jane Saile reviewed her report. There were no questions and Commissioner Sirken accepted the report as submitted.

Liaison Report Commissioner Sirken reported that he recently toured the high school construction site during an event coordinated by the School District.

COMMUNITY DEVELOPMENT COMMITTEE

Lower Moreland Park Fencing Bid Authorization All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22.

Commissioner Kuritz reminded the Board of HVAA's plan to upgrade the dugouts at three fields in Lower Moreland Park. She said that staff is recommending the backstop fencing be replaced in conjunction with the dugout project. The estimated cost to replace the fencing exceeds bidding limits so authorization is required to put the project out to bid. There are sufficient funds in the Parks & Recreation Capital Fund for the project.

There were no questions from the Board or public. On motion and second by Commissioners Kuritz and Canale, the Board of Commissioners unanimously authorized bidding the fencing project.

Building Official's Report All Commissioners, the Solicitor and Engineer received a copy of the Building Official's Report for the month of May 2022. Commissioner Kuritz reported on the Code/Building department's activities, highlighting specific permit and inspection activity from the report. There were no additional comments from the Board or public and the report was accepted as submitted.

Liaison Report Commissioner Kuritz reported that the Planning Commission will meet in June to review the Philmont Country Club development final plans. She then highlighted recent and upcoming community events.

PUBLIC PROPERTY COMMITTEE

Facilities Review All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22 and a draft proposal.

Manager Hoffman explained that the facilities review project was approved in the 2022 capital budget. The reason staff had advocated doing this, is that many of the Township's buildings may be reaching the end of their useful life. The study's purpose is to define upcoming issues and develop plans so the Township organization may continue providing community services for many years to come. Manager Hoffman said the timing makes sense because much of the Township's debt service will be paid off in 2026. This will allow financial strategies to be developed now within existing revenue structures to address recommendations in the study.

The study's scope will include the Administration and Police Department building, the Huntingdon Valley Fire Company firehouse, the Huntingdon Valley Library, the Red Lion Gym, the Public Works facility, and the property at 2683 Huntingdon Pike. The review will be mindful of concepts like public meeting spaces, the provision of emergency services, the provision of library and recreation services, and support for the Huntingdon Pike business corridor.

A proposal was requested from the Township's planning firm, RETREW, to perform the study. The draft proposal included in the agenda book did not fully meet the requested scope of work, so a revision is forthcoming. However, the proposal was for \$23,950 which is well under the approved budget. Manager Hoffman recommended the Board authorize the proposal at an expense not to exceed \$30,000 to provide a buffer for the revised scope.

There were no questions from the Board or public. On motion and second by Commissioners Hausen and Kuritz, the Board of Commissioners unanimously approved the RETREW facilities review proposal at a cost not to exceed \$30,000.

Stormwater Fee All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22 and a proposed resolution.

Commissioner Hausen highlighted the unfunded mandate for the Township to manage the Clean Water Act through its MS4 NPDES permit. To help meet the Township's financial obligations to the stormwater system, it is recommended that a fee be established to support the program. The fee can come from the existing sanitary sewer rates because of ending debt service obligations. New costs will be required to manage the stormwater system, including a full-time employee.

The First Class Township Code does not permit a stormwater fee, despite this concept being available to other types of municipalities. However, the Municipality Authorities Act does permit the Lower Moreland Township Authority to collect the fee. Therefore, a resolution authorizing the Authority to collect the stormwater fee is before the Board for consideration.

There were no questions from the Board or public. On motion and second by Commissioners Hausen and Kuritz, the Board of Commissioners unanimously approved the following resolution:

Resolution No. 22-28

A resolution authorizing the Lower Moreland Township Authority to implement, oversee, and collect a stormwater fee and to adopt rules and regulations necessary for the assessment, billing, collection, and enforcement of the stormwater management fee.

A complete copy of this resolution is attached hereto and made a part of the minutes of this meeting.

Sewer Bill Reduction Request All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22.

Commissioner Hausen informed the Board that a business called Aqua ChemPacs located at 2693 Philmont Avenue has requested a sewer bill reduction because their manufacturing process includes water usage which does not enter the sewer system. The Township sewer bill is based on water consumption. Commissioner Hausen explained that the business can meter the water usage which does not enter the system. That number will be accessed and reviewed by the Authority Engineer and submitted to the Township Sewer Billing Clerk to reduce the quarterly bill. Commissioner Sirken asked if there are other examples of this. Manager Hoffman stated yes, particularly for Multi-Flow on County Line Road.

There were no additional questions from the Board or public. On motion and second by Commissioners Hausen and Canale, the Board of Commissioners unanimously authorized Solicitor Rice to prepare a letter of agreement for the sewer bill reduction for Aqua ChemPacs.

Liaison Report Commissioner Hausen had nothing more to report.

ORDINANCE COMMITTEE

No Parking Ordinance All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-9-22 and the advertised ordinance.

Commissioner Odhner provided an update on meetings that occurred since this agenda item was tabled in May. He said that a staff meeting occurred with Manager Hoffman, Steve Woerner, Chief Scirrotto, Lieutenant Smith and Sergeant Stevens. He also met personally with Sergeant Stevens. Based on these discussions, the recommendation remains to prohibit parking at all times on the north side of Andrew Road between Pine Road and Blake Road.

There were no questions from the Board or public. On motion and second by

Commissioners Odhner and Pace, the Board of Commissioners unanimously approved the following ordinance:

Ordinance No. 762

AN ORDINANCE AMENDING CHAPTER "VEHICLES AND TRAFFIC" SECTION 198-58 SCHEDULE XIV "PARKING PROHIBITED AT ALL TIMES" BY ADDING THE NORTH SIDE OF ANDREW ROAD BETWEEN PINE ROAD AND BLAKE ROAD.

A complete copy of this ordinance is attached hereto and made a part of the minutes of this meeting.

Zoning Hearing Board Agenda Commissioner Odhner reported on the applications for the June Zoning Hearing Board meeting. There was no meeting in May so there were no decisions to report on.

Liaison Report Commissioner Odhner reported that the Pennypack Ecological Restoration Trust was named the Eastern Montgomery County nonprofit of the year. He encouraged residents to get involved at the Trust.

PUBLIC WORKS COMMITTEE

DEP 902 Grant Signature Resolution All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Assistant Manager dated 6-10-22 and a proposed resolution.

Commissioner Pace reminded the Board that the Township had been awarded a DEP 902 grant to reimburse expenses related to the composting program. A resolution naming the Board President is required to execute the grant documents so the grant disbursement can be received. There were no questions from the Board or public. On motion and second by Commissioners Pace and Canale, the Board of Commissioners unanimously approved the following resolution:

Resolution No. 22-29

A resolution authorizing the President of the Board of Commissioners to execute the DEP 902 development and implementation of municipal recycling grant award agreement for the Township leaf and yard waste composting program.

A complete copy of this resolution is attached hereto and made a part of the minutes of this meeting.

Certificates of Appropriateness All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Code Enforcement Officer dated 6-7-22.

Commissioner Pace reported that the Historical Architectural Review Board recommends the issuance of a Certificate of Appropriateness for applications 22-05 to reface a freestanding sign at 2587 Huntingdon Pike and 22-06 for two signs at 715 Feters Mill Road. There were no questions from the Board or public. On motion and second by Commissioners Pace and Canale, the Board of Commissioners unanimously approved both Certificates of Appropriateness.

Public Works Department Report All Commissioners, the Solicitor and Engineer received a copy of the Public Works Department monthly report.

Public Works Director Steve Woerner summarized his monthly report, providing updates on the 2022 paving program, having a CAPS student in Public Works, the installation of the fleet GPS system, the ongoing roadside mowing program addressing sight distance issues, challenges with PECO projects, and a sewer backup on Mettler/Loop roads.

Liaison Report Commissioner Pace had nothing additional to report.

PUBLIC PARTICIPATION

Mr. Chuck McDade of 2472 Dale Road asked the Board to reconsider its noise ordinance for construction projects because of the ongoing project at 2507 Philmont Avenue.

Ms. Cindy Ahern of 2457 Dale Road reiterated Mr. McDade's comments regarding construction noise. She also expressed her displeasure with the project's landscaping plan.

Ms. Leslie Bruno of 1484 Grasshopper Road requested the noise ordinance be amended to limit when landscaping contractors may be used.

Adjournment There being no further business to come before the Board adjournment was in order at 8:42 PM.

Christopher R. Hoffman, Secretary