

LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
TUESDAY, May 10, 2022

SUPERVISORS PRESENT:

Danielle A. Duckett, Chairman
Michael Twersky, Vice Chair
Janine Martin
Kathleen Hunsicker
Tessie McNeely

STAFF:

Craig T. McAnally, Township Manager
Jamie Worman, Assistant Township Manager
Michelle Farzetta, Assistant Secretary
Neil Stein, Esq., Solicitor
Paul Kenny, Police Chief
James Hersh, Gilmore Associates Township Engineer
Chad Dixson, McMahon Traffic Engineer

Call to Order and Pledge of Allegiance

The Chair called the hybrid meeting to order at 7:06 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.

BUSINESS AND FINANCE

Receipt of Minutes: April 26, 2022

Mr. McAnally asked that the minutes be tabled due to a few questions from the BOS. We would like to review the minutes and make any revisions for the meeting on May 24, 2022. Ms. Duckett made a motion to table the April 26th meeting minutes. Ms. Hunsicker seconded the motion. Motion passed 5-0.

BUILDING AND ZONING

Land Development#21-03LD Precision Watches 1612 N. Bethlehem Pike- Proposal to Construct 2.5 Story Retail Jewelry Store

Christen Pionzio from HRMML presented updates on the proposed Precision Watches Land Development application, which includes a retail jewelry store to be constructed at the intersection of Route 309 and Route 63. She was accompanied by Tim Woodrow of Woodrow and Associates and Roman Murat of Precision Watches. This project was introduced to the BOS around this time last year. Since then, they have been working out some issues. There will be a cross access easement with Gwynedd Gate and an access off of Route 309. Ms. Pionzio shared photos of how the interior of the store will look, as well as, other buildings in the area with comparable architecture. The proposed building has a similar facade to other buildings in the area and it blends in with Lower Gwynedd. Relief has been granted by the ZHB and approval has been recommended by the Planning Commission.

Ms. Pionzio distributed a list of waivers that they are requesting. These waivers are for required landscaping, parking, sidewalks and an off-street loading station. There is one 8-inch evergreen tree that will need to be removed and they are willing to make a donation or pay a fee in lieu of for its replacement. Ms. Pionzio will be working with Mr. Stein to draft a resolution to be discussed at the next meeting on May 24th, 2022.

Authorize Township Solicitor to Provide a Position on ZHB Application on Meadowcreek Circle for Safety Concerns

At the B&Z meeting, Ms. Duckett and Mr. Twersky raised concerns over a Zoning Hearing Board application for 734 Meadowcreek Circle. Their concerns are safety related regarding the request to add an additional driveway to the property along Dager Road. Mr. Stein stated while the second driveway is a concern, the use of the accessory structure as a living space, unless being used as a caretaker's space, is not permitted according to the zoning code. In-law suites are meant to be within the main living space, not in an accessory structure. Mr. Stein is questioning if the application was properly filed. Ms. Hunsicker wanted to know if the applicant is aware that there was some concern. Mr. McAnally confirmed that the homeowners were aware of the driveway concern, however, there was no communication regarding the concern with the in-law suite. The homeowners need to seek a variance, not a special exception for the in-law suite, as the ordinance does not allow for living space above an accessory structure. Mr. Stein would like to confirm his interpretation with the zoning officer. The homeowners will need to resubmit the application and apply for the variance if his interpretation is accurate. Ms. Duckett made a motion to oppose the application due to safety concerns and possible need for a variance. This was seconded by Mr. Twersky. Motion passed 5-0.

OTHER BUSINESS

Public Hearing on Proposed Ordinance #529 Anti-Discrimination and Human Relations Commission

Mr. Stein opened the public hearing stating the purpose of this ordinance is to create a local Human Relations Commission (HRC) to mediate discrimination issues that arise and fill in the gaps within the state and federal protections for discrimination. It is becoming common for local governments to fill in these gaps. Ms. Hunsicker agrees that discrimination is wrong, but reiterated her concerns about this ordinance not having enough power and no incentive to businesses. It would be better for people to go to the state level where there is more power. Ms. Martin stated that the HRC is an additional benefit. They will help facilitate the mediation service to businesses and remedy this before it gets to the state level. The HRC will also be able to educate the community which would be an added benefit. Ms. McNeely asked how the HRC will be formed. Mr. Twersky replied that people will be appointed the same way we do for all committees. The members would be a volunteer position, not an employee of the Township.

There were several comments from the public regarding support for the ordinance. Joyce Pickles, Jimmy Chong, Richard Buttwilli, Debra Schaffer and Mark Schafer all feel this will help residents, particularly those in the LGBTQ community to feel safe and protected. This will be a great avenue for businesses and will allow open communication in the community. It may also encourage LGBTQ individuals to open businesses within the township. They also liked the educational component of the HRC.

Jenny Anderson, from Upper Dublin, is one of many community members to oppose the practice of conversion therapy with a resolution in Upper Dublin. She has a LGBTQ son that works in Lower Gwynedd Township. Everyone should be able to live and work where they want, but this is not always guaranteed for the LGBTQ community. The state has failed to help members of this community, so local governments are stepping in to support and protect with the HRC so all receive the needed support.

Robert Nagle had several questions about the ordinance. In particular, he wanted to know if there was a system currently in place to track complaints of discrimination. Mr. McAnally replied there is not. Mr. Nagle also wanted to know if this ordinance would apply to employees of households, such as maids and nannies. Mr. Stein replied no. Therefore, Mr. Nagle expressed the need to have language in the ordinance stating that household employees are excluded. Mr. Nagle also wanted clarification on what "gaps" Mr. Stein was referring to in the federal law. Mr. Stein replied that at the federal level you need to have 16 or more employees to be covered. Also, federal law does not cover every form of discrimination.

Ms. Duckett made a motion to approve the Anti-Discrimination Ordinance. Ms. Martin seconded the motion. Motion passed 4-1. (Ayes- McNeely, Duckett, Twersky, Martin; Nays- Hunsicker)

Resolution #2022-13 Raise Flag for Pride Month

June is LGBTQ Pride month. Resolution 2022-13 would require the Pride flag to be flown at Veteran's Park for the month of June. Ms. Hunsicker commented that there are other groups within our community who have had more discrimination or hate crimes than the LGBTQ community. This would be an exclusive move, not an inclusive move. The American flag identifies everyone in the community. She also stated that the Second-Class Township Code states that we are limited to the American flag, Flag of the Commonwealth, POW/MIA flag and/or County or Municipal flag, therefore, we are not permitted to fly any other flags. Mr. Twersky stated that the article says "may" which is permissive, not "shall". Therefore, we are permitted. Mr. Stein confirmed the "may" infers that we are permissible. "Shall" would mean excluded. Ms. Martin stated that other municipalities are also hanging the Pride flag. Members of other communities that have been discriminated against may not find the American flag inclusive. All should feel welcome and if we need to represent other groups that have been discriminated against then we can represent them too. Ms. McNeely supports flying the Pride flag, but there is no reason we should not be able to support other groups that have dealt with discrimination.

There were several comments from the public. Mark Schafer, Jimmy Chong, Ricky Buttwill, Jennifer Anderson and Joyce Keller all spoke in support of flying the flag. They stated that our neighboring communities are flying the flag. This helps make all residents know that they matter.

Ms. Duckett made a motion, seconded by Mr. Twersky, to approve Resolution #2022-13. Motion passed 4-1. (Ayes- McNeely, Duckett, Twersky, Martin. Nays- Hunsicker)

Authorize Staff to Prepare and Advertise an RFP for IT Services for the Township

Mr. McAnally stated that the account manager at All Covered, our current IT provider, has retired. The new account manager let him know that the Township has been underbilled for some time now. The new fee would be a significant increase. Therefore, at this time he feels it would be good

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business to do an RFP for IT services. Ms. Duckett asked if we were currently under contract, Mr. McAnally stated that we are month to month. Mr. Twersky asked if we are currently paying the new rate. Mr. McAnally stated that right now he is working with them on the price. He let All Covered know that we were putting out an RFP for services and they understood and welcomed it.

Ms. Duckett made a motion to authorize the advertisement of an RFP for IT services for the Township. Ms. Hunsicker seconded the motion. Motion passed 5-0.

Consideration for Proposal to Perform Squad Room Renovations in the Lower Gwynedd Police Department

Chief Kenny is looking to renovate the squad room. Currently the space is split into two rooms. The left side is for personal use, the right side is work space. He is proposing to remove the wall between the two rooms and make it one big working space. Chief Kenny had a picture from Office Basics of what the room would look like with the new cabinets. Office Basics was out to measure the space and gave a price of \$24,627. The price is good until Thursday. The furniture has a lifetime warranty and will take 4-6 weeks to be built and then installed. Chief Kenny stated this is the best use of the space and they are already looking for places to move personal storage too. Chief Kenny stated that there may be some additional costs associated with this project due to the removal of the wall and relocating some electric. There is \$30,000 budgeted for this project so Ms. Duckett revised the approval to cover all necessary work not to exceed \$30,000. Ms. Duckett made a motion to approve the proposed project not to exceed \$30,000 and Ms. Hunsicker seconded the motion. Motion passed 5-0.

Authorization to Purchase Two Speed Signs for the Lower Gwynedd Police Department

Chief Kenny would like to purchase two additional speed signs for the police department. There have been several requests from neighborhoods for these. Currently the police department has two of these signs so this purchase would give us a total of four. The total cost for these would be \$10,210. These signs are powered through solar panels. They cost \$1,500 a year to maintain and have a lifetime warranty. Mr. Twersky made a motion, seconded by Ms. Hunsicker to authorize the purchase of two speed signs in the amount of \$10,210. Motion passed 5-0.

COMMITTEE REPORTS

There were no reports to be made, as none of the committees have met yet this month.

PUBLIC COMMENT

Cathy Pagano – 401 Brookside Ave., thanked everyone who spoke on behalf of the LBGTQ Community. She is so proud to be an elected official in the Township. The anti-discrimination ordinance was very important to her and she is happy it was passed. She is also excited for the speed signs. Ms. Pagano stated that this was an exciting night for her.

MANAGER'S REPORT

Mr. McAnally stated that Election Day will be next Tuesday, May 17th. The Township building is a polling location. Ms. Duckett stated that some of the polling locations have relocated for this election. Ms. Hunsicker asked that an email blast be put out letting residents know to check where their polling location would be. Ms. Worman mentioned that the website has been updated.

SUPERVISORS COMMENTS

Ms. McNeely had no comment.

Ms. Hunsicker stated that she anticipated not being able to make the executive session before the meeting. Knowing this she contacted a staff member to get the update that would be discussed. She was told that the information could not be shared until the executive session. Ms. Hunsicker was taken back, as there should not be a monopoly on the information. We are all equal. Ms. Hunsicker was also taken back when she saw in the B&Z minutes that a meeting had already taken place regarding a strategic plan. This is a big project and would like to see any determinations made to be decided by the whole board. Ms. McNeely mentioned she did have a question about this, as well. Ms. Duckett stated that they did have a first meeting with MCPC and the Township manger regarding the strategic plan, but that was it. She also stated that they didn't get to the second part of the executive session that Ms. Hunsicker was referring to.

Ms. Martin thanked everyone for sticking through the meeting and thanked those that spoke. This is something that was addressed by many members of the community and what she ran on. She is happy that they are able to make this statement.

Mr. Twersky said he is proud to be on this board. He is happy that he was a part of making others in the community feel welcomed.

Ms. Duckett stated that she would like to echo these comments. She is proud to accomplish this and is happy everyone has equitable rights. She understands intersectionality of discrimination and the importance for standing up for it. Appreciated all that came out and spoke and the change that it brings to the community.

Mr. McAnally asked to confirm that there was an executive session for the minutes. Ms. Duckett confirmed that there was an executive session for personnel matters prior to the regular meeting.

Ms. Duckett made a motion to adjourn the meeting, seconded by Ms. Hunsicker. Meeting was adjourned at 9:05pm.

Respectfully submitted,

Michelle Farzetta
Assistant Secretary