

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 7:01 p.m. Present were Commissioners Kuritz, Hausen, Odhner, and Pace; Secretary/Manager Hoffman, Solicitor Rice, Engineer Woodrow, Police Chief Scirrotto, Public Works Director Woerner, Code Enforcement Officer Schadegg, Fire Marshal Scholly, Assistant Manager Lee, Finance Assistant Simmons, and thirty-eight citizens. Commissioner Canale, Tax Collector Saile, and several citizens joined via Zoom. The Pledge of Allegiance was recited.

Presentation of Commendation The Board of Commissioners presented a commendation to Adam Brice Atteson of Troop 116 Cradle of Liberty for completing the requirements to attain the Eagle Scout Award.

ORDINANCE COMMITTEE

Non-Discrimination Ordinance All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 10-31-22 and a copy of the advertised ordinance.

Commissioner Odhner stated that per the October meeting the Board of Commissioners voted to advertise the non-discrimination ordinance for consideration. Commissioner Sirken then outlined the comment process which would begin with questions from Commissioners, followed by public comment from Lower Moreland residents, followed by non-Lower Moreland residents.

Commissioner Hausen described her position and why she believed it was in the Township's interest to pass the ordinance. She spoke about the ordinance creating the mediator position and that it would prohibit discrimination against all the groups protected by Pennsylvania's Human Relations Act plus members of the LGBTQ+ community. Commissioner Hausen stated that the Federal and State basis for including LGBTQ+ protections from discrimination was not rooted in law. She believes a local mediator could resolve discrimination issues quietly, effectively, efficiently and without a lawsuit. Commissioner Hausen said she spoke with nineteen local businesses to inquire if they would be willing to sign a petition. She stated that there are local businesses who will not locate in Lower Moreland because this ordinance does not yet exist. Lastly, Commissioner Hausen thanked Commissioner Sirken for continuing to include this agenda topic.

There were no additional comments from the Board of Commissioners, so Commissioner Sirken invited public comment from Lower Moreland residents.

Michelle Schwarz of 2544 Walton Road spoke in support of the advertised ordinance.

Linda Kline of 3911 Pine Road spoke in support of the advertised ordinance.

Tirah Keal of 3454 Surrey Road spoke in support of the advertised ordinance.

Chuck McDade of 2472 Dale Rd spoke in support of the advertised ordinance.

Judi Moss of 144 Byberry Road spoke in support of the advertised ordinance.

Sibil Matthew of 3870 Ramage Run spoke in support of the advertised ordinance.

Shada Sullivan of 2424 Walton Road spoke in support of the advertised ordinance.

Jessica Deer of 295 Byberry Road spoke in support of the advertised ordinance.

Dharshini Chakkaravarthi of 3699 Copper Beech spoke in support of the advertised ordinance.

Carrie Givhan of 3883 Buck Road spoke in support of the advertised ordinance.

Serena Nguyen of 307 Lamplighter Lane spoke in support of the advertised ordinance.

Dr. Susan Knox of Ward 3 spoke in support of the advertised ordinance.

Lori Cohen of 1057 Twin Silo Lane spoke in support of the advertised ordinance.

Venkat Chakkaravarthi of 3699 Copper Beech Circle spoke in support of the advertised ordinance.

Howard Rovner of 1165 Willard Road spoke in support of the advertised ordinance.

Seeing no more Lower Moreland residents who wished to speak, Commissioner Sirken welcomed public comment from non-Lower Moreland residents.

Mary Jane Odhner of 2626 Alden Road spoke in support of the advertised ordinance.

Ricky Buttacavoli of 27 Lincoln Ave (Lansdale, PA) spoke in support of the advertised ordinance.

Commissioner Sirken closed the public comment period. Commissioner Pace commented on why he had previously voted in opposition to advertising the ordinance. Additionally, he stated his belief that the public had a misconception of the ordinance and that none of the examples given during public comment would meet the definition of discrimination. Commissioner Odhner stated the Board's job is to look at issues fully and that they are listening to the public feedback. Commissioner Hausen stated that she presented this ordinance because she believed it was in the Township's best interest and never intended to call anyone racist.

There were no further questions from the Board or the public. On motion and second by Commissioners Odhner and Hausen, the Board of Commissioners unanimously voted to approve Ordinance No. 763:

ORDINANCE NO. 763

AN ORDINANCE PROVIDING FOR THE NEW CHAPTER 66, NON-DISCRIMINATION, CREATING THE HUMAN RELATIONS MEDIATOR OFFICE, CREATING THE POSITION OF LOWER MORELAND TOWNSHIP HUMAN RELATIONS MEDIATOR, PROVIDING PROCEDURES FOR FILING A COMPLAINT OF DISCRIMINATION AND ESTABLISHING A POLICY OF NON-DISCRIMINATION IN THE TOWNSHIP.

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

Traffic Ordinance Recommendations All Commissioners, the Solicitor, and Engineer received a copy of a memorandum from the Township Manager dated 10-31-22.

Commissioner Odhner described the traffic-related recommendations from the Traffic Safety Unit and Code Enforcement office. The first item for consideration is a shared access driveway that runs between Chestnut Street and Philmont Avenue behind Tin Pan Alley, Auto Spa Xpress, A&N House of Produce, and Sunoco. Solicitor Rice is advising the Township to ordain no parking along a portion of this private property at the request of the property owner. The second recommendation is posting additional signage, prohibiting left turns from Inverness Lane to Welsh Road. The third recommendation which would require no formal action by the Board is to enhance speed limit signage on Byberry Road so the Traffic Safety Unit can better enforce the 25 MPH speed limit.

Commissioner Odhner asked Chief Scirrotto to give his recommendations for the Chestnut Street area parking. Chief Scirrotto stated the Traffic Safety Unit recommendation was to add a "No Parking" sign along the grass area. Solicitor Rice added that as long as the Township receives a written request from the property owner, then they can place a sign for no parking on the private property. Manager Hoffman confirmed that request had been received.

Chief Scirrotto then said the Traffic Safety Unit had received a complaint about the Inverness and Welsh Road intersection and recommended adding signage to prohibit left turns to eliminate serious crashes. The Department interviewed surrounding residents with 15 of the 17 raising no objection to preventing the left turn movement.

Lastly, Chief Scirrotto recommended adding more signage to enforce the 25 MPH speed limit on Byberry Road.

There were no questions or comments from the Board or public. On motion and second by Commissioners Odhner and Pace, the Board of Commissioners unanimously approved advertising an ordinance establishing no parking along the eastern property line of the carwash property. Then, on motion and second by Commissioners Odhner and Kuritz, the Board of Commissioners unanimously approved advertising an ordinance prohibiting left turns from Inverness Lane onto Welsh Road.

Zoning Hearing Board Agenda & Decisions Commissioner Odhner announced the applications to be heard at the November Zoning Hearing Board meeting and the decisions made at the October hearing.

Liaison Report Commissioner Odhner had nothing new to report regarding the Pennypack Trust.

INTERNAL AFFAIRS COMMITTEE

Minutes All Commissioners, the Solicitor, and Engineer received a copy of the Minutes of October 11, 2022. There were no questions or comments and on motion and second by Commissioners Sirken and Pace, the Board of Commissioners unanimously approved the minutes for the month of October 2022.

Bill List All Commissioners, the Solicitor, and Engineer received a copy of the November Bill List in the amount of \$1,456,279.52. There were no questions or comments and on motion and second by Commissioners Sirken and Hausen, the Board of Commissioners unanimously approved the Bill List for the month of November 2022.

Proposed 2023 Budget All Commissioners, the Solicitor and Engineer received a copy of a memorandum from Manager Hoffman dated 10-28-22, a proposed resolution, and a proposed ordinance.

Manager Hoffman provided an overview of the Township's 2023 Budget and advised of three actions required by the Board of Commissioners. First, a motion will be necessary to authorize the tax levy ordinance for advertising. Second, a motion will be necessary to authorize the sewer rate ordinance for advertising. Third, a resolution has been prepared for the Board's consideration to adopt the 2023 budget.

Mr. Hoffman then summarized the two recommend millage increases for 2023. The Fire Tax millage will increase so preparations may continue for the hiring of Chief of Emergency Services jointly with Bryn Athyn Borough. While not yet in place, future consideration of an intergovernmental agreement between Lower Moreland Township and Bryn Athyn Borough will memorialize each municipality's commitment to work together for the future of provision of fire and EMS services. Secondly, the Library millage will increase to provide better revenue coverage in the Huntingdon Valley Library's 5-year financial plan.

Manager Hoffman then detailed the General Fund which he projects will conclude 2022 with a surplus for the fourth consecutive year. He highlighted several expense considerations for 2023 which he advised can all be met at the existing millage level. Additionally, all other governmental funds can proceed at existing funding levels.

He then summarized the three business-type funds, including the newly created Stormwater Fund. The Lower Moreland Township Authority approved the \$70 per quarter stormwater fee which will be pulled from the base rate of the existing sewer bill. The sewer rate ordinance will need to be updated to reflect the reduction in the base rate for sanitary sewer purposes. The current \$350 trash

fee will be sufficient for 2023. Manager Hoffman noted some concerns about the collection program after this contract period.

There were no additional questions or comments. On motion and second by Commissioners Sirken and Hausen, the Board of Commissioners unanimously authorized advertising the Tax Levy and Appropriations ordinance.

Next, on motion and second by Commissioners Sirken and Pace, the Board of Commissioners unanimously authorized advertising the sewer rate ordinance including language to clarify the delinquency notification and lien process.

Lastly, on motion and second by Commissioners Sirken and Kuritz, the Board of Commissioners unanimously voted to approve the following resolution:

Resolution No. 22-38

A resolution adopting the Proposed 2023 Budget subject to final adoption of the Budget by ordinance on or before December 31, 2022.

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

ACH Bank Account All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Assistant Township Manager, dated 11-2-22 and a proposed resolution.

Assistant Manager Lee stated that when the Township's health insurance plan changes in 2023, a new bank account will be necessary to fund the contribution to the new Health Savings Accounts. Establishing this ACH account is a sound financial practice, so access is not given into the main account. Commissioner Hausen asked for clarification if the ACH account will be linked to the Township's main account.

On motion and second by Commissioners Sirken and Odhner, the Board of Commissioners unanimously voted to adopt Resolution No. 22-39, authorizing the Township Manager and Assistant Manager as the signers for a third TD Bank Account titled "ACH Account." A complete copy of this resolution is attached hereto and made a part of the minutes of this meeting.

Fire Alarm Quote All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager, dated 10-28-22 and the recommended proposal.

Manager Hoffman explained the Township Building does not currently have a functioning fire alarm. Fire Marshal Scholly solicited quotes from three local vendors to determine if bidding on this project would be necessary. The lowest quote is from ADT Commercial in the amount of \$23,750. ADT Commercial is a COSTARS-approved vendor, so the bidding requirement has been met. There were no questions from the Board or public and on motion and second by Commissioners Sirken and Kuritz, the

Board of Commissioners unanimously approved the fire alarm system purchase from ADT Commercial for \$23,750.

Administration Report All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager dated 10-31-22 and a memorandum from the Assistant Manager.

Manager Hoffman reported there will be several strategic items from 2022 that will carry over to 2023, including fire services and facilities planning. Regarding the Westrum site, he reported that the individual cited for violating the noise ordinance pleaded guilty so there will be no hearing at District Court.

Assistant Manager Lee reported that she has been preparing for 2023 by setting up the new health plan and meeting with possible IT service vendors.

Tax Collector's Report All Commissioners, the Solicitor, and Engineer received a copy of the Tax Collector's Report for the month ending October 31, 2022. There were no questions or comments.

Liaison Report Commissioner Sirken reported that he continues to attend school board meetings and there is a Civil Service Commission meeting next week.

COMMUNITY DEVELOPMENT COMMITTEE

Escrow Release – Westrum/2507 Philmont Avenue #19-03 All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager, dated 10-31-22 and a letter from Engineer Woodrow dated 10-18-22.

Commissioner Kuritz summarized Engineer Woodrow's recommendation for the escrow release for the 2507 Philmont Avenue development. Escrow release #5 is for \$73,482 which will leave a balance of \$582,934.44.

Chuck McDade of 2472 Dale Road asked Engineer Woodrow if any money was withheld in the escrow and how the financial security arrangement works. He also inquired about the estimated completion time.

Mark DeGeorge of 2414 Dale Road asked Engineer Woodrow about the required landscaping and fence which needs to be installed.

Commissioner Sirken asked for clarification on which business entity is responsible for the different items in the escrow. Solicitor Rice and Engineer Woodrow explained how the financial security agreement works when multiple business entities are involved.

There were no other questions or comments and on motion and second by Commissioners Kuritz and Canale, the Board of Commissioners unanimously approved the escrow release of \$73,482.

Building Official's Report All Commissioners, the Solicitor, and Engineer received a copy of the Building Official's Report for the month of October 2022. Commissioner Kuritz reported on the Code/Building department's activities, highlighting specific permit and inspection activity from the report. She added that there have been numerous calls and site visits. There were no additional comments from the Board or public and the report was accepted as submitted.

Liaison Report Commissioner Kuritz reported on the recent community events. She highlighted the Trunk or Treat event and Fall/Halloween Decoration Tour, stating that it was a big success and thanked everyone who volunteered. She is working to schedule an environmental workshop soon.

PUBLIC PROPERTY COMMITTEE

Liaison Report Commissioner Hausen had nothing to report.

PUBLIC WORKS COMMITTEE

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

Public Works Director Woerner gave his monthly report. He reported that leaf collection has started and they have been on a steady schedule. He highlighted the Red Lion Road sidewalk project and noted that it had been a great project to keep kids safe. He also informed the Board of a recent pole spotting meeting with PennDOT for the signal upgrades, funded by the 2019 Green Light Go grant. Lastly, he reminded everyone about the E-Waste disposal process at the Public Works building.

Certificate of Appropriateness All Commissioners, the Solicitor and Engineer received a copy of a memorandum from Code Enforcement Officer Schadegg, dated 11-8-22.

Commissioner Pace summarized application No. 22-08 for alterations to portions of the dwelling at 2448 Ayresdon Avenue. Considering the cost and function for the applicant, the HAR Board is recommending a Certificate of Appropriateness be issued, allowing the owner to properly flash and replace the white vinyl siding and replace several leaking windows. However, Mr. Schadegg suggests the Board not take the HAR Board's recommendation that the window in the gable area be restored rather than replaced. He was concerned about the price and function of a restored window. Commissioners Sirken and Kuritz asked for clarification about this suggestion. There were no further questions or comments and on motion and second by Commissioners Pace and Odhner, the Board of Commissioners unanimously approved issuing the Certificate of Appropriateness, giving the owner the option to replace or restore the gable window.

Liaison Report Commissioner Pace had nothing to report.

PUBLIC SAFETY COMMITTEE

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

Chief Scirrotto detailed local crime activity encountered over the past month and provided updates on various cases being investigated. He highlighted the Thanksgiving food drive and reminded residents that nonperishable foods will be collected in the lobby of the police station until November 18. The Future Crime fighters' program and Citizens Police Academy have started. Lastly, LMPD participated in Operation Safe Stop on Wednesday, October 19th during National School Bus Safety Week.

Fire Marshal Scholly reported on fire response activities by the Huntingdon Valley Fire Company. He added that the HVFC has been very busy with Fire Prevention Week and visited local schools to educate children in fire safety. The HVFC presented their Open House/Fire Prevention Day in conjunction with the Township's open house on Saturday, October 8th and gave out candy to trick-or-treaters on Halloween. He recommended that everyone get their Flu and COVID booster shots. He continues to do fire inspections based on reported violations received from County inspectors.

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

PUBLIC PARTICIPATION

Adjournment There being no further business to come before the Board, adjournment was in order at 9:36 PM.

Christopher R. Hoffman, Secretary