

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING  
TUESDAY, SEPTEMBER 22, 2020**

**SUPERVISORS PRESENT:**

Mark Grey, Chair  
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  
Ken Amey, Zoning Officer  
Jim Hersh, Township Engineer  
Brian Cicak, CKS Engineers  
Chad Dixson, McMahan Associates

**Call to Order and Pledge of Allegiance**

The Chair called the meeting to order at 7:04 p.m. which is being held virtually in ZOOM and is being audio recorded. He led those in attendance in the pledge of allegiance. He stated the Board of Supervisors met in Executive Session on September 21, 2020 on a personnel matter and before the meeting tonight on a legal and personnel matter.

**BUSINESS AND FINANCE**

**Receipt of Minutes: September 8, 2020**

The Board of Supervisors received the September 8, 2020 meeting minutes. The Chair asked if there were any comments. There were none. Mr. Brandt made a motion, seconded by Ms. Hunsicker to approve the September 8, 2020 minutes. The motion passed 5 - 0.

**Receipt of Invoice History, August, 2020**

This item was tabled.

**Receipt of Year-to-Date Budget Report and Balance Sheet, August, 2020**

This item was tabled.

## BUILDING AND ZONING

### **Resolution No. 2020 - 19: Janssen Permanent Parking 1400 McKean Road**

Brian Cicak stated CKS Engineers reviewed the Preliminary/Final Development Plan Submission for the Welsh & McKean Road – Janssen Pharmaceutical Companies, Janssen Proposed Parking Expansion (O, P, Q) Preliminary/Final Land Development last revised on September 10, 2020 along with the Post Construction Stormwater Management report and Erosion and Sediment Control Plan Narrative. He stated the project consists of the addition of three parking lots proposing 312 new parking spaces on the campus. Mr. Grey asked if there were any run-off issues. Mr. Cicak stated all run-off issues have been addressed. Mr. Brandt asked how many parking spaces will be removed. Mr. Amey stated approximately 140 parking spaces were part of the temporary parking lot and will be removed. Mr. Brandt asked how the site will be accessed. Mr. Amey stated site access will be provided by the existing driveways along McKean and Welsh Road. He stated the construction entrance will be on Welsh Road with equal distribution on McKean Road and Welsh Road when finished. Mr. Amey stated that Janssen has agreed to participate in the proposed McKean Road Traffic Calming Master Plan which will evaluate the Ambler YMCA driveway on McKean Road to align opposite the Janssen driveway as well as other traffic control alternatives. He stated Janssen also agreed to install a flashing beacon on McKean Road on a wooded lot. Ms. McNeely questioned if the parking lot is a permeable surface. Mr. Cicak replied it is asphalt, and Janssen is meeting all the requirements with new basins. She also questioned if trees will be lost. Mr. Amey replied Janssen will replace tree for tree and caliper inch per inch. Mr. Grey asked for comments from the Supervisors. There were none. He asked for public comment. There were none. Mr. Brandt made a motion, seconded by Ms. Hunsicker to adopt Resolution No. 2020 – 19: Janssen Permanent Parking 1400 McKean Road. The motion passed 5 – 0. Mr. Grey stated that Janssen is an outstanding member of the Lower Gwynedd Township community. Mr. Walko, attorney for Janssen, thanked the Board for their approval tonight. Mr. Brandt thanked Rodney McKenna for his partnership with Lower Gwynedd Township.

## OTHER BUSINESS

### **Appointment of Interim Tax Collector**

Mr. Grey stated Betty Lou Yost is resigning as Lower Gwynedd Tax Collector after serving for over thirty years. He noted she is precise and knows many members of the community. He stated the Township advertised for an Interim Tax Collector who will serve for 15 months until the 2021 election for Tax Collector. Ms. Duckett made a motion, seconded by Ms. Hunsicker to accept Betty Lou Yost resignation as Tax Collector. The motion passed 5 – 0.

Mr. Brandt nominated Linda Sacks who will be assisted by Bernadette Dougherty, Deputy Tax Collector to take over as Interim Tax Collector until the election in 2021. He stated Betty Lou has served as tax collector for 35 years. He stated residents speak very highly of Betty Lou Yost. He stated he is nominating Linda Sacks as the interim tax collector. Ms. Hunsicker seconded the motion stating Betty Lou Yost has a legacy in the township. She stated Linda Sacks has been trained by Ms. Yost and she has put together this package of Deputy Tax Collector and Interim Tax Collector for the

Township. Mr. Brandt stated appointing Linda Sacks as Interim Tax Collector would be a thank you to Ms. Yost. Ms. Duckett thanked all those who applied and showed interest in the position. She evaluated everyone equally and it is her opinion after taking the factors into account that she wanted to nominate Natalie Cormier for Interim Tax Collector. Mr. Grey stated he was present at all three interviews. He stated Betty Lou Yost is an asset to the community and he is looking for qualifications, effort and availability; and based on that Ms. Sacks had a better bandwidth and was trained by Ms. Yost. Ms. McNeely thanked the applicants for their interest and time, and stated she wanted someone who can provide a seamless transition until the next election in 2021. The Chair stated we have a motion, and a second to appoint Linda Sacks as Interim Tax Collector until the 2021 election. The motion passed 4 ayes (Grey, Brandt, Hunsicker, McNeely) – 1 nay (Duckett).

### **Acceptance of 2020 – 2023 Trash Bid**

Mr. McAnally stated the bid for Collection, Recycling & Disposal of Municipal Waste, Bulk Items, White Goods, Leaf Waste, Grass Clippings Recyclable Materials for the contract years of November 1, 2020 through October 31, 2023 had a bid opening on September 16, 2020 with bids from JP Mascaro, Republic Services, and Waste Management. He stated the low bid was from Republic Services in the amount of \$2,784,726. The Chair stated Republic Services is substantially less than Waste Management. He asked for comments from the Supervisors. Ms. Duckett questioned if it is the exact same service that residents have from Waste Management. Deb Schaffer, 823 Penllyn Pike, questioned if it includes recycling. Mr. McAnally replied yes to both. There were no further comments. Mr. Brandt made a motion, seconded by Ms. McNeely to approve the Republic Services trash bid for three years starting on November 1, 2020 through October 31, 2023 in the amount of \$2,784,726. The motion passed 5 – 0.

### **Approval of Proposed Act 101 Violations as Requested by the Northern Montgomery County Recycling Commission**

Mr. Brandt explained the history of the Northern Montgomery County Recycling Commission (NMCRC) which started in 1995 and disposed of recycling in Conshohocken. He stated the NMCRC has eleven members. Mr. Brandt stepped down from the NMCRC, and Jamie Worman has replaced him on the NMCRC. Mr. Stein explained that Act 101 delegates to the commission to enforce violations and governs rules and regulations. Mr. Stein reviewed the proposed Act 101, and his comments were addressed by the NMCRC. Mr. Stein stated the first violation is handled by the municipality. Mr. Brandt stated based on the municipalities recycling they get a rebate check for as much as \$500,000 from DEP in the fall which is divided and distributed to the municipalities. The Chair stated violations are criminal acts. Mr. Stein stated not necessarily. Ms. Worman stated they are not proposing anything new. She stated the Commission will send the violations to the municipalities for enforcement measures. Mr. Stein stated having an enforcement mechanism for co-mingling trash violations is key, and for the first offense the commission must consult with the municipality before action is taken. The Chair asked for comments from the Supervisors. Ms. Duckett asked how violations will be identified and enforced. She asked can it be retaliatory against a neighbor. Mr. Brandt stated they are going after the hauler not an individual. Mr. Stein stated it applies to haulers, business and residents. Ms. Duckett asked to remove the word residents, and asked what educational steps do we have in place for residents so they will not unknowingly have an offense. She objects to sanctions for residents. Ms. Worman stated that enforcement and penalties for individuals is in order

to be compliant to Act 101, and education for residents is in every Township Newsletter. Mr. McAnally stated the Township website also has information on how to recycle. Ms. McNeely asked if any resident has ever been fined over the last 20 years. Mr. Brandt said no. Mr. Stein stated the Township has the discretion to intervene before a citation is given. He stated this provides the Township Manager with evidence, and it is the Township Manager's responsibility to determine if a violation has occurred. Ms. Duckett asked if additional steps can be taken by the Township Manager. Ms. Worman stated we can ask to add a provision that a member of the municipality desiring to handle the enforcement of a particular case may opt to do so at any time, and that language can be added to the resolution. She stated that gives the municipality the opportunity to decide what type if any penalties will be taken without the involvement of NMCRC. The Chair asked Mr. Stein and Ms. Worman to include that language in the resolution for the next meeting.

### **2021 Minimum Municipal Obligation**

Mr. McAnally stated the 2021 Minimum Municipal Obligation for the Township Pension Plans is required to be filed with the State by September 30, 2020. He stated the Police Pension Plan contribution is \$420,930, and the Non-Uniform Employees' Pension Plan is \$177,229 for a total of \$598,159. He stated this obligation to the State will be budgeted for next year. The Chairman asked for comments from the Board and the public. There were none. Ms. Hunsicker made a motion, seconded by Ms. Duckett to approve the 2021 Minimum Municipal Obligation in the amount \$420,930 for the Police Pension Plan and \$177,229 for the Non-Uniformed Employees' Pension Plan for a total contribution of \$598.159. The motion passed 5 - 0.

### **Authorization to Solicit Bids for a Communications Consultant**

Ms. Worman stated she circulated a draft Request for Proposal (RFP) to request Communication Services for a communication strategy to draft a future RFP for a consultant, employee, or contract. Ms. Duckett made a motion, seconded by Ms. McNeely to authorize the solicitation of bids for a Communication Consultant. The motion passed 5 - 0.

### **Authorization to Sell Excess Equipment**

Mr. Zollers stated two Township cars are no longer in use: a 2013 Chevrolet Tahoe with 102, 917 miles and a 2008 GMC Envoy with 91,157 miles. The Chairman asked if there are any questions or comments from the Board or Public. There were none. Ms. Hunsicker made motion, seconded by Ms. Duckett to authorize the sale of excess equipment as described above. The motion passed 5 - 0.

## **PUBLIC COMMENTS**

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

Deb Schaeffer, 823 Penllyn Pike, commented on the electronic sign at Bethlehem Baptist Church. She stated it does not enhance the look of Lower Gwynedd. Ms. McNeely agreed. Mr. Amey stated the sign was approved by the Zoning Hearing Board and, was just installed. He will take a look at it.

Ms. Sacks thanked the Board for their consideration and confidence and stated it is a tribute to Betty Lou Yost.

## MANAGER'S REPORT

Report from the Manager – Municipal activities, projects

Mr. McAnally stated Ambler Borough will install a new water street valve on Spring Garden Street and Brookside Avenue starting tomorrow at 9:00 a.m., and residents will be without water for 6 hours. He stated more information will be on the website and email alerts.

He stated the EMS subcommittee met on September 15<sup>th</sup> to discuss a proposal from North Penn Volunteer Fire Company design for the new firehouse. He stated he will send it out to the Board and subcommittee after reviewed.

## SUPERVISORS COMMENTS

Ms. Duckett thanked the Township Manager for bringing attention to the water main issue.

Mr. Brandt asked the Solicitor to review the letter from Ambler Borough. He thanked those who voted for Linda Sacks as Interim Tax Collector.

Ms. Hunsicker stated she heard many wonderful comments on Betty Lou Yost. She asked everyone to send her a note, email, or card wishing her the best.

Ms. McNeely thanked all the candidates who interviewed, and her fellow supervisors on deliberating on the Interim Tax Collector. She thanked Betty Lou Yost for her many years of service to the Township.

Ms. Duckett echoed the comments on Betty Lou Yost service, and the candidates who applied. She spoke to residents in her area regarding the Ambler Borough water issue, and stated the Township is aware of the problem but our hands are tied. She congratulated Whitpain Township for passing a Discrimination Ordinance which treats everyone equally.

The Chairman stated Ms. Duckett and he went to the Ambler Borough Meeting regarding the water issues. He asked Mr. McAnally to contact Ambler Borough for drinking water. He stated a lot was said about Betty Lou Yost's stability, and ideas and she will be missed as Tax Collector.

There being no further questions or comments, the meeting was adjourned at 8:33 p.m. until the next Regular Meeting scheduled for October 13, 2020 which will be held virtually on Zoom.

Respectfully submitted,

Carole Culbreth  
Assistant Secretary