

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING  
TUESDAY, SEPTEMBER 14, 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  
Neil Stein, Esq., Solicitor  
Paul Kenny, Police Chief  
Ken Amey, Zoning Officer  
Fred Zollers, Public Works Director  
Jim Hersh, Township Engineer  
Chad Dixson, Traffic Engineer

**Call to Order and Pledge of Allegiance**

The Chairman called the hybrid meeting to order at 7:05 p.m. at the Lower Gwynedd Township Building and virtually on Zoom and led those in attendance in the pledge of allegiance.

Announcement: Tonight's Board of Supervisors Meeting is being video recorded.

**Recognizing 26 Years of Service - Sgt. Rex Wilkinson**

The Chairman recognized Sgt. Rex Wilkinson for serving Lower Gwynedd Township for over twenty-six years by presenting a Proclamation to Sgt. Wilkinson. Chief Kenny introduced Pennsylvania Senator Maria Collett who presented a Pennsylvania Senate Citation to Sgt. Wilkinson. Chief Kenny said Sgt. Wilkinson is the kind of individual who cares. Sgt. Wilkinson thanked everyone for coming out tonight. He thanked Chief Kenny, Chief Scholly, Chief Bright and Chief Hancock who he had served under for the past 26 years.

**Swearing In by Judge Susan Leonard - Police Officer Garrett Vail**

Chief Kenny introduced Judge Susan Leonard who officiated the swearing-in of Garrett Vail as a Lower Gwynedd Township Police Officer. He stated he is thrilled to have Garrett as a member of the Lower Gwynedd Township Police Officer.

## PRESENTATION

### **2020 Lower Gwynedd Township Audit by Barbacane Thornton & Company**

Steven Kutsuflakis, Barbacane Thornton & Company, presented an overview of Lower Gwynedd Township December 31, 2020 audit. Mr. Kutsuflakis reported the Fund Balance Results – Governmental Funds as follows:

- The Open Space and Traffic Impact Funds had fund balance increases of \$222 thousand and \$170 thousand, respectively.
- The remaining funds had an aggregated fund balance of \$820 thousand, an increase of \$108 thousand from the prior year.
- The remaining funds are Highway Aid, Street Lighting, Fire Protection, Fire Hydrant, Recreation and Debt Service.
- Fund balance – resources of the Township available for use in future years.
- Fund balance of the General Fund increased by \$542 thousand from previous year (after transfers). Transfers of \$2.265 million were made to other funds.
- Capital Reserve’s fund balance increased by \$238 thousand due to general fund transfers and revenues exceeding expenditures.

The Chairman questioned Mr. Kutsuflakis on how Lower Gwynedd Township compares to other townships regarding Minimum Municipal Obligation (MMO) and Pension Health. Mr. Kutsuflakis stated Lower Gwynedd Township is very healthy compared to many other townships. The Chairman stated it’s our staff who is adequately resourced, and the people who live in the Township. Mr. Brandt thanked Mr. Wilson, Mr. McAnally and Ms. Worman for the great job. The Chairman asked for questions or comments. Mr. Smeltzer, 910 Ridgeview Lane, asked if the Township has thought about moving away from pension plans because they are expensive. The Chairman stated yes new employees are in a Defined Contribution Plan. The Chairman stated our Investment Advisory Board are financial experts. He thanked Mr. Katsuflakis for the presentation tonight.

## BUSINESS AND FINANCE

### **Receipt of Minutes: August 24, 2021**

The Board of Supervisors received the August 24, 2021 meeting minutes. There were no comments. Ms. Duckett made a motion, seconded by Ms. Hunsicker to approve the August 24, 2021 meeting minutes. The motion passed 5 – 0.

### **Receipt of Year-to-Date Budget Report and Balance Sheet: July, 2021**

This item was tabled.

**2022 Minimum Municipal Obligation**

Mr. McAnally stated the actuary completed the year 2022 estimated funding requirements for the Township’s Pension Plans as follows:

<u>Plan</u>	<u>Contributions</u>
Police Pension Plan	\$243,202
Non-Uniformed Employees’ Pension Plan	16,655
Defined Contribution Plan	<u>31,164</u>
Total	\$291,021

The Chairman asked for questions or comments. Edward Greer, 930 Ridgeview Lane, asked if this is the last year to make contributions. Mr. McAnally stated the Non-Uniform Employees’ Pension Plan will phase out; however, the Police will always be in a pension plan. The Chairman stated the Township receives State aid for the Pension Plan. Ms. Duckett made a motion, seconded by Ms. Hunsicker to approve the 2022 Minimum Municipal Obligation for the Police in the amount \$243,202, Non-Uniformed Employees in the amount of \$16,655, and Defined Contribution Plan in the amount of \$31,164 for a total of \$291,021. The motion passed 5 – 0.

**Conditional Use Application: Cedar Hill Development Group**

Mr. Stein opened the Conditional Use Hearing to consider the conditional use application of Cedar Hill Development Group, LLC (“Applicant), seeking approval to develop the properties at 1500 - 1524 Cedar Hill Road, Parcels #39-00-00643-00-2, #39-00-00646-00-8, and #39-00-00649-00-5, consisting of 11.8 acres, located within the A-1 Residential Zoning District. The Applicant proposes to remove all existing structures, consolidate the three (3) lots and concurrently subdivide the property into twelve (12) individual lots as a cluster development. The A-1 District permits a cluster development with a density bonus as a conditional use for the preservation of increased open space. The lots will be accessed from three (3) private drives from Cedar Hill Road. The Board of Supervisors will consider testimony and evidence from the Applicant at the hearing in support of the application. Members of the public may participate in the hearing only if they request and are granted party status. Edward Hughes, Esq. represented the applicant Cedar Hill Development Group. Mr. Stein entered the following exhibits for Lower Gwynedd Township:

- T-1 Conditional Use Application dated July 17, 2020 with plans
- T-2 Email from Ed Hughes to Mr. Stein dated 8/13/21
- T-3 Proof of Postings
- T-4 Proof of Publication
- T-5 Review Letter from Gilmore Associates dated January 13, 2021
- T-6 Review Letter from McMahon Associates dated January 12, 2021
- T-7 Planning Commission Minutes of January 20, 2021
- T-8 Email from resident David Furman, 980 Redstone requesting Party Status  
Other residents requesting Party Status: David Smeltzer; Eileen and Christian Warren;  
Hal Jones; Melinda Wolfe and Ed Greer; Barbara O’Connor

Mr. Hughes entered the following exhibits for the Applicant:

- A-1 Resume of witness Robert Jordon, Woodrow and Associates
- A-2 Dates establishing ownership of 1500, 1512, 1524 Cedar Hill Road
- A-3 Assessor Records
- A-4 Ariel View
- A-5 Record Plan Cover Sheet
- A-6 Subdivision Record Plan
- A-7 Existing Plans
- A-8 Original Landscape Plan
- A-9 Site Design Plan
- A-10 Landscape and Reforestation Plan
- A-11 Stormwater Plan
- A-12 Post Development

Robert Jordon was sworn in and was accepted as a civil engineer. The Chairman had questions regarding the walking trail and tree planting. Mr. Hughes asked for a reduction of the total tree caliper from 128.5 to 83.5. The Chairman stated tree replacement is important. Ms. Duckett asked who is responsible for maintenance of the open space and basin. Mr. Hughes answered the Home Owners Association is responsible for that maintenance. Mr. Stein asked for public comment. Melinda Wolfe and Edward Greer had additional questions regarding the trails. Robert Flanigan, 1601 Cedar Hill Road, questioned water drainage.

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

**Resolution No. 2021-15: Accepting a Deed of Dedication for Road Rights-of-Way Gypsy Hill Road and Evans Road Pappas Subdivision, 1357 Gypsy Hill Road**

Mr. Stein asked the Board to consider the adoption of the Resolution No. 2021 – 15 which will accept the Deed of Dedication for Gypsy Hill Road and Evans Road Ultimate Right-of-Way. Ms. Duckett made a motion, seconded by Mr. Brandt to adopt Resolution No. 2021-15: Accepting a Deed of Dedication for Road Rights-of-Way for Gypsy Hill Road and Evans Road Pappas Subdivision, 1357 Gypsy Hill Road. The motion passed 5 – 0.

**Deed of Dedication Gypsy Hill Road & Evans Road Ultimate Right-of-Way**

Ms. Duckett made a motion, seconded by Mr. Brandt to accept the Deed of Dedication Gypsy Hill Road and Evans Road Ultimate Right-of-Way. The motion passed 5 – 0.

**Welsh Road Trail**

Mr. Hersh stated nine bids for 800 feet of asphalt were submitted for the Welsh Road Pedestrian Trail Project. He stated Gessler Construction is the low bidder for the project in the amount of \$110,701.00. Mr. McAnally stated staff recommends the Board reject the low bid and go out to bid again. He recommended a natural trail rather than a pave trail and try to come up with a different plan. Mr. Brandt made a motion, seconded by Ms. Duckett to reject the Gessler Construction bid in the amount of \$110,701.00, and come up with a better plan. The motion passed 5 – 0.

**OTHER BUSINESS**

**Resolution No. 2021-16: Act 101 Northern Montgomery Recycling Commission**

Ms. Worman stated Resolution No. 2021-16 modifies the Act 101 violations. She stated the Board was concerned with decisions on reports of these violations; and they are addressed in this resolution. Mr. Brandt made a motion, seconded by Ms. Duckett to adopt Resolution No. 2021-16: Act 101 Northern Montgomery Recycling Commission. The motion passed 5 – 0.

**PUBLIC COMMENT**

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

- Request by Resident William Murray to Discuss Brookside Avenue Flooding

William Murray, 413 Brookside Avenue, presented a video of Brookside Avenue Flooding, and a petition signed by 18 residents to improve the area infrastructure and eliminate the flooding. He stated the water overflows at Knight Road. He stated he has contacted the Wissahickon School District who rejected their request for help with this issue. The Chairman stated the Township is in negotiations with the Wissahickon School District regarding this issue, and we are applying for grants to help study the dam which is on the Wissahickon School District property. Jim Hersh, Township Engineer, stated he submitted the grant and hopes to hear by the end of the year. At the request of a resident, the Chairman asked the Public Works Department to check if stormwater drains are cleaned out. Matt Siegel, Ambler Yards, stated debris by the creek ends up at Ambler Yards. Tammy Hughes, 430 Brookside Avenue, stated when it rains, we have water on Frances Avenue and Marian Avenue on the school district side. She feels the Township is failing those on Brookside Avenue. She requested the Township take a hard look at their issues. The Chairman stated the Township does not have any jurisdiction over drinking water because we do not own the PUC utility; we own the sanitary sewer. He stated we met with State Senator Maria Collett and Representative Todd Stephens regarding these issues. Ms. Hughes asked that the Board come to an agreement that works for all of us. Ms. Duckett assured those in attendance that the Township will follow-up with grants and move forward with a decision on the flooding and drinking water issues. She stated the drinking water old pipes need to be repaired. She thanked Mr. Murray, and said he will not have to wait another seventeen years. Mr. Stein stated it is an ordinance violation. Ms. Duckett made a motion, seconded by Ms. McNeely to have the Solicitor go forward with the enforcement of these ordinance violations. The motion passed 5 – 0.

Kathy Morris, Park and Recreation Director, invited all residents to the Fall Fest, Sunday, September 26<sup>th</sup> from 12 noon to 4:00 p.m.

### MANAGER'S REPORT

#### Report from the Manager – Municipal activities, projects

No report tonight.

### SUPERVISORS COMMENTS

Mr. Brandt asked staff to review the plan of the Cedar Hill Road Development Group Conditional Use. He thanked Mr. Murray, his neighbors and Ms. Duckett for tonight's discussion; and he's happy the Solicitor will follow-up. He stated he is fed up with the Federal and State government mandates. He thanked Kathy Morris, and Kathy Hunsicker for their work on the Fall Fest; try to make it over there.

Ms. Hunsicker thanked Mr. Murray and his neighbors for tonight's discussion. She stated it is a large project and is waiting to see the big picture. She would like to pursue a public and private partnership with the school district to solve this issue.

Ms. McNeely agreed with the Supervisors and appreciates the community input tonight. She stated there is no storm drainage at all in her community. She hoped we can complete the strategic plan which would be helpful when implemented.

Ms. Duckett dittoed the other Supervisors' comments. She asked that we send our thoughts and prayers to those in Upper Dublin and to support our neighbors as they rebuild from Hurricane Ida and the tornadoes.

Ms. Hunsicker announced that Ambler Yards is raising funds for a new building effort in Upper Dublin on Friday, 5:00 p.m. to 8:00 p.m.

The Chairman stated we have challenges with new developments, and in the past developers did not have stormwater controls, and we are now trying to fix those problems. He stated the dam owned by the school district is a problem. He stated it is not just Brookside it's a much bigger issue. He said it's the entire Wissahickon basin. He stated the drinking water, utilities are all separate areas and we are not connected in a way to solve these problems. He stated the LGT Police Department is a well educated department. He stated the School Resource Officer at the High School has a doctorate, and the new office sworn in tonight is a great candidate. He stated we will continue to work on Brookside Avenue.

There being no further questions or comments, the meeting was adjourned at 9:55 p.m. until the next Regular Meeting scheduled on September 28, 2021 at the Lower Gwynedd Township Building and virtually on Zoom.

Respectfully submitted,  
Carole Culbreth  
Assistant Secretary