

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.

Vice President Kuritz called the meeting to order at 7:11 p.m. Present were Commissioners Hausen, Canale, 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 forty-five citizens. Commissioner Sirken and several citizens joined via Zoom. The Pledge of Allegiance was recited.

Executive Session Commissioner Kuritz announced the Board of Commissioners met prior to the meeting in executive session to discuss legal matters.

COMMUNITY DEVELOPMENT COMMITTEE

Conditional Use Hearing – BET Investments/Philmont & Tomlinson Roads #21-03

Solicitor Rice advised the hearing on the conditional use application submitted by BET Investments for Philmont Flats, 3001, 3015, and 3041 Philmont Avenue would be conducted at this time. The applicant was represented by Julie Von Spreckelsen. A court reporter was present to record the hearing's testimony.

The Board of Commissioners invited public comment after the record closed for the hearing. Comments were received from Judi Moss of 144 Byberry Road, Irene Gold of 1301 Wright Drive, Anna Eberman of 2616 Bonnie Lane, Beth Lee of 1025 Welsh Road, Michael Berardi of 240 Barnsley Ave, James Lee of 1025 Welsh Road, Laura Calfayan of 3231 Maple Road, Sean Ferguson of 3665 Marquis Lane, Kelley McGowan of 1144 Gantt Drive, Anna Yakubov of 706 Raikes Road, Anita MacPhee of 326 Brae Bourn Road, Robert Costello of 2323 Cordus Lane, and Kathryn Skiendzielewski of 3236 Manor Road.

Storage Container Permit Request – Elm Street/Philmont Country Club #17-04 All Commissioners, the Solicitor, and Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23 and a request letter.

Manager Hoffman stated that the Township received a letter from Brubacher Excavating, Inc. with a request for the Township to consider modifying its permitting requirements for construction trailers. After reviewing with the Solicitor, he is recommending the Board authorize staff to modify the permit procedure and fee to something more realistic within the project scope.

There were no questions from the Board or public. On motion and second by Commissioners Kuritz and Hausen, the Board of Commissioners unanimously approved Brubacher's request to waive the full ordinance requirement for permit fees, timing, and number of construction trailers, subject to the Township Manager, Code Enforcement Officer and Township Solicitor's review and authorizing this staff to set an appropriate fee, establish permit timing within the project scope, and set an acceptable location for the construction trailers.

Escrow Release – Westrum/2507 Philmont Ave #19-03 All Commissioners, the Solicitor, and Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23 and a letter from Engineer Woodrow dated 2-1-23.

Commissioner Kuritz summarized Engineer Woodrow's recommendation for the escrow release for the 2507 Philmont Avenue development. Escrow release #7 is for \$35,448 which will leave a balance of \$402,128.75.

Chuck McDade of 2472 Dale Road expressed his opinion that the Board should deny the escrow release because money talks. Solicitor Rice advised the Board to follow the requirements of the Municipalities Planning Code.

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 \$35,448.

Liaison Report Commissioner Kuritz reported on the January Planning Commission meeting and the School District's DEI committee. Commissioner Kuritz highlighted upcoming community events such as the Spring Egg hunt and Earth Day.

Building Official's Report All Commissioners, the Solicitor, and Engineer received a copy of the Building Official's Report for the month of January 2023. Commissioner Kuritz reported on the Code/Building department's activities. There were no additional comments from the Board or public and the report was accepted as submitted.

INTERNAL AFFAIRS COMMITTEE

Minutes All Commissioners, the Solicitor, and Engineer received a copy of the minutes of January 10, 2023. There were no questions or comments and on motion and second by Commissioners Canale and Hausen, the Board of Commissioners unanimously approved the minutes for the month of January 2023.

Bill List All Commissioners, the Solicitor, and Engineer received a copy of the January Bill List in the amount of \$1,257,349.19.

There were no additional questions or comments and on motion and second by Commissioners Canale and Hausen, the Board of Commissioners unanimously approved the Bill List for the month of January 2023.

Library Auxiliary Parking Lot MOU with LMTSD All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23 and a Memorandum of Understanding

Manager Hoffman stated that in November Lower Moreland Township School District Business Manager Mark McGuinn contacted him about the possibility of the district expanding its use in the library auxiliary parking lot. Based on follow up conversations with HV Library Director Pam Dull and HVAA President Allie O'Brien, Manager Hoffman recommends that the Board expand the School District's access

to all 30 parking spots. There were no questions or comments and on motion and second by Commissioners Kuritz and Odhner, the Board of Commissioners unanimously approved the revised Memorandum of Understanding with the Lower Moreland Township School District regarding the library auxiliary lot.

HR Mediator Appointment All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23 and a draft resolution.

Commissioner Kuritz stated that The Board of Commissioners conducted two interviews on January 25th for the HR mediator position created by the non-discrimination ordinance. Per the ordinance, the appointed mediator will serve a one-year term which Manager Hoffman recommends the Board utilize the January meeting date as the basis for the appointment duration. Commissioner Kuritz advised Solicitor Rice would prepare a letter outlining the position's responsibilities for the selected candidate to review.

Commissioner Pace made a motion to appoint Mindy Torjman which was seconded by Commissioner Canale. Commissioner Hausen then stated her support for Dr. Erica Goldblatt Hyatt. There were no additional questions or comments, and the Board of Commissioners approved the following resolution. Commissioner Hausen voted nay.

Resolution No. 23-05

A resolution appointing Mindy Torjman as the HR Mediator for a term beginning February 15, 2023 and ending January 9, 2024.

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

Administration Report All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-7-23 and a memorandum from the Assistant Manager.

Manager Hoffman and Assistant Manager Lee requested their reports be accepted as submitted.

Tax Collector's Report All Commissioners, the Solicitor, and Engineer received a copy of the Tax Collector's Report for the month ending January 31, 2023. There were no questions or comments.

Liaison Report Commissioner Sirken reported that he continues to attend school board meetings.

PUBLIC WORKS COMMITTEE

Review 2023 Road Paving Program All Commissioners, the Solicitor, and the Engineer received a copy of two memorandums from the Director of Public Works both dated 2-6-23.

Public Works Director Steve Woerner gave his recommendations for the 2023 road paving program. In addition, he gave recommendations for roads that would benefit from road sealing. There were no other questions or comments and on motion and second by Commissioners Pace and Odhner, the Board of

Commissioners unanimously authorized bidding of the 2023 resurfacing project and 2023 seal coating project as described.

Montco 2040 Grant Application Resolution All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Assistant Township Manager, dated 2-10-23 and a draft resolution.

Assistant Manager Lee reported that The Township will be requesting another MONTCO 2040 grant to fund sidewalks along Byberry Road. The Township is requesting \$200,000 in the grant application to help fund this project and plans to pursue a second grant through the DCED's Multi-Transportation Fund to alleviate the need to use Township funds. There were no additional questions or comments and on motion and second by Commissioners Canale and Pace, the Board of Commissioners unanimously approved the following resolution:

Resolution 23-06

A resolution authorizing the submission of a grant application for the 2023 round of the Montco 2040 Implementation Grant Program.

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

Authorization to Bid Dragbox Paver All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23.

Commissioner Pace reported that the 2023 capital budget includes a \$40,000 authorization for a dragbox paver for Public Works. There are no COSTARS vendors for this equipment, and staff is requesting the Board's authorization to advertise a bid for this equipment. There were no questions or comments and on motion and second by Commissioners Pace and Canale, the Board of Commissioners unanimously authorized advertising a bid for the dragbox paver as approved in the 2023 capital budget.

Certificates of Appropriateness All Commissioners, the Solicitor, and the Engineer received copies of memoranda from the Code Enforcement Officer Bob Schadeegg, dated 2-7-23 and 1-23-23.

Commissioner Pace reported on an application of Zurab Charashvili who seeks permission to replace the former Geri's Girls free-standing sign. The new sign will be wooden with a white background and a gold and black logo, advertising a new business being a wine shop. There were no additional questions or comments and on motion and second by Commissioners Pace and Canale, the Board unanimously approved the issuance of a Certificate of Appropriateness with the recommendation of the sign background being off-white color and the repainting and repair of the posts and spindles also with an off-white color.

Historical Architectural Review Board Appointments All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23.

Commissioner Pace advised the terms of Historical Architectural Review Board members Richard Schramm and Carol McCann are set to expire on April 18, 2023. Mr. Schramm serves as one of

the Historic District residents and Ms. McCann is an at-large member. Staff will review and reach out to each position and inquire whether both community volunteers are willing to continue serving in this capacity.

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

Director of Public Works Steve Woerner's report was accepted as submitted.

Liaison Report Commissioner pace had nothing to report.

ORDINANCE COMMITTEE

Fireworks Ordinance All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23 and a draft ordinance.

Commissioner Odhner advised that the state has revised its fireworks law which requires the Township to modify its local regulations to match state requirements. Solicitor Rice has prepared a draft ordinance for the Board's review. There were no questions or comments and on motion and second by Commissioners Odhner and Hausen, the Board of Commissioners unanimously authorized advertising the fireworks ordinance as described.

Zoning Hearing Board Agenda & Decisions Commissioner Odhner announced the decisions made at the January hearing, and there were no applications to be heard at the February Zoning Hearing Board meeting.

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

PUBLIC SAFETY COMMITTEE

Lower Moreland Park & Red Lion Gym Request – HVAA Dugouts/Banners All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23.

Manager Hoffman stated that he was contacted by HVAA President Allie O'Brien with requests for new windscreens surrounding the fencing and dugouts, plaques installed behind each home plate, and a new sign for inside the Red Lion Gym. There were no questions or comments and on motion and second by Commissioners Canale and Pace, the Board of Commissioners unanimously approved HVAA's requests.

Huntingdon Valley Library Lease End of Term All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23 and the existing lease agreement.

Commissioner Canale advised that the Huntingdon Valley Library has a lease agreement with the Township that is set to expire on May 8, 2023. Staff recommends the Township and Library continue this lease with the existing terms. There were questions or comments.

Police and Fire Marshal Reports All Commissioners, the Solicitor and Engineer received a copy of the police report for the month of January 2023 and the Fire Marshal's report for the month of January 2023.

Chief Scirrotto detailed local crime activity encountered over the past month and provided updates on various cases being investigated. He highlighted the new Chaplain program for the Police Department and community. He added that the LMPD will be hosting female self-defense training on February 19th at GFIT and February 23rd at the Asplundh Field House.

Fire Marshal Scholly reported on fire response activities by the Huntingdon Valley Fire Company and fire investigations he's performed. He reported that he completed a National Fire Academy Essentials of Community Risk Reduction for Youth Fire Setters course.

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

PUBLIC PROPERTY COMMITTEE

Authorization to Bid Pump Station Upgrades All Commissioners, the Solicitor, and the Engineer received a copy of a memorandum from the Township Manager, dated 2-6-23.

Commissioner Hausen announced that during the Sewer Department update meeting it was advised to advertise the bid to upgrade the Longview, Hallowell, and Woodland pump stations. This project will be funded by the Township's ARPA funds allocation. There were no questions or comments and on motion and second by Commissioners Hausen and Pace, the Board of Commissioners unanimously authorized advertising bids for the pump station upgrade project as described.

Liaison Report Commissioner Hausen had nothing to report.

PUBLIC PARTICIPATION

Mark DeGeorge of 2447 Dale Road asked Engineer Woodrow for updates on the landscaping at the Westrum property.

Adjournment There being no further business to come before the Board, adjournment was in order at 12:43 AM.

Christopher R. Hoffman, Secretary