

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
MONDAY, FEBRUARY 14, 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
Fred Zollers, Public Works Director

Call to Order and Pledge of Allegiance

The Chairman called the hybrid meeting to order at 7:00 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.

Proclamation for Ms. Michelle Miller at the Wissahickon Library

The Chairman recognized Michelle Miller for serving the community at the Wissahickon Library for over 33 years by presenting a Proclamation to Ms. Miller. Ms. Duckett read the proclamation and asked that we get this Proclamation to her, as she was not able to attend the meeting.

BUSINESS AND FINANCE

Receipt of Minutes: January 24, 2022

The Board of Supervisors received the January 24, 2022 meeting minutes. There were no comments. Ms. Hunsicker made a motion, seconded by Ms. McNeely to approve the January 24, 2022 meeting minutes. The motion passed 5-0.

Receipt of Invoice History: December 2021

The Board of Supervisors received the December 2021 Invoice History. There were no comments. Ms. Hunsicker made a motion, seconded by Ms. McNeely to approve the December 2021 Invoice History. The motion passed 5-0.

Authorize to Accept RFP for Auditors

Ms. Duckett confirmed that an RFP was sent to six firms, posted on the website and in the newspaper. Three responded, three did not. Mr. McAnally confirmed this. The Finance Director was not available to answer questions, so the board addressed Mr. McAnally with their questions. Mr. McAnally confirmed that the contract is for a 3-year term. Ms. Duckett wanted confirmation that all firms understood the scope of the job. Ms. McNeely, questioned why BBD was significantly less, and did Mr. McAnally check with other municipalities that used BBD. Mr. McAnally confirmed that there were no discrepancies. Mr. Twersky asked for recommendations from the Finance Director. Mr. McAnally stated that there is no firm recommendation, they are all comparable. Mr. Twersky questioned why BBD was significantly cheaper. Mr. McAnally stated that they tend to do more of the work remotely/virtual, so less in-person staff requirements. Resident, Dr. Dick Booth, asked how these proposals compare to last time we were taking Bids. Mr. McAnally stated that Barbacane was about \$25,000. Ms. Hunsicker stated that she feels it would be a good idea to get a fresh set of eyes on the books. Mr. McAnally agreed. Ms. Hunsicker made a motion to appoint BBD as our auditor for a three-year term. Ms. McNeely seconded the motion. Motion passed 5-0.

Authorize Solicitor and Staff to work on language agreement with Berkheimer to release their exclusive rights as tax collector for LST and BPT

Ms. Duckett reminded everyone that a presentation was given at the January 24, 2022 meeting from E-Collect. Berkheimer has exclusive rights for LST and BPT collection. This Authorization would allow our solicitor to work with Berkheimer to release these rights. Ms. McNeely questioned why we wouldn't just use Berkheimer. The BOS had a conversation regarding Lower Gwynedd charging the Business Privilege tax and why Berkheimer is not collecting this. Mr. Twersky questioned if the Township has to request Berkheimer to collect from all businesses operating in the Township or are just brick and mortar companies paying the tax and not contractors. Mr. McAnally stated that two years' worth of permits and U/O's were sent to Berkheimer and they recovered roughly \$165,000. Some of the board members felt that giving this responsibility to E-Collect would be worthwhile, as E-Collect's job is to complete audits for the business privilege tax. Ms. McNeely requested to table this agenda item for now while we check with Berkheimer to see if they can be more consistent collecting this tax. Mr. Twersky stated that he has no problem contacting Berkheimer, but feels that we should approve this agreement to release Berkheimer's exclusive rights, should the decision be to move forward with E-collect. Mr. Stein clarified that collecting this tax is what E-collect specializes in. A motion was made by Mr. Twersky to authorize the solicitor and staff to work on an agreement to release Berkheimer of their exclusive rights as tax collector of the LST and BPT in Lower Gwynedd Township. Ms. Martin seconded the motion. Motion passed 4 ayes (Duckett, Twersky, Martin, Hunsicker) to 1 nay (McNeely).

Authorize acceptance of E-Collection Agreement upon updating tax agreement with Berkheimer

Ms. Martin questioned how we can be sure that Berkheimer will be thorough and do all the work required, as they have not done so historically. Ms. McNeely asked if this could be tabled until Berkheimer is contacted and they have had a chance to explain what they have been doing. Mr. Stein and Mr. McAnally both stated that they have spoken with Berkheimer and Berkheimer would not stand in the way of Lower Gwynedd using E-collect. They are currently working with E-Collect in about 35 other municipalities. Ms. Duckett asked how many of those municipalities were in

Montgomery County. Mr. McAnally was not sure, as he did not have the information with him. A motion was made by Ms. McNeely to table this agenda item for now so there can be a better understanding of how this works. Ms. Hunsicker seconded the motion. Motion passed 5-0. Mr. Twersky requested to assign a staff member to look into the language, and gather the answers needed so we can move forward at the next meeting with a decision. If Berkheimer does charge the business privilege tax, how do they do this and do they have an auditing team that takes care of this.

BUILDING AND ZONING

Request for Additional Waiver of Sidewalk for the Goddard School

Elena Baylarian, Esquire from Timoney Knox came to speak on behalf of Beth Pike, LLC. She explained that her client is requesting a waiver to permit a painted crosswalk to be put in on the property, at the entrance of the driveway, where the Goddard School is being built. This request is PennDOT approved. Chad Dixson from McMahan was on zoom, and asked for clarification on the PennDOT permit. Their request is to approve the new plans from PennDOT. The Board questioned whether there would be sidewalk along the frontage and, if there is sidewalk, will it be ADA compliant. Ms. Baylarian was not able to answer some of the engineering questions. Ms. McNeely asked that this be tabled for now and Ms. Duckett agreed, as we would like to get the recommendation from our Engineer, as the description being presented does not match the information discussed at the B&Z meeting or contained within the B&Z minutes. Ms. Duckett stated that the letter and picture being presented this evening were not available at the time of the B&Z meeting and the recommendation of the subcommittee was to follow what was proposed in the original approved plan. Ms. Hunsicker asked that this item be added to the agenda for the February 28, 2022 meeting. Mr. Goldstein joined the conversation; he is the applicant for this project. He was surprised that this supplement was not presented to the board sooner. Ms. Duckett apologized for the delay and noted she understood that this is time sensitive. The item will be discussed again on February 28, 2022. Ms. McNeely made a motion to table this agenda item. Ms. Duckett seconded the motion. The motion passed 5-0.

OTHER BUSINESS

Presentation by Chief Kenny on Community Policing Efforts in Lower Gwynedd Township

Officer Kenny went through a PowerPoint presentation on the current staffing and future plans for the Lower Gwynedd Police Department. He discussed the officers' eligibility to retire and years of service. He proposed a new staffing option to add a fifth squad during the day. The purpose of this squad would be for a Community Resource Unit (CRU) that would be more proactive than reactive. They would be trying to prevent a crime before it happens. They would work on a 10-hour cycle. They will address community concerns and provide community education on crime, scams and thefts. He also explained that the department is also working on tracking traffic complaints and speeding. They are also working with the North Penn Crash Investigation Team to handle fatal car crashes. We are asked to have two officers to handle this, but currently we can only assign one. In addition, the department has worked with the Ambler Branch NAACP to promote a reduction of bias in police community relations. They would also like to implement a HUB program to help prevent at risk youth from entering the criminal justice system. Officer Kenny is proposing hiring two more uniformed officers.

Appointment of Volunteers for the Pike Fest Committee

Ms. Duckett stated applications are still coming in for the open volunteer positions within the Township. She stated that she has one applicant for the Pike Fest Committee, Natalie Melograno, who she would like to appoint. Ms. Duckett made a motion, seconded by Ms. Hunsicker to appoint Natalie Melograno to the Pike Fest Committee for a one-year term. Motion passed 5-0.

Authorization to Execute Participation Agreements for Opioid Crisis

Mr. Stein explained that Pennsylvania, along with other states, have settled on an agreement with the opioid industry. Pennsylvania will receive \$1 billion of these funds. Montgomery county will receive \$35 million. The county is asking local municipalities to join in this settlement. If they do not join there will be no funds available to assist them with the crisis. Lower Gwynedd has been asked to join in the settlement framework. Ms. Hunsicker asked who the \$26 billion went to. Mr. Stein stated that it went to a number of states that elected to participate in a settlement. Ms. McNeely asked if the money comes with strings attached. Mr. Stein said it does need to be used for very specific purposes. Ms. Duckett made a motion to authorize the execution of participation agreements for the Opioid Crisis, Ms. Hunsicker seconded. Motion passed 5-0.

Authorize staff to set-up interviews for Professionals to identify redevelopment concepts for Township Parks

Ms. Duckett stated that she would like to give our Engineer a chance to revise their plan. Therefore, she would like to table this item for now. Ms. Duckett made a motion to table this agenda item. Ms. McNeely seconded the motion. Motion passed 5-0.

Authorization to solicit bids for Dager Road Trail

Mr. Chad Dixson stated that the Township received a grant in the Spring from the Montco 20/40 Program to update the pedestrian crossing at Dager Road. He explained that for the past few months, we have been going through the permit process with PennDOT and Montgomery County. We are now ready to solicit for bids and advertise around March 8th on PennBid, open bids April 12th and then come back to the board at the second meeting in April to hopefully approve a bidder for the project. Ms. McNeely asked if this was already in our budget for the year. Mr. McAnally confirmed. Ms. Hunsicker made a motion to authorize the solicitation of bids for the Dager Road Pedestrian Crossing project. Ms. McNeely seconded the motion. Motion passed 5-0.

Northern Montgomery County Recycling Commission Compost Agreement Renewal

Ms. Duckett reviewed the agreement, which designates Barnside Composting as a drop-off location for residents to take acceptable materials to be composted. The agreement is provided to all of the municipalities within the Northern Montgomery County Recycling Commission and is for a 3-year term. Ms. Duckett made a motion to approved the composting agreement. Ms. Hunsicker seconded the motion. Motion passed 5-0.

Authorization to Advertise Lower Gwynedd Proposed Ordinance-Supervisor Term Limits

Ms. Duckett stated that the proposed ordinance would limit Supervisors to two terms, a total of 12 years. Ms. Hunsicker questioned the process, not the merit. She explained that she is referring to the process of how the policies or initiatives should be brought to the board before staff is asked to draft any resolutions, proposals or ordinances. Ms. Hunsicker feels these items should be agreed to or debated

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upon by all supervisors, not just a few board members. Asking a staff member to draft documentation could be discussed at an Executive session so all board members are aware and agree. Mr. Twersky stated that he feels this ordinance is good government. He continued that the BOS should not vote on whether a staff member should work on something or not. He believes this is the prerogative of the Chair. Ms. Duckett stated that the Sunshine Act limits what can be debated outside of a public forum. Having a draft made up before a meeting is the most effective use of staff time. Ms. Duckett made a motion to authorize the advertisement of the proposed ordinance limiting the terms of supervisors. Ms. McNeely seconded the motion. Motion passed 5-0. Mr. Stein confirmed that this would be advertised for possible action at the February 28, 2022 meeting.

Authorization to Advertise for Public Works Foreman

Ms. Duckett stated the job description was in the mangers report. Ms. Duckett made a motion to authorize the advertisement of the Public Works Foreman position. Ms. McNeely seconded the motion. Motion passed 5-0.

Authorization to Advertise for PT Park Attendants

Ms. Duckett read the job description and responsibilities. Ms. Martin asked if the job was limited to Penllyn Woods and Penllyn Park. Mr. McAnally stated typically, yes, but if they are needed at another park they would go there. Ms. Duckett asked if the age had always been 21 and older. She would like the age changed to 18 and older. Mr. McAnally also stated that background clearances would be needed. Ms. Duckett made a motion to authorize the advertisement for part-time park attendants 18 and older. Ms. Hunsicker seconded the motion. Motion passed 5-0.

Authorization to Advertise for Public Works Summer Help

Mr. McAnally stated that we are still working on the job description, but described the responsibilities. Ms. Duckett asked what the rate would be. Mr. McAnally stated it was more than \$10 an hour and had no applicants last year. Age requirement has to be 16 as they need to be able to drive. We are hoping to hire two summer help applicants. The hourly rate still needs to be determined. It was decided to table this authorization for now, until we have the job description, rate and age requirement. Ms. McNeely made a motion to table, seconded by Ms. Hunsicker. Motion passed 5-0.

COMMITTEE REPORTS

EAC Committee Update

Ms. McNeely stated they are planning a survey for residents to get their input on environmental initiatives. They are planning a proposal for a tree giveaway. There is a new subcommittee that is dealing with energy conservation. First meeting is February 22nd, public is welcome. Ms. McNeely asked for the subcommittees to have access to zoom equipment to be able to have hybrid meetings.

PUBLIC COMMENT

The Chairman opened the meeting for public comment for items not on the agenda. There were no Public Comments.

MANAGER'S REPORT

Report from the Manager - Municipal activities, projects

Mr. McAnally reminded everyone that the Township will be closed Monday, February 21, for Presidents' Day.

SUPERVISORS COMMENTS

Ms. Hunsicker asked if we are still accepting applications for the Historical and Bethlehem Revitalization committees. Ms. Duckett confirmed applications are being accepted until February 28th.

Ms. McNeely wished everyone a Happy Valentine's Day.

Ms. Martin wished everyone a Happy Valentine's Day; she was glad she could spend it with all of us.

Mr. Twersky no comment.

Ms. Duckett said thank you to everyone. She thanked Chief Kenny for his presentation.

Ms. McNeely made motion to adjourn the meeting, seconded by Ms. Hunsicker.

Meeting was adjourned at 8:56pm.

Respectfully submitted,

Michelle Farzetta
Assistant Secretary