

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
ORGANIZATION MEETING**

TUESDAY, JANUARY 2, 2018

SUPERVISORS PRESENT:

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

STAFF:

Craig McAnally, Township Manager
Jamie Worman, Assistant Township Manager
Carole Culbreth, Assistant Secretary
Thomas Speers, Esq., Interim Solicitor
Ken Amey, Zoning Officer
Paul Kenny, Chief of Police
Michael DeStefano, Public Works Director

Call to Order and Pledge of Allegiance

Mr. Paccione stated the Board of Supervisors met in an Executive Session pre-Organizational Meeting to discuss a personnel matter. Mr. Paccione called the meeting to order at 4:10 p.m. in the Lower Gwynedd Township Municipal Building and led those in attendance in the pledge of allegiance.

Swearing-In Ceremony by Judge Patricia Zafforano

Judge Patricia Zafforano gave the Oath of Office to the following:

Kathleen Hunsicker - Board of Supervisors
Lesley Katz - Elected Auditors
Betty Lou Yost - Tax Collector

Nominations for the position of Temporary Chairman of the Board of Supervisors.

Mr. Paccione asked for nominations for the Temporary Chairman of the Board of Supervisors. Ms. Hunsicker made a motion, seconded by Mr. Brandt to appoint Dr. Booth as Temporary Chairman of the Board of Supervisors. The motion carried 5-0.

Nominations for the position of Chair of the Board of Supervisors

Dr. Booth asked for nominations for the position of Chair of the Board of Supervisors. Mr. Grey placed the name of Mr. Paccione in nomination. There was no second. Mr. Brandt placed the name of Ms. Hunsicker in nomination, Dr. Booth seconded the motion to appoint Ms. Hunsicker as Chair of the Board of Supervisors. The motion carried 3 ayes (Mr. Brandt, Dr. Booth, Ms. Hunsicker); 2 nays (Mr. Grey and Mr. Paccione). The motion carried 3 - 2.

Nominations for the position of Vice-Chair of the Board of Supervisors

Ms. Hunsicker assumed the Chair and asked for nominations for the position of Vice-Chair of the Board of Supervisors. Mr. Grey placed the name of Mr. Paccione in nomination. There was no second. Mr. Brandt placed the name of Dr. Booth in nomination, seconded by Ms. Hunsicker to appoint Dr. Booth as Vice-Chair of the Board of Supervisors. The motion carried 3 ayes (Mr. Brandt, Dr. Booth, Ms. Hunsicker); 2 nays (Mr. Grey and Mr. Paccione). The motion carried 3 - 2.

Appointment of Delegate and Alternate Delegate for PSATS Convention

Mr. Brandt made a motion, seconded by Dr. Booth to appoint Mr. Grey as Delegate and Dr. Booth as Alternate Delegate for the PSATS Convention. The motion carried 5-0.

Establishment of meeting dates for the Board of Supervisors for the year 2018

The Chair stated that the meeting dates will continue with two meetings per month; one regular meeting on the 2nd Tuesday of each month and one regular Meeting on the 4th Tuesday of the month with the exception of June, July, August, and December. There will be one regular meeting in the aforementioned months. Dr. Booth made a motion, seconded by Mr. Brandt to approve the meeting dates for the Board of Supervisors for the year 2018 as presented. The motion carried 5 - 0.

Township Appointments

Appointment of Secretary - Craig McAnally

Appointment of Treasurer - Craig McAnally

Appointment of Assistant Secretary - Carole B. Culbreth

Appointment of Assistant Treasurer - Jamie Worman

Dr. Booth made a motion, seconded by Mr. Brandt to approve the above listed appointments. The motion carried 5 - 0.

Appointment of Solicitor -

Ms. Hunsicker placed James J. Garrity, Esq. name on the table as Township Solicitor. Mr. Grey objected stating there is no one listed for an appointment of a Solicitor. There is nothing on the agenda for appointing Mr. Garrity or anyone else. Mr. Brandt made a motion, seconded by Dr. Booth to appoint Mr. Garrity as the Township Solicitor. The motion carried 3 ayes (Mr. Brandt, Dr. Booth and Ms. Hunsicker); 2 nays (Mr. Grey and Mr. Paccione). The motion carried 3 - 2.

Appointment of Sewer Solicitor - James J. Jacquette, Esq.

Appointment of Labor Counsel - Ryan Cassidy, Esq., Eckert Seamans

Appointment of Zoning Hearing Board Solicitor – Joseph C. Kuhls, Esq.

Mr. Brandt made a motion, seconded by Dr. Booth to approve the above appointments in a single motion. The motion carried 5 – 0.

Appointment of Township Engineer–Gilmore & Associates, Inc.
Township Engineer’s 2018 Rate

Appointment of Sewer Engineer – ATC Group Services BCM Engineers

Appointment of Conflict Engineer – CKS, Engineers

Appointment of Building Inspector – Keystone Municipal Services, Inc.

Dr. Booth made a motion, seconded by Mr. Brandt to approve the above appointments in a single motion. The motion carried 5 – 0.

Appointment of Township Planner – Kenneth Amey

Appointment of Zoning Officer – Kenneth Amey

Appointment of Assistant Zoning Officer – Craig T. McAnally

Appointment of Open Records Officer – Carole B. Culbreth

Appointment of Lower Gwynedd representative to Ambler Wastewater Treatment Plant – Michael DeStefano

Dr. Booth made a motion, seconded by Mr. Brandt to approve the above appointments in a single motion. The motion carried 5 – 0.

Appointment of Chief Administrative Officer for Pension Plans – Craig McAnally

Appointment of Pension Investment Advisor – PFM Financial Advisors

Appointment of Actuary – CBIZ Savitz

Appointment of Certified Public Accounting Firm (CPA) – Barbacane, Thornton & Co.

Appointment of Deputy Tax Collector, Michelle Yost

Dr. Booth made a motion, seconded by Mr. Brandt to approve the above appointments in a single motion. The motion carried 5 – 0.

Appointment of Fire Marshal, Assistant Fire Marshal and Emergency Mgmt. Coordinator
Al Comly, Jr. – Fire Marshal

Don Holt, Chief, North Penn Fire Co., – Assistant Fire Marshal
Frank Baxter, Emergency Management Coordinator

Mr. Brandt made a motion, seconded by Dr. Booth to approve the appointments of Fire Marshal, Assistant Fire Marshal and Emergency Mgmt., Coordinator. The motion carried 5 – 0.

Resolution #2018-01: Adoption of a Resolution establishing approved depositories for Lower Gwynedd Township Funds in 2018.

Dr. Booth made a motion, seconded by Mr. Brandt to adopt Resolution #2018-01: Adoption of a Resolution Establishing Approved Depositories for Lower Gwynedd Township Funds in 2018. The motion carried 5 – 0.

Resolution #2018-02: Adoption of a Resolution establishing Holidays for Township Employees for the year 2018.

Dr. Booth made a motion, seconded by Mr. Brandt to adopt Resolution #2018-02: Adoption of a Resolution Establishing Holidays for Township Employees for the Year 2018. The motion carried 5 – 0.

Resolution #2018-03: Adoption of a Resolution approving the execution and signing of payroll between regular meetings for the year 2018.

Dr. Booth made a motion, seconded by Mr. Brandt to adopt Resolution #2018-03: Adoption of a Resolution Approving the Execution and Signing of Payroll between Regular Meetings for the Year 2018. The motion carried 5 – 0.

Resolution #2018-04: Uniformed Employees' Pension Plan

Dr. Booth made a motion, seconded by Mr. Brandt to adopt Resolution #2018-04: Uniformed Employees' Pension Plan. The motion carried 5 – 0.

Motion to Approve the Prevailing IRS Mileage Rate for Reimbursement of Township Employees (Presently \$.54.5/mile)

Dr. Booth made a motion, seconded by Mr. Brandt to approve the Prevailing IRS Mileage Rate for Reimbursement of Township Employees (Presently \$.54.5/mile). The motion carried 5 – 0.

Appointments to Commissions and Boards

The Chair read the following names offered for re-appointments. Mr. Grey objected to a group motion for the below re-appointments.

Zoning Hearing Board, 3-year term – Dennis Daly; Robert Nagle

Dr. Booth made a motion, seconded by Mr. Brandt to approve the re-appointments of Dennis Daly and Robert Nagle to a 3-year term on the Zoning Hearing Board. The motion carried 3 ayes – 1 nay (Mr. Grey) – 1 silent/no vote (Mr. Paccione)

Vacancy Board, 1-year term – Harvey Salwen

Mr. Brandt made a motion, seconded by Dr. Booth to approve the appointment of Harvey Salwen to a 1-year term on the Vacancy Board. The motion carried 5 – 0.

Park and Recreation Board, 5-year term – Leola Hubbard; Rea Monaghan; Harry Hellerman (filling term expiration 12/31/21)

Dr. Booth made a motion, seconded by Mr. Brandt to approve the re-appointments of Leola Hubbard and Rea Monaghan to 5-year terms and Harry Hellerman (filling a term expiring 12/31/21) on the Park and Recreation Board. The motion carried 5 – 0.

Environmental Action Committee, 3-year term – Rea Monaghan, Steven Saffier, Suzanne Smith-Oscilowski; 2-year term – Mark Schafer, Marianne Grey; 1-year term – Judy Inskeep; Lisa Brown. Dr. Booth made a motion, seconded by Mr. Brandt to re-appoint 3-year term – Rea Monaghan, Steven Saffier, Suzanne Smith-Oscilowski; 2-year term – Mark Schafer, Marianne Grey; 1-year term – Judy Inskeep; Lisa Brown. The motion carried 5 – 0.

Pike Fest Committee, 1-year term – Larry Altman; Mary Claghorn; Linda Schumacher; Louise Hayeck; Ronald Jones; Penny Wosewick; Kathy Morris; Heather Bert Dr. Booth made a motion, seconded by Mr. Brandt to approve the re-appointments to the Pike Fest Committee to a 1-year term. The motion carried 5 – 0.

Community Ambulance Assn. of Ambler, 1-year term – Mary Anne Noone Mr. Brandt made a motion, seconded by Dr. Booth to re-appoint Mary Anne Noone as the Township liaison to the Community Ambulance Assn. of Ambler. The motion carried 5 – 0.

BUSINESS & FINANCIAL

Receipt of Meeting Minutes: December 12, 2017

December 20, 2017

Dr. Booth made a motion, seconded by Mr. Brandt to approve the December 12, 2017 and December 20, 2017 minutes. The motion carried 5 – 0.

Receipt of Year-to-Date Budget Report for November, 2017

Dr. Booth made a motion, seconded by Mr. Brandt to approve the Year-to-Date Budget Report for November 2017. The motion carried 5 – 0.

PUBLIC COMMENTS

The Chairman asked for public comment for items not on the agenda.

Diane Morgan, John's Lane, questioned if appointing Wisler Pearlstine as Solicitor was a conflict of interest. Ms. Hunsicker replied in that case a conflict counsel would be utilized.

Mr. Grey asked when a conflict attorney will be named. Ms. Hunsicker said there is no conflict now, but if a conflict arose conflict counsel would be utilized. Mr. Grey said there is a conflict, we have a conflict engineer and there is no conflict. I am aware of the engineer, but there is for our solicitor. Dr. Booth and Mr. Paccione suggested that a conflict Solicitor be named before the next meeting. Mr. Grey agreed.

Paula Schafer asked given the contention on the board was there an alternative to Mr. Garrity. She commented that Mr. Garrity was the former solicitor and asked what were the terms. Ms. Hunsicker stated the former Chair wanted to bring on a new solicitor.

Dr. Booth replied that at the time he was overloaded with a lot of work with different townships; he was not performing up to my standards, getting the job done, however, it does not disqualify him at the time from doing the job the proper way. Mr. Grey responded that none of that has changed.

Mr. Paccione stated we wanted to move quickly on projects and if not for his persistence the new shopping center would not be there. He stated other townships replaced Mr. Garrity as their solicitor.

Deb Shafer, Penllyn Pike, asked if there were any alternatives. Ms. Hunsicker stated she has complete confidence in Mr. Garrity, and she stated he was nominated as one of the top municipal lawyers.

Joe Palmer, Whitpain Township, stated Mr. Garrity is an established well qualified attorney. He stated there are always pros and cons and everyone is not always in agreement. Mr. Grey asked if he was let go in Whitpain. Mr. Palmer replied yes.

Ms. Hunsicker replied that I had discussions with the two other supervisors. Mr. Garrity's name was put forward this evening; he is probably the only attorney in Montgomery County who is not completely over conflicted.

Mr. Brandt wanted to know when everybody was done speaking negatively about Mr. Garrity. Mr. Brandt went on to say he has represented the Township for 37 years. Why he was let go from Worchester or why he was let go from Whitpain are issues to be dealt with in those municipalities. This is an appointment night. You don't have to broadcast negative feelings in decisions that we disagree with.

Mr. Paccione stated he wanted to clarify one thing Ed Brandt said, he did have breakfast with Jim Garrity at Pumpernicks and asked Mr. Garrity to confirm he and Dr. Booth where there. Mr. Garrity replied yes. Mr. Garrity confirmed there was a meeting a month after hearing from another attorney.

Ms. Hunsicker apologized for the Board's strong opinions.

Ms. Morgan suggested you may want to limit the amount of billing for services in your professional services agreement. Ms. Hunsicker stated the Township has contracts for all our professionals.

Paula Schafer stated she is disarmed that the community input was shut down.

Mr. Parnell, Springwood Lane, asked if serving on the Board of Assessment was a conflict. Ms. Hunsicker stated he does not serve on the Board of Assessment. Mr. Parnell stated with the conflict on the Board and the previous solicitor; is the Township safe from lawsuits. Ms. Hunsicker stated you can be confident with Mr. Garrity.

The Public Comment was closed.

OTHER BUSINESS

Wiesner Consulting, LLC Agreement for Financial Services for 2018

Mr. McAnally explained Mr. Wiesner, Wiesner Consulting, LLC, filled in after the former Finance Director retired. The Board received Mr. Wiesner's proposal. Ms. Hunsicker asked if there are any questions. Dr. Booth asked if there is a record of his services and hours. Mr. McAnally stated the proposal does not include benefits or pension. Mr. Paccione made a motion, seconded by Dr. Booth to approve the Wiesner Consulting, LLC Agreement for Financial Services. The motion carried 5 - 0.

Manager's Contract

Mr. McAnally asked the Board to renew his contract for two years as presented. Mr. Brandt made a motion, seconded by Dr. Booth to renew the Township Manager's contract as presented. The motion carried 5 - 0.

MANAGER'S REPORT

There was no Manager's Report.

SUPERVISORS/STAFF COMMENTS

Dr. Booth wished everyone a Happy New Year.

Ms. Hunsicker stated it will be a good year.

Adjournment

There being no further questions or comments, the meeting was adjourned at 5:05 p.m. until the next Regular Meeting scheduled for January 23, 2018.

Respectfully submitted,

Carole Culbreth
Assistant Secretary