

**LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS
ORGANIZATION MEETING**

MONDAY, JANUARY 6, 2020

SUPERVISORS PRESENT:

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

STAFF:

Craig McAnally, Township Manager
Jamie Worman, Assistant Township Manager
Carole Culbreth, Assistant Secretary
Ken Amey, Zoning Officer
James Hersh, Township Engineer
Chad Dixon, McMahon Associates

Swearing-In Ceremony by Judge Suzan Leonard

Judge Suzan Leonard gave the Oath of Office to the following:

Danielle A. Duckett - Board of Supervisors
Tessie McNeely - Board of Supervisors
Cathleen Pagano - Elected Auditors

Ms. Hunsicker encouraged the audience to sign-up for email alerts on the Lower Gwynedd Township website.

Call to Order and Pledge of Allegiance

Ms. Hunsicker called the meeting to order at 6:05 p.m. in the Lower Gwynedd Township Municipal Building and led those in attendance in the pledge of allegiance.

Nominations for the position of Temporary Chairman of the Board of Supervisors.

Ms. McNeely made a motion, seconded by Mr. Grey to appoint Mr. Brandt as Temporary Chairman of the Board of Supervisors. The motion carried 5-0.

Nominations for the position of Chairman of the Board of Supervisors

Mr. Brandt asked for nominations for the position of Chairman of the Board of Supervisors. Ms. Duckett placed the name of Mr. Grey in nomination. Ms. McNeely seconded the motion to appoint Mr. Grey as Chairman of the Board of Supervisors. Ms. Hunsicker asked to open discussion on Mr. Grey. Ms. Hunsicker stated she has witnessed treatment of several applicants and professionals who appear before the Board rudely, condescendingly and with a lack of respect. She stated she could not vote for Mr. Grey because that is not behavior becoming of our Board and the other supervisors who support him. However, she will work with Mr. Grey.

There were no further comments. The motion carried 3 ayes (Mr. Grey, Ms. Duckett, Ms. McNeely); 2 nays (Ms. Hunsicker and Mr. Brandt). The motion carried 3 - 2.

Nominations for the position of Vice-Chairman of the Board of Supervisors

Mr. Grey assumed the Chairman and asked for nominations for the position of Vice-Chairman of the Board of Supervisors. Ms. McNeely placed the name of Ms. Duckett in nomination as Vice-Chairman of the Board of Supervisors. Ms. Hunsicker seconded the motion. The motion carried 5 - 0.

Township Appointments

Mr. Grey asked for a motion on the appointments listed on the first page.

Appointment of Township Manager/Secretary/Treasurer - Craig T. McAnally

Appointment of Assistant Secretary - Carole B. Culbreth

Appointment of Assistant Treasurer - Jamie Worman

Appointment of Solicitor - Request to go out for RFQ

Appointment of Conflict Attorney - Thomas J. Speers, Esq.

Appointment of Township Sewer Solicitor - James Jacquette, Esq., Timoney Knox

Appointment of Labor Counsel - Ryan Cassidy, Esq., Eckert Seamans

Ms. Hunsicker stated she had questions on the RFQ under Appointment of Solicitor. Mr. Grey stated we are not appointing a Solicitor tonight. Ms. Hunsicker explained it will take months to publish the RFQ and then interview applicants. She noted there are significant land deals which will need a Solicitor. She stated Jim Garrity, Wisler Pearlstine is a top attorney in Montgomery County who served Lower Gwynedd with distinction and loyalty. Ms. Hunsicker stated the citizens of Lower Gwynedd Township should have the cream of the crop and strongly objects to keeping the appointment open. Mr. Brandt stated he is hopeful the Board will hire someone quickly who comes from Montgomery County not Bucks County. He seconded what Ms. Hunsicker stated about Mr. Garrity. He said Mr. Garrity's reputation speaks for itself. Ms. Hunsicker stated the first quarter will be without a Solicitor. Ms. McNeely expressed her concerns.

Ms. Hunsicker made a motion, seconded by Mr. Brandt to continue with Mr. Garrity as interim solicitor. The motion carried 3 ayes (Hunsicker, Brandt, McNeely) 2 nays (Grey, Duckett). Mr. Grey stated it failed to which Mr. McAnally stated Ms. McNeely said ayes.

Mr. Grey asked Ms. McNeely if she understood the motion. She replied yes. Mr. Grey stated that the Township would be protected as the next person on the appointment list is our conflict attorney Tom Speers, Esq. who would become the interim solicitor until the RFQ process is complete.

Mr. Grey stated he decided to use Mr. Speers as interim attorney. Ms. Hunsicker stated that is not reflected on the agenda. Ms. Hunsicker stated we need a motion for Tom Speers to be appointed interim attorney.

Mr. Dimond asked why Mr. Grey opposes Mr. Garrity and what the proper procedure is when appointing a Solicitor. Mr. Dimond stated Mr. Grey was censured by the Board and Mr. Garrity penned the letter that's why you hold it against him.

A resident from Bardsey Drive stated she does work with MRA and is a resident of Lower Gwynedd Township and Mr. Garrity does a tremendous job with so many important issues.

Rusty Beardsley asked why some members of the Board are not supporting Mr. Garrity and what are the issues?

Ms. McNeely said she has a limited impression that he is not forthcoming.

Ms. Duckett stated she asked him direct questions and he struggled with basic information. She stated there are other opportunities out there.

Mr. Brandt stated Mr. Speers is a conflict attorney to be used when the Township Solicitor has a conflict. He recalled the case of the shopping center where the developer wanted to increase density and it was appealed in County and State courts and Mr. Garrity won every case. He stated he supports Mr. Garrity.

Ms. Duckett stated anyone can apply to the Request for Qualifications even Wisler Pearlstine; no one is arguing his qualifications. She stated the Conflict Attorney can be used for now.

Ms. Hunsicker stated the Conflict Attorney is used when an application comes before the Board and the Township Solicitor or Solicitor's Office has done business with the applicant in the past.

Chastity Bruno, 930 Red Stone Lane, asked if there are pressing matters where it would not be prudent to use the Conflict Attorney. Ms. Hunsicker said yes SHIP, GMU East Campus, and Ambler Water Authority; and I prefer to use Jim Garrity as interim on pressing matters.

Mr. Grey stated there are no current actions that he is aware of on those items. Mr. Speers is a municipal attorney and he agreed to pitch in. Ms. Hunsicker stated SHIP will be in for

land development in one or two months. Ms. McNeely stated she understands Ms. Hunsicker's loyalty to Mr. Garrity. She stated Ms. Duckett expressed our position on this matter.

Margaret Hawkins, 216 Nevins Way, noted that four agenda items were not addressed.

Motion to Approve Recording of Board of Supervisors' Meetings

Ms. Hunsicker made a motion, seconded by Ms. Duckett to approve the recording of Board of Supervisors' Meetings. The motion carried 5 - 0.

Appointment of Delegate and Alternate Delegate for PSATS Convention

Mr. Grey asked for a delegate for the PSATS Convention in Hershey, PA May 3 - 6, 2020. Ms. Hunsicker made a motion, seconded by Mr. Brandt to appoint Ms. McNeely as the delegate to the PSATS Convention in Hershey, PA May 3 - 6, 2020. The motion carried 5 - 0.

Establishment of Meeting Dates for the Board of Supervisors for the Year 2020

Mr. Grey stated the Board of Supervisors received the 2020 Meeting Schedule for the Township's Boards and Commissions. Ms. Hunsicker made a motion, seconded by Mr. Brandt to Approve the establishment of meeting dates as noted in the 2020 Meeting Schedule. The motion carried 5 - 0.

Dick Target, 32 Austin Circle, stated he has been a resident for 33 years and he is concerned with the Township appointing an interim solicitor and the need for continuity in the Township.

Ms. Duckett made a motion, seconded by Mr. Brandt to approve the above appointments which were listed on the first page of the agenda. The motion carried 5 - 0.

Ms. Duckett made a motion, seconded by Mr. Brandt to appoint Thomas J. Speers, Esq. as interim solicitor while going through the RFQ process. The motion carried 5 - 0.

Ms. Hunsicker introduced the Township's professionals - Jim Hersh, Gilmore Associates, Township Engineer, Ken Amey, Township Planner and Zoning Officer and Chad Dixon, McMahon Associates, Traffic Engineer.

Township Appointments (con't)

Mr. Grey stated we are moving on to the second page of appointments.

Appointment of Township Engineer - Gilmore & Associates, Inc.

Appointment of Sewer Engineer - ATC Group Services BCM Engineers

Appointment of Conflict Township Engineer - CKS Engineers

Appointment of Traffic Engineer – McMahon Associates

Appointment of Building Inspector – Keystone Municipal Inspections

Appointment of Township Planner – Ken Amey

Appointment of Zoning Officer – Ken Amey

Appointment of Assistant Zoning Officer – Craig T. McAnally

Appointment of Open Records Officer – Carole B. Culbreth

Appointment of Lower Gwynedd representative to Ambler Wastewater Treatment Plant – Michael DeStefano

Appointment of Sewer Bill Processing Service – Bucks County Water & Sewer Authority

Appointment of Chief Administration Officer for Pension Plans – Craig T. McAnally

Appointment of Pension Investment Advisor – PFM Financial Advisors

Appointment of Actuary – CBIZ Savits

Appointment of Certified Public Accounting Firm (CPA) – Barbacane, Thornton & Co.

Appointment of Deputy Tax Collector - Michelle Yost

Appointment of Supplementary Accounting Services – Dunlap & Associates (Julie Davis)

Appointment of Fire Marshal and Assistant Fire Marshal

Al Comly, Jr. – Fire Marshal

Matthew J. Traynor, North Penn Fire Co. - Asst. Fire Marshal

Appointment of Emergency Management Coordinator – Frank Baxter

Mr. Grey asked if there were any comments on the second page appointments. There were none. Ms. Duckett made a motion, seconded by Ms. McNeely to make a single motion to approve the above Township appointments. The motion carried 5 – 0.

Nominations for Commissions and Boards

Mr. Grey moved on to Nominations for Commissions and Boards on page three.

NOTE: The Board may make a single motion for the nominations listed below.

Planning Commission, 4-year term – Stephen Paccione; and Michael Pironti
Zoning Hearing Board, 3-year term – Hank Stoebenau
Park & Recreation Board, 5-year term – Kathy Morris; and one open appointment
Vacancy Board, 1-year term – Debra Schaeffer
EAC, 3-year term – Mark Schafer; Marianne Grey
Investment Advisory Board, 4-year term – Stephen Smith; Brian Siegel

Ad-Hoc Committee

Pike Fest, 1-year term – Larry Altman, Linda Schumacher, Heather Bert, Penny Wosewick, Kathy Morris, Christina King, Jennifer Green, Chuck Green, Hilary Goodman, Colleen Schaffer; Steve Saffier

Liaison to Community Ambulance Assn. of Ambler, 1-year term – Mary Ann Noon

Dawn Thompson, Fording Brook Road, asked how do you pick the Commissions and Boards. Mr. Grey stated they are political appointments made by the Board of Supervisors.

Chastity Bruno, 930 Red Stone Lane, stated several people have submitted applications and were they reviewed.

Mr. Grey stated we look at who may be qualified and we did that. Mr. Brandt stated he did not recall reviewing these applications. Ms. Bruno stated there is a lack of transparency and the applications were not given consideration.

Ms. Duckett speaking to the voters stated Mr. Paccione is a past Supervisor and Mr. Pironti's knowledge was brought to our attention. She stated they would be good additions.

Mr. Brandt stated that Ms. Duckett, Ms. McNeely and Mr. Grey had decided on those appointments and the former two were just sworn in.

Ms. Hunsicker stated the procedure for Boards and Commission applications. First fill out an application; if there is a vacancy, review the applications; and then interview them. Ms. Hunsicker stated there was only one vacancy on the Planning Commission. She asked where the second vacancy came from and asked why Mr. Grey was not going to mention Mr. Valiga, a civil engineer, who served on the Planning Commission for 12 years and had the respect of the other Planning Commission members. She stated we never denied a reappointment to a current volunteer on a Board or Commission. She stated it is a disgrace and we need to get back to the vetting process. She stated the appointment was for two gentlemen who did not get elected. She stated six applications asked to be on the Planning Commission. She asked for a motion to reappoint Mr. Valiga. Mr. Grey stated Mr. Valiga will be joining the EAC. Ms.

Hunsicker stated she has an email dated December 10, 2019 from Mr. Valiga stating that he would not be reappointed and asked Mr. Grey to acknowledge this. Ms. Duckett stated it is time to move on.

Dawn Thompson, Fording Brook Road, stated she deserves to have her application reviewed.

Chris Saullo, 533 Vista Road, asked if the Board has vetted these applications.

Ms. Hunsicker said the Board has always reappointed a responsible volunteer and second reviewed all applications and then made a motion at a public meeting. She stated these Planning Commission appointments have not been transparent.

A resident from Bardsey Drive, asked if there was a vote on Mr. Paccione and Mr. Pironti. She asked for a fair and legal process.

Ms. Duckett stated time does not allow for the vetting process.

Mr. Brandt stated we have applications and they should be reviewed by the group, not railroaded before discussion.

Ms. Roberts, Foulkeways, asked for transparency in all processes.

Ms. Hunsicker stated she did not know any of this until it was posted on the website.

Mr. Grey stated you are correct and when Ms. Hunsicker was Chairman that's how she ran the meetings. He stated he is in favor of transparency. He stated we are now doing audio recordings and putting a link on the website. He said the two new supervisors believe it is a great idea. Ms. Hunsicker stated you will not get any resistance from me.

Gloria Jones, Mansion Avenue, is disappointed with tonight's meeting and hopes the meetings will be different in the future.

Anaya Duckett, Brookside Avenue, stated there is animosity with the two Republicans on the Board. She said questions are being twisted to better suit Ms. Hunsicker.

Rusty Beardsley, stated he has been on the Planning Commission for six years with Mr. Valiga. He asked if Mr. Valiga asked for reinstatement when he was contacted. Mr. Grey said he did not. He will be on the EAC. Mr. Beardsley asked that Mr. Valiga be given full consideration for reappointment to the Planning Commission.

Emma Smith, Gwynedd Hunt, stated this meeting is embarrassing and hopes it will not continue and move forward.

Mr. Grey stated that the past Chairman was treated badly so now I will be treated badly.

Margaret Hawkins 216 Nevin Lane, stated Mr. Valiga deserves consideration and she is worried about this Board.

Craig Melograno, 608 Penllyn Pike, stated he was interviewed by all five supervisors and it's a good process and hope it is considered again. He stated it should not go down like this at least go through the process.

Chris Martin, stated there should be a customary protocol when selecting candidates.

Mr. Brandt stated the two Planning Commission candidates were not interviewed by the Board.

Mr. Grey stated we never had this before with two open positions.

Ms. Hunsicker stated we have Ms. Bruno and Ms. Thompson who would like to be interviewed for the Planning Commission.

Ms. Duckett stated she has not received any information from the Township. She recommended we table those items.

Mr. Grey stated we will table the Planning Commission and Vacancy Board appointments until the next meeting.

Ms. Hunsicker made a motion, seconded by Mr. Brandt to reappoint Rich Valiga to the Planning Commission. The motion carried 2 ayes (Hunsicker, Brandt), 3 nays - (Grey, Duckett, McNeely). The motion failed.

Mr. Grey asked for approval of the other nominations for Commissions and Boards on page 3. Ms. Hunsicker made a motion, seconded by Mr. Brandt to appoint the Commission and Board nominations on page 3, with the exception of the Planning Commission and Vacancy Board which will be tabled. The motion carried 5 - 0.

Resolution No. 2020-01: Adoption of a Resolution establishing approved depositories for Lower Gwynedd Township Funds in 2020.

Mr. Grey asked for a motion on the above resolution. Ms. Hunsicker made a motion, seconded by Ms. Duckett to adopt Resolution No. 2020-01. The motion carried 5 - 0.

Resolution No. 2020-02: Adoption of a Resolution establishing Holidays for Township Employees for the year 2020.

Resolution No. 2020-03: Adoption of a Resolution approving the execution and signing of payroll between regular meetings for the year 2020.

Resolution No. 2020-04: Uniformed Employees' Pension Plan

Mr. Grey asked for a motion on the above resolutions. Ms. Hunsicker made a motion, seconded by Mr. Brandt to adopt Resolution No. 2020-02; 2020-03; 2020-04. The motion carried 5 – 0.

Approval of 2020 Employee Salaries and Manager's Employment Contract

Mr. Brandt made a motion, seconded by Ms. Duckett to approve the 2020 Employment Salaries and Manager's Employment Contract. The motion carried 5 – 0.

Approval of Fee Schedule

Mr. McAnally stated the there are no changes to the Fee Schedule for 2020. Ms. Hunsicker made a motion, seconded by Mr. Brandt to approve the Fee Schedule for 2020. The motion carried 5 – 0.

Motion to approve the prevailing IRS mileage rate (\$.575) for reimbursement of Township Employees

Mr. Brandt made a motion, seconded by Ms. Duckett to approve the prevailing IRS mileage rate (\$.575) for reimbursement of Township Employees. The motion carried 5 – 0.

Establishment of Supervisor Committees for the year 2020

The above item has been tabled.

BUSINESS & FINANCIAL

Receipt of Meeting Minutes: December 10, 2019

The Board of Supervisors received the December 10, 2019 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 December 10, 2019 meeting minutes. The motion carried 5 – 0.

Receipt of Invoice History, November, 2019

The Board of Supervisors received the Invoice History for November, 2019 in the amount of \$1,684,747.18. The Chairman asked if there were any questions or comments. There were none. Mr. Brandt made a motion, seconded by Ms. McNeely to approve the Invoice History for November, 2019 in the amount of \$1,684,747.18. The motion carried 5 – 0.

Receipt of YTD Budget Report and Balance Sheet for November, 2019

The Board of Supervisors received the YTD Budget Report and Balance Sheet for November, 2019. The Chairman asked if there were any questions or comments. There were none. Ms. Hunsicker made a motion, seconded by Mr. Brandt to approve the YTD Budget Report and Balance Sheet for November, 2019. The motion carried 5 – 0.

PUBLIC COMMENTS

Ms. Pagano, Brookside Avenue, stated she hopes more residents will attend the meetings and voice their concerns.

OTHER BUSINESS

Proposal for E-Cycle - April 4, 2020

This item has been tabled.

Proposal for Paper Shredding - April 4, 2020

This item has been tabled.

Ms. Duckett asked for a request for proposal and asked staff to contact State Representatives for collaboration.

MANAGER'S REPORT

Report from the Manager - Municipal activities, projects

Mr. McAnally stated the Elected Auditors will organize tomorrow at 8:30 am.

SUPERVISORS COMMENTS

Ms. Duckett thanked everyone for coming out tonight. She stated there are no party affiliations; it's what is best for the Township and you can hold me accountable.

Ms. McNeely echoed what Ms. Duckett said. She stated she has a lot to learn and how to operate and supervise the Township and bring opinions. She stated transparency is important.

Ms. Hunsicker welcomed Danielle Duckett and Tessie McNeely. She stated tonight's meeting was tense. She stated we support you both and Cathy Pagano the new elected auditor.

Mr. Brandt stated you just witnessed the worst side of the Township. He welcomed the two new supervisors. He congratulated Mr. Grey on his Chairmanship, and stated he will work with the two new supervisors. I thank you for coming out tonight and hope you will attend other meetings.

Mr. Grey stated change is hard and hopes for more transparency and resident participation and please attend our meetings.

There being no further questions or comments, the meeting was adjourned at 7:50 p.m. until the next regular meeting scheduled on January 28, 2020 at the Lower Gwynedd Township Building.

Respectfully submitted,

Carole Culbreth
Assistant Secretary