

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, MARCH 9, 2021**

SUPERVISORS PRESENT:

Mark Grey, Chairman
Danielle A. Duckett, Vice-Chair
Edward J. Brandt
Kathleen Hunsicker
Tessie McNeely

STAFF:

Craig T. McAnally, Township Manager
Jamie Worman, Assistant Township Manager
Carole Culbreth, Assistant Secretary
Paul Kenny, Police Chief
Chuck Wilson, Finance Director
Fred Zollers, Public Works Director
Jim Hersh, Township Engineer

Call to Order and Pledge of Allegiance

The Chairman called the meeting to order at 7:04 p.m. virtually on Zoom and led those in attendance in the pledge of allegiance. He stated the Board of Supervisors met in Executive Session before the meeting on a personnel matter.

BUSINESS AND FINANCE

Receipt of Minutes: February 9, 2021

The Board of Supervisors received the February 9, 2021 meeting minutes. The chairman asked if there were any comments. There were none. Ms. Hunsicker made a motion, seconded by Mr. Brandt to approve the February 9, 2021 meeting minutes. The motion passed 5 - 0.

Receipt of Invoice History: January, 2021

The Board of Supervisors received the Invoice History for January, 2021 in the amount of \$649,357.25. The Chairman asked if there were any comments. There were none. Ms. McNeely made a motion, seconded by Ms. Duckett to approve the Invoice History for January, 2021 in the amount of \$649,357.25. The motion passed 5 - 0.

Receipt of Unaudited Year-to-Date Budget Report for December, 2020

The Board of Supervisors received the Unaudited Year-to-Date Report for December, 2020. Mr. Wilson stated as of February 16, 2021 all adjustments have been made to the Year-to-Date Budget Report for December, 2020. He stated the auditor has completed their field work. He stated revenues increased by \$745,176 from 2019; and expenditures decreased by \$11,530. The Chairman stated the Township is in a good position. He asked if there were any questions. There were none. Mr. Brandt made a motion, seconded by Ms. Hunsicker to approve the Receipt of Unaudited Year-to-Date Budget Report. The motion passed 5 - 0.

BUILDING AND ZONING

Resolution No. 2021-06: Extension of Outdoor Dining

Mr. McAnally stated Resolution No. 2020 – 27 which set forth guidelines and policies for the safe operation of outdoor dining expired on March 8, 2021. He stated the above resolution extends outdoor dining for an additional 90 days. Mr. Brandt made a motion, seconded by Ms. McNeely to adopt Resolution No. 2021-06: Extension of Outdoor Dining. The motion passed 5 – 0.

OTHER BUSINESS

Resolution No. 2021-07: Intermunicipal Collaboration Resolution to Extend the IGA for the Development of a Water Quality Improvement Plan for the Wissahickon Creek Watershed.

Ms. Worman stated the Township is part of this intergovernmental agreement with other municipalities in the Wissahickon Watershed to draft a Water Quality Improvement Plan and in order to continue operating we need to extend the Intergovernmental Agreement which expires March 31, 2021. The extension is until 90 days after approval of the WQIP or December 31, 2022 whichever is first. Mr. Brandt stated this is an unfunded mandate. The Chairman gave a brief summary of the WQIP for the Wissahickon Creek Watershed. He asked for questions. Mr. Schaefer, 23 Brookline Court, stated he applauds the effort of the Chairman for spearheading this program. Mr. Schaefer stated it is unfunded, but there are secondary benefits such as preventing flooding in Ambler. He is in support of this resolution. Mr. Brandt clarified he does not want to imply he is against this resolution. He wants the public to know this cost is on the municipalities. There were no other questions. Ms. McNeely made a motion, seconded by Mr. Brandt to adopt Resolution No. 2021-07: Intermunicipal Collaboration Resolution to Extend the IGA for the Development of a Water Quality Improvement Plan for the Wissahickon Creek Watershed. The motion passed 5 – 0.

2015 Multimodal Grant Engineering Change Order #1

Mr. McAnally stated Ms. Butler and Mr. Hughes are representing McMahan Associates tonight. Mr. McAnally stated the Springhouse Culvert Extension Phase I started in September 2019. He stated there were right-of-way acquisition delays, utility delays and then COVID delays. Mr. McAnally stated the original budget was \$45,000 for Task 9 (Construction Administration/Construction Inspection) assuming a 3-month construction period with 264 hours of inspection and administration services. Mr. McAnally stated we are looking for an additional \$30,000 for a total of \$75,000 for traffic engineering on a \$1.5 million project. The Chairman asked Ms. Butler if we are still in our contribution level which was budgeted. Ms. Butler stated the Township is still within our contribution level. She stated the increase is for construction administration cost. Ms. McNeely asked for a summary of the project. Ms. Butler gave a brief explanation. The Chairman asked for any questions. Mr. Schaefer stated he made a photo survey of that area for the EAC before finishing the shopping center, and the area on Sumneytown Pike was degraded and needs improvement. Ms. McNeely suggested returning the area to a more natural state. Ms. Monaghan stated a few years ago the EAC applied for a Growing Green Grant to be completed in multi-stages, and we may want to revisit. There were no further questions. Ms. Hunsicker made a motion, seconded by Mr. Brandt to approve the 2015 Multimodal Grant Engineering Change Order #1 for an additional \$30,000 to complete the construction inspection for a total of \$75,000. The motion passed 5 – 0.

Authorize Advertisement of Cable Franchise Agreement between Township and Verizon

Mr. McAnally stated in 2006 the Township entered into a twelve year franchise agreement with Verizon and it expired in 2018. He stated Cohen Law Group through the Montgomery County Consortium drafted this five-year agreement for approximately 30 municipalities. He stated five percent of subscribers fees back to the municipalities. The Chairman asked if there were any questions. There were none. Mr. Brandt made a motion, seconded by Ms. McNeely to authorize the advertisement of the Cable Franchise Agreement between the Township and Verizon. The motion passed 5 - 0.

E-cycle and Paper Shredding Event: May 15, 2021

Ms. Worman stated the E-cycle and Paper Shredding Event for 2020 was cancelled. She stated the two vendors for the event are SAMR at a fee of \$4,450 for electronics and Shred-It at a fee of \$2,000 for paper shredding. She stated that an application and associated documentation must be submitted to PADEP at least 60 days prior to the scheduled event. Ms. Worman stated there are also COVID requirements. The Chairman asked if the event is only for Lower Gwynedd residents; and the hours of the event. Ms. Worman stated yes only Lower Gwynedd residents and the hours are 8 a.m. - 12 noon. Mr. Brandt stated this event is a thank you to our residents for recycling, and ask the supervisors for their support for this event. He thanked Ms. Worman and Mr. McAnally for continuing to work on this event. Ms. Duckett asked if another site was ever considered because of Bethlehem Pike traffic. Mr. Brandt stated we have never had a traffic issue on Bethlehem Pike. The Chairman asked if there were any questions. Melinda Wolf asked what are the cost, if any, and limits on the electronics. Mr. McAnally stated there is no charge for electronics. Ms. Monaghan made a comment stating the township has done a wonderful job dealing with traffic flow and the overall organization of this event. There were no further questions. Mr. Brandt made a motion, seconded by Ms. Hunsicker to move forward and schedule the annual paper shredding and electronics recycling day on May 15, 2021. The motion passed 5 - 0.

Request by Ambler Borough for Funding from Lower Gwynedd Township for Municipal & Municipal Authority Grant Program for 2021

Mr. McAnally stated Representative Todd Stephens asked him to call the Borough Manager of Ambler Borough and Larry Burns, Township Manager, Horsham Township regarding a MIRIA Municipal and Municipal Authority Grant due May 15, 2021 to upgrade the filter in the primary well in Lower Gwynedd Township. Ambler Borough is asking that Lower Gwynedd Township contribute matching funds of 25% of the \$1mil grant (\$250,000). The \$250,000 matching funds were budgeted for 2021. The Chairman stated the filter removes the forever chemicals from the Horsham Airbase. He stated it's important to have clean water. Mr. Brandt thanked Mr. Grey and Ms. Duckett for representing the Township in this matter. Ms. Hunsicker thanked Representative Todd Stephens and Senator Collett for their continued work with PFOS issue in Horsham. Ms. Duckett stated there are many open ended concerns not only to provide clean water but as it relates to ongoing maintenance. She questioned why we cannot get our water from North Wales Water Authority. The Chairman responded stating Ambler has requested to change their status from Water Company to become a Water Authority; and we asked our Solicitor to make sure Lower Gwynedd was well represented on that municipal board along with other municipalities. Mr. Stein stated the action to become a water

authority was filed by Ambler Borough and it is before the PUC. He stated specifically as it relates to rate increases and that litigation is pending and possibly resolved sometime this summer. Ms. Duckett asked who will maintain this filter; and what is our financial responsibility; and do we have any leverage to implore Ambler to ensure the maintenance of the mains is maintained adequately. Ms. Hunsicker stated that the infrastructure is owned by Ambler. Mr. McAnally stated the Borough Manager verbally committed to have a capital plan for the infrastructure and pipes in Lower Gwynedd. He stated this is our contribution to the upgrade and there is no further monetary contribution. He stated if this request is approved tonight; he also asked the Board to approve our Solicitor draft an agreement with Ambler Borough. Mr. Brandt stated Ms. Duckett brought up major issues of infrastructure which need to be addressed; and we need to move forward on this request for the filter, but continue to look at how our residents are protected. Ms. McNeely is looking for a long range strategy. Ms. Duckett made a motion, seconded by Mr. Brandt to approve the request by Ambler Borough for Funding from Lower Gwynedd Township for the Municipal & Municipal Authority Grant Program for 2021, and approve our Solicitor draft an agreement with Ambler Borough stating there is no further monetary contribution from Lower Gwynedd Township. The motion passed 5 - 0.

Authorize Advertisement to Solicit Bids for Resurfacing of Courts at Penllyn Park

Mr. McAnally stated the Park and Recreation Board recommend resurfacing the Basketball and Tennis Courts at Penllyn Park. He stated the resurfacing at Penllyn Park has been budgeted, and the Township Engineers will provide a bid for advertisement for the court resurfacing a Penllyn Park. The Chairman asked for questions. Ms. McNeely asked if there will be an engineering report. Mr. Hersh stated he will develop the bid specifications. He will forward the names of area parks where the Board can inspect court surfaces. Ms. Hunsicker stated we can consider the resurfacing a long term solution. Ms. Duckett asked to get a warranty on this project. Mr. Hersh stated a warranty would be eighteen months. Kathy Morris, Park and Recreation Board Chair, thanked the Board for adding this item to tonight's agenda. Mr. Brandt made a motion, seconded by Ms. Duckett to authorize advertisement to solicit bids for resurfacing of courts at Penllyn Park. The motion passed 5 - 0.

Authorization to Purchase New Signs for Three Park Locations

This item has been tabled.

Authorization for Gilmore & Associates to perform I & I (Inflow and Infiltration) study with purchase of a flow meter to be owned by LGT

Mr. Hersh stated the Township's 2021 budget includes funds for the evaluation of the southern portion of Sanitary Drainage Basin B from Sumneytown Pike to Evans Road. He stated this evaluation will include identifying the maximum capacity of the sewers based on existing as-built plans available, existing flow, areas of inflow and infiltration (I/I) based upon flow metering and evaluate the remaining available capacity in the collection lines prior to discharge into the interceptor (Evans Road & Gypsy Hill Road). He stated it is more cost effective for rehabilitation than replacing the infrastructure. He stated Gilmore & Associates recommends sanitary sewer flow meter data be collected in specific manholes within the study area. He stated he recommends approval to start the study and buy a meter to allow for us to install in specific manholes for monitoring data. The Chairman asked how many more sites need to be checked. Mr. Hersh replied many. Mr. Brandt

asked staff to contact the past engineering firm and get records to determine which areas were televised. Mr. McAnally stated he will contact CKS Engineering to get the records. The Chairman asked for questions. There were none. Mr. Brandt made a motion, seconded by Ms. Hunsicker to authorize Gilmore & Associates to perform I & I (Inflow and Infiltration) study with purchase of a flow meter to be owned by LGT. The motion passed 5 - 0.

Authorization to Advertise an Ordinance Amending the Lower Gwynedd Police Department's Hiring Procedures to Incorporate Pennsylvania Act 57 of 2020

Mr. Stein stated there are hiring procedures in the Lower Gwynedd Township code. He stated the Pennsylvania Legislature passed Act 57 on July 14, 2020. He stated this amendment deals with background checks, and to make sure the hiring department does a thorough background check to make better hiring decisions, and if department hires someone with a checkered past a written record needs to be created to justify why that hiring decision was made. He stated Ms. Duckett asked that we add the following to Act 57:

- (xi) *anyone planning and/or participating in any insurrection or obstruction to the laws of the United States, any individual state or territory, or any political subdivision thereof.*

Chief Kenny stated he has no issue with this ordinance at all. The Chairman asked for questions. Ms. Duckett stated this ordinance is supported unanimously by the Prosecutors Association and the Police Association. He thanked staff for their work on this. Ms. Duckett made a motion, seconded by Mr. Brandt to authorize advertisement of an Ordinance Amending the Lower Gwynedd Police Department's Hiring Procedures to Incorporate Pennsylvania Act 57 of 2020 with the additions discussed tonight.

PUBLIC COMMENTS

Mark Schaefer questioned Rotelle Drive being included in the approved roadwork contract because there are no residents on Rotelle Drive only a private school. Mr. Hersh stated the Township owns a small portion of Rotelle Drive, and it has not been paved in a long time. Mr. McAnally stated he questioned that as well.

MANAGER'S REPORT

Report from the Manager - Municipal activities, projects

Mr. McAnally thanked everyone for their time tonight; we accomplished a lot.

SUPERVISORS COMMENTS

Mr. Brandt thanked the Board for tonight; we covered a lot. He would like an update from Mr. McAnally or Mr. Stein on the McCormick property

Ms. Hunsicker also thanked everyone for tonight see you in two weeks.

Ms. McNeely thanked Supervisors for a productive evening.

Ms. Duckett thanked everyone participating in the communications survey; and reminded those who sent in a Volunteer Application for the Park and Recreation Board opening that they will be interviewed shortly.

William Murray, 413 Brookside Avenue, questioned why the Penn Ambler Park was not plowed during the snow storms this year. He stated it was shut down for five weeks. The Chairman stated the Township does not plow our 30 miles of trails. Mr. McAnally stated the Penn Ambler Park has never been plowed. The Chairman stated we will consider options and get a response to you shortly. Ms. McNeely thank Mr. Murray for his advocacy.

There being no further questions or comments, the meeting was adjourned at 9:15 p.m. until the next Regular Meeting scheduled on March 23, 2021 virtually on ZOOM.

Respectfully submitted,

Carole Culbreth
Assistant Secretary