

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

Vice President Kuritz called the meeting to order at 7:02 p.m. Present were Commissioners Hausen, Canale, Odhner, and Pace; Secretary/Manager Hoffman, Solicitor Rice, Engineer Woodrow, Planner Phillips, Police Chief Scirrotto, Public Works Director Woerner, Fire Marshal Scholly, Assistant Manager Lee, Finance Assistant Simmons, and seventeen citizens. Commissioner Sirken and several citizens joined via Zoom. The Pledge of Allegiance was recited.

COMMUNITY DEVELOPMENT COMMITTEE

Preliminary Plan – BT Philmont/3001 Philmont Avenue #21-03 All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-30-23 and a proposed resolution.

Commissioner Kuritz introduced the application, reminding the Board and public that the applicant had presented this plan at the prior month's meeting. She inquired if the Board had any questions following that presentation and regarding the proposed resolution.

Commissioner Hausen asked the applicant to consider reducing the number of units. She then asked Solicitor Rice if the same resolution could be used if the applicant agreed to do so. Solicitor Rice advised this would be a substantive change requiring filing of a new application. He reminded the Board that the applicant has conditional use approval for the plan as described. Michael Markman of BET Investments replied that the limitation to 96 two-bedroom units has accomplished the goal to reduce the possible school impact. He claimed a further reduction would make the project financially infeasible.

Solicitor Rice summarized the resolution prepared for the Board's consideration. It includes compliance with the consultants' review letters and the Board's conditional use adjudication, and grants three specific waivers from the Township's subdivision and land development ordinance. Commissioner Kuritz asked Solicitor Rice to explain the waiver in relation to the right-of-way width for Philmont Avenue.

There were no additional questions from the Board, so Commissioner Kuritz welcomed public comment.

Judi Moss of 144 Byberry Road asked about the roundabout project and expressed her concerns regarding the development.

Chuck McDade of 2472 Dale Road expressed concerns regarding the development and asked the applicant to consider pausing to await the results of the School District's upcoming enrollment projection study.

Kelly McGowan of 1144 Gantt Drive expressed concerns regarding the development and reiterated the point to wait on the approval.

Laura Calfayan of 3231 Maple Road expressed concerns with the development and noted parking challenges for the recent restaurant opening on Philmont Avenue.

Mike Gannon of 3888 Shelly Road expressed concerns with the development regarding occupancy of the one-bedroom units.

June Gordon of 1315 Wright Drive expressed concerns with the development and the ability for seniors to continue living in Lower Moreland.

Anna Eberman of 2616 Bonnie Lane expressed concerns with the development regarding school impacts.

There were no additional questions from the Board or public. On motion and second by Commissioners Canale and Pace, the Board of Commissioners approved the following resolution. Commissioner Hausen voted nay.

Resolution No. 23-12

A resolution approving the preliminary land development plan for BT Philmont LP for a mixed-use development consisting of 219 apartments, 3,000 SF of non-residential space, a parking garage, and related amenities at 3001 Philmont Avenue.

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

Sketch Plan – Zeon Real Estate/8 County Line Road #23-03 All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-30-23, a letter from the Township Engineer dated 5-18-23, a letter from the Township Planner dated 5-17-23, and a letter from the Montgomery County Planning Commission dated 6-16-23.

The applicant was present to discuss their sketch plan submission. The plan will be reviewed at a future Board of Commissioners meeting.

Final Escrow Release – M&B Associates/1430 County Line Road #21-02 All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-30-23 and a letter from the Township Engineer dated 6-15-23.

Commissioner Kuritz summarized Engineer Woodrow's recommendation for the final escrow release for the 1430 County Line Road land development. The balance of the \$45,083.50 is recommended for release. Commissioner Hausen asked for clarification regarding the landscaping variance. 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 in the amount of \$45,083.50.

Building Official's Report All Commissioners, the Solicitor and Engineer received a copy of the Building Official's Report for the month of June 2023. Commissioner Kuritz reported on the Code/Building department's activities.

Liaison Report Commissioner Kuritz reported that there is no July Planning Commission meeting, highlighted upcoming community events and reported on the School District's DEI committee.

INTERNAL AFFAIRS COMMITTEE

Minutes All Commissioners, the Solicitor and Engineer received a copy of the minutes of June 13, 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 June 2023.

Bill List All Commissioners, the Solicitor and Engineer received a copy of the July Bill List in the amount of \$1,727,250.01. 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 June 2023.

Tax Collector's Report All Commissioners, the Solicitor, and Engineer received a copy of the Tax Collector's Report for the month ending June 30, 2023. There were no questions or comments.

Administration Report All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the township manager dated 7-5-23 and a memorandum from the Assistant Township Manager.

Manager Hoffman reported that major earthwork activity is underway in the Philmont Country Club development area. He highlighted some of the upcoming construction phases overseen by different outside agency permits. He also reported on his interactions regarding the Bethayres Reclamation Corporation facility, stating that the Township's consulting team will meet with BRC staff at the end of July. Additionally, second-round interviews are scheduled for the Chief of Emergency Services position. Lastly, he met with School District staff and HVAA representatives to discuss the possible renovation of the field behind Murray Avenue School.

Assistant Manager Lee reported that the Summer Recreation program has started and is running smoothly so far. Additionally, staff is working with consultants to apply for the DCED MTF grant for matching funds for the Byberry Sidewalk Project.

Liaison Report Commissioner Kuritz reported for Commissioner Sirken that the Civil Service Commission recently met, and he continues to attend School Board meetings.

PUBLIC PROPERTY COMMITTEE

Lower Moreland Township/Lower Moreland Township Authority Lease Agreement All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-30-23 and the proposed lease agreement.

Commissioner Hausen summarized the lease agreement between the Township and the Authority for the sanitary sewer system. Based on the sewer construction debt being paid off and the creation of the stormwater fee in 2023, it is recommended the Board approve the updated 20-year lease between the Township and Authority. There were no questions from the Board or public and on motion by

Commissioners Hausen and Canale, the Board unanimously voted to approve the lease agreement between Lower Moreland Township and the Lower Moreland Township Authority.

Building Code Board of Appeals Appointment All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-30-23 and a proposed resolution.

In May, Commissioner Hausen reported that the term of Building Code Board of Appeals member Gene Grimaldi was set to expire on July 16th. Staff has confirmed Mr. Grimaldi is willing to continue serving as a member of the Building Code of Appeals Board. There were no questions from the Board or the public. On motion and second by Commissioners Hausen and Canale, the Board of Commissioners unanimously approved the following resolution:

Resolution No. 23-13

A resolution reappointing Gene Grimaldi to a new five-year term on the Building Code Board of Appeals commencing July 17, 2023 and ending July 16, 2028.

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

Liaison Report Commissioner Hausen had nothing to report.

PUBLIC SAFETY COMMITTEE

Civil Service Regulations All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 6-30-23, a copy of a memorandum from the Chief of Police dated 7-11-23 and a proposed resolution.

Chief Scirrotto stated that on June 27th, the Civil Service Commission unanimously approved the revised Civil Service rules. The recommended change was related to physical agility testing in the Department's promotional process, as a voluntary semi-annual fitness program would be established to address concerns with the possibility an officer may not be able to participate in the fitness test as part of a promotional exam. There were no additional questions or comments and on motion and second by Commissioners Canale and Odhner, the Board of Commissioners unanimously approved the following resolution:

Resolution No. 23-14

A resolution adopting updated revisions to the Civil Service Commission Regulations.

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

Hazard Mitigation Plan Update All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 7-5-23 and a proposed resolution.

Staff were recently informed by the Montgomery County Planning Commission that FEMA approved the 2022 Montgomery County Hazard Mitigation Plan. This will start the adoption phase for municipalities in the county. Fire Marshal Scholly provided updates on the Hazard Mitigation Plan and recommended that the Board approve the plan. Adopting the County's plan makes the Township eligible for FEMA disaster funding. 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 No. 23-15

A resolution adopting the 2022 Montgomery County Hazard Mitigation Plan.

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

Civil Service Commission Appointment All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 7-5-23.

Commissioner Canale reported that the term of Civil Service Commission member Dr. David Sirken is set to expire on September 14, 2023. The recommendation is for Dr. Sirken to continue serving in this capacity. There were no additional comments or questions.

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

Chief Scirrotto detailed local crime activity encountered over the past month and provided updates on various cases being investigated. He added that the LMPD had a great time at their Water Ice with Police event on the first day of summer.

Fire Marshal Scholly reported on fire response activities by the Huntingdon Valley Fire Company and his own fire investigations. Last month, HVFC made a total of six water rescues with the flooding due to the severe storm. Additionally, he attended the monthly Eastern Montgomery County Emergency Management meeting held in Upper Dublin Township. They discussed summer activities and the mutual aid agreement draft which should be sent out for consideration soon.

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

PUBLIC WORKS COMMITTEE

Authorization to Bid Longview Drive Basin Project All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 7-5-23.

Commissioner Pace reported that for several months, staff has been providing updates to the Board regarding a basin retrofit project on Longview Drive which will count towards the Pollution Reduction Plan (PRP). During the last meeting, staff discussed the project timeline which includes designing the project

now, bidding this fall, and construction in early 2024. To meet that deadline, it is requested that the Board authorize two bids for advertising. The first is a bid for purchasing the Opti platform and the second is a bid for basin construction and Opti installation. Solicitor Rice is preparing an agreement for the Township and Center for Watershed Protection to memorialize how the grant funds will be transferred to the Township.

Commissioner Hausen asked how many basins are located in the Township for possible retrofit.

There were no additional questions from the Board or the public. On motion and second by Commissioners Pace and Canale, the Board of Commissioners unanimously authorized advertising both bids for the Longview Drive basin retrofit project as described.

DCED MTF Grant Resolution – Byberry Road Sidewalk All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Assistant Township Manager and a proposed resolution.

Commissioner Pace stated that in early 2023, the Township received a grant of \$200,000 from the Montgomery County Planning Commission's Montco2040 program for the Byberry Sidewalk Construction Project. Now that the DCED MTF grant application is open, the Township, with the help of consultants, is applying for the grant in the amount of \$435,000 to cover the remaining projected costs. This new project will install new sidewalks and upgrade ADA ramps along Byberry Road to fill in existing gaps in the sidewalk connectivity.

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

Resolution No. 23-16

A resolution requesting a Multimodal Transportation Fund grant up to \$435,000.00 from the Commonwealth Financing Authority to be used for the Sidewalk Construction and Upgrades along Byberry Road.

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

Certificate of Appropriateness All Commissioners, the Solicitor and Engineer received a copy of a memorandum from the Township Manager dated 7-5-23 and two memorandums from the Code Enforcement Officer dated 7-11-23 and 6-30-23.

Commissioner Pace first reviewed the HARB's recommendations for the application of Kanstantsin Bychak & Lizaveta Saikouskaya, 651 Red Lion Road who seek permission to amend their application to allow a change of their concrete patio to a PVC ground level deck and to install a fence. The applicant must determine how to make the fence compliant with zoning. Next, he reviewed the recommendations for the application of PA Signs, 811 S. Brady Street, Dubois, PA 15801 who seek permission to replace the current attorney's wall sign at 2617 Huntingdon Pike with a 58' x 2' long illuminated channel letter sign on the building's façade.

There were no questions from the Board or the public. On motion and second by Commissioners Pace and Canale, the Board of Commissioners unanimously approved the certificate of appropriateness for application no. 23-04.

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

Public Works Director Woerner reported that Aqua is continuing water main work along Buck Road. Aqua has also started work on water main projects in Justa Farm, Philmont & Red Lion, and near Pine & Red Lion. Next, he reported that test boring will soon begin in the Philmont/Pine/Tomlinson area for the roundabout project. The road sealcoating project is now complete and the 2023 paving program will begin in August. Mr. Woerner then reported he hand-delivered letters to the businesses in the area near the propose pickleball courts. Finally, he reported in the pricing he received to restore the basketball court at Elkins Field. Commissioner Hausen asked how the court would hold up in a rain event.

Commissioner Kuritz asked Mr. Woerner about PECO's restoration progress for the underground electric upgrade project in Ward 6.

Liaison Report Commissioner Pace had nothing to report for the HARB.

ORDINANCE COMMITTEE

Zoning Hearing Board Agenda & Decisions Commissioner Odhner announced the applications to be heard at the July Zoning Hearing Board meeting and the decisions rendered at the June hearing.

Liaison Report Commissioner Odhner reported on updates at the Pennypack Trust.

Adjournment There being no further business to come before the Board, adjournment was in order at 8:48 PM.

Christopher R. Hoffman, Secretary