

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING  
TUESDAY, SEPTEMBER 24, 2019**

**SUPERVISORS PRESENT:**

Kathleen Hunsicker, Chair  
Dr. J. Richard Booth, Vice-Chair  
Edward J. Brandt  
Stephen Paccione  
Mark Grey

**STAFF:**

Craig T. McAnally, Township Manager  
Jamie Worman, Assistant Township Manager  
Carole Culbreth, Assistant Secretary  
James J. Garrity, Esq., Solicitor  
Ken Amey, Zoning Officer  
Jim Hersh, Township Engineer  
Chad Dixson, Traffic Engineer  
Paul Kenny, Police Chief

**Call to Order and Pledge of Allegiance**

The Chair called the meeting to order at 7:15 p.m. in the Lower Gwynedd Township Municipal Building and led those in attendance in the pledge of allegiance. The Chair stated the Board of Supervisors met in an Executive Session before the meeting on real estate matters.

**BUSINESS & FINANCE**

**Receipt of Invoice History, August, 2019**

The Board of Supervisors received the Invoice History for August, 2019 in the amount of \$587,938.02. Dr. Booth made a motion, seconded by Mr. Brandt to approve the August, 2019 in the amount \$587,938.02. The motion carried 5 - 0.

**Receipt of August, 2019 YTD Budget Report and Balance Sheet**

The Board of Supervisors received the August, 2019 YTD Budget Report and Balance Sheet. Dr. Booth made a motion, seconded by Mr. Paccione to approve the August, 2019 Budget Report and Balance Sheet. The motion carried 5 - 0.

**Resolution No. 2019 - 16: Corporate Authorization for Financial Institutions**

Ms. Hunsicker stated Chuck Wilson, the new Finance Director, will be replacing Steve Wiesner, who had a contract for three years (2017, 2018, 2019) as Finance Director. She stated Resolution No. 2019 - 16 adds Mr. Wilson's signature to the Corporate Authorization for Financial Institutions. Dr. Booth made a motion, seconded by Mr. Brandt to adopt Resolution No. 2019-16: Corporate Authorization for Financial Institutions. The motion carried 5 - 0.

Mr. Brandt thanked Mr. Wiesner for his three years with Lower Gwynedd. Mr. Wiesner thanked the Board for the opportunity to serve the Board of Supervisors. The Board welcomed Chuck Wilson as the new finance director. Mr. Wilson thanked the Board.

## PUBLIC COMMENTS

The Chairman opened the meeting for public comment for items not on the agenda.

Gloria Jones, Pershing Road, invited everyone out to the Saving Penllyn Woods 25<sup>th</sup> Celebration on Saturday, September 28, 2019 from 12 – 4 pm. She said they will have rides for the children. Ms. Hunsicker stated it's a great milestone.

Mr. Grey read excerpts from an email chain from Mr. Dimond and Ms. Hunsicker dated September 12, 2019 through September 16, 2019 regarding a property on Arbor Lane. Mr. Grey asked that the email chain be attached to these minutes as public record.

There were no other comments.

## BUILDING AND ZONING

### Conditional Use Application: MRA

Mr. Garrity stated the Board of Supervisors received a Conditional Use Application from 727 Norristown Road, LP c/o MRA Realty, Inc.; 727 Norristown Road, Lower Gwynedd Township, Montgomery County, Pennsylvania. Mr. Nate Fox reviewed the application which concerns an existing use; scientific research laboratory and office building. Property contains 127 acres use was Rohm and Haas research and development campus. The proposed improvements for the application include conversion of existing buildings on site into the following uses: Building 1 = Conference Center; Building 2 + Hotel; Building 7 + Restaurant; Building 8 + Fitness Center use not to exceed 2,500 sf. Mr. Garrity explained the Conditional Use Procedure and asked if anyone in the audience would like to become a party to this hearing. The following asked to be a party to the hearing: Kate Harper, Esq, attorney for Radcliff residents; Mike Twersky, Spring House Lane; Dr. Robert Kelly, Wooded Pond; Michael Pironti, 1213 McKean Road and Jim Carter, 1105 McKean Rd. Mr. Nate Fox, attorney for MRA, approved the above for party status. He objected to Gwen Douse, 1605 Claudia Way, request to be a party of the hearing since she is outside the area. The exhibits for both the Township and MRA were entered and accepted into the records. Dan Fuchs, Vice President of MRA, Matt Hammond, Traffic Engineer and Eric Britz, Professional Engineer were sworn in and gave testimony. Mr. Twersky and Mr. Pironti had questions regarding occupancy and crosswalks. The Board questioned Mr. Fuchs regarding pedestrian crossing; improvements on Norristown Road; Radcliff left hand turn; left hand turn lane on McKean Road, contaminants on the property. Mr. Garrity questioned how many hotel rooms are included in the traffic study. Ms. Harper asked if there was a gas station or convenience store part of the conditional use. She asked for a list of waivers. Mr. Fox stated the waivers are not part of the Conditional Use.

Mr. Paccione had an emergency and left the meeting at 9:00 pm.

A five-minute intermission was taken at 9:15 pm.

Matt Hammond, Traffic Engineer, presented MRA traffic improvements. Mr. Brandt stated the traffic improvements on surrounding areas are up to PennDOT's approval. He commended SHIP for traffic signs on McKean Road and asked staff to send a letter to the YMCA and Janssen to assist SHIP with these improvements. Mr. Garrity asked two questions from Steve Paccione who left the meeting at 9:00. He asked if MRA will widen McKean Road. Mr. Hammond stated we have not offered to widen McKean Road at Norristown Road; and he questioned the badging system which Mr. Fuchs stated will be a security card which will give occupants access to their suite and gate. Mr. Brandt and Mr. Kohler questioned how emergency services will be handled. Mr. Hammond stated it can be opened in an emergency.

Mr. Fox's stated expert testimony was heard at this hearing and we asked the Township to grant the Conditional Uses and to note the improvements are entirely on the conditional uses being sought tonight. Mr. Brandt made a motion to approve the conditional use application subject to draft opinion of the Solicitor; Dr. Booth seconded the motion. Mr. Grey stated the Radcliffe neighbors need safety on Norristown Road and asked staff to help set up a meeting with Spring House Estates. Dr. Booth, Mr. Brandt and Ms. Hunsicker concurred with Mr. Grey. Ms. Hunsicker commended SHIP stating it's been a long road. The motion carried 4 - 0.

A complete transcript of the above matter is on file at the Township and will be available for review upon request during regular business hours.

**Resolution No. 2019 - 17: SHIP Preliminary Land Development**

Mr. Garrity stated Spring House Innovation Park submitted a Land Development Application for 727 Norristown Road to the Township and ask for Preliminary Land Development approval. Mr. Hersh stated he reviewed the resolution and plans with waiver requests. Mr. Garrity stated all waivers are postponed until Final Land Development approval. Dr. Booth made a motion, seconded by Mr. Brandt to adopt Resolution No. 2019 - 17: Spring House Innovation Park Preliminary Land Development. The motion carried 4 - 0.

**OTHER BUSINESS**

**Certification of the Township's Uniform and Non-Uniform Pension Plan's 2020 MMO**

Mr. McAnally explained the Township must certify the Minimum Municipal Obligation for the following year. He stated the original letter had an error where the actuary missed a police officer. The September 18, 2019 letter is null and void and the new contributions are as follows:

Police Pension Plan	\$ 477, 270
Non-Uniformed Employees' Pension Plan	186,052
TOTAL	\$ 663,322

He noted State Aid is \$229,535. He asked for approval to file with the State. Dr. Booth made a motion, seconded by Mr. Grey to certify the Township's Uniform and Non-Uniform Plan's for 2020 MMO. The motion carried 4 - 0.

**Resolution No. 2019 – 18: Amendment to Sterling Act (Recommendation by MCATO)**

Ms. Hunsicker stated the Sterling Act is Earned Income Tax (EIT) which is paid by non-residents of Philadelphia, and not paid to the municipality in which the taxpayer resides. The above resolution asked Pennsylvania legislators to amend the Sterling Act to pay forward the non-residents EIT to the municipality in which they reside. Mr. Brandt made a motion, seconded by Dr. Booth to adopt Resolution No. 2019-18. The motion carried 4 – 0.

**WQIP Update by Supervisory Grey**

This item was tabled.

**Environmental Covenant for Pen Ambler Park**

Mr. Garrity stated Pen Ambler Park is owned by Ambler Borough and Lower Gwynedd Township. He stated the site has been exposed to contaminants and can only be used as Non-Residential with no disturbance greater than two feet below ground surface and no groundwater use. Mr. Grey made motion, seconded by Dr. Booth to approve the Environmental Covenant for Pen Ambler Park. The motion 4 – 0.

**Appointment of Catherine McCauley for Library Board**

Mr. McAnally stated the Wissahickon Valley Public Library requested the re-appointment of Catherine McCauley (503 Wyndon Road, Ambler PA 19002) to a 4th 3-year term on the Library’s Board of Trustees. Mr. Brandt made a motion, seconded by Mr. Grey to re-appoint Catherine McCauley to her last 3-year term to the Wissahickon Valley Public Library Board of Trustees. The motion carried 4 – 0.

**Resolution No. 2019 – 19: PennDOT Appendix 7A: Policy & Procedure for Consultant Selection**

Mr. McAnally stated the above resolution outlines the policy and procedures for consultant selection, award, project oversight, and payment process for a PennDOT Project. Mr. Grey made a motion, seconded by Dr. Booth to adopt Resolution No. 2019 – 19: PennDOT Appendix 7A: Policy and Procedure for Consultant Selection. The motion carried 4 – 0.

**MANAGER’S REPORT**

Report from the Manager – Municipal activities, projects

Mr. McAnally stated DVIT performed their Assessment Annual Review; and Lower Gwynedd has \$5,600 available until November 30, 2019 for liability purposes. He stated cameras for building surveillance totals 19 cameras. He stated the quote from Technology Solutions was \$7,500, and with the DVIT grant of \$5,600 the total out of pocket to the Township equals \$1,900. Mr. Brandt made a motion, seconded by Dr. Booth to approve the use of the DVIT grant towards the building surveillance 19 cameras. The motion carried 4 – 0.

Mr. McAnally stated the Penllyn Woods 25<sup>th</sup> Anniversary Celebration is Saturday, September 28, 2019 from 12 – 4 pm.

Board of Supervisors Minutes  
September 24, 2019

He stated the next Board meeting is October 8, 2019 at Foulkeways.

There being no further questions or comments, the meeting was adjourned at 11:00 p.m. until the next Regular Meeting scheduled on October 8, 2019 at Foulkeways.

Mr. McAnally said the walk through of the McCormick Property is on Friday, 10:00 am.

Respectfully submitted,

Carole Culbreth  
Assistant Secretary

164 Get [Outlook for iOS](#)

165

166 **From:** Fred Dimond <[fdimondssb@aol.com](mailto:fdimondssb@aol.com)>

167 **Sent:** Thursday, September 12, 2019 2:50 PM

168 **To:** Kathleen Hunsicker; [Georgiafeilk@aol.com](mailto:Georgiafeilk@aol.com); [Fdimondssb@aol.com](mailto:Fdimondssb@aol.com)

169 **Subject:** Re: Unkempt property at 300 Arbor Lane - the entrance to the Oaks at Gwynedd

170

171 Kathy - thanks for coming to 300 Arbor Lane with Joe

172 Groark. At last, some forward movement on what has been

173 an ugly mess.

174 You say the basin will be cleaned up tomorrow. By whom?

175 If the mowing is left up to the woman we saw this morning,

176 it won't be done correctly. Her idea of clean - up will be to

177 hire someone with a broken push mower for \$20 and then

178 fail to pay them at all. Cleaning the basin will be a huge job

179 and require the best equipment.

180 What will be done about the unkempt mess around their

181 residence?

182 I hope that the cleaning of the basin and area around the

183 house will be done properly by someone who knows

184 what they are doing. Otherwise we will have to meet again and

185 again at 300 Arbor Lane to fix the problem.

186

187 Thanks

188

189 Fred

135 -----Original Message-----

136 From: Kathleen Hunsicker <[khunsicker@lowergwynedd.org](mailto:khunsicker@lowergwynedd.org)>

137 To: Fred Dimond <[fdimondssb@aol.com](mailto:fdimondssb@aol.com)>; [Georgiafeilk@aol.com](mailto:Georgiafeilk@aol.com) <[Georgiafeilk@aol.com](mailto:Georgiafeilk@aol.com)>

138 Sent: Thu, Sep 12, 2019 8:43 pm

139 Subject: Re: Unkempt property at 300 Arbor Lane - the entrance to the Oaks at Gwynedd

140 Not my or your concern.

141

142 Get [Outlook for iOS](#)

143

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144 From: Fred Dimond <[fdimondssb@aol.com](mailto:fdimondssb@aol.com)>

145 Sent: Thursday, September 12, 2019 5:44 PM

146 To: Kathleen Hunsicker; [Georgiafeilk@aol.com](mailto:Georgiafeilk@aol.com)

147 Subject: Re: Unkempt property at 300 Arbor Lane - the entrance to the Oaks at Gwynedd

148

149 This is reassuring. I hope these people pay the agreed

150 amount. If they don't, how will that be handled?

151

152 Fred

153 -----Original Message-----

154 From: Kathleen Hunsicker <[khunsicker@lowergwynedd.org](mailto:khunsicker@lowergwynedd.org)>

155 To: Fred Dimond <[fdimondssb@aol.com](mailto:fdimondssb@aol.com)>; [Georgiafeilk@aol.com](mailto:Georgiafeilk@aol.com) <[Georgiafeilk@aol.com](mailto:Georgiafeilk@aol.com)>

156 Sent: Thu, Sep 12, 2019 3:00 pm

157 Subject: Re: Unkempt property at 300 Arbor Lane - the entrance to the Oaks at Gwynedd

158 You are welcomed.

- 159
- Mr. Groake recruited a professional landscape company who came out immediately to survey the
- 160 property and entered into an agreement with the homeowner to do the work. They have the
- 161 proper equipment and manpower to get the job done.

162 Kath

163

1 **From:** Kathleen Hunsicker <[khunsicker@lowergwynedd.org](mailto:khunsicker@lowergwynedd.org)>  
2 **Sent:** Monday, September 16, 2019 4:28 PM  
3 **To:** Craig McAnally <[cmcanally@lowergwynedd.org](mailto:cmcanally@lowergwynedd.org)>  
4 **Subject:** Fwd: Pros and cons of the handling of property at 300 Arbor Lane

5

6 He had your email wrong.

7

8 Get [Outlook for iOS](#)

9

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10 **From:** Kathleen Hunsicker <[khunsicker@lowergwynedd.org](mailto:khunsicker@lowergwynedd.org)>  
11 **Sent:** Monday, September 16, 2019 1:22 PM  
12 **To:** Fred Dimond; [cmcanally@lowergwynedd.org](mailto:cmcanally@lowergwynedd.org)  
13 **Subject:** Re: Pros and cons of the handling of property at 300 Arbor Lane

14

15 Hi Fred, Thank you for bringing 300 Arbor Lane to our attention. I put this into the category of  
16 engaged citizenry. It is not uncommon that residents inform us of a fallen branch, an obstructed  
17 trail or a worn fence in our multiple parks and miles of trails, and on private property, as there is  
18 no way we can monitor 24/7. I thank each resident who brings such things to our attention and I  
19 thank you again for bringing this to our attention. Ken, Craig and I have indeed discussed the  
20 situation.

21 I cannot explain Mr. Grey's behavior. By way of this email to me and the manager, it is now  
22 public record.

23 As far as monitoring this property, it is now on our radar and we will certainly be in touch with  
24 the property owner if she falls into violation again. I must say, she expressed regret for the  
25 shape of her property and thanks for our approach and efforts to improve the situation, not only  
26 to me, but to Mr. Groarke and the landscaper. Hopefully the amicable resolution of the issue  
27 between the property owner and the township will translate into continue maintenance.

28 Thanks,

29 Kathy



30 Get [Outlook for iOS](#)

31

32 **From:** Fred Dimond <[fdimondssb@aol.com](mailto:fdimondssb@aol.com)>

33 **Sent:** Monday, September 16, 2019 11:32 AM

34 **To:** Kathleen Hunsicker; [cmcanally@lowergrwynedd.org](mailto:cmcanally@lowergrwynedd.org)

35 **Subject:** Fwd: Pros and cons of the handling of property at 300 Arbor Lane

36

37

38 -----Original Message-----

39 From: Fred Dimond <[fdimondssb@aol.com](mailto:fdimondssb@aol.com)>

40 To: khunsicker <[khunsicker@lowergrwynedd.org](mailto:khunsicker@lowergrwynedd.org)>; cmcanally <[cmcanally@lowergrwynedd.org](mailto:cmcanally@lowergrwynedd.org)>;

41 Georgiafeilk <[Georgiafeilk@aol.com](mailto:Georgiafeilk@aol.com)>; Fdimondssb <[Fdimondssb@aol.com](mailto:Fdimondssb@aol.com)>

42 Sent: Mon, Sep 16, 2019 11:28 am

43 Subject: Pros and cons of the handling of property at 300 Arbor Lane

44 Kathy -

45

46 The good news is that when Georgia and I visited 300 Arbor Lane Saturday, it looked

47 much better. We were pleased to see that not only was the growth at the detention basin

48 cut down to a reasonable level; the sidewalk path was widened to a normal width and

49 the lawn around the residence was also cut. That is the good news.

50 I spoke to the man supervising the cleanup. He said he and his worker had to

51 run the equipment through the detention basin 4 times to bring it under control.

52 Things should never have been allowed to get this bad. Without my complaint it

53 would still be getting worse. This is particularly interesting to note since your recent

54 letter to LG township mentions that the township is "responsible for ... storm

55 water management." How did the detention basin get so heavily overgrown and out

56 of control if it is one of the responsibilities of our township? Why was this of no interest

57 to Mark Grey, one of the supervisors, who lives so close to the detention basin and  
58 passes it everyday.?

59 The man supervising the clean up also noted that because of the abnormally high  
60 grass

61 by the sidewalk before it was cut, there were bees and yellow jackets in the undergrowth.

62 Our dogs have been stung. People who walk through the development avoiding  
63 walking

64 on the 300 Arbor Lane side of the street - for good reason.

65 The bad news is the way all this was handled. As you have acknowledged, the only  
66 reason this issue was addressed was because I made you and others in township  
67 management aware of it. This in spite of the fact we have a township supervisor located  
68 as close to 300 Arbor Lane as we are. He has had to drive by that property in its  
69 awful state several times a day for a long time. He willfully ignored the problem.

70 When I brought this problem to the attention of you and Craig McAnally, McAnally  
71 dispatched a man named Ken to look at 300 Arbor Lane. Ken apparently said he saw  
72 no problem but would keep an eye on it [ or words to that effect ]. McAnally took Ken's  
73 word for it and you took McAnally's word for it. Nobody even told me about this incorrect  
74 conclusion. I learned about it when I followed up. Since I raised the issue I should have  
75 been kept abreast of any development regarding my complaint.

76 When I called Ken's conclusion absurd, you admonished me to refrain from "disparaging"  
77 your staff. My criticism, which you called disparagement, was spot on. You, Ken and  
78 McAnally were initially completely wrong. As far as I am concerned, you were trying to make  
79 points with your staff at my expense. You and they were the wrong. You put the citizen/voter  
80 behind "your staff." Not smart - especially since I and other citizen/voters ultimately  
81 determine whether you will be in office.

82 When you talk about "your staff," do you pay them? Of course not. The citizen/voters

83 like me pay for them through real estate taxes. My tab is currently over \$14,000 a year. That  
84 should entitle us to a better response than I got initially.

85 If I were a more malleable person I might have accepted Ken's completely  
86 erroneous conclusion, and let the matter get worse and worse. If there was flooding at  
87 the detention basin there could have been liability for the township. Since you were  
88 directly involved in handling this issue you would have owned the problem - and perhaps  
89 the liability. **Your staff did you no favors with their poor handling of this matter.**

90 A good manager does not blindly assume their staff is right and anyone criticizing  
91 them is wrong. You have to bring people up short, not just praise them. **Have you**  
92 **corrected Ken and McAnally? You wrongly tried to correct me.**

93

94 Having said all this, when I pushed you, you did come out with Joe Groark and  
95 examine 300 Arbor Lane and the detention basin. And you got the property and  
96 the detention basin cleaned up [ at least for now ]. **I want to write up my thoughts**  
97 **for the permanent record. How do I do that?**

98 I will be glad to give you credit for finally moving to clean up the eyesore at  
99 300 Arbor Lane. **But I particularly want my thoughts about the dismal performance**  
100 **and neglect of Mark Grey to go in the record.** For ex.

101 - Years ago Grey was partway thru a project to build a swimming pool in his backyard.  
102 The pool builder absconded and Grey was perfectly happy for an extended time  
103 to leave a veritable open pit in his backyard. People passing through our development  
104 used to stand in groups and stare at this monstrosity.

105 I had Larry Comunale come to see this. He had been unaware of it and was shocked.  
106 Since this condition existed for over 90 days the township could well have had a  
107 liability. Grey has never forgiven me for his being forced to clean this up. But if I had  
108 not brought this to Comunale's attention the open pit might exist today. And someone

109 might have fallen into it. Not to mention how awful it made our development look.

110 - You are well aware of the awful, inaccurate letter Grey sent to my wife several years  
111 ago. This was so bad the Supervisor's had to admonish him in writing. Grey still resents  
112 the reprimand. He apparently thinks he ought to be able to do whatever he pleases, no matter  
113 how inappropriate and potentially dangerous to others in his neighborhood.

114 - He was perfectly happy with a neighbor leaving a 20 foot camper in the street  
115 outside their house. This obstructed normal traffic flow and could have obstructed  
116 an emergency vehicle. This was a legitimate problem, but Steve Paccione had to deal  
117 with it.

118 -Now we have the problem at 300 Arbor Lane, which Grey willfully ignored and  
119 refuse to deal with.

120

121 This is quite a list of negative behaviors by Grey. He is a menace to our community.  
122 I want this list placed in the permanent record. More importantly, I would like a letter  
123 of censure to Grey rebuking him and reminding him of his responsibilities. Just  
124 because someone is elected should not mean they can act with impunity the way  
125 that Mark Grey does.

126

127 P.S. How does the township plan to monitor 300 Arbor Lane and the detention basin  
128 going forward? Or are we going to have to have another emergency meeting about  
129 this property in several months.

130

131 Fred Dimond

132

133

134

190

191

192 [https://thelawdictionary.org/search2/?cx=partner-pub-](https://thelawdictionary.org/search2/?cx=partner-pub-2225482417208543%3A5634069718&cof=FORID%3A11&ie=UTF-8&q=Oppression&x=9&y=7)  
193 [2225482417208543%3A5634069718&cof=FORID%3A11&ie=UTF-8&q=Oppression&x=9&y=7](https://thelawdictionary.org/search2/?cx=partner-pub-2225482417208543%3A5634069718&cof=FORID%3A11&ie=UTF-8&q=Oppression&x=9&y=7)

194 Black's Law Dictionary Free Online Legal Dictionary

195 Oppression, which is a misdemeanor, is committed through any act of cruelty, severity, unlawful  
196 exaction, or excessive use of authority.

197