

**UPPER MORELAND TOWNSHIP**  
**Regular Meeting**  
**February 1, 2021 at 7:00 p.m.**

***AGENDA ITEMS ARE SUBJECT TO CHANGE***

**INSTRUCTIONS TO JOIN:**

**Go to Zoom.us.** Click "Join a Meeting"      Webinar ID: 917 5771 7982      Password: 182130

**Join by Phone:** Dial 1-929-205-6099      Webinar ID: 917 5771 7982      Password: 182130

**SUBMIT COMMENTS/QUESTIONS:**

E-mail in advance or during the meeting to: [comments@uppermoreland.org](mailto:comments@uppermoreland.org)

Call in advance during normal business hours to 215-659-3100 x1058 or x1057

*\*\*Residents requiring special accommodations, please call the Township during normal business hours\*\**

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- I.     Call Meeting to Order
- II.    Moment of Silent Meditation/Pledge of Allegiance
- III.   Roll Call
- IV.    Presentations/Announcements:
  - a. Announcement of a Commissioner vacancy in Ward 4 due to the passing of Commissioner Joseph A. Lavalle.
  - b. Swearing-in by Captain James Hotchkiss the following Special Fire Police Officers:
    - Bruce Edwards
  - c. Presentation of Proclamation to Timothy A. Troxel, accepting and recognizing his retirement as a Lieutenant from Upper Moreland Township Police Department.

**REGULAR MEETING**

- V.    Public Comments – Non-Agenda Items Only
- VI.   Treasurer's Activity Report, Joseph J. Olszak, Treasurer – January 2021 (hard copy provided)
- VII.   Approval of Minutes – January 4, 2021 (attachment)
- VIII.   Committee Recommendations:
  - A. **Finance & Administrative Committee – January 25, 2021** - The Committee recommends the Board of Commissioners take action on the following:
    1. Appointments/Reappointments:
      - a. The reappointment of the following members on the Environmental Advisory Council to serve a new 3-year term that will expire on December 31, 2023:
        - Jean Scherfcunningham
        - Constantine Woznvj

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- b. The reappointment of the following members on the Human Relations Commission to serve a new three-year term that will expire on December 31, 2023:
  - Susan Worth LaManna
  - George Rosser
- c. The appointment of Susan C. Moody on the Civil Service Commission to serve a new six-year term that will expire on December 31, 2026.
- d. The reappointment of Joanne Szupka on the Police Pension Fund Committee to serve a new three-year term that will expire on December 31, 2023.
- e. The reappointment of the following members on the Parks and Recreation Advisory Council, to serve a new two-year term that will expire on December 31, 2022:
  - Michael Cavanaugh – Ward 7 Representative
  - Dan Swedberg – Ward 5 Representative
- f. The reappointment of the following members on the Historical Commission to serve a new three-year term that will expire on December 31, 2023:
  - John Connell
  - Robert Mathers
  - Alan Sentman
  - Susan Worth LaManna
- g. **Motion to Approve Resolution R-2021-03** – Appointing the following members to the Upper Moreland Township Zoning Hearing Board:
  - Anthony Corbett, Member  
Appointment: 2/1/2021  
Term Expiration: December 31, 2025
  - Peter O'Halloran, Member  
Appointment: 2/1/2021  
Term Expiration: December 31, 2022

2. List of Bills Payable (attachment) – The Committee recommends the approval of:

**General Funds Checks:**

Beginning Check No.: 129840  
Ending Check No.: 130052

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General:	\$ 775,007.69
Debt:	\$ 2,688.22 (Check No.129883, 129998)
Capital:	\$ -----
Less Aqua:	\$ (21,314.90)
Total:	\$ 756,381.01
Voids:	<u>129841</u>

**Escrow Fund Checks:**

Beginning Check No.: --  
Ending Check No.: --

Total:	\$ -----
Voids:	<u>=====</u>

**Liquid Fuel Fund Checks:**

Beginning Check No.: 2927  
Ending Check No.: 2928

Total:	\$ 149.55
Voids:	<u>=====</u>

**3. Aqua General Funds** – The Committee recommends the approval of:

Beginning Check No.: 129843  
Ending Check No.: 129850

Beginning Check No.: 129952  
Ending Check No.: 129956

Beginning Check No.: 130001  
Ending Check No.: 130004

Total:	\$ 21,314.90
Voids:	<u>=====</u>

**4. Other Items:**

- a. **Motion to Approve** extending the Disaster Emergency Declaration for a period of Ninety (90) Days from the date of the Declaration (attachment).

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- b. **Motion to Approve Resolution R-2021-04** – Accepting and ratifying amendments to the Civil Service Rules proposed by the Civil Service Commission (attachment).
- c. **Motion to Approve** moving the Committees Meeting scheduled for May 17, 2021 that include the Committees of the Finance and Administrative, Parks and Recreation, and Public Health and Safety, to May 24, 2021 due to the May 18, 2021 Primary Elections.
- 5. New Business:
  - a. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland Township and the tax payer, Bruce D. Michaels Realty Partners – Settlement Case #2015-27160 (attachment).
  - b. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland Township and the tax payer, Treeco Willow Grove LP – Settlement Case #2017-27241 (attachment).
  - c. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland Township and the tax payer, Lerner Brothers, LP – Settlement Case # 2016-26420 (attachment).
  - d. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland Township and the tax payer, LB-UBS2004-C4 – Settlement Case #2016-27368 (attachment).
- B. **Community Development Committee – January 11, 2021** – The Committee recommends the Board of Commissioners take action on the following:
  - 1. Code Enforcement
  - 2. Land Development/Subdivision Applications
  - 3. List of Upcoming Zoning Hearing Board Applications – February 11, 2021 (attachment)
  - 4. Other Items:
    - a. **Motion to Approve** the Right-of-Way Agreement between Upper Moreland Township and David Pflugfelder for the property located at 202 Madison Road, subject to approval by the Zoning Hearing Board (attachment).

## UPPER MORELAND TOWNSHIP

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- b. **Motion to Approve Resolution R-2021-05** – Authorizing the extension of the agreement for recycling services with J.P. Mascaro & Sons, dated October 22, 2015, for an additional period of six months, with certain price changes for certain services (attachment).
- C. **Parks & Recreation Committee – January 25, 2021** - The Committee recommends the Board of Commissioners take action on the following:
  1. **Motion to Approve Resolution R-2021-06** – Approving the submission of a DCNR Grant application for improvements at Farmstead Park (attachment).
  2. **Motion to Approve** 2021 Capital Improvement Projects that include:
    - Brooks Street Park Playground Replacement (\$40,000)
    - Masons Mill Park Pavilion Replacement (\$30,000)
- D. **Public Health & Safety Committee – January 25, 2021** - The Committee recommends the Board of Commissioners take action on the following:
  1. **Motion to Approve Resolution R-2021-07** – Approving the submission of an application required by PennDOT for the removal of “No Turn on Red” restriction on Davisville Road at Terwood Road (attachment).

IX.      Commissioner Comments

X.      Adjournment

**Upper Moreland Township  
Board of Commissioners - Regular Meeting  
January 4, 2021 Meeting Minutes**

**Board of Commissioners Members:** Commissioner and President, Kevin C. Spearing; Commissioner and Vice President Charles M. Whiting; Commissioners R. Samuel Valenza, Joseph A. Lavalle, Kip McFatridge, Nicholas O. Scull and Cheryl Lockard

I. **Call to Order:** The Regular Meeting of the Board of Commissioners of Upper Moreland Township was called to order by the President of the Board of Commissioners, Kevin C. Spearing at the adjournment of the Special Meeting.

II. **Moment of Silent Meditation/Pledge of Allegiance**

III. **Roll Call:** Commissioner and Board President Spearing, Commissioner and Vice President Whiting; Commissioners Valenza, Lavalle, McFatridge, Scull and Lockard. Also present: Matthew H. Candal, Township Manager, Randall K. Schaible, Assistant Township Manager & Director of Finance, and Alex Baumler, Township Solicitor.

IV. **Presentations/Announcements:**

A. Commissioner Spearing stated that the Board of Commissioners met in an Executive Session prior to the commencement of tonight's meeting to discuss legal and personnel matters.

## **REGULAR MEETING**

V. **Public Comments** - Nothing to report.

VI. **Treasurer's Activity Report – December 2020:**

- Commissioner Spearing reviewed details of the report.
- Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.

VII. **Approval of Minutes - December 7, 2020 Special Meeting and Regular Meeting:**

- Commissioner Scull amended the Regular Meeting minutes as follows:
  - Section C., 1., first comment to read: Friends of Boileau is seeking an in-kind contribution from the Township in 2021 toward the \$100,000 match on the Pennsylvania Historical and Museum Commission grant.
- Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0, the minutes as submitted and amended.

VIII. **Committee Recommendations:**

A. **Finance & Administrative Committee** – The Committee recommends the Board of Commissioners take action on the following:

1. **Appointments/Reappointments** - Nothing to report.
2. **List of Bills Payable:**
  - Commissioner Valenza reviewed the List of Bills Payable, made a motion, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.

Upper Moreland Township  
Board of Commissioners - Regular Meeting  
January 4, 2021 Meeting Minutes

**3. Aqua General Funds Bills:**

- Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 6-0 (one (1) abstention: Commissioner Spearing, Aqua employee).

**4. Other Items:**

- a. **Motion to Approve** a three-year agreement authorizing Hough Associates to collect residential and commercial recycling data and prepare PA DEP 904 Recycling Grant Applications for Upper Moreland Township:
  - Commissioner Lockard inquired about an annual recycling assessment. Mr. Schaible will follow up with Dave Elsier, Director of Public Works.
  - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.
- b. **Motion to Approve** the proposal to replace the HVAC System for the Council and Caucus Rooms at the Township Administration building:
  - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.
- c. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland and the tax payer, Provco Pinegood York LP:
  - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.
- d. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland and the tax payer, Bruce A. Goodman and Partners, LP:
  - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.
- e. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland and the tax payer, Pries, Paul & Koula, LP:
  - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.
- f. **Motion to Approve Resolution R-2021-01** – Authorizing the use of the dotGrants on-line reporting system to file the required Liquid Fuels forms annually:
  - Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.
- g. **Motion to Approve Resolution R-2021-02** – Authorizing a Designation of Agent for COVID 19, DR 4506, for the purpose of obtaining financial assistance for disaster relief and emergency assistance:
  - Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.

**5. New Business:**

- Commissioner Valenza commented that the Legislative Locators have listed possible sponsors of Bills regarding: municipal pension reform; compensation for municipal firefighters; distance education authorization; local use of radar; local government advertising flexibility; removal of negligent municipal officers; and prevailing wage.
- Commissioner Spearing stated that anyone interested in serving on any of the Township's committees should submit a letter with their resume to Matt Candland, Township Manager.

Upper Moreland Township  
Board of Commissioners - Regular Meeting  
January 4, 2021 Meeting Minutes

B. **Community Development Committee** - The Committee recommends the Board of Commissioners take action on the following:

1. **Code Enforcement** - Nothing to report.
2. **Land Development/Subdivision Applications** - Nothing to report.
3. **List of Upcoming Zoning Hearing Board Applications** - Nothing to report.
4. **Other Items:**
  - a. **Motion to Approve** the ARLE Grant Design Proposal provided by McMahon Associates to improve the connection between the traffic signals at York and Davisville Roads and at York and Easton Roads, improve the signal operation during train pre-emption and add the missing pedestrian crossing at York and Davisville Roads:
    - Commissioner Lavalle motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.
  - b. **Motion to Approve** two change orders provided by Jim Hersh, Township Engineer, for the Fair Oaks Basin:
    - Commissioner Lavalle stated that the total Change Order amounts to \$2,755.
    - Commissioner Lavalle motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.
5. Mr. Candelier about whether the January 11, 2021 Community Development Committee meeting resume as a hybrid virtual and in-person meeting.
  - Commissioner Spearing motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0 to resume hybrid virtual and in-person meetings starting on January 11, 2021, while following the current Emergency Declaration.

C. **Parks and Recreation Committee** - Nothing to report.

D. **Public Health & Safety Committee** - Nothing to report.

**IX. Commissioner Comments:**

- Commissioner Valenza announced that Commissioner McFatridge was elected President of Eastern State Association of Township Commissioners and Montgomery County Associations of Township Commissioners for 2021.
- Commissioner Whiting reminded everyone to wear masks, social distance and consult the Montgomery County website to view the vaccination plan.
- Commissioner Spearing stated that it was a memorable year and reminded everyone to wear masks and stay safe.

**X. Visitor Comments** - Nothing to report.

**XI. Adjournment:** There being no further business to discuss, the meeting was adjourned at 7:45 p.m.

Respectfully submitted by Kathleen Kristire.

**UPPER MORELAND TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION R-2021-03**

**A RESOLUTION BY THE UPPER MORELAND TOWNSHIP BOARD OF  
COMMISSIONERS APPOINTING MEMBERS TO THE UPPER MORELAND  
TOWNSHIP ZONING HEARING BOARD**

**WHEREAS**, The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended, requires that members of the Upper Moreland Township Zoning Hearing Board be appointed by Resolution of the Upper Moreland Township Board of Commissioners; and

**WHEREAS**, the Board of Commissioners desires to appoint members to the Upper Moreland Township Zoning Hearing Board; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Upper Moreland Township Board of Commissioners that the following members are hereby appointed to the Upper Moreland Township Zoning Hearing Board, for the specified terms and positions:

1. Anthony Corbett, Member  
Appointment: 2/1/2021  
Term Expiration: 12/31/2025
  
2. Peter O'Halloran, Member  
Appointment: 2/1/2021  
Term Expiration: 12/31/2022

**DULY PRESENTED AND ADOPTED** by the Board of Commissioners of Upper Moreland Township, Montgomery County, Pennsylvania, this 1st day of February, 2021.

ATTEST:

**UPPER MORELAND TOWNSHIP  
BOARD OF COMMISSIONERS**

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Matthew H. Candland, Secretary

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Kevin C. Spearing, President

## REGULAR MEETING MONDAY EVENING FOR UPPER MORELAND TOWNSHIP

02/03/21

## BILLS PAID TO BE APPROVED

CHECK NUMBER	PAYEE	DESCRIPTION	INV AMOUNT	ACCOUNT NUMBER	AMOUNT	CHECK AMOUNT
01/01/21-01/31/21	WEST GOSHEN TOWNSHIP	WATCHGUARD CAMERA'S	1,000.00	01-410-374-	1,000.00	1,000.00
01*129841	AMANDA ROSETTI	UNIFORMS 2020	90.94	01-410-238-	90.94	VOID
		TUITION REIMB. 2020	750.00	01-410-317-	750.00	
**** VOIDED CHECK ****						
01*129842	ANDREW E. MISNER	UNIFORMS 2020	292.75	01-410-238-	292.75	292.75
01*129843	AQUA PA	WATER: 4355 DAVISVILLE RD 11/1	106.00	01-411-360-	106.00	106.00
01*129844	AQUA PA	WATER: 627 FITZWATER TOWN 11/17	36.12	01-454-360-	36.12	36.12
01*129845	AQUA PA	WATER: 229 DAVISVILLE RD 11/17	96.75	01-411-360-	96.75	96.75
01*129846	AQUA PA	WATER: 4255 SHOEMAKER RD 11/17	157.16	01-454-360-	157.16	157.16
01*129847	AQUA PA	WATER: 4355 DAVISVILLE RD 11/1	113.54	01-411-360-	113.54	113.54
01*129848	AQUA PA	WATER: 229 DAVISVILLE RD 11/17	116.50	01-411-360-	116.50	116.50
01*129849	AQUA PA	WATER: 3800 ORANGEMANS 11/17-1	157.16	01-454-360-	157.16	157.16
01*129850	AQUA PA	WATER: 3500 MASONS MILL 11/17-	41.99	01-454-360-	41.99	41.99
01*129851	BOB ROSSER	CELL ALLOWANCE 2020	105.00	01-401-320-	105.00	105.00
01*129852	BRIAN REMS, JR.	MAX INSURANCE 2021	1,882.76	01-410-317-	1,882.76	1,882.76
01*129853	COMCAST CABLE	COMCAST: 1 BROOK ST 12/11/20-0	180.82	01-401-320-	180.82	633.09
		COMCAST: 117 PARK AVE 12/11/01/	133.35	01-401-320-	133.35	
		COMCAST: MASONS MILL 12/21/01/	149.46	01-401-320-	149.46	
		COMCAST: BOILEAU PARK 01/03/02	169.46	01-401-320-	169.46	
01*129854	DELL ACCOUNT	PO #38085 KEYBOARD 2020	191.97	01-401-320-	191.97	191.97
01*129855	DELTA DENTAL OF PENNSYLVANIA	DELTAL DENTAL JANUARY 2021	8,100.00	01-486-156-	8,100.00	8,100.00
01*129856	DISTRICT COURT 38-2-08	CONSTABLE SERVICE FOR CV 303 2	27.75	01-413-240-	27.75	27.75
01*129857	GEORGE ALLEN PORTABLE	RESTROOM MASONS MILL 12/14/1/1	70.00	01-454-450-	70.00	70.00
01*129858	GOOSE SQUAD	GOOSE CONTROL DECEMBER 2020	1,050.00	01-454-450-	1,050.00	1,050.00
01*129859	JAMES KELLY	UNIFORMS 2020	164.52	01-410-238-	164.52	164.52
01*129860	JAMES ROBB	UNIFORMS 2020	171.20	01-410-238-	171.20	171.20
01*129861	KEVIN MOFFETT	UNIFORMS 2020	300.00	01-410-238-	300.00	300.00
01*129862	KEYSTONE HEALTH PLAN EAST	JANUARY 2021 HEALTH BENEFITS	223,845.39	01-486-156-	223,845.39	223,845.39
01*129863	LAYLA CRUZ	UNIFORMS 2020	49.91	01-410-238-	49.91	49.91
01*129864	LEXISNEXIS	LEXIS NESIS 12/01-12/31/20	150.00	01-401-240-	150.00	150.00
01*129865	MATTHEW J HOCKER	HAND SOAP FOR DISPENSERS	164.38	01-409-200-	164.38	164.38
01*129866	MATTHEW SNYDER	2020 EZ PASS CHARGES FROM K9 T	92.70	01-410-240-	92.70	92.70
01*129867	MC MAHON ASSOCIATES, INC.	ENGINEERING SERVICES: 718 FITZ	572.95	01-430-313-	572.95	15,145.95
		ENGINEERING SERVICES: WILLOW G	1,757.50	01-430-313-	1,757.50	
		ENGINEERING SERVICES: DAVISVIL	7,125.50	01-430-313-	7,125.50	
		ENGINEERING SERVICES: BLAIR MI	247.50	01-430-313-	247.50	
		ENGINEERING SERVICES: 1001 S.	752.50	01-430-313-	752.50	
		ENGINEERING SERVICES: GENERAL	1,537.50	01-430-313-	1,537.50	
		ENGINEERING SERVICES: JERC SEN	1,172.50	01-430-313-	1,172.50	
		ENGINEERING SERVICES: YMCA	1,980.00	01-430-313-	1,980.00	
		ENGINEERING SERVICES: DAVISVIL	2,276.83	01-430-313-	2,276.83	6,596.83
		ENGINEERING SERVICES: 1001 S.	812.50	01-430-313-	812.50	
		ENGINEERING SERVICES: JERC SEN	1,800.00	01-430-313-	1,800.00	

CHECK NUMBER	PAYEE	DESCRIPTION	INV AMOUNT	ACCOUNT NUMBER	AMOUNT	CHECK AMOUNT
		ENGINEERING SERVICES: 718 FITZ	207.50	01-430-313-	207.50	
		ENGINEERING SERVICES: GENERAL	1,062.50	01-430-313-	1,062.50	
		ENGINEERING SERVICES: YMCA	437.50	01-430-313-	437.50	
01*129869	PAMELA CORDURA	UNIFORMS ALLOWANCE 2020	295.22	01-410-238-	295.22	295.22
01*129870	PECO ENERGY-PAYMENT PROCESSING	ELECTRIC: 220 MINERAL AVE 11/6	41.27	01-454-360-	41.27	1,464.38
		ELECTRIC & GAS: 227 DAVISVILLE	1,020.36	01-411-360-	1,020.36	
		ELECTRIC: 627 FITZWATERTOWN RD	402.75	01-454-360-	402.75	
01*129871	PENNSYLVANIA CHIEFS OF POLICE ASSOC	MEMBERSHIP RENEWALS THROUGH 12	150.00	01-410-240-	150.00	150.00
01*129872	RICOH USA, INC.	BLACK AND WHITE COPY COUNT 11/	839.52	01-401-320-	839.52	839.52
01*129873	STANDARD INSURANCE COMPANY	LIFE INSURANCE JANUARY 2021	6,595.52	01-486-156-	6,595.52	6,595.52
01*129874	SUPERIOR PRINTING INC. D/B/A	DEPOSIT SLIP BOOK FORM	46.07	01-401-240-	46.07	46.07
01*129875	TIMONEY KNOX, LLP	LEGAL SERVICES: GENERAL	29.00	01-402-314-	29.00	1,522.50
		LEGAL SERVICES: REGENCY TOWERS	362.50	01-402-314-	362.50	
		LEGAL SERVICES: REGENCY TOWERS	130.50	01-402-314-	130.50	
		LEGAL SERVICES: FITNESS INTERN	72.50	01-402-314-	72.50	
		LEGAL SERVICES: ASSESSMENT APP	203.00	01-402-314-	203.00	
		LEGAL SERVICES: ASSESSMENT APP	406.00	01-402-314-	406.00	
		LEGAL SERVICES: ASSESSMENT: BR	72.50	01-402-314-	72.50	
		LEGAL SERVICES: ASSESSMENT WIL	246.50	01-402-314-	246.50	
01*129876	U-COMP	UNEMPLOYMENT COMPENSATION 4TH	1,980.55	01-486-162-	1,980.55	1,980.55
01*129877	VERIZON BUSINESS	VERIZON BUS. CORP. ID # VS9317	215.41	01-401-320-	215.41	215.41
01*129878	VERIZON WIRELESS	VERIZON WIRELESS 11/17-12/16/2	3,277.92	01-401-320-	3,277.92	3,277.92
01*129879	VICTOR SECURITY, INC.	MONITORING BOILEAU PARK 1/1-1/	76.50	01-454-450-	76.50	76.50
01*129880	WILLIAM HENRY IRON WORKS	PO#37992 REPAIR RAILING AND IN	1,480.00	01-409-373-	1,480.00	1,480.00
01*129881	WILLOW GROVE FIRE COMPANY	OFFICE SUPPLIES	37.50	01-411-210-	37.50	37.50
01*129882	WORKPLACE CENTRAL	WALL CALENDAR-KATHLEEN	27.99	01-401-200-	27.99	111.23
		STORAGE BOX, STAMP INK, HIGHLI	83.24	01-401-200-	83.24	
01*129884	ACCESS SECURITY CORP.	BLUE DIAMON SERVICE AGR.	2,685.00	01-401-374-	2,685.00	2,685.00
01*129885	ALEKSANDAR PEEV	RE TAX REFUNDS	4.00	01-401-460-	4.00	4.00
01*129886	AMERICAN RED CROSS	PEDIATRIC FIRST AID	210.00	01-452-247-	210.00	210.00
01*129887	ANDREW BLOCK	FBI NATIONAL ACADEMY DUES	65.00	01-410-240-	65.00	65.00
01*129888	ARDMORE TIRE, INC.	SANITATION	270.00	01-430-330-	270.00	1,520.00
		SANITATION	270.00	01-430-330-	270.00	
		SANITATION	300.00	01-430-330-	300.00	
		SANITATION	400.00	01-430-330-	400.00	
		DIESEL	20.00	01-430-330-	20.00	
		#131	260.00	01-430-330-	260.00	
01*129889	ASHBOURNE CLEANERS & TAILORS	UNIFORMS 38 PATCHES	190.00	01-410-238-	190.00	190.00
01*129890	AVM SERVICES	HAZLENT DAIRY CREAMER	33.93	01-401-240-	33.93	33.93
01*129891	BELMONT AND CRYSTAL SPRINGS	SPRING WATER	170.44	01-410-200-	170.44	170.44
01*129892	BERGEY'S INC.	#220 FILLER CAP	25.50	01-430-330-	25.50	991.43
		STOCK MACK TRUCKS	389.40	01-430-330-	389.40	
		#220 RUBBER MOULDING	5.54	01-430-330-	5.54	
		#446 TEMPERATURE SENS	204.74	01-430-330-	204.74	
		HOSE CLAMP	48.78	01-430-330-	48.78	
		#220 SWITCH PANEL	317.47	01-430-330-	317.47	
01*129893	BOB ROSSER	NFSA MEMBERSHIP	50.00	01-413-240-	50.00	50.00
01*129894	BURGER KING #1579	PRISONER MEALS	122.83	01-410-240-	122.83	122.83
01*129895	CDW GOVERNMENT, INC.	CRUCIAL MX500	76.03	01-401-320-	76.03	76.03
01*129896	CERTIFIED LABORATORIES	FREE AEROSOL	188.79	01-430-330-	188.79	188.79

CHECK NUMBER	PAYEE	DESCRIPTION	INV AMOUNT	ACCOUNT NUMBER	AMOUNT	CHECK AMOUNT
01*129897	CLEAN NET USA	JANITORIAL SERVICE FOR JAN 202	2,075.00	01-409-450-	2,075.00	2,075.00
01*129898	CODE INSPECTIONS INC.	CODE ENFORCEMENT	325.00	01-413-450-	325.00	325.00
01*129899	COLLIFLOWER INC.	PRESTOLOK X MALE NPT - NIPPLE	174.24	01-430-330-	174.24	1,031.00
		COUPLER	367.00	01-430-330-	367.00	
		HOSE ASSEMBLY	489.76	01-430-330-	489.76	
01*129900	COMCAST CABLE	CABLE 117 PARK AVE 1/9-2/8/21	188.35	01-401-320-	188.35	983.58
		CABLE FIRE CO 12/18-1/17/21	329.45	01-401-320-	329.45	
		CABLE 627 FITZWATER TOWN 12/17-	139.46	01-401-320-	139.46	
		COMCAST: PILEGGI PARK 12/29-1/	139.46	01-401-320-	139.46	
		COMCAST 220 MINERAL AVE 12/15-	139.46	01-401-320-	139.46	
		COMCAST 117 PARK AVE 01/09-02/	47.40	01-401-320-	47.40	
01*129901	CONVERGE ONE INC.	MONTHLY MAINT	75.56	01-401-374-	75.56	75.56
01*129902	COURIER TIMES, INC.	ACCT# 99662	1,803.00	01-401-340-	1,803.00	1,803.00
01*129903	COVANTA ENERGY, LLC	WASTE 12/16-12/31/20	20,399.21	01-427-365-	20,399.21	20,399.21
01*129904	DAVID CHUBB	4TH QTR 2020 CELL ALLOWANCE	105.00	01-401-320-	105.00	105.00
01*129905	DEJANA EQUIPMENT CO.	SNOW PLOWS	475.80	01-430-330-	475.80	1,158.50
		PLOWS	415.70	01-430-330-	415.70	
		#302 / PLOWS	267.00	01-430-330-	267.00	
01*129906	EARTHBORNE INC.	PO# 38077	713.80	01-430-330-	713.80	910.64
		JCB WHEEL	196.84	01-430-330-	196.84	
01*129907	EASTERN AUTOPARTS WAREHOUSE	DECEMBER EASTERN AUTO	733.00	01-430-330-	733.00	733.00
01*129908	EASTERN MONTGOMERY COUNTY	ANNUAL MEMBERSHIP	200.00	01-401-240-	200.00	200.00
01*129909	ELLIOTT LEWIS CORPORATION	SPLIT IN THE IT ROOM IS NOT CO	1,321.06	01-409-373-	1,321.06	1,321.06
01*129910	ESI EQUIPMENT, INC.	Service contract for 2021	2,280.00	01-411-372-	2,280.00	2,280.00
01*129911	EUREKA STONE QUARRY, INC.	SEASONAL STONE	107.02	01-430-200-	107.02	107.02
01*129912	EXTRA SPACE STORAGE	UNIT NO 387	301.00	01-401-450-	301.00	301.00
01*129913	FASTENAL COMPANY	NYLOCK	26.16	01-430-330-	26.16	584.74
		BLK SUPER	75.68	01-430-330-	75.68	
		PPH SMS 14X1	482.90	01-430-330-	482.90	
01*129914	FRED BEANS PARTS	#3506 MOULDING	42.62	01-430-330-	42.62	242.58
		#3506 MOULDING	60.03	01-430-330-	60.03	
		SENSOR	40.42	01-430-330-	40.42	
		FAN AND MOTO	99.51	01-430-330-	99.51	
01*129915	GENERAL CODE PUBLISHERS	CODE ANALYSIS	670.43	01-401-340-	670.43	670.43
01*129916	GLICK FIRE EQUIPMENT CO., INC.	REPAIR PART POWER STEERING	308.16	01-411-372-	308.16	308.16
01*129917	GRAINGER	HEATERS	119.78	01-409-373-	119.78	156.66
		HAND CLEANER	36.88	01-409-200-	36.88	
01*129918	H.A. BERKHEIMER, INC.	EARNED INCOME TAX COLLECTOR 12	2,536.53	01-402-312-	2,536.53	2,536.53
01*129919	HOME DEPOT CREDIT SERVICES	DEC. HOME DEPOT PURCHASE	166.83	01-454-200-	122.48	166.83
		DEC. HOME DEPOT PURCHASE		01-409-373-	19.70	
		DEC. HOME DEPOT PURCHASE		01-410-200-	24.65	
01*129920	INTERNATIONAL CODE COUNCIL	MEMBERSHIP DUES	145.00	01-413-240-	145.00	145.00
01*129921	J.P. MASCARO & SONS	DISPOSAL 12/31/20	20,076.07	01-427-384-	20,076.07	20,076.07
01*129922	JOE DOUGHERTY	4TH QTR 2020 CELL ALLOWANCE	105.00	01-401-320-	105.00	105.00
01*129923	JOE RIELLY	4TH QTR 2020 CELL ALLOWANCE	105.00	01-401-320-	105.00	105.00
01*129924	JOHN FUGELA	4TH QTR 2020 CELL ALLOWANCE	105.00	01-401-320-	105.00	105.00
01*129925	KATIE KOLLAR	4TH QTR 2020 CELL ALLOWANCE	105.00	01-401-320-	105.00	105.00
01*129926	KILKENNY LAW	LEGAL SERVICES: GENERAL	2,921.00	01-402-314-	2,921.00	6,841.36
		LEGAL SERVICES: TAX ASSESSMENT	420.00	01-402-314-	420.00	
		LEGAL SERVICES: BPT	625.45	01-402-314-	625.45	

CHECK NUMBER	PAYEE	DESCRIPTION	INV AMOUNT	ACCOUNT NUMBER	AMOUNT	CHECK AMOUNT
		LEGAL SERVICES: 230 FAIRHILL S	1,500.00	01-402-314-	1,500.00	
		LEGAL SERVICES: DAVISVILLE/BYB	225.00	01-402-314-	225.00	
		LEGAL SERVICES: SUMMARY MATTER	309.91	01-402-314-	309.91	
		LEGAL SERVICES: 432-512 DAVISV	840.00	01-402-314-	840.00	
01*129927	KIM JAGACZEWSKI	PAYMENT FOR PROFESSIONAL SERVI	37.50	01-452-450-	37.50	37.50
01*129928	MAC MEDICAL GASES, INC.	20 LB PROPANE	55.00	01-430-330-	55.00	55.00
01*129929	MARIAN WARD	RE TAX REFUNDS	274.21	01-401-460-	274.21	274.21
01*129930	MONTGOMERY COUNTY ASSOCIATION	2020-21 ANNUAL BILL	350.00	01-401-240-	350.00	350.00
01*129931	NAPA AUTO PARTS	NAPA AUTO PARTS NOV. PURCHASES	1,282.75	01-430-330-	1,282.75	1,282.75
01*129932	PATRICK STASIO	4TH QTR 2020 CELL ALLOWANCE	105.00	01-401-320-	105.00	105.00
01*129933	PECO ENERGY - PAYMENT PROCESSING	GAS: 117 PARK AVE 11/9-12/10/2	726.04	01-409-360-	726.04	726.04
01*129934	PECO ENERGY-PAYMENT PROCESSING	ELECTRIC: DIVISION AVE 12/1-1/	15.08	01-454-360-	15.08	2,475.17
		ELECTRIC: 115 TERWOOD RD 11/6-	50.83	01-409-360-	50.83	
		ELECTRIC: 117 PARK AVE 11/9-12	2,378.02	01-409-360-	2,378.02	
		ELECTRIC: 117 PARK AVE 12/2-1/	31.24	01-409-360-	31.24	
01*129935	PECO ENERGY-PAYMENT PROCESSING	ELECTRIC/GAS LIBRARY 11/9-12/1	1,347.40	01-409-360-	1,347.40	1,347.40
01*129936	PENN POWER SYSTEMS	125KW KATOLIGHT	465.00	01-430-330-	465.00	1,548.00
		5KW FD TRUCK	325.00	01-430-330-	325.00	
		7.5KW ONAN	325.00	01-430-330-	325.00	
		100 KW FIRE HOUSE	433.00	01-430-330-	433.00	
01*129937	RALPH AND CLARE KRUMM	PERMIT REFUND	20.00	01-364-300-	20.00	20.00
01*129938	RIGGINS, INC.	GASOLINE 2322.9	3,856.94	01-430-330-	3,856.94	3,856.94
01*129939	RONALD AND ANNIE BURRELL	PERMIT REFUND	20.00	01-364-300-	20.00	20.00
01*129940	SIGNAL CONTROL PRODUCTS, INC.	PED COUNTOWN	494.00	01-430-373-	494.00	494.00
01*129941	T.W. REISS, INC.	FIRE HOSE, PORTABLE GEN.	173.70	01-430-330-	173.70	873.69
		PO #38089	699.99	01-454-450-	699.99	
01*129942	TIMOTHY COSTELLO	RE TAX REFUNDS	7.68	01-401-460-	7.68	7.68
01*129943	TORODYNE	STARTER	439.00	01-430-330-	439.00	439.00
01*129944	TRUCK PRO	LEAF VAC BRK ASSY	201.11	01-430-330-	201.11	1,902.47
		LEAF VACS CJMU13CF-6CB	437.39	01-430-330-	437.39	
		CJN1585P	111.57	01-430-330-	111.57	
		MACK TRUCKS CLEARANCE LIGHT	180.40	01-430-330-	180.40	
		HIGHWAY SNOW CHAINS	209.00	01-430-330-	209.00	
		HIGHWAY SNOW CHAINS	381.50	01-430-330-	381.50	
		HIGHWAY SNOW CHAINS	381.50	01-430-330-	381.50	
01*129945	U.S. MUNICIPAL SUPPLY, INC.	PO# 38084PLOW CURB	290.10	01-430-330-	290.10	1,961.51
		EDGE PLOW	368.10	01-430-330-	368.10	
		PO#38084	1,303.31	01-430-330-	1,303.31	
01*129946	UNIFIRST CORPORATION	UNIFORM MAINTENANCE 12/28/20	391.16	01-427-191-	195.58	391.16
		UNIFORM MAINTENANCE 12/28/20		01-430-191-	195.58	
01*129947	VAN'S LOCK SHOP	MASTER PAD LOCK 1KA 2001	72.05	01-430-240-	72.05	72.05
01*129948	WORKPLACE CENTRAL	ELDA: LABEL ADD	61.90	01-413-200-	61.90	891.38
		ELDA LABEL ADD	12.38	01-413-200-	12.38	
		POWER CHARGING	163.98	01-401-320-	163.98	
		FLASH DRIVE	157.95	01-401-320-	157.95	
		WASTE LINER	63.99	01-409-200-	63.99	
		LINERS	59.96	01-409-200-	59.96	
		KATHLEEN POST IT PAD	237.27	01-401-200-	237.27	
		KATHLEEN LABEL ADDRESS	33.98	01-401-200-	33.98	
		ADDRESS LABEL	99.97	01-401-320-	99.97	

CHECK NUMBER	PAYEE	DESCRIPTION	INV AMOUNT	ACCOUNT NUMBER	AMOUNT	CHECK AMOUNT
01*129949	ZEP SALES & SERVICE	ZEP CITRUS CLEANER	254.91	01-430-330-	254.91	254.91
01*129950	ADP, INC.	ADP 12/18/20	2,283.00	01-401-450-	2,283.00	2,828.60
		ADP 1/11/21	545.60	01-401-450-	545.60	
01*129951	AMERICAN PUBLIC SAFETY	BATTERIES FOR RADIO	562.75	01-410-240-	562.75	562.75
01*129952	AQUA PA	WATER: 101 BROOKS ST 11/17-12/	110.10	01-409-360-	110.10	110.10
01*129953	AQUA PA	HYDRANT SERVICE 117 PARK AVE 1	2,379.12	01-411-363-	2,379.12	2,379.12
01*129954	AQUA PA	HYDRANT SERVICE 117 PARK AVE 0	15,826.32	01-411-363-	15,826.32	15,826.32
01*129955	AQUA PA	HYDRANT SERVICE 11/30-12/31/20	258.60	01-411-363-	258.60	258.60
01*129956	AQUA PA	HYDRANT SERVICE 117 PARK AVE 0	1,551.60	01-411-363-	1,551.60	1,551.60
01*129957	BKH ELECTRICAL INC	REPLACE LIGHTS BY PARKS OFFICE	700.00	01-409-373-	700.00	700.00
01*129958	BUCKS COUNTY	CORE RETURN	-2,200.00	01-430-330-	-2,200.00	777.58
		#448 LATCH, BELT	354.78	01-430-330-	354.78	
		#437 ELBOW, CLAMP	137.68	01-430-330-	137.68	
		#440 CONDENSR	470.49	01-430-330-	470.49	
		#440 HOSE ASSY	305.56	01-430-330-	305.56	
		PIPE TAIL	437.09	01-430-330-	437.09	
		PO#38087 TRUCK 232	1,271.98	01-430-330-	1,271.98	
01*129959	CDW GOVERNMENT, INC.	PO #38086	545.74	01-401-320-	545.74	545.74
01*129960	CHARLES A. HIGGINS & SONS INC.	AFTER TRAFFIC LIGHT MAINT.	980.00	01-430-373-	980.00	980.00
01*129961	CITY ELECTRIC SUPPLY	PORTABLE CORD	191.22	01-409-373-	191.22	191.22
01*129962	COMCAST CABLE	CABLE: 1 BROOK ST 1/11-2/10/21	181.24	01-401-320-	181.24	1,074.37
		CABLE: 01/11-02/10/21	143.35	01-401-320-	143.35	
		COMCAST 227 DAVISVILLE 12/31-0	109.46	01-411-327-	109.46	
		COMCAST: 227 DAVISVILLE 01/18-	341.40	01-401-320-	341.40	
		CABLE: BUEHLER PARK 01/17-02/1	149.46	01-401-320-	149.46	
		COMCAST: 220 MINERAL AVE 01/15	149.46	01-401-320-	149.46	
01*129963	CYNTHIA KOONS	REFUND FOR COOKING CLASS	20.00	01-367-000-	20.00	20.00
01*129964	EASTBURN & GRAY PC	LEGAL SERVICES: ADMINISTRATIVE	87.50	01-402-314-	87.50	87.50
01*129965	FEDEX	FED EX	37.67	01-401-240-	37.67	37.67
01*129966	FRED BEANS PARTS	BUCKLE ASY #3517	72.95	01-430-330-	72.95	72.95
01*129967	FSSOLUTIONS	HEALTH & LIFE INSURANCE: DRUG	80.70	01-486-156-	80.70	80.70
01*129968	GEORGE ALLEN PORTABLE	RESTROOM RENTAL WILLOW GROVE P	70.00	01-454-450-	70.00	70.00
01*129969	GRAINGER	US FLAG	28.99	01-409-373-	28.99	28.99
01*129970	INTERNATIONAL CODE COUNCIL	15 IBC SOFT / TABS COMBO	141.00	01-415-240-	141.00	141.00
01*129971	IRON MOUNTAIN	STORAGE DEC 2020	554.75	01-401-320-	554.75	554.75
01*129972	MACK ENERGY	DYED UNMARKED HO	2,249.10	01-409-360-	2,249.10	2,249.10
01*129973	MATTHEW J HOCKER	EVIDENCE PRINTER RIBBON INK	270.55	01-401-320-	270.55	270.55
01*129974	MC DONALD UNIFORMS	FIRE POLICE UNIFORMS PO#38061	878.44	01-411-240-	878.44	878.44
01*129975	PA CHIEFS' OF POLICE ASSOC.	Livescan/CPIN Maintenance for	6,500.00	01-410-317-	6,500.00	6,500.00
01*129976	PA DEP	STORAGE TANK REG. PERMIT 2/21-	100.00	01-430-330-	100.00	100.00
01*129977	PACIFIC TELEMANAGEMENT SERVICES	2155007988 PAY PHONE	89.06	01-401-320-	89.06	89.06
01*129978	PECO ENERGY-PAYMENT PROCESSING	ELECTRIC/GAS: 1 BROOK ST 11/9-	1,785.45	01-409-360-	1,785.45	2,445.32
		ELECTRIC: 12/8-1/11/21	659.87	01-454-360-	659.87	
01*129979	PETROCON CORPORATION	PO#38083	897.60	01-430-330-	897.60	1,346.40
		PO#38038	448.80	01-430-330-	448.80	
01*129980	PHILA OCCHEALTH	PHYSICAL	275.96	01-410-240-	275.96	275.96
01*129981	REMS AUTOMOTIVE, INC.	#3533	100.07	01-430-330-	100.07	100.07
01*129982	RIGGINS, INC.	GASOLINE 2340.4	4,118.64	01-430-330-	4,118.64	4,118.64
01*129983	SCOTT E. BUCHHEIT	LEGAL SERVICES: ARBITRATOR 11/	3,036.00	01-402-314-	3,036.00	3,036.00
01*129984	TIM KUREK	LEGAL SERVICES: COURT REPORTER	3,905.00	01-402-314-	3,905.00	3,905.00

CHECK NUMBER	PAYEE	DESCRIPTION	INV AMOUNT	ACCOUNT NUMBER	AMOUNT	CHECK AMOUNT
01*129985	TOWNSHIP PEST CONTROL CO.	ANNUAL CONTRACT FOR PW BUILDIN	900.00	01-430-240-	900.00	900.00
01*129986	TRI-STATE ELEVATOR CO., INC.	ELEVATOR MAINT.	165.00	01-409-373-	165.00	165.00
01*129987	TRIAD TRUCK EQUIPMENT, INC.	AIR TOGGLE SWITCH FOR LC-NSI	256.00	01-430-330-	256.00	256.00
01*129988	TRUCK PRO	HIGHWAY / SANITATION	58.52	01-430-330-	58.52	58.52
01*129989	U.S. MUNICIPAL SUPPLY, INC.	BODY MECHANISM	2,979.50	01-430-330-	2,979.50	2,979.50
01*129990	UNIFIRST CORPORATION	UNIFORM MAINTENANCE 1/4/21	391.16	01-430-191-	195.58	795.22
		UNIFORM MAINTENANCE 1/04/21		01-427-191-	195.58	
		UNIFORM MAINTENANCE 1/11/21	404.06	01-427-191-	202.03	
		UNIFORM MAINTENANCE 1/11/21		01-430-191-	202.03	
01*129991	UPPER DUBLIN TOWNSHIP	2021 SWAT Team Assessment	5,000.00	01-410-317-	5,000.00	5,000.00
01*129992	UPPER MORELAND FREE LIBRARY	CONTRIBUTION TO LIBRARY 1ST QT	209,297.00	01-456-520-	209,297.00	209,297.00
01*129993	VERIZON	21519913912 123120	3,786.04	01-401-320-	3,786.04	4,099.02
		ACCT# 2156595231-123120		41.85 01-401-320-	41.85	
		2156595450 123120		105.84 01-401-320-	105.84	
		2156597581-123120		84.60 01-401-320-	84.60	
		450724913000147 VERIZON		80.69 01-401-320-	80.69	
01*129994	WILLOW GROVE OIL SERVICE CO.	REPAIR TO SHOP OIL BURNER	990.00	01-430-330-	990.00	990.00
01*129995	WIRELESS COMMUNICATION &	PO#38082 2020	4,189.67	01-411-340-	4,189.67	4,189.67
01*129996	WNJ AUTOMOBILE UPHOLSTERY	FD-1031 FIRE DEPT	350.00	01-430-330-	350.00	350.00
01*129997	WORKPLACE CENTRAL	DATER PHRASE	95.97	01-413-200-	95.97	207.70
		M.HOCKER HIGHLIGHTER, SHARPIE	11.58	01-401-320-	11.58	
		MATT H MARKER SHARPIE	8.89	01-401-320-	8.89	
		TOILET TISSUE GEORGE	59.98	01-409-200-	59.98	
		CLIPBOARD, MATT HOCKER	31.28	01-401-320-	31.28	
01*129999	KIRK L. MAURER	REFUND	234.48	01-310-800-	234.48	234.48
01*130000	AIRGAS	CYLINDER RENTAL	43.65	01-430-330-	43.65	43.65
01*130001	AQUA PA	WATER: 627 FITZ 12/15-01/18/21	27.21	01-454-360-	27.21	27.21
01*130002	AQUA PA	WATER: 4255 SHOEM 12/15-01/18/	149.94	01-454-360-	149.94	149.94
01*130003	AQUA PA	WATER: 12/15-01/18/21	148.71	01-454-360-	148.71	148.71
01*130004	AQUA PA	WATER: 3500 MASONS 12/15-01/18	38.08	01-454-360-	38.08	38.08
01*130005	ARMOUR & SONS ELECTRIC, INC.	LED STREETLIGHT PROJECT	33,295.50	01-130-100-	33,295.50	33,295.50
01*130006	ASHBOURNE CLEANERS & TAILORS	UNIFORMS PATCHES	380.00	01-410-238-	380.00	380.00
01*130007	AVM SERVICES	COFFEE	142.86	01-401-240-	142.86	142.86
01*130008	BERGEY'S INC.	GREEN MACK CHECK ENGINE LIGHT	462.00	01-430-330-	462.00	462.00
01*130009	BRIAN REMS, JR.	CANINE ASSOC DUES	50.00	01-410-240-	50.00	50.00
01*130010	CAMPBELL DURRANT BEATTY	LEGAL SERVICES LABOR MATTERS	7,917.00	01-402-314-	7,917.00	7,917.00
01*130011	CARES	ROYAL CANIN K-9	162.00	01-410-240-	162.00	231.00
		ROYAL CANIN K-9 HP	69.00	01-410-240-	69.00	
01*130012	CHAPMAN FORD OF HORSHAM	REPAIR OF PD CAR #3517	6,179.49	01-430-330-	6,179.49	6,190.52
		LICENSE #3508 2016 FORD EXPOLR	11.03	01-430-330-	11.03	
01*130013	COLLIFLOWER INC.	HOSE ASSEMBLY	190.12	01-430-330-	190.12	190.12
01*130014	COMCAST CABLE	INTERNET: MASONS MILL PARK	149.46	01-401-320-	149.46	149.46
01*130015	CONTRACT CLEANERS SUPPLY INC.	WHITE C FOLD TOWELS	171.89	01-409-200-	171.89	171.89
01*130016	DAVID ELSIER	2021 PW BOOT ALLOWANCE	194.90	01-430-195-	194.90	194.90
01*130017	EUREKA STONE QUARRY, INC.	PSP COLDPATCH	82.95	01-430-200-	82.95	82.95
01*130018	GEORGE & JUDITH ROESSER	PERMIT REFUND	9.00	01-364-300-	9.00	9.00
01*130019	GILMORE & ASSOCIATES	ENGINEERING SERVICES: MILL CRE	732.54	01-430-313-	732.54	12,781.83
		ENGINEERING SERVICES: LOFTS AT	250.00	01-430-313-	250.00	
		ENGINEERING SERVICES: BPG APAR	602.50	01-430-313-	602.50	
		ENGINEERING SERVICES: FAIR OAK	7,707.52	01-430-313-	7,707.52	

CHECK NUMBER	PAYEE	DESCRIPTION	INV AMOUNT	ACCOUNT NUMBER	AMOUNT	CHECK AMOUNT
		ENGINEERING SERVICES: WILLOW G	255.00	01-430-313-	255.00	
		ENGINEERING SERVICES: FAIRHILL	125.00	01-430-313-	125.00	
		ENGINEERING SERVICES: ACME BOX	3,109.27	01-430-313-	3,109.27	
01*130020	GLICK FIRE EQUIPMENT CO., INC.	Repairs on SD 10-2	1,088.08	01-411-372-	1,088.08	1,088.08
01*130021	GRANTURK EQUIPMENT CO., INC.	PUSH BUTTON	192.16	01-430-330-	192.16	192.16
01*130022	HOME DEPOT CREDIT SERVICES	HOME DEPOT JANUARY 2021	781.95	01-430-200-	21.60	781.95
		HOME DEPOT JANUARY 2021		01-454-200-	336.80	
		HOME DEPOT JANUARY 2021		01-430-240-	371.67	
		JANUARY 2021		01-430-330-	51.88	
01*130023	HOUGH ASSOCIATES	REYCLING GRANT AWARD 2015,2016	19,465.25	01-438-300-	19,465.25	19,465.25
01*130024	JAMES ROBB	2021 BOOT ALLOWANCE	300.00	01-410-238-	300.00	300.00
01*130025	JENNIFER WATANABE	REFUND FOR WEE KARATE CLASS	50.00	01-367-000-	50.00	50.00
01*130026	KREMP FLORIST	LAVALLE FAMILY	74.94	01-401-240-	74.94	74.94
01*130027	LAND MOBILE CORPORATION	INSTALLER LABOR ENGINE 10-2	230.00	01-411-372-	230.00	230.00
01*130028	LAWRENCE RUBAS	2021 BOOT ALLOWANCE	300.00	01-410-238-	300.00	300.00
01*130029	LINDSEY LILLIS	REFUND FOR WEE KARATE CLASS	75.00	01-367-000-	75.00	75.00
01*130030	MC CLOSKEY & FABER P.C.	ENGINEERING SERVICES: 2405 MAR	885.54	01-430-313-	75.00	1,253.19
		01-430-313-	50.00			
		ENGINEERING SERVICES: 432-514		01-430-313-	191.50	
		ENGINEERING SERVICES: 900 S. Y		01-430-313-	316.04	
		ENGINEERING SERVICES: 2700 TUR		01-430-313-	253.00	
		ENGINEERING SERVICES: TOWNSHIP		01-430-313-	367.65	
		ENGINEERING SERVICES: FAIR OAK		367.65	367.65	
01*130031	MC NEIL & COMPANY, INC.	COMMERCIAL PACKAGE INS.	6,426.50	01-411-354-	6,426.50	8,882.25
		UMBRELLA - COMMERCIAL	323.50	01-411-354-	323.50	
		INLAND MARINE COMMERCIAL	2,132.25	01-411-354-	2,132.25	
01*130032	MCI COMM SERVICE	MCI ACCT# 2P870692	39.16	01-401-320-	39.16	39.16
01*130033	MEGAN DeLAURENTIS	4TH QTR. CELL REIMB. 2020	105.00	01-401-320-	105.00	105.00
01*130034	MICHELLE PERKINS	CHILD ABUSE CLEARANCE	23.85	01-410-240-	23.85	36.85
		CHILD ABUSE CLEARANCE	13.00	01-410-240-	13.00	
01*130035	NAPA AUTO PARTS	NAPA DECEMBER 2020	1,924.52	01-430-330-	1,924.52	1,924.52
01*130036	NIAIA	MEMBERSHIP RENEWAL THROUGH 12/	100.00	01-410-240-	100.00	100.00
01*130037	PECO ENERGY-PAYMENT PROCESSING	ELECTRIC: 12/8-01/11/21 MASON	58.64	01-454-360-	58.64	1,986.41
		ELECTRIC: 12/9-1/12/21 220 MIN	46.16	01-454-360-	46.16	
		ELECTRIC/GAS 12/9-01/12/21 227	1,623.16	01-411-361-	1,623.16	
		ELECTRIC: 2668 BYBERRY ROAD 12	133.46	01-454-360-	133.46	
		ELECTRIC: 12/9-1/12/21 2668 BY	31.11	01-454-360-	31.11	
		ELECTRIC: 3500 MASONS MILL 12/	8.79	01-454-360-	8.79	
		ELECTRIC: 12/9-1/12/21 WAR MEM	85.09	01-454-360-	85.09	
		SAFETY EQUIPMENT- GLOVES	117.56	01-427-192-	117.56	117.56
01*130038	PENDERGAST SAFETY	Patrol and Scent In-Service Tr	3,895.62	01-410-240-	3,895.62	3,895.62
01*130039	PENN VET WORKING DOG CENTER	PA ONCE CALL ACTIVITY FEE	95.90	01-430-240-	95.90	95.90
01*130040	PENNSYLVANIA ONE CALL	PITNEY BOWES ACCT# 0012409052	161.49	01-401-240-	161.49	161.49
01*130041	PITNEY BOWES, INC.	SoundOFF LED Dome Light 6" rou	1,016.06	01-410-240-	64.26	1,016.06
01*130042	PREMIER UPFITS, LLC	Ace K-i 10 Inch Fan kit for PR		01-410-240-	286.80	
		On site labor to install liste		01-410-240-	665.00	
01*130043	SCOTT S METHENY	2021 BOOT ALLOWANCE	180.17	01-410-238-	180.17	180.17
01*130044	SIGNAL CONTROL PRODUCTS, INC.	TRAFFIC SIGNAL PROGRAM PEDESTA	253.00	01-430-373-	253.00	253.00
01*130045	TRUCK PRO	SANITATION AND HIGHWAY	164.28	01-430-330-	164.28	164.28
01*130046	U.S. MUNICIPAL SUPPLY, INC.	CYLINDER 2-1	526.02	01-430-330-	526.02	1,361.42
		SPRING ROAD ASSY	387.40	01-430-330-	387.40	

CHECK NUMBER	PAYEE	DESCRIPTION	INV AMOUNT	ACCOUNT NUMBER	AMOUNT	CHECK AMOUNT
		UPPER HINGE	448.00	01-430-330-	448.00	
01*130047	UNIFIRST CORPORATION	UNIFORM MAINTENANCE 1/18/21	418.81	01-430-191-	209.40	418.81
		UNIFORM MAINTENANCE 1/18/21		01-427-191-	209.41	
01*130048	VERIZON WIRELESS	WIRELESS CELL	3,294.62	01-401-320-	3,294.62	3,294.62
01*130049	WITMER PUBLIC SAFETY GROUP	FREIGHT	35.00	01-410-260-	35.00	785.00
		LANYARDS	148.00	01-411-250-	148.00	
		LION GLOVE	602.00	01-415-240-	602.00	
01*130050	WORKPLACE CENTRAL	LYNNE: CHAIRMAT, PAD, ENVELOPE	413.88	01-410-200-	413.88	1,207.79
		KATHLEEN: LABEL WATER PAPER	391.94	01-401-240-	391.94	
		LYNNE: CLEANER, MARKER, NOTE P	159.04	01-410-200-	159.04	
		LYNNE: PAD	25.13	01-410-200-	25.13	
		LYNNE: NOTEBOOK	34.72	01-410-200-	34.72	
		KATHLEEN: INDX TAB, BATTERY	107.35	01-401-200-	107.35	
		MAT: TOWEL	43.99	01-409-200-	43.99	
		KARIN: PENCILS, PENS	31.74	01-452-200-	31.74	
01*130051	GILMORE & ASSOCIATES	ENGINEERING SERVICES: 900 SOUT	2,523.27	01-430-313-	2,523.27	7,355.46
		ENGINEERING SERVICES: 2020 GEN	2,454.69	01-430-313-	2,454.69	
		ENGINEERING SERVICES: 3195 PEN	605.00	01-430-313-	605.00	
		ENGINEERING SERVICES: 2345 MAR	125.00	01-430-313-	125.00	
		ENGINEERING SERVICES: 1001 EAS	395.00	01-430-313-	395.00	
		ENGINEERING SERVICES: 1001 S.Y	737.50	01-430-313-	737.50	
		ENGINEERING SERVICES: 3130 PEN	385.00	01-430-313-	385.00	
		ENGINEERING SERVICES: 2540 KAR	130.00	01-430-313-	130.00	
01*130052	AMANDA ROSETTI	UNIFORMS 2020	90.94	01-410-238-	90.94	840.94
		TUITION REIMB. 2020	750.00	01-410-317-	750.00	
23*129883	WILLOW GROVE FIRE COMPANY	LOAN PAYMENT #P31000322	965.26	23-471-300-	965.26	965.26
23*129998	RICOH USA, INC.	LEASE PAYMENTS 1/1/21-1/31/21	1,722.96	23-471-600-	1,722.96	1,722.96
35*2927	BILLOWS ELECTRIC SUPPLY INC.	LIGHT FIXTURES	119.60	35-434-240-	119.60	119.60
35*2928	HOME DEPOT CREDIT SERVICES	HOME DEPOT JANUARY 2021	29.95	35-433-245-	29.95	29.95

GRAND TOTAL OF CHECKS = 777,845.46

**UPPER MORELAND TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**DISASTER EMERGENCY DECLARATION**

**WHEREAS**, COVID-19 has been declared by the World Health Organization and the Centers for Disease Control and Prevention a “public health emergency of international concern”; and

**WHEREAS**, both the Commonwealth of Pennsylvania and Montgomery County have declared a state of emergency due to the identification of COVID-19 infected citizens; and

**WHEREAS**, the Upper Moreland Township Board of Commissioners issued a Disaster Emergency Declaration on March 7, 2020 to protect Township citizens and employees and two subsequent extensions of the Declaration on August 10, 2020 and November 9, 2020; and

**WHEREAS**, despite sustained efforts COVID-19 remains an imminent threat, and the Upper Moreland Township Board of Commissioners finds it necessary to further extend its Disaster Emergency Declaration to continue implementing emergency management measures to mitigate the spread of a significant COVID-19 event which would seriously affect the health, safety and welfare of a substantial number of Township citizens and employees or preclude the operation or use of public facilities and services.

**NOW, THEREFORE**, as the President of the Upper Moreland Township Board of Commissioners, and on behalf of the Board, and pursuant to the provisions of Section 7501(b) of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S.A 7101 *et seq.*, I hereby extend the November 9, 2020 Declaration of the existence of a public health local disaster emergency in Upper Moreland Township, Montgomery County, Pennsylvania for a period of **NINETY (90) DAYS** from the date of this Declaration.

**BE IT FURTHER DECLARED**, that Township Departments may, in conjunction with the Township Emergency Management Coordinator, suspend such regulatory requirements deemed necessary to respond to this disaster emergency and to conduct Township business.

**BE IT FURTHER DECLARED**, the Upper Moreland Emergency Management Coordinator is directed to coordinate the activities of the emergency response in coordination with the Montgomery County emergency management officials and to take any other emergency response action deemed necessary to respond to this public health local disaster emergency.

Dated: February 1, 2021

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Kevin C. Spearing, President  
Upper Moreland Township Board of  
Commissioners

**UPPER MORELAND TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. R-2021-04**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF UPPER MORELAND TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, ACCEPTING AND RATIFYING THE AMENDMENTS MADE TO THE UPPER MORELAND TOWNSHIP CIVIL SERVICE RULES BY THE UPPER MORELAND TOWNSHIP POLICE AND FIRE CIVIL SERVICE COMMISSION.**

**WHEREAS**, Upper Moreland Township (the “Township”), Montgomery County, is a duly organized Pennsylvania First-Class Township; and

**WHEREAS**, the Pennsylvania First-Class Township Code (the “Code”) requires the Township to follow the civil service provisions of the Code which govern the creation of its Police and Fire Civil Service Commission (the “Civil Service Commission”), as well as the promulgation and amendment of its rules and regulations; and

**WHEREAS**, through prior resolutions, the Township has established civil service rules and regulations for the Police Department and the Department of Emergency Services (the “Civil Service Rules”); and

**WHEREAS**, the Civil Service Commission has reviewed and recommended updates to the Civil Service Rules through the passage of Civil Service Commission Resolution 2021-02, a true and correct copy of the same is attached as Exhibit “A” to this resolution; and

**WHEREAS**, the First Class Township Code requires the Upper Moreland Township Board of Commissioners to accept and ratify the amendments made by the Civil Service Commission to the Civil Service Rules contained its Resolution 2021-02.

**NOW, THEREFORE, BE IT RESOLVED**, that the Upper Moreland Township Board of Commissioners does hereby accept and ratify the amendments to the Civil Service Rules contained in Civil Service Commission Resolution 2021-02.

**DULY PRESENTED AND ADOPTED** by the Board of Commissioners of Upper Moreland Township, Montgomery County, Pennsylvania, this 1st day of February, 2021.

**UPPER MORELAND TOWNSHIP  
BOARD OF COMMISSIONERS**

Attest:

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Matthew H. Candland, Secretary

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Kevin C. Spearing, President

## **EXHIBIT A**

Resolution Number 2021-02

**RESOLUTION OF THE POLICE AND FIRE CIVIL SERVICE COMMISSION  
OF UPPER MORELAND TOWNSHIP, MONTGOMERY COUNTY,  
PENNSYLVANIA UPDATING THE UPPER MORELAND TOWNSHIP CIVIL  
SERVICE RULES**

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**BE IT RESOLVED** by the Police and Fire Civil Service Commission of Upper Moreland Township, County of Montgomery, Pennsylvania ("Commission"), pursuant to the First Class Township Code that:

**WHEREAS**, Upper Moreland Township has been duly organized and recognized as a First Class Township in Pennsylvania; and

**WHEREAS**, as a First Class Township, Upper Moreland Township is required to follow the civil service provisions of the First Class Township Code which govern the creation of its civil service commission, as well as the promulgation and amendment of its rules and regulations; and

**WHEREAS**, Section 630 of the First Class Township Code authorizes the Commission to prescribe and amend rules and regulations governing the appointment, promotion and removal of police officers and paid firefighter/EMTs within the Township's Police Department and Department of Emergency Services; and

**WHEREAS**, through prior resolutions, the Township has established civil service rules and regulations for the Police Department and the Department of Emergency Services (the "Civil Service Rules"); and

**WHEREAS**, the Commission is recommending an update of its Civil Service Rules;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Commission that the existing Township Civil Service Rules are hereby replaced in their entirety with the Rules attached hereto as Exhibit "A" and incorporated into this Resolution.

**BE IT FURTHER RESOLVED** that these new Civil Service Rules shall take effect once approved by the Upper Moreland Township Board of Commissioners.

The undersigned hereby certifies that the foregoing is a true and correct copy of the Resolution duly adopted by the Commission on the 13th day of January, 2021.

**UPPER MORELAND TOWNSHIP  
CIVIL SERVICE COMMISSION**

BY:



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Secretary

## **UPPER MORELAND TOWNSHIP**

## **CIVIL SERVICE RULES**

Approved by Civil Service Commission 7/20/2010  
and by Board of Commissioners on 8/2/10

Revision to Section 3.6A approved by Civil Service Commission 2/14/11  
and by Board of Commissioners on 3/7/11

Approved by the Civil Service Commission 1/31/2012  
and by the Board of Commissioners on 3/5/12

Revision to Section 3.6A approved by Civil Service Commission on 6/7/13  
and by Board of Commissioners on 7/1/13

Revision to Section 3.6A, 4.3A, 4.1, 4.2, 4.4, 4.6, 4.9 and 5.1 approved by Civil  
Service Commission on 10/31/13 and by Board of Commissioners on 12/1/13.

Revision to Section 3.6A and 4.5A approved by Civil Service Commission on  
7/9/14 and by Board of Commissioners on 10/6/14

Revision to Section 3.6B and 3.7B approved by Civil Service Commission  
5/13/15 and by Board of Commissioners on 7/6/15.

Revisions to Section 3.6.A(8) approved by Civil Service Commission on  
4/13/16 and by Board of Commissioners on 5/2/16.

**Revisions to Section 3.6.A(5),(6),and (8); Section 3.7 1, 4 (a), 5 (a) and 5 (b); Section  
4.1; Section 4.3 (A); Section 4.5 (A); and Section 4.6 (A)**

# **UPPER MORELAND TOWNSHIP CIVIL SERVICE RULES**

## **CHAPTER 1. DEFINITIONS OF TERMS**

Section 1.1 Definitions

Section 1.2 Gender

## **CHAPTER 2. THE COMMISSION**

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Section 2.2 Offices Incompatible with Commissioner

Section 2.3 Organization of Commission; Quorum

Section 2.4 Duties of Chairperson

Section 2.5 Duties of Secretary

Section 2.6 Meetings

Section 2.7 Clerks and Supplies

Section 2.8 Amendment of Rules

Section 2.9 Minutes and Records

Section 2.10 Investigations

Section 2.11 Subpoenas

Section 2.12 Annual Report

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- Section 3.1 Eligibility for Examination – All Applicants
- Section 3.2 Discrimination
- Section 3.3 Availability of Applications
- Section 3.4 Recording and Filing Applications – All Applicants
- Section 3.5 Age Requirements - All Applicants
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## **CHAPTER 4. EXAMINATION AND GRADING PROCEDURE**

- Section 4.1 General Examination Requirements for the Position of Patrol Officer
- Section 4.2 General Examination Requirements for Position of Firefighter/EMT
- Section 4.3 General Examination Requirements for Promotion
- Section 4.4 Appointment of Examiners
- Section 4.5 Written Examination for Patrol Officer or Firefighter/EMT
- Section 4.6 Oral Examination for Patrol Officer or Firefighter/EMT
- Section 4.7 Overall Passing Score – All Applicants

Section 4.8      Veterans' Preference Points – All Applicants

Section 4.9      Physical Agility Testing

**CHAPTER 5.      CREATION OF THE ELIGIBILITY LIST,  
BACKGROUND INVESTIGATION,  
RECOMMENDATION AND APPOINTMENT**

Section 5.1      Creation of Eligibility List – Entry Level and Promotion

Section 5.2      Background Investigation – Applicants For Patrol Officer or Firefighter/EMT

Section 5.3      Polygraph Examination for Patrol Officer Candidates Only

Section 5.4      Recommendation to Commission

Section 5.5      Certification of Candidate List and Appointment – Any Vacancy Including Promotion

Section 5.6      Appointment of Chief of Police or Director of Emergency Services

Section 5.7      Physical and Psychological Medical Examinations

Section 5.8      Probationary Period

Section 5.9      Provisional Appointments

**CHAPTER 6.      SUSPENSIONS, REMOVALS AND REDUCTIONS IN RANKS**

Section 6.1      Grounds for Disciplinary Action

Section 6.2      Furloughs

Section 6.3      Notice of Suspensions, Removals or Reductions in Rank

Section 6.4      Hearings on Suspensions, Removals and  
Reductions in Rank

Section 6.5      Hearing Procedure

**CHAPTER 7.      RESOLUTION FOR ADOPTION OF RULE**

## CHAPTER 1. DEFINITION OF TERMS

### Section 1.1      Definitions

Unless otherwise expressly stated, the following words and phrases, wherever used in these Rules, shall be construed to have the meaning indicated herein:

***Applicant:*** Any individual who applies in writing to the Commission in response to a legally advertised notice of vacancy and/or examination for any position in the Police Department or Department of Emergency Services for any full-time or part-time position in the Police Department or Department of Emergency Services.

***Alternate Commissioner:*** An individual appointed by the Appointing Authority in a First Class Township to serve as an "Alternate Civil Service Commissioner." Properly appointed Alternate Commissioners shall have all the same powers and duties as a properly appointed Commissioner set forth in the First Class Township Code.

***Appointing Authority:*** The Board of Commissioners of Upper Moreland Township, Montgomery County, Pennsylvania.

***Certification:*** The submission to the Appointing Authority pursuant to its request for three names taken from the eligible list developed by the Commission.

***Chairperson:*** The Chairperson of the Commission.

***Commission:*** The Civil Service Commission of Upper Moreland Township, Montgomery County, Pennsylvania.

***Commissioner:*** An individual appointed by the Appointing Authority to serve as a member of the Civil Service Commission of the Township.

***Department of Emergency Services.*** The department in Upper Moreland Township which provides emergency services to the Township consisting of the Fire Department with paid firefighter/EMTs and fire companies with volunteer firefighters. For purposes of these Rules, all references to applicants for positions in the Department of Emergency Services shall refer only to paid operators of fire apparatus as referenced in the First Class Township Code and defined as Firefighter/EMT in these Rules.

***Eligible:*** A person whose name is recorded on a current eligible list or furlough list.

***Eligible List:*** The list of names of persons who have passed all examinations for a particular position in the Police Department or Department of Emergency Services.

***Examination:*** The series of tests given to applicants to determine their qualifications for a position in the Police Department or Department of Emergency Services.

***Firefighter/EMT:*** For the purpose of these Rules, an entry level sworn full-time paid position in the Department of Emergency Services.

***Furlough List:*** The list containing the names of persons temporarily laid off from positions in the Police Department or Department of Emergency Services because of a reduction in the number of police officers or firefighter/EMTs.

***Patrol Officer:*** For purposes of these Rules, an entry level sworn full-time or part-time position in the Police Department. The Appointing Authority shall retain full discretion in determining which part-time patrol officer receives an offer of full-time employment. Regardless of a patrol officer's hours worked, the civil service rank of full-time and part-time patrol officers shall be the same.

***Police Department.*** The department in Upper Moreland Township which provides police and law enforcement services.

**Probationer:** An officer in the Police Department or firefighter/EMT in the Department of Emergency Services who has been appointed from an eligible list, but who has not yet completed the work-test period.

***Reduction in Rank:*** A change to a different position or rank where the employee fulfilled all of the requirements of these Rules for both the prior and current position or rank. However, a decrease in salary without a change to a different position or rank shall not necessarily constitute a reduction in rank.

***Removal:*** The permanent separation of a police officer from the Police Department or firefighter/EMT from the Department of Emergency Services.

*Secretary:* The Secretary of the Commission.

***Suspension:*** The temporary separation without pay of a police officer from the Police Department or a firefighter/EMT from the Department of Emergency Services.

**Township:** Upper Moreland Township, Montgomery County, Pennsylvania.

## Section 1.3 Gender

The words "he," "his," "him" and "men" when used in these Rules represent both the masculine and feminine genders.

## CHAPTER 2. THE COMMISSION

### Section 2.1 Civil Service Commission

A. **Number or Members; Appointment.** The Commission shall consist of three Commissioners who shall be qualified electors of the Township and shall be appointed by the Appointing Authority initially to serve for the terms of two, four and six years, and as terms thereafter expire shall be appointed for terms of six years.

B. **Vacancy.** Any vacancy occurring in the Commission for any reason whatsoever shall be filled by the Appointing Authority for the unexpired term within the period of thirty (30) days after such vacancy occurs.

C. **Oath; No Compensation.** Each Commissioner and Alternate Commissioner, before entering upon the discharge of the duties of his office, shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity. No Commissioner or Alternate Commissioner shall receive compensation.

D. **Alternate Commissioners.** The Appointing Authority may appoint no more than three qualified electors of the Township to serve as Alternate Commissioners. The term of office shall be six years. An Alternate Commissioner shall be entitled to participate in all proceedings and discussions of the Commission to the same and full extent as provided by law for Commission members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in the First Class Township Code and as otherwise provided by law. Alternate Commissioners shall hold no other office in the Township. Any Alternate Commissioner may participate in any proceeding or discussion of the Commission, but shall not be entitled to vote as a Commissioner unless designated as a voting alternate member pursuant to Section 628 of the First Class Township Code.

### Section 2.2 Offices Incompatible with Commissioner

No Commissioner nor Alternate Commissioner shall at the same time hold an elective or appointed office under the United States government, the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth, except that one Commissioner may be a member of the Board of Commissioners of the Township.

### Section 2.3 Organization of Commission; Quorum

A. The Commission first appointed shall organize within ten days of its appointment and shall elect one of its members as its chairperson and one as its secretary. The Commission shall thereafter meet and organize on the first Monday of January of each even-numbered year. Three members of the Commission shall constitute a quorum and no action of the Commission shall be valid unless it shall have the concurrence of at least two Commissioners.

B. If, by reason of absence or disqualification of a Commissioner, a quorum is not reached, the Chairperson shall designate as many Alternate Commissioners to sit on the Commission as may be needed to provide a quorum. Any Alternate Commissioner shall continue to serve on the Commission in all proceedings involving the matter or case for which the Alternate Commissioner was initially designated until the Commission has made a final determination of the matter or case. Designation of an Alternate Commissioner shall be made on a case-by-case basis in rotation according to declining seniority among all Alternate Commissioners. No action of the Commission shall be valid unless it shall have the concurrence of at least two Commissioners including any serving Alternate Commissioners.

C. For purposes of hiring and promoting police officers or firefighters/EMTs under these Rules, each step of the hiring or promotional process requiring official action by the Commission shall be considered a separate "matter or case" under Subsection (B) above, and each step of the hiring or promotional process need not be voted upon or approved by the same composition of Commissioners or Alternate Commissioners, as the case may be, provided that the quorum requirement has been satisfied.

#### **Section 2.4 Duties of Chairperson**

The chairperson, or in his absence, the vice-chairperson, shall preside at all meetings and hearings of the Commission, decide all points of order or procedure and perform any duties required by law or these Rules.

#### **Section 2.5 Duties of Secretary**

The secretary shall transmit, at the direction of the Commission, all official correspondence of the Commission and all notices required by law and these Rules, keep a record of each examination or other official action of the Commission, and perform all other duties required by law or these Rules.

#### **Section 2.6 Meetings**

Except for the biennial organization meeting, all meetings shall be held either at the call of the chairperson or at the call of two members of the Commission. The Commission shall have the discretion to determine whether meetings shall be open to the public when not specifically regulated by law or these Rules. The secretary of the Commission shall give each Commissioner twenty-four (24) hours notice in writing of each and every meeting of the Commission.

#### **Section 2.7 Clerks and Supplies**

The Appointing Authority shall furnish the Commission with such supplies and clerical assistance as may be necessary for the Commission to fulfill its duties. In addition, the Commission may retain counsel, and any other consultants or experts, including physicians and psychiatrists, as are necessary. The elected and appointed officials of the Township shall assist the Commission with all reasonable and appropriate efforts including compensation for any counsel or experts retained by the Commission.

## **Section 2.8    Amendment of Rules**

The Commission may amend, revise, void or replace these Rules for any reason by action of a majority of the Commission at any properly convened meeting of the Commission. Before any changes to these Rules become effective, those changes must be approved by the Appointing Authority. These Rules and any amendments thereto shall be made available to the public for distribution or inspection.

## **Section 2.9    Minutes and Records**

The Commission shall keep minutes of its proceedings and records of examinations and other official action. All records of the Commission shall be preserved and disposed of according to the *Retention and Disposition Schedule for Records of Pennsylvania Municipalities* issued by the Local Government Records Committee under the authority of the Municipal Records Act, 53 Pa. C.S.A. § 1381 *et seq.*

Any and all records related to any disciplinary action filed with the Commission shall be open to public inspection subject to reasonable regulation. The secretary shall keep minutes of the Commission's proceedings showing the vote of each Commissioner upon each question. If a Commissioner is absent or fails to vote, the secretary shall indicate that fact in the minutes.

## **Section 2.10    Investigations**

The Commission shall have the power to make investigations concerning all matters relating to the administration and enforcement of these Rules. The chairperson of the Commission is authorized to administer oaths and affirmations for witnesses testifying in connection with such investigations.

## **Section 2.11    Subpoenas**

The Commission shall have the power to issue subpoenas over the signature of the chairperson, or his designee, to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry, including any background investigation conducted pursuant to Section 4.9 of these Rules. The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from appropriations for the incidental expense of the Commission.

All officers in public service and employees of the Township shall attend and testify when required to do so by the Commission.

If any person shall refuse or neglect to obey any subpoena issued by the Commission, upon conviction of such refusal or neglect in a summary proceeding, that person shall be sentenced to pay a fine not to exceed one hundred dollars (\$100), and in default of the payment of such fine and costs shall be imprisoned not to exceed thirty (30) days.

If any person shall refuse or neglect to obey any subpoena issued by the Commission, the Commission may apply by petition to the Court of Common Pleas of Montgomery County for its subpoena for an order

requiring the attendance of such persons before the Commission or the court to testify and to produce any records and papers necessary, and in default thereof shall be held in contempt of court.

### **Section 2.12 Annual Report**

The Commission shall make an annual report to the Appointing Authority containing a brief summary of its work during the year and a full accounting for any expenditures of public monies. The annual report shall be available for public inspection.

## **CHAPTER 3. APPLICATIONS AND QUALIFICATIONS**

### **Section 3.1 Eligibility for Examination – All Applicants**

In order to be eligible for participation in any examination for any position with the Police Department or Department of Emergency Services, every applicant must submit a completed application form to the Commission, or its designated agent, before the deadline stated by the Commission for that specific examination. The applicant must make an oath or affirmation that the application is completed truthfully, and the applicant is subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

### **Section 3.2 Discrimination**

The Township is an equal opportunity employer. It is the Township's and the Commission's policy to grant equal employment opportunities to qualified persons without regard to race, religion, color, national origin, gender, age, veteran status, marital status or non-job-related physical or mental handicap or disability. The Township and the Commission will provide equal opportunities in employment and promotion.

### **Section 3.3 Availability of Applications**

A. **Police Department.** Application forms shall be available to all interested persons in the office of the Chief of Police and from such other offices and officers that the Commission, from time to time, may choose to designate. Application forms may be mailed upon written or telephone request. However, the Commission assumes no responsibility for missed filing deadlines due to a delay in the mail.

B. **Department of Emergency Services.** Application forms shall be available to all interested persons at the Township Building and from such other offices and officers that the Commission, from time to time, may choose to designate. Application forms may be mailed upon written or telephone request. However, the Commission assumes no responsibility for missed filing deadlines due to a delay in the mail.

### **Section 3.4 Recording and Filing Applications – All Applicants**

Applications for positions in the Police Department or Department of Emergency Services will be received at the location(s) specified by the Commission or the persons or entities authorized by it to accept applications and conduct examinations on its behalf. Such applications will be received only after a hiring or promotional test has been properly advertised and before the deadline for receiving applications which must be set forth in the public advertisement. Applications will be received by the person or entity designated in the public advertisement. That person or entity shall record the receipt of all applications and provide each applicant with notice of the time and place for the first portion of the testing procedure, the written examination. Any application containing material errors or omissions may, at the discretion of the Commission, be returned to the applicant for correction prior to the deadline for filing applications, after which no new applications or amended applications will be accepted.

### **Section 3.5 Age Requirements – All Applicants**

All applicants for patrolman or firefighter/EMT positions must have reached their twenty-first (21st) birthday before the deadline for submitting completed applications.

### **Section 3.6 General Qualifications – Applicants for Patrol Officer Or Firefighter/EMT**

**A. Police Department.** Every applicant for any position in the Police Department: (1) must possess a diploma from an accredited high school or a graduate equivalency diploma (GED); (2) must be a United States citizen; (3) must be physically and mentally fit to perform the full duties of a police officer; (4) must possess a valid motor vehicle operator's license at the time of application; (5) must have successfully completed PA Act 120, as amended, Municipal Police Officers Education and Training Commission ("MPOETC") certification training within the thirty-six (36) months immediately prior to filing an application for patrol officer with the Township or presently be enrolled in a course of study at a police academy certified by MPOETC and within two hundred ten (210) days after the patrol officer application filing deadline, successfully complete said training or qualify for a waiver of training as required by PA Act 120.

**B. Department of Emergency Services.** Every applicant for a firefighter/EMT position in the Department of Emergency Services must possess a diploma from an accredited high school or a graduate equivalency diploma (GED). In addition, every applicant must be a United States citizen, be physically and mentally fit to perform the full duties of a firefighter/EMT and, prior to appointment, possess a valid motor vehicle license issued by the Commonwealth of Pennsylvania. In addition to the above criteria, every applicant must meet all of the following additional qualifications:

1. have earned at least sixty (60) credits from an accredited college or university, or have served at least five (5) years as a full-time or volunteer firefighter in the Commonwealth of Pennsylvania; and

2. have the following certifications:

Fire Fighter I	(NFPA 1001)
Fire Fighter II	(NFPA 1001)
Driver/Operator Pumper	(NFPA 1002)
Fire Inspector I	(NFPA 1031)
Haz Mat Operations	(NFPA 472)
PA DOH Medical certification for EMT	
PA DOH Vehicle Rescue Technician	

### **Section 3.7 General Qualifications – Applicants for Promotion**

#### **A. Police Department**

Applicants for promotion must meet all of the following criteria in order to be eligible to take the examination:

1. Must possess evidence of graduation from high school or a GED equivalent certificate.
2. Shall not have been suspended, without pay, for more than twelve (12) hours in the twelve (12) months immediately preceding the deadline for submitting applications. Any suspension to which the applicant has timely appealed, pursuant to a contractual grievance procedure or these Rules, shall be disregarded unless the appeal is resolved prior to the creation of the eligibility list.
3. Shall have achieved a “meets criteria” evaluation rating or higher pursuant to the Police Department’s performance evaluation system on the last two (2) evaluations of that applicant.
4. In addition to the foregoing, all applicants for the position of sergeant shall possess the following qualifications:
  - (a) have served at least five (5) years of service in the Police Department;
  - (b) understand the laws, ordinances and rules of the Police Department;
  - (c) possess knowledge of basic principles of police administration including all applicable laws, definition of crimes, criminal procedures, observations and patrol, traffic laws and procedures, firearms, self-defense, first aid, public relations and a working knowledge of the police sciences;
  - (d) possess the ability to give orders to subordinates and receive them from superiors in accordance with departmental policies; and
  - (e) possess the ability to handle crisis situations effectively.
5. For the position of lieutenant, all applicants shall possess all of the foregoing qualifications in this section and also:

- (a) have served at least ten (10) years in the Police Department; and
- (b) currently hold the rank of sergeant for at least five (5) years in the Police Department.

**B. Department of Emergency Services – General Qualifications – Rank of Fire Captain**

Vacancies for the rank of Fire Captain will be posted in the Department of Emergency Services. If applicants within the Department meet the general qualifications for promotion, the examination will not be open to outside applicants. In the event that applicants within the Department do not meet the general qualifications for the Fire Captain vacancy, it will be open to applicants from outside the Department.

1. General Qualifications for Applicants from the Department of Emergency Services. Applicants for promotion to the rank of Fire Captain must meet all of the following criteria in order to be eligible to take the examination:

a. Have at least five (5) years of service as a full-time, paid firefighter/EMT in the Department of Emergency Services of the Township;

b. Have earned a minimum of sixty (60) college credits from an accredited college/university;

c. Have the following certifications:

Driver/Operator Aerial/Tiller	(NFPA 1002)
Fire Inspector II	(NFPA 1031)
Hazardous Materials Technician	(NFPA 472)
Fire Service Instructor II	(NFPA 1041)
Fire Officer II	(NFPA 1021)
Incident Safety Officer	(NFPA 1521)
Plans Examiner I & II	(NFPA 1031)
Fire Investigator	(NFPA 1033)

d. Shall not have been suspended without pay for more than twelve (12) hours in the twelve (12) months immediately preceding the deadline for submitting the application; and

e. Have achieved a “meets expectations” performance evaluation or higher on the most recent annual evaluation conducted pursuant to the Department of Emergency Services’ evaluation system.

2. General Qualifications for Applicants from Outside the Department of Emergency Services. Applicants for promotion to the rank of Fire Captain must meet all of the following criteria in order to be eligible to take the examination:

a. Have at least five (5) years of service as a full-time, paid firefighter/EMT in another municipal fire department;

b. Have earned a minimum of sixty (60) college credits from an accredited college/university;

c. Have the following certifications:

Driver/Operator Aerial/Tiller	(NFPA 1002)
Fire Inspector II	(NFPA 1031)
Hazardous Materials Technician	(NFPA 472)
Fire Service Instructor II	(NFPA 1041)
Fire Officer II	(NFPA 1021)
Incident Safety Officer	(NFPA 1521)
Plans Examiner I & II	(NFPA 1031)
Fire Investigator	(NFPA 1033)

d. Shall not have been suspended without pay for more than twelve (12) hours in the twelve (12) months immediately preceding the deadline for submitting the application; and

e. Have achieved a "meets expectations" or comparable rating on the last evaluation performed on the applicant from the last fire department for which he/she was employed full-time. If there was no evaluation system in place, this criteria will be waived.

### **Section 3.8 Rejection of Applicant – All Applicants**

The Commission may refuse to examine, or, if examined, may refuse to certify as eligible after examination, any applicant who is found to lack any of the minimum qualifications for examination prescribed in these Rules for the particular position for which the applicant has applied which shall include providing any false or misleading information or material omissions at any time during the examination or investigation process. In addition, the Commission may refuse to examine, or if examined, may refuse to certify any applicant who is physically or mentally unfit to perform the full duties of the position applied for, or who is illegally using a controlled substance, as defined in Section 102 of the Controlled Substances Act (Public Law 91-513, 21 U.S.C. §802), who has been guilty of any crime involving moral turpitude, or of infamous or notoriously disgraceful conduct, or who has been dismissed from public service for delinquency or misconduct in office, or who is affiliated with any group whose policies or activities are subversive to the forms of government set forth in the constitutions and laws of the United States and the Commonwealth of Pennsylvania.

### **Section 3.9 Hearing for Disqualified Applicants – All Applicants**

Any applicant who is aggrieved by the refusal of the Commission to examine or to certify the applicant as eligible after examination, may request a hearing before the Commission. Within ten (10) days after such request, the Commission shall designate a time and place for a public hearing, with or without counsel, which shall be conducted pursuant to the procedures set forth in the Local Agency Law, 2 Pa. C.S. § 101 *et seq.* The applicant must make his request for a hearing in writing within ten (10) calendar days of the date when the applicant knew or should have known of the Commission's action which is being challenged. The request for a hearing shall be addressed to the Chairperson of the Commission and delivered to the Township Building, 117

Park Avenue, Willow Grove, PA 19090. At the hearing the Commission shall consider evidence and review its refusal to provide examination or certification. The decision of the Commission shall be final.

### **Section 3.10 Public Notice**

The Commission shall conspicuously post in the Township building an announcement of the hiring or promotional testing and set forth the time and place of every examination, together with the information as to the type of position to be filled, the requirements for that position, where applications may be obtained, and the deadline for filing those applications. In addition, at least two weeks prior to the close of the application period, publication of the notice shall occur in at least one newspaper of general circulation or a newspaper circulating generally in the Township.

## **CHAPTER 4. EXAMINATION AND GRADING PROCEDURE**

### **Section 4.1 General Examination Requirements for the Position of Patrol Officer**

In order to be eligible to take the examination, an applicant must have met all general qualifications for the position as set forth in Chapter 3 of these Rules. The examination for patrol officer will consist of a written and an oral examination which will each be graded on a one hundred (100) point scale. The weight of the written examination shall be forty percent (40%) of the final score and the weight of the oral examination shall be sixty percent (60%) of the final score. In addition, each applicant will undergo a physical fitness assessment, a polygraph test and a background investigation. The physical fitness assessment and polygraph tests and background investigation will be graded on a pass/fail basis for every applicant. After an applicant has been extended a conditional offer of employment, final appointment shall be contingent upon the applicant passing a medical and psychological examination.

### **Section 4.2 General Examination Requirements for the Position of Firefighter/EMT**

In order to be eligible to take the examination, an applicant must have met all general qualifications for the position as set forth in Chapter 3 of these Rules. The examination for firefighter/EMT will consist of a written and an oral examination which will each be graded on a one hundred (100) point scale. The weight of the written examination shall be fifty percent (50%) of the final score and the weight of the oral test shall be fifty percent (50%) of the final score. In addition, each applicant will undergo a physical fitness assessment and a background investigation. The physical fitness assessment and background investigation will be graded on a pass/fail basis for every applicant. After an applicant has been extended a conditional offer of employment, final appointment shall be contingent upon the applicant passing a medical and psychological examination.

### **Section 4.3 General Examination Requirements for Promotion**

**A. Police Department.** The examination for the position of sergeant and the position of lieutenant shall include a written examination and oral examination which shall be graded on a one hundred (100) point scale, with the written examination representing forty percent (40%) of the final score and the oral examination representing sixty percent (60%) of the final score.

**B. Department of Emergency Services.** The examination for the rank of Fire Captain shall include a written and oral examination each of which shall be graded on a one hundred (100) point scale, with the written examination representing fifty percent (50%) of the final score and the oral examination representing fifty percent (50%) of the final score. After an applicant has been extended an offer of to the rank of Fire Captain, the final appointment to that position shall be contingent upon the applicant passing medical and psychological examinations.

### **Section 4.4 Appointment of Examiners**

The Commission shall appoint a written examination administrator, an oral examination administrator, a polygraph examiner for police candidate examinations only, a physical fitness examiner, a medical examiner and a psychological examiner to conduct the appropriate examination required by these Rules.

### **Section 4.5 Written Examination for Patrol Officer or Firefighter/EMT**

**A. Police Department.** The written examination shall be graded on a one hundred (100) point scale, and an applicant must score seventy percent (70%) or higher and receive one of the top thirty (30) of the highest scores, whichever results in the greater number of passing applicants, in order to continue in the application process. Tie scores shall be counted separately to determine the total number of applicants who have made the cut-off point. Applicants scoring less than seventy percent (70%) or not receiving one of the top thirty (30) of the highest scores shall be rejected. Within thirty (30) days after the administration of the written examination, all applicants who pass and qualify to move forward with the application process shall be given written notice of their test results, and shall be informed of the next step in the examination process. All applicants may view their scores at the Township police department or on its website. All posted scores shall be shown by applicant identification number only.

**B. Department of Emergency Services.** The written examination shall be graded on a one hundred (100) point scale, and an applicant must score seventy percent (70%) or higher and receive one of the top thirty (30) or ten percent (10%) of the highest scores, whichever results in the fewest passing applicants, in order to continue in the application process. Tie scores shall be counted separately to determine the thirty (30) highest scores. Applicants scoring less than seventy percent (70%) or not receiving one of the top thirty (30) or ten percent (10%) of the highest scores shall be rejected. Within thirty (30) days after the administration of the written examination, all applicants shall be given written notice of their test results, and each passing applicant shall be informed of the next step in the examination process.

### **Section 4.6 Oral Examination for Patrol Officer or Firefighter/EMT**

**A. Police Department.** Every applicant who qualified to move beyond the written examination as set forth in Section 4.5 above and who has passed the physical fitness assessment, if the Commission determined that the physical fitness assessment should be administered prior to the oral examination, shall be given an oral examination that will be graded on a one hundred (100) point scale with a score of seventy percent (70%) or higher necessary for passing. The oral examination shall involve questions addressing the applicant's judgement, fairness and honesty. Within thirty (30) days after the applicants' oral examination, they shall be informed of their oral examination and total overall scores, and each passing applicant shall be informed of the next step in the examination process. Any applicant who does not pass the oral examination shall be rejected.

**B. Department of Emergency Services.** Every applicant who qualified to move beyond the written examination as set forth in Section 4.5 above and who has passed the physical agility testing, if the Commission determined that the physical agility testing should be administered prior to the oral examination, shall be given an oral examination that will be graded on a one hundred (100) point scale with a score of seventy percent (70%) or higher necessary for passing. The oral examination shall involve questioning applicants on how they would handle situations relevant to fire operations and fire prevention/fire safety education. Within thirty (30) days after the applicants' oral examination, they shall be informed of their oral examination and total overall scores, and each passing applicant shall be informed of the next step in the examination process. Any applicant who does not pass the oral examination shall be rejected.

#### **Section 4.7 Overall Passing Score – All Applicants**

An applicant for patrolman or firefighter/EMT must score seventy percent (70%) or greater on the written and oral examinations combined, based on a one hundred (100) point scale, in order to qualify. Any applicant not receiving a passing score shall be promptly notified in writing.

#### **Section 4.8 Veterans' Preference Points – All Applicants**

Pursuant to the Veterans' Preference Act, any applicant for the position of patrol officer or firefighter/EMT who qualifies as a "soldier" under the Act shall receive an additional ten (10) points on top of his total score if that applicant had received passing scores under this Chapter. Any applicant claiming veterans' preference is responsible for providing any and all relevant documents to the Commission.

#### **Section 4.9 Physical Fitness Assessment**

**A. Police Department.** An applicant for the position of patrol officer must undergo a physical fitness assessment pursuant to standards established by the Commission which are job-related and consistent with business necessity. The physical fitness assessment may be held at any time in the application process after the written examination as determined by the Commission. The physical fitness specifications will be provided to all potential applicants in the application package. Any applicant who does not pass the physical fitness assessment shall be rejected.

**B. Department of Emergency Services** An applicant for the position of firefighter/EMT must meet the requirements of the physical agility examination. The specific elements of the physical agility examination,

which will be job-related and consistent with business necessity, will be adopted at an advertised meeting of the Commission prior to the announcement of the examination/testing cycle. The physical agility specifications will be provided to all potential applicants in the application package. Any applicant who does not pass the physical agility examination shall be rejected and shall be promptly notified in writing.

## **CHAPTER 5. CREATION OF THE ELIGIBILITY LIST, BACKGROUND INVESTIGATION, RECOMMENDATION AND APPOINTMENT**

### **Section 5.1 Creation of Eligibility List – Entry Level and Promotion**

At the completion of the examination requirements set forth in these Rules for written examination, oral examination and, physical fitness assessment, the Commission shall rank all passing applicants on a list with the applicant receiving the highest score at the top of the list and the applicant receiving the lowest passing score at the bottom of the list. Applicants who qualify for veterans' preference points shall have those points added to their passing score prior to being ranked on the eligibility list.

In the case of tied scores, the tie will be broken by ranking the names of the candidates with tied scores in alphabetical order by surname.

The eligibility list will be valid for one year from the date the Commission ranks all passing applicants, assigns veterans' preference points and formally adopts the eligibility list. The Commission may, at its sole discretion, before the original expiration date, by a vote of the majority of the Commission at a duly authorized Commission meeting, extend the list for up to an additional twelve (12) months. The Commission may, at its sole discretion, void an eligibility list at any time for any reason.

### **Section 5.2 Background Investigation – Applicants for Patrol Officer or Firefighter/EMT**

The Commission shall request the chief of police, the director of emergency services or their designees to conduct a background investigation on as many applicants as it deems necessary for the purpose of certifying a list to the Appointing Authority in order to fill a position within a department. The background investigation shall also include interviews with anyone who can provide information regarding the applicant's fitness for the position, including, but not limited to, the applicant's family, acquaintances, current and former employers, current and former neighbors, references and current and former teachers and school officials. At a minimum, personal interviews shall be conducted with at least three (3) people that have personal knowledge of the applicant but who are not related to the applicant and with the applicant's employer(s) for the past five (5) years. The background investigation shall also include a criminal history check, including the submission of fingerprints to the Central Repository for the Commonwealth of Pennsylvania and the Federal Bureau of Investigation. The applicant's credit history and record of criminal convictions shall also be investigated, as well as the applicant's driving record. The applicant may be interviewed directly when the information collected during the background investigation requires clarification or explanation.

If necessary to complete a thorough background investigation on any applicant, the Commission may, upon the request of the chief of police, the director of emergency services or their designees, subpoena the personnel records maintained by any other police department(s) by which the applicant was previously employed.

### **Section 5.3 Polygraph Examination for Patrol Officer Candidates Only**

A. As part of the background investigation, every applicant for the position of patrol officer shall fill out a Personal Data Questionnaire and undergo a polygraph examination at the direction of the Commission. The Commission shall furnish each polygraph examiner with forms upon which the examiner shall state whether any of the applicant's responses to questions from the applicant's Personal Data Questionnaire are deceptive. The report on each examination shall be submitted to the Commission within ten (10) business days after the date of the examination.

B. The examiner shall ask questions based on the information contained in the Personal Data Questionnaire. Before administering the test, the examiner shall ask each applicant whether there is any more information related to the Personal Data Questionnaire which the applicant would like to provide. There shall also be a post-test review, during which the examiner shall again ask the participant, if deception is indicated, whether there is any information which the applicant is withholding.

C. If the examiner shall deem any of the applicant's responses to be deceptive, the examiner must tell the applicant immediately and give the applicant an opportunity to explain, deny or admit the deception. If the applicant denies being deceptive or if the explanation is found unsatisfactory by the examiner, the applicant will be given the opportunity to retake the polygraph examination with a second examiner. Notice of the opportunity to retake the polygraph examination shall be given in writing to the applicant. Within ten (10) days of the date of the notice of the opportunity to retake the polygraph examination the applicant must indicate in writing addressed and delivered to the Commission, or its designated agent, at the Township Building, that he or she is electing to undergo the second polygraph examination. The second examiner will not have access to the results of the first examination prior to re-administering the polygraph examination. If the second examiner finds no deception, the applicant will be considered as having passed the polygraph examination. If the second examiner also finds the applicant deceptive, the applicant will be considered as having failed the polygraph examination.

D. An applicant who has failed both tests may appeal to the civil service commission for a third examination, and the decision to give the applicant an opportunity to take a third polygraph examination rests solely within the discretion of the Commission. If the applicant is awarded an opportunity to take a third polygraph examination and passes, the applicant will be considered as having passed the polygraph examination. If the applicant is found deceptive on a third examination, the applicant will be rejected.

### **Section 5.4 – Recommendation to Commission**

After the background investigation is completed, the chief of police, the director of emergency services or their designees, shall make a written recommendation to the Commission on whether the applicant is appropriate for certification to the Appointing Authority for appointment as a police officer or firefighter/EMT.

Appropriateness of the applicant shall be based on the criteria and the results of any background investigation set forth in these Rules. This recommendation shall be in writing and, if the recommendation is to disqualify, then a written explanation of the reasons for disqualification must be included. The Commission shall make the final determination on whether the information collected during the background investigation warrants rejection of the applicant. Within thirty (30) days after the Commission considers the recommendation of the chief of police, the director of emergency services or their designees, each applicant will be informed of whether they have passed the background investigation.

#### **Section 5.5    Certification of Candidate List and Appointment – Any Vacancy Including Promotion**

A. The Appointing Authority of the Township may fill any vacancy in an existing position in the Police Department or Department of Emergency Services that occurs as a result of expansion of either department, retirement, resignation, disability, termination or death by the reappointment or reinstatement of a former employee of either department who had been furloughed.

B. In the case of a vacancy for patrol officer or firefighter/EMT, but not for promotion, no other testing shall be required for a furloughed employee or a rehired or reappointed employee, except for medical and psychological examinations after conditional offer of appointment and also subject, to any recertification requirements prescribed by the Municipal Police Officers' Education and Training Commission.

C. If no furlough list exists or if positions remain to be filled after all of the individuals on the furlough list were offered reemployment, every position, except that of chief of police and director of emergency services, shall be filled only in the following manner:

1. The Appointing Authority of the Township shall notify the Commission of any vacancy which is to be filled and shall request the certification of three (3) names of persons from the list of eligible candidates who have the highest examination scores;

2. In response to the Appointing Authority's request, and after receiving a recommendation following any required background investigation pursuant to Section 5.4, the Commission shall certify the top three (3) candidates from the list of eligible candidates. If a list of eligible candidates for promotion does not contain three (3) names, the Commission shall certify the names remaining on the eligibility list.

3. Subject to its right to object to a candidate, the Appointing Authority of the Township shall make a conditional appointment of one candidate from the three (3) names certified based solely on the merits and fitness of the candidates. However, for initial appointment to patrol officer or firefighter/EMT, when one (1) of the three (3) candidates on the certified list is a veteran, that candidate shall be selected.

D. The Appointing Authority may object to one or more of the candidates certified for the reasons set forth in Section 3.8 of these Rules. If the candidate to whom the Appointing Authority objects fails to timely

exercise the rights of appeal under Section 3.9, or if the Commission declines to uphold the appeal, the Commission shall strike the name of that candidate from the eligibility list and take the steps necessary to certify the next highest name for inclusion on the list of three candidates for each name stricken off.

#### **Section 5.6      Appointment of Chief of Police or Director of Emergency Services**

In the case of a vacancy in the office of chief of police or director of emergency services, the Appointing Authority has full discretion in selecting the individual to fill the position. If the Appointing Authority requests the Commission to subject that person to a noncompetitive examination, and if that person successfully passes the noncompetitive examination, then the Commission shall notify the Appointing Authority of the results of the examination. If, after receiving notice from the Commission that the candidate is qualified, the Appointing Authority votes to bestow civil service status on that person, he may only be removed from the position of chief of police or director of emergency services for the reasons set forth in Section 6.1.

#### **Section 5.7      Physical and Psychological Medical Examinations**

A. An applicant selected from the eligibility list shall receive a conditional offer of employment. The offer of employment shall be conditioned upon the conditional employee undergoing a physical and psychological medical examination and a determination that the conditional employee is capable of performing all the essential functions of the position. Physical medical examinations shall be under the direction of a physician or other qualified medical professional. Psychological medical examinations shall be under the direction of a psychiatrist or psychologist.

B. The physician or other qualified medical professional and the psychiatrist or psychologist shall be appointed by the township commissioners and shall render an opinion as to whether the conditional appointee has a physical or mental condition which calls into question the person's ability to perform all of the essential functions of the position for which the person was conditionally appointed.

C. If the opinion rendered by the physician, or other qualified medical professional, psychiatrist or psychologist calls into question the conditional appointee's ability to perform all essential functions of a position, a person designated by the township commissioners shall meet with the conditional appointee for the purpose of having one or more interactive discussions on whether the conditional appointee can, with or without reasonable accommodation, perform all the essential functions of the position.

D. If, at the conclusion of the interactive discussion under subsection C, the township commissioners determine that the conditional appointee is not qualified, the township commissioners shall give written notice to the conditional appointee and the Civil Service Commission.

E. Nothing in these Regulations shall be construed to authorize physical or psychological medical examinations prior to the conditional appointment.

F. As used in this section, the following definitions shall apply:  
“Medical examination” shall mean any examination, procedure, inquiry or

test designed to obtain information about medical history or a physical or mental condition which might disqualify an applicant if it would prevent the applicant from performing, with or without a reasonable accommodation, all of the essential functions of the position.

“Physician” shall have the meaning given to it in 1 Pa.C.S. §1991 (relating to definitions).

“Qualified medical professional” shall mean an individual, in collaboration with or under the supervision or direction of a physician, as may be required by law, who is licensed:

(1) as a physician assistant pursuant to the act of December 20, 1985 (P.L. 457, No. 112), known as the “Medical Practice Act of 1985” or the act of October 5, 1978 (P.L. 1109, No. 261), known as the “Osteopathic Medical Practice Act”; or

(2) as a certified registered nurse practitioner pursuant to the act of May 22, 1951 (P.L. 317, No. 69), known as “the Professional Nursing Law.”

### **Section 5.8 Probationary Period**

Every candidate appointed to the position of patrol officer or firefighter/EMT or to a promotional position with the Police Department or Department of Emergency Services shall serve a twelve (12) month probationary period. For newly hired patrol officers, the one (1) year probationary period shall not commence until after the patrol officer has completed training under Act 120 and receives a certification number. If the candidate already has Act 120 certification when he is appointed, his probationary period shall commence immediately upon appointment. During the probationary period, a newly hired patrol officer or firefighter/EMT may only be dismissed for the reasons set forth in Section 3.8. Any individual who is promoted during probation may be returned to a prior rank only for the reasons set forth in Section 3.8 of these Regulations or because of incapacity for duty due to the use of alcohol or drugs. However, at the end of the twelve (12) month probationary period, if the conduct of the probationer has not been satisfactory to the Appointing Authority the probationer shall be notified in writing that the appointment will not be permanent. At that time, probationer's employment shall end, and a promoted probationer shall return to a previous rank. Any probationer, who is not informed in writing that his performance has been unsatisfactory, shall receive a permanent appointment to the new position. Any probationer who is notified in writing that his appointment will not be made permanent has no right of appeal under these Rules.

### **Section 5.9 Provisional Appointments**

Whenever there are urgent reasons for the filling of a vacancy in any position in the Police Department or Department of Emergency Services and there are no names on the eligibility list for such appointment, the Appointing Authority may nominate a person to the Commission for noncompetitive examination. Such nominee may be certified by the Commission as qualified after such noncompetitive examination and may be appointed provisionally to fill such vacancy. It shall thereupon become the duty of the Commission within three (3) weeks to hold a competitive examination and certify a list of eligible candidates and a regular appointment shall then be made from the name or names submitted by the Commission provided, however, that nothing

within this section shall prevent the appointment, without examination, of persons temporarily as police officers or firefighter/EMTs in cases of riot or other emergency.

## **CHAPTER 6. SUSPENSIONS, REMOVALS AND REDUCTIONS IN RANK**

### **Section 6.1    Grounds for Disciplinary Action**

A.    No person appointed to a position in the Police Department or Department of Emergency Services pursuant to these Rules may be suspended without pay or removed and no person promoted in rank pursuant to these Rules may be reduced in rank except for the following reasons:

1.    Physical or mental disability affecting the ability of the employee to continue in service, in which case the employee shall receive an honorable discharge from service;

2.    Neglect or violation of any official duty;

3.    Violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or felony or violation of any law in any other state or commonwealth which would constitute a misdemeanor or felony if committed in this Commonwealth;

4.    Inefficiency, neglect, intemperance, disobedience of orders or conduct unbecoming a police officer or firefighter/EMT, as the case may be;

5.    Intoxication while on duty; or

6.    Engaging or participating in or conducting of any political or election campaign other than the exercise of the right of suffrage of the employee.

B.    No employee shall be removed for religious, racial or political reasons.

C.    A statement of any charges made against any employee so employed shall be furnished to the employee within five (5) days after the Appointing Authority has adopted those charges.

### **Section 6.2    Furloughs**

A.    If for reasons of economy or other reasons, it shall be deemed necessary by the Township to reduce the number of full-time police officers or firefighters/EMTs in their respective departments, then the Township shall furlough in accordance with law.

### **Section 6.3    Notice of Suspensions, Removals or Reductions in Rank**

A.    Whenever a police officer or firefighter/EMT is suspended without pay, removed or reduced in rank, the specific charges warranting such actions shall be stated in writing by the Board of Commissioners.

The charges shall be stated clearly and in sufficient detail to enable the police officer or firefighter/EMT to understand the charges and to allow the police officer or firefighter/EMT an opportunity to respond to those charges. The charges shall specify the subsection of Section 6.1 which provides the basis for the disciplinary action as well as an explanation of the factual circumstances upon which the appointing authority relied in finding a violation of Section 6.1.

B. Within five (5) days after the Board of Commissioners has voted to impose the disciplinary action, a written statement of the charges shall be delivered to the police officer or firefighter/EMT either by personal service or by certified and registered mail. In addition, the charges shall notify the police officer or firefighter/EMT of the right to appeal under Section 6.4 of these Rules. A copy of the statement of charges shall also be served upon the members of the Commission.

#### **Section 6.4 Hearings on Suspensions, Removals and Reductions in Rank**

A. The police officer or firefighter/EMT who has been suspended, removed or reduced in rank may appeal the decision of the Board of Commissioners by written notice to the secretary of the Commission at 117 Park Avenue, Willow Grove, Pennsylvania 19090 requesting a hearing. It is the obligation of the police officer or firefighter/EMT to cause the request for a hearing to be delivered to the Commission within ten (10) days after the police officer or firefighter/EMT received notice of the discipline. The police officer or firefighter/EMT may make written answers to any charges filed not later than the date fixed for the hearing. Failure of the police officer or firefighter/EMT to provide written answers to any of the charges shall not be deemed an admission by such person.

B. The Commission shall schedule a hearing within ten (10) days from the Commission's receipt of the written request of the police officer or firefighter/EMT for a hearing, unless continued by the Commission for cause at the request of the Commission, the Board of Commissioners or the police officer or firefighter/EMT. At any such hearing, the police officer or firefighter/EMT against whom the charges have been made may be present and represented by counsel, may call witnesses and present testimony and documentation in his or her defense. The Township may also be represented by counsel, call witnesses and present evidence as is necessary to support the charges. A stenographic record of all testimony shall be taken at every hearing and preserved by the Commission. In the event the charges are dismissed, the record shall be sealed and not be available for public inspection.

C. In conducting the hearing, the Commission's standard of review shall be to determine whether sufficient evidence has been presented to support the statutory reason for the disciplinary action. If the Commission finds that sufficient evidence has been introduced to support the charge, the Commission shall not modify the penalty imposed by the Board of Commissioners unless it finds that the penalty imposed was arbitrary, discriminatory or an abuse of the Board's discretion. In considering the appropriateness of the discipline, the Commission shall not substitute its judgment for that of the Board of Commissioners. The Commission may request post-hearing Proposed Findings of Fact and Conclusions of Law from the parties and shall issue a written decision containing specific findings of fact and conclusions of law within sixty (60) days of the later of (a) receipt of the hearing transcript or (b) the date set for receipt of any Proposed Findings of Fact and Conclusions of Law.

## **Section 6.5 Hearing Procedure**

A. All testimony shall be given under oath administered by the chairperson, or in absence of the chairperson, the vice-chairperson of the Commission. The Commission shall have the power to issue subpoenas as set forth in these Rules. The hearing shall be open to the public unless, prior to the commencement of the hearing, a written or oral request to close the hearing is made by either the charged police officer or firefighter/EMT or the Township and the Commission decides to honor that request.

B. If the Commission sustains the charges, the police officer or firefighter/EMT who was suspended, removed or reduced in rank may file an appeal with the Court of Common Pleas within thirty (30) days from the date of entry by the Commission of its final order. No order of suspension without pay shall be made by the Commission for a period longer than one (1) year. In the event that the Commission fails to uphold the charges, then the police officer or firefighter/EMT sought to be suspended, removed or demoted shall be reinstated with full pay for the period of the suspension without pay, removal or demotion, and no charges related to the suspension, removal or reduction in rank shall be officially recorded in the such person's record.

Memorandum

TO: Board of Commissioners

C: Matthew Candelier

FROM: Randy Schaible *RS*

DATE: January 27, 2021

RE: Real Estate Tax Assessment Appeal Settlement Case 2015-27160

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Commissioners,

Attached is a court stipulation for case no. 2015-27160 involving the Township and Walmart at 2101 Blair Mill Road owned by Bruce D. Michaels Realty Partners. The resulting settlement will result in a decrease in the assessed value of the property and due to the terms of the settlement back taxes of \$12,164.99 is owed to the Township. The School District has agreed to settle this matter and since the Township has followed the School Districts lead it is recommended that we approve this settlement

**Sweet, Stevens, Katz & Williams LLP**  
By: Justin Barbetta, Esquire  
Identification No. 318221  
331 East Butler Avenue  
New Britain, Pennsylvania 18901  
(215) 345-9111

*Attorneys for Petitioner*  
*School District of Upper Moreland*  
*Township*

**IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY,  
PENNSYLVANIA**

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SCHOOL DISTRICT OF UPPER MORELAND TOWNSHIP	:	
Petitioner,	:	
v.	:	NO. 2015-27160
	:	
BOARD OF ASSESSMENT OF APPEALS OF MONTGOMERY COUNTY, COUNTY OF MONTGOMERY, TOWNSHIP OF UPPER MORELAND, and BRUCE D. MICHAELS REALTY PARTNERS,	:	TAX ASSESSMENT APPEAL
	:	
	:	Parcel No.: 59-00-01157-02-6
Respondents.	:	

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**STIPULATION TO SETTLE**

It is hereby stipulated by and between Petitioner, School District of Upper Moreland Township, ("the School District"), Bruce D. Michaels Realty Partners ("Taxpayer" or "Intervenor"), Upper Moreland Township ("the Township"), the County of Montgomery ("the County"), and the Montgomery County Board Of Assessment Appeals, ("the Board" and together with the School District, the Township, and the County the "the Taxing Authorities"), through their undersigned counsel, that the Tax Assessment Appeal filed by the Petitioner in the above-captioned matter is settled according to the following terms:

1. Effective January 1, 2016, for the Township and County and July 1, 2016, for the School District, the assessment for the Subject Property which was \$12,395,150 shall be INCREASED to \$13,488,000.
2. Effective January 1, 2017, for the Township and County and July 1, 2017, for the

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY,  
PENNSYLVANIA

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SCHOOL DISTRICT OF UPPER MORELAND TOWNSHIP	:	
	:	
Petitioner,	:	NO. 2015-27160
v.	:	
BOARD OF ASSESSMENT OF APPEALS	:	TAX ASSESSMENT APPEAL
OF MONTGOMERY COUNTY,	:	
COUNTY OF MONTGOMERY,	:	
TOWNSHIP OF UPPER MORELAND, and	:	Parcel No.: 59-00-01157-02-6
BRUCE D. MICHAELS REALTY	:	
PARTNERS,	:	
Respondents.	:	

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**ORDER**

AND NOW, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, it is hereby ORDERED and  
DECREEED that the terms and conditions of the attached Settlement Stipulation are accepted as  
terms and conditions of a binding Court Order.

IT IS FURTHER ORDERED and DECREED that the Montgomery County Board of Assessment  
Appeals shall make the appropriate adjustments in assessments as agreed to in the attached  
Settlement Stipulation, and that the Prothonotary shall mark the above-captioned action as  
“settled, discontinued and ended”.

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J.

School District, the assessment shall be INCREASED from \$12,395,150 to \$13,464,000.

3. Effective January 1, 2018, for the Township and County and July 1, 2018, for the School District, the assessment shall be INCREASED from \$12,395,150 to \$12,984,000.

4. Effective January 1, 2019, for the Township and County and July 1, 2019, for the School District, the assessment shall be INCREASED from \$12,395,150 to \$12,470,500.

5. Effective January 1, 2020, for the Township and County and July 1, 2020, for the School District, the assessment shall be DECREASED from \$12,395,150 to \$12,078,500.

6. Effective January 1, 2021, for the Township and County and July 1, 2021, for the School District, the assessment shall be DECREASED from \$12,395,150 to \$11,490,500.

7. The assessment shall remain at \$11,490,500 for each subsequent tax year unless changed by reason of an assessment appeal, county wide reassessment, change in the Subject Property, or otherwise permitted by applicable law.

8. The Taxing Authorities and the Taxpayer mutually agree not to appeal the assessment of the property for a period of three (3) years, commencing upon the day the attached Order is filed.

9. The Board shall change the assessment to comport with this stipulation and notify all taxing authorities of such change.

10. As a result of the adjustment in the assessment for the property identified as Tax Parcel No. 59-00-01157-60-2 there has been a net underpayment in taxes to the County, Township and School District for Tax Years 2016 through 2020 and an underpayment to the Montgomery County Community College ("the College") for Tax Years 2017 through 2020.

11. Upon approval of this Stipulation to Settle by the Court, the business administrators, business managers, or treasurers of the County of Montgomery, the Township of Upper Moreland, the Montgomery County Community College, and the School District of Upper

Moreland Township shall issue tax bills to the Taxpayer for any underpayments owed per this agreement, and any underpayments owed to the Taxing Authorities for Tax Years 2016 through 2019 shall be offset by any overpayment made by the Taxpayer in Tax Year 2020. Any underpayment due to the County, Township, College, or School District, per this agreement, shall be paid within sixty (60) days at the address identified on the tax bills.

12. The parties hereto agree that upon approval of the Stipulation to Settle by the Court, the County, Township, College, and School District shall forward to the Taxpayer tax bills for the tax parcel referenced herein in the amount of the calculated underpayment for Tax Years 2016 through 2020.

13. The undersigned each represent that they have, to the extent necessary, obtained the required authorizations from their respective clients to enter into this Stipulation.

14. Each party hereto shall bear its own costs associated with the Tax Assessment Appeal and this Stipulation.

15. That upon compliance with the direction of the Court fixing the assessment on the Subject Property as indicated by this Stipulation, this appeal shall be marked settled, discontinued and ended.

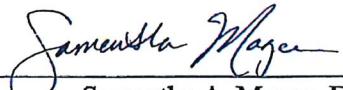
16. This Stipulation may be executed in multiple counterparts, and by facsimile or electronic mail, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same, single agreement.



Brian Fowler, Esquire  
Counsel for Bruce D. Michaels Realty Partners



Justin D. Barbetta, Esquire  
Counsel for School District of Upper Moreland Township



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Samantha A. Magee, Esquire  
Counsel for Montgomery County Board of Assessment

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Brian O. Phillips, Esquire

Counsel for County of Montgomery

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Sean P. Kilkenny, Esquire

Counsel for Upper Moreland Township

Memorandum

TO: Board of Commissioners

C: Matthew Candal

FROM: Randy Schaible *WJ*

DATE: January 27, 2021

RE: Real Estate Tax Assessment Appeal Settlement Case 2017-27241

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Commissioners,

Attached is a court stipulation for case no. 2017-27241 involving the Township and Best Buy/Pier One at 1130 Easton Road owned by Treeco Willow Grove LP. The resulting settlement will result in an increase in the assessed value of the property and back taxes of \$85,278 is owed to the Township. The School District has agreed to settle this matter and since the Township has followed the School Districts lead it is recommended that we approve this settlement

**Paul R. Morcom**  
**I.D. No. 89314**  
**[pmorcom@mcneeslaw.com](mailto:pmorcom@mcneeslaw.com)**  
**McNees Wallace & Nurick LLC**  
**100 Pine Street - P.O. Box 1166**  
**Harrisburg, PA 17108-1166**  
**717-232-8000**

**Attorney for Treeco Willow Grove LP**

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SCHOOL DISTRICT OF UPPER MORELAND TOWNSHIP	:	IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA
Petitioner	:	
v.	:	
BOARD OF ASSESSMENT APPEALS OF MONTGOMERY COUNTY, COUNTY OF MONTGOMERY, TOWNSHIP OF UPPER MORELAND and TREECO WILLOW GROVE LP	:	CIVIL ACTION - LAW
Respondents	:	
	:	NO. 2017-27241
	:	
	:	TAX PARCEL: 59-00-05293-00-3
	:	

**STIPULATION TO SETTLE**

**WHEREAS**, Treeco Willow Grove LP (“Property Owner”) is the current owner of the property located at 1130 Easton Road, Upper Moreland Township (“Township”), Montgomery County (“County”), Pennsylvania, more specifically identified as Tax Parcel No. 59-00-05293-00-3 (hereinafter the “Subject Property”); and

**WHEREAS**, Best Buy Co., Inc. (“Lessee”) leases the Subject Property and pays all the real estate taxes assessed on the Subject Property as per the Lease Agreement; and

**WHEREAS**, in 2017, the Subject Property had an assessment of \$4,447,400; and

**WHEREAS**, in 2017, the School District of Upper Moreland Township (“School District”) appealed the assessment on the Subject property to the Montgomery County Board of Assessment Appeals (“Board”), and, by Notice dated October 20, 2017, the Board issued a

Notice of No Change in Assessment, effective January 1, 2018 for County and Township tax purposes and July 1, 2018 for School District tax purposes ("Decision"); and

**WHEREAS**, the School District appealed the Decision of the Board to the Montgomery County Court of Common Pleas on or about November 17, 2017 at docket number 2017-27241; and

**WHEREAS**, on June 29, 2017, a Stipulation and Order of Settlement regarding docket number 2011-32633 was filed with the Montgomery County Court of Common Pleas increasing the assessment on the Subject Property for tax years 2012 through 2017; and

**WHEREAS**, for some unknown reason the Board never changed the assessed value as per the June 29, 2017 filed Stipulation and Order; and

**WHEREAS**, this Stipulation to Settle is taking into account the June 29, 2017 filed Stipulation and Order to resolve the 2012 through 2017 tax years along with the 2018 through 2021 tax years that are currently under appeal; and

**WHEREAS**, based upon the risks and hazards of litigation, the undersigned have decided that it is in their best interest and the best interest of their clients to settle the above-captioned matter upon the terms and conditions outlined in this Stipulation to Settle.

**NOW, THEREFORE**, the undersigned, intending to be legally bound and to bind their respective clients, agree to the following settlement:

1. Effective January 1, 2012, for Township and County tax purposes and July 1, 2012 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400** to **\$5,220,000**;

2. Effective January 1, 2013, for Township and County tax purposes and July 1,

2013 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400 to \$6,200,000**;

3. Effective January 1, 2014, for Township and County tax purposes and July 1, 2014 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400 to \$6,340,000**;

4. Effective January 1, 2015, for Township and County tax purposes and July 1, 2015 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400 to \$6,325,000**;

5. Effective January 1, 2016, for Township and County tax purposes and July 1, 2016 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400 to \$6,463,000**;

6. Effective January 1, 2017, for Township and County tax purposes and July 1, 2017 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400 to \$6,732,000**;

7. Effective January 1, 2018, for Township and County tax purposes and July 1, 2018 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400 to \$6,732,000**;

8. Effective January 1, 2019, for Township and County tax purposes and July 1, 2019 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400 to \$6,732,000**;

9. Effective January 1, 2020, for Township and County tax purposes and July 1, 2020 for School District tax purposes, the assessment for the Subject Property shall be increased

from **\$4,447,400** to **\$6,732,000**;

10. Effective January 1, 2021, for Township and County tax purposes and July 1, 2021 for School District tax purposes, the assessment for the Subject Property shall be increased from **\$4,447,400** to **\$6,000,000**;

11. The Subject Property's assessment shall remain at **\$6,000,000** until there is another subsequent successful tax assessment appeal, County-wide reassessment, change in the Subject Property or any other change that permits a change in the assessment by applicable law.

12. As a result of the increase in assessment on the Subject Property, there has been an underpayment in real estate taxes to County for tax years 2012 through 2020 as follows:

#### **MONTGOMERY COUNTY**

<b>TAX YEAR</b>	<b>OLD ASSESSMENT</b>	<b>NEW ASSESSMENT</b>	<b>DIFFERENCE</b>	<b>MIL RATE</b>	<b>UNDERPAYMENT</b>
2012	4,447,400	5,220,000	772,600	3.1520	\$2,435
2013	4,447,400	6,200,000	1,752,600	3.1520	\$5,524
2014	4,447,400	6,340,000	1,892,600	3.1520	\$5,965
2015	4,447,400	6,325,000	1,877,600	3.1520	\$5,918
2016	4,447,400	6,463,000	2,015,600	3.4590	\$6,972
2017	4,447,400	6,732,000	2,284,600	3.4590	\$7,902
2018	4,447,400	6,732,000	2,284,600	3.4590	\$7,902
2019	4,447,400	6,732,000	2,284,600	3.4590	\$7,902
2020	4,447,400	6,732,000	2,284,600	3.4590	\$7,902
<b>Total</b>					<b>\$58,422</b>

13. As a result of the increase in assessment on the Subject Property, there has been an underpayment in real estate taxes to Montgomery County Community College for tax years 2012 through 2020 as follows:

**MONTGOMERY COUNTY COMMUNITY COLLEGE**

TAX YEAR	OLD ASSESSMENT	NEW ASSESSMENT	DIFFERENCE	MIL RATE	UNDERPAYMENT
2017	4,447,400	6,732,000	2,284,600	0.39	\$891
2018	4,447,400	6,732,000	2,284,600	0.39	\$891
2019	4,447,400	6,732,000	2,284,600	0.39	\$891
2020	4,447,400	6,732,000	2,284,600	0.39	\$891
<b>Total</b>					<b>\$3,564</b>

14. As a result of the increase in assessment on the Subject Property, there has been an underpayment in real estate taxes to Township for tax years 2012 through 2020 as follows:

**UPPER MORELAND TOWNSHIP**

TAX YEAR	OLD ASSESSMENT	NEW ASSESSMENT	DIFFERENCE	MIL RATE	UNDERPAYMENT
2012	4,447,400	5,220,000	772,600	4.157	\$3,212
2013	4,447,400	6,200,000	1,752,600	4.458	\$7,813
2014	4,447,400	6,340,000	1,892,600	4.458	\$8,437
2015	4,447,400	6,325,000	1,877,600	4.680	\$8,787
2016	4,447,400	6,463,000	2,015,600	4.820	\$9,715
2017	4,447,400	6,732,000	2,284,600	4.939	\$11,284
2018	4,447,400	6,732,000	2,284,600	5.033	\$11,498
2019	4,447,400	6,732,000	2,284,600	5.269	\$12,038
2020	4,447,400	6,732,000	2,284,600	5.469	\$12,494
<b>Total</b>					<b>\$85,278</b>

15. As a result of the increase in assessment on the Subject Property, there has been an underpayment in real estate taxes to School District for tax years 2012/2013 through 2020/2021 as follows:

**SCHOOL DISTRICT OF UPPER MORELAND TOWNSHIP**

YEAR	OLD ASSESSMENT	NEW ASSESSMENT	DIFFERENCE	MIL RATE	UNDERPAYMENT
12/13	4,447,400	5,220,000	772,600	27.2200	\$21,030

13/14	4,447,400	6,200,000	1,752,600	27.6800	\$48,512
14/15	4,447,400	6,340,000	1,892,600	28.2600	\$53,485
15/16	4,447,400	6,325,000	1,877,600	28.7969	\$54,069
16/17	4,447,400	6,463,000	2,015,600	29.4016	\$59,262
17/18	4,447,400	6,732,000	2,284,600	30.1366	\$68,850
18/19	4,447,400	6,732,000	2,284,600	30.8598	\$70,502
19/20	4,447,400	6,732,000	2,284,600	31.7559	\$72,550
20/21	4,447,400	6,732,000	2,284,600	32.5816	\$74,436
<b>Total</b>					<b>\$522,696</b>

16. The above calculated underpayments are subject to verification by the respective taxing authority Tax Collector and/or Business Manager.

17. The above calculated underpayments do not account for any payments made pursuant to the June 29, 2017 Stipulation and Order of Settlement regarding docket number 2011-32633. Any payments made pursuant to the June 29, 2017 Stipulation and Order of Settlement shall be subtracted from the above-calculated underpayments in determining new tax bills pursuant to this Stipulation to Settle and Order of Settlement.

18. Upon approval of this Stipulation to Settle by the Court, the tax collector and/or treasurer for the County, Township and School District shall forward tax bills to the Property Owner for the amount of the underpayments as set forth above and said tax bills shall be paid by the Property Owner directly to the respective taxing authorities within sixty (60) days of the receipt of the tax bills and at the address identified on the respective tax bills.

19. All tax bills issued pursuant to this Stipulation to Settle and Order of Settlement shall provide for new discount, face and penalty periods.

20. The Property Owner, Lessee, Township, School District and County mutually agree not to file an assessment appeal on the Subject Property for tax years 2022 and 2023,

unless there is a County-wide reassessment. If there is a County-wide reassessment in Montgomery County, effective for either tax years 2022 or 2023, all parties shall have the right to file an assessment appeal for either 2022 or 2023.

21. This Stipulation to Settle contains the statement of each and every term and provision agreed to by all parties. No other promises, representations or other inducements, oral or written, have been made to any of the other parties in exchange for this Stipulation to Settle.

22. The attorneys entering into this Stipulation represent that they and their clients have full authority to enter into this Stipulation to Settle and they have been authorized by their respective clients to enter into this Stipulation to Settle.

23. This Stipulation to Settle may be executed in one or more counterparts and by facsimile or electronic mail, each of which shall be deemed an original and all of which when taken together shall constitute a single agreement.

24. Each party shall bear its own costs as incurred.

25. This Stipulation to Settle shall be binding upon, and inures to the benefit of the undersigned, their clients, successors, grantees, heirs and assigns.

26. This matter shall be marked "Settled, Discontinued, and Ended" upon Court approval of this Stipulation to Settle.

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Date

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Samantha A. Magee, Esquire  
Solicitor for Montgomery County  
Board of Assessment Appeals

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Date

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Brian O. Phillips, Esquire  
Solicitor for Montgomery County

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Date

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Catherine M. Harper, Esquire  
Solicitor for Upper Moreland  
Township

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1/26/2021

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Date

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Justin Barbuta  
  
Justin Barbuta, Esquire  
Solicitor for School District of  
Upper Moreland Township

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1/22/2021

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1/22/2021

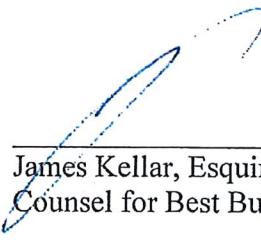
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Date

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Paul R. Morcom  
  
Paul R. Morcom, Esquire  
Counsel for Treeco Willow Grove  
LP

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James Kellar, Esquire  
  
Counsel for Best Buy Co., Inc.

Memorandum

TO: Board of Commissioners

C: Matthew Candland

FROM: Randy Schaible *WS*

DATE: January 27, 2021

RE: Real Estate Tax Assessment Appeal Settlement Case 2016-26420

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Commissioners,

Attached is a court stipulation for case no. 2016-26420 involving the Township and an industrial building at 3535 Davisville Road owned by Lerner Brothers, LP. The resulting settlement will result in a small reduction in the assessed value of the property and refund of \$8,450.59 to the owner of the property. The School District has agreed to settle this matter and since the Township has followed the School Districts lead it is recommended that we approve this settlement

Francis J. Hoegen, Esquire/55667  
**HOEGEN & ASSOCIATES, P.C.**  
152 South Franklin Street  
P.O. Box 346  
Wilkes-Barre, PA 18703-0346  
(570) 820-3332  
Email: [fhoegen@hoegenlaw.com](mailto:fhoegen@hoegenlaw.com)  
**ATTORNEY FOR PETITIONER**

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LERNER BROTHERS LP,	:	IN THE COURT OF COMMON PLEAS
	:	OF MONTGOMERY COUNTY
Petitioner	:	
	:	
v.	:	CIVIL ACTION - LAW
MONTGOMERY COUNTY BOARD OF	:	
ASSESSMENT APPEALS, MONTGOMERY	:	
COUNTY, UPPER MORELAND TOWNSHIP	:	
and UPPER MORELAND SCHOOL	:	NO. 2016-26420
DISTRICT,	:	
	:	
Respondents	:	

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### **STIPULATION**

This Stipulation is made as of \_\_\_\_\_, 2020, by and among the Parties, each of whom stipulate and agree as follows:

1. The improved real property located in the Township of Upper Moreland, Montgomery County, Pennsylvania, having PIN No. 59-00-04645-00-3 shall have the assessment for the tax year 2017 and subsequent years (until changed or modified in accordance with the Laws of the Commonwealth of Pennsylvania), as follows:

<b>2017 -</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$2,075,700</b>
<b>2018 -</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$2,055,800</b>
<b>2019 -</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$1,959,650</b>
<b>2020-</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$1,922,700</b>
<b>2021-</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$1,852,550</b>

2. The original assessment of the property was \$2,408,980. As a result of the agreement set forth herein, the assessment of the property has been decreased to \$ 2,075,700 for the tax year 2017. As a result, the tax liability for 2017 has decreased by the sum of \$12,972.79.

3. The original assessment of the property was \$2,408,980. As a result of the agreement set forth herein, the assessment of the property has been decreased to \$2,055,800 for the tax year 2018. As a result, the tax liability for 2018 has decreased by the sum of \$26,712.63.

4. The original assessment of the property was \$2,408,980. As a result of the agreement set forth herein, the assessment of the property has been decreased to \$1,959,650 for the tax year 2019. As a result, the tax liability for 2019 has decreased by the sum of \$17,963.22.

5. The original assessment of the property was \$2,408,980. As a result of the agreement set forth herein, the assessment of the property has been decreased to \$1,922,700 for the tax year 2020. As a result, the tax liability for 2020 has decreased by the sum of \$38,878.18

6. The overpayments referenced in Paragraphs 2 through 5 hereof are estimated based upon the following calculations:

Montgomery County:

YEAR	OLD ASSESSMENT	NEW ASSESSMENT	DIFFERENCE	MILL RATE	OVERPAYMENT
2017	2,408,980	2075700	333280	0.003459	\$1,152.82
2018	2,408,980	2055800	353180	0.003459	\$1,221.65
2019	2,408,980	1959650	449330	0.003459	\$1,554.23
2020	2,408,980	1922700	486280	0.003459	\$1,682.04

Upper Moreland Township:

YEAR	OLD ASSESSMENT	NEW ASSESSMENT	DIFFERENCE	MILL RATE	OVERPAYMENT
2017	2408980	2075700	333280	0.004939	\$1,646.07
2018	2408980	2055800	353180	0.005033	\$1,777.55
2019	2408980	1959650	449330	0.005269	\$2,367.52
2020	2408980	1922700	486280	0.005469	\$2,659.47

Upper Moreland School District:

YEAR	OLD ASSESSMENT	NEW ASSESSMENT	DIFFERENCE	MILL RATE	OVERPAYMENT
2017	2408980	2075700	333280	0.0301366	\$10,043.93
2018	2408980	2055800	353180	0.0308598	\$10,899.06
2019	2408980	1959650	449330	0.031756	\$14,268.92
2020	2408980	1922700	486280	0.0325816	\$15,843.78

MCCC:

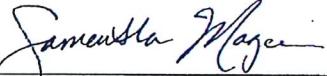
YEAR	OLD ASSESSMENT	NEW ASSESSMENT	DIFFERENCE	MILL RATE	OVERPAYMENT
2017	2408980	2075700	333280	0.00039	\$129.98
2018	2408980	2055800	353180	0.00039	\$137.74
2019	2408980	1959650	449330	0.00039	\$175.24
2020	2408980	1922700	486280	0.00039	\$189.65

7. The original assessment of the property was \$2,408,980. As a result of the agreement set forth herein, the assessment of the property has been decreased to \$1,852,550 for the tax year 2021.

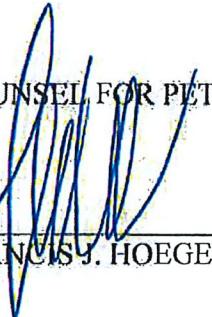
8. This Stipulation shall not be utilized as precedent for other assessment appeal cases.

9. This Stipulation contains the entire agreement between the parties and there are no other terms, obligations, representations, statements or conditions, verbal or written, concerning this assessment. Petitioner and Respondents have executed and delivered this Stipulation having had the benefit of such advice of their respective counsel.

MONTGOMERY COUNTY BOARD  
OF TAX ASSESSMENT APPEALS

  
SAMANTHA MAGEE, ESQUIRE

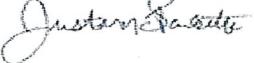
COUNSEL FOR PETITIONER:

  
FRANCIS J. HOEGEN, ESQUIRE

SCHOOL DISTRICT OF UPPER  
MORELAND TOWNSHIP

  
JUSTIN BARBETTA, ESQUIRE

UPPER MORELAND TOWNSHIP

  
CATHERINE M. HARPER, ESQUIRE

MONTGOMERY COUNTY

  
BRIAN P. PHILLIPS, ESQUIRE

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LERNER BROTHERS LP,	:	IN THE COURT OF COMMON PLEAS
	:	OF MONTGOMERY COUNTY
Petitioner	:	
	:	
v.	:	
	:	CIVIL ACTION - LAW
MONTGOMERY COUNTY BOARD OF	:	
ASSESSMENT APPEALS, MONTGOMERY	:	
COUNTY, UPPER MORELAND TOWNSHIP	:	
and UPPER MORELAND SCHOOL	:	NO. 2016-26420
DISTRICT,	:	
	:	
Respondents	:	

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**SETTLEMENT ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2020, based upon a settlement of their respective disputed claims reached the Parties, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. The improved real property located in the Township of Upper Moreland, Montgomery County, Pennsylvania, having PIN No. 59-00-04645-00-3 shall have the assessment for the tax year 2017 and subsequent years (until changed or modified in accordance with the Laws of the Commonwealth of Pennsylvania), as follows:

<b>2017 -</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$2,075,700</b>
<b>2018 -</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$2,055,800</b>
<b>2019 -</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$1,959,650</b>
<b>2020-</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$1,922,700</b>
<b>2021-</b>	
<b>TOTAL ASSESSMENT</b>	<b>\$1,852,550</b>

2. This Order shall not be utilized as precedent for other assessment appeal cases.

3. No interest shall be due on any refunds, set offs, overpayments and/or credits due to the taxpayer and any and all such refunds, set offs, overpayments and/or credits shall be issued at the rebate value only and shall be paid to Hoegen & Associates, P.C., as Counsel for Petitioner, 152 South Franklin Street, PO Box 346, Wilkes-Barre, PA 18703-0346.

4. The Clerk of Judicial Records is directed to mark this case settled and discontinued.

5. The Clerk of Judicial Records is directed to mail notice of entry of this Order to all parties of record pursuant to Pa. R.C.P. 236.

By the Court,

---

J.

Memorandum

TO: Board of Commissioners

C: Matthew Candland

FROM: Randy Schaible *IV*

DATE: January 27, 2021

RE: Real Estate Tax Assessment Appeal Settlement Case 2016-27368

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Commissioners,

Attached is a court stipulation for case no. 2016-27368 involving the Township and a commercial office building at 2200 Byberry Road owned by LB-UBS 2004-C4 Byberry Rd, LP. The resulting settlement will result in a reduction in the assessed value of the property and refund of \$13,518.64 to the owner of the property. The School District has agreed to settle this matter and since the Township has followed the School Districts lead it is recommended that we approve this settlement

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY  
PENNSYLVANIA

---

LB UBS 2004 C4 BYBERRY ROAD LP,	:	
		Petitioner,
v.	:	NO. 2016-27368
MONTGOMERY COUNTY BOARD OF	:	
ASSESSMENT OF APPEALS,	:	TAX ASSESSMENT APPEAL
		Parcel No.: 59-00-01951-00-6
Respondent.	:	

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ORDER

AND NOW, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, it is hereby ORDERED and  
DECREEED that the terms and conditions of the attached Settlement Stipulation are accepted as  
terms and conditions of a binding Court Order.

IT IS FURTHER ORDERED and DECREED that the Montgomery County Board of Assessment  
Appeals shall make the appropriate adjustments in assessments as agreed to in the attached  
Settlement Stipulation, and that the Prothonotary shall mark the above-captioned action as "settled,  
discontinued and ended".

---

J.

**Sweet, Stevens, Katz & Williams LLP**  
By: Justin Barbetta, Esquire  
Identification No. 318221  
331 East Butler Avenue  
New Britain, Pennsylvania 18901  
(215) 345-9111

*Attorneys for Intervenor  
School District of Upper Moreland  
Township*

**IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY  
PENNSYLVANIA**

LB UBS 2004 C4 BYBERRY ROAD LP, Petitioner, v.	:	NO. 2016-27368
MONTGOMERY COUNTY BOARD OF ASSESSMENT OF APPEALS, Respondent.	:	TAX ASSESSMENT APPEAL Parcel No.: 59-00-01951-00-6

## STIPULATION TO SETTLE

It is hereby stipulated by and between Petitioner, LB UBS 2004 C4 BYBERRY ROAD, LP ("Petitioner"), the School District Of Upper Moreland Township, ("the School District"), Upper Moreland Township ("the Township"), the County Of Montgomery ("the County"), and the Montgomery County Board Of Assessment Appeals, ("the Board" and together with the School District, Township, and County "the Taxing Authorities"), through their undersigned counsel, that the Tax Assessment Appeal filed by the Appellant in the above-captioned matter is settled according to the following terms:

1. Effective January 1, 2017, for the Township and County and July 1, 2017, for the School District, the assessment for the Subject Property which was \$5,994,000 shall be DECREASED to \$2,650,730.
2. Effective January 1, 2018, for the Township and County and July 1, 2018, for the

School District, the assessment for the Subject Property which was \$5,994,000 shall remain unchanged and be set at \$5,994,000.

3. Effective January 1, 2019, for the Township and County and July 1, 2019, for the School District, the assessment for the Subject Property which was \$5,994,000 shall be DECREASED to \$3,308,000.

4. The assessment shall remain at \$3,308,000 for each subsequent tax year unless changed by reason of an assessment appeal, county wide reassessment, change in the Subject Property, or otherwise permitted by applicable law.

5. The Board shall change the assessment to comport with this stipulation and notify all taxing authorities of such change.

6. As a result of the adjustment in the assessment for the property identified as Tax Parcel No. 59-00-01951-00-6, there has been an overpayment in taxes to the School District, County, Township, and Montgomery County Community College as follows:

School District			
Year	Assessment	New Assessment	Refund
2018-2019	\$5,994,000	\$3,308,000	\$ 82,889.42

County			
Year	Assessment	New Assessment	Refund
2018	\$5,994,000	\$3,308,000	\$ 9,290.87

Township			
Year	Assessment	New Assessment	Refund
2018	\$5,994,000	\$3,308,000	\$ 13,518.64

Community College			
Year	Assessment	New Assessment	Refund
2018	\$5,994,000	\$3,308,000	\$ 1,047.54

7. The parties acknowledge that the calculations in paragraph 6 are subject to verification by the Tax Collector and/or Business Manager of each Taxing District.

8. The parties hereto agree that within sixty (60) days of the approval of the Stipulation to Settle by the Court, the Taxing Authorities shall submit refunds to the Appellant for tax parcel No. 59-00-01951-00-6 in the amounts referenced in paragraph 6 herein; said refunds shall be issued in the name of Andrew W. Hood for the benefit of LB UBS 2004 C4 Byberry Road LP, and mailed to the following address: Stavitsky & Associates LLC, 350 Passaic Avenue, Fairfield, New Jersey 07004.

9. The undersigned each represent that they have, to the extent necessary, obtained the required authorizations from their respective clients to enter into this Stipulation.

10. Each party hereto shall bear its own costs associated with the Tax Assessment Appeal and this Stipulation.

11. Upon compliance with the direction of the Court fixing the assessment on the Subject Property as indicated by this Stipulation, this appeal shall be marked settled, discontinued

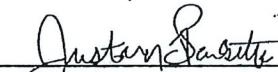
discontinued and ended.

12. This Stipulation may be executed in multiple counterparts, and by facsimile or electronic mail, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same, single agreement.



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Andrew Hood, Esquire  
Counsel for LB UBS 2004 C4 BYBERRY ROAD, LP



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Justin D. Barbetta, Esquire  
Counsel for School District of Upper Moreland Township

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Samantha A. Magee, Esquire  
Counsel for Montgomery County Board of Assessment

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Brian O. Phillips, Esquire  
Counsel for County of Montgomery

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Andrew W. Knox, Esquire  
Counsel for Upper Moreland Township

NOTICE IS HEREBY GIVEN THAT THE ZONING HEARING BOARD OF UPPER MORELAND TOWNSHIP WILL HOLD A PUBLIC HEARING ON THURSDAY, FEBRUARY 11, 2021 AT 7:30 PM AT THE MUNICIPAL BUILDING, 117 PARK AVENUE, WILLOW GROVE, PA. ALL AFFECTED OR INTERESTED PARTIES ARE INVITED TO ATTEND AND OFFER TESTIMONY. A COMPLETE COPY OF THE PETITION TO THE ZONING HEARING BOARD IS AVAILABLE FOR PUBLIC INSPECTION AT THE CODE ENFORCEMENT OFFICE DURING NORMAL BUSINESS HOURS. AS SEATING WILL BE LIMITED IN THE TOWNSHIP BUILDING THE ZHB WOULD ASK THAT ANY INTERESTED PARTIES SUBMIT QUESTIONS OR CONCERNS WITH ANY HEARINGS AT LEAST 1 WEEK IN ADVANCE OF THE HEARING. QUESTIONS OR CONCERNS CAN BE SENT TO THE CODE ENFORCEMENT OFFICE OR EMAILED TO EMAGGEO@UPPERMORELAND.ORG

**P. H. #21-2(3)**

Petition of David Pflugfelder for property located at 202 Madison Road, Willow Grove, PA 19090. Applicant seeks a variance from Upper Moreland Township Code Chapter 350, Art. XXIV, Sec. 350-172.A(2a) for an accessory building in the required front yard area; A variance from Sec. 350-172.A(2b) and Art. VII, Sec. 350-39.B for a side yard setback of 4 feet instead of the minimum 10 feet; A variance from Sec. 350-172.A(2d) for a separation distance of 1.5 feet instead of the minimum 10 feet between buildings. Applicant has requested such relief for a previously constructed 20-foot by 12-foot accessory structure. Property located in the R-4 Zoning District.

**P.H. #21-3**

Petition of Mark Daley for property located at 1005 W. Moreland Road, Willow Grove, PA 19090. Applicant seeks a Variance from Upper Moreland Township Code Chapter 350, Art. VII, Sec. 350-38 to increase non-conforming impervious surface area from 52 percent to 56 percent where a maximum 40 percent is permitted. Applicant proposes to replace an existing wood deck and add a new section with ramp. Property located in the R-4 Zoning District.

**PH#21-4(2)**

Petition of Richard Hamilton for property located at 1480 Creek Road, Huntingdon Valley, PA 19006. Applicant is appealing the enforcement notice from Township Zoning Officer for keeping and/or raising of livestock. In the alternative, applicant requests a Special Exception from Upper Moreland Township Code Chapter 350, Art. III, Sec. 350-9.D to permit the keeping of goats on the property; A variance from Sec. 350-9 to permit a building which houses goats less than 100 feet from a street or property line; A variance from Art. XXIV, Sec. 350-169.B to permit a 5 foot fence within the front yard restricted area. Property located in the R Zoning District.

**PH#21-5(11)**

Petition of New Century Associates Group, L.P. for property located at 2068 County Line Road, Huntingdon Valley, PA 19006. Applicant seeks an interpretation of Upper Moreland Township Code Chapter 350, Art. XIV, Sec. 350-82.Q that an outdoor movie screening area is an accessory use to the principal movie theater use. In the alternative, applicant seeks a variance from Sec. 350-82.E(1) to permit an outdoor motion-picture establishment. Property located in the SC Zoning District.

Paul E. Purtell, Zoning Officer  
Elda Maggeo, Secretary  
January 28, and February 4, 2021  
Montgomery County Record  
Proof of Publications

Prepared by and  
Return to:

Alex J. Baumler, Esq.  
KILKENNY LAW, LLC  
519 Swede St.  
Norristown, PA 19401

Tax Parcel No. 59-00-11665-00-3

**CONSENT TO USE UPPER MORELAND TOWNSHIP RIGHT-OF-WAY AREA**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between **DAVID S. PFLUGFELDER and LAURA S. PFLUGFELDER** ("OWNER"), owners of the property located at 202 Madison Road, Willow Grove, Upper Moreland Township, Montgomery County, Pennsylvania 19090, Tax Map Parcel No. 59-00-11665-00-3 (the "PROPERTY"), and **UPPER MORELAND TOWNSHIP**, a Township of the First Class, with an address at 117 Park Avenue, Willow Grove, PA 19090 (the "TOWNSHIP") (collectively the "PARTIES").

**WHEREAS**, the TOWNSHIP is the owner of certain rights-of-way along Township roads, including but not limited to Bartram Road in Upper Moreland Township in the vicinity of 202 Madison Road; and

**WHEREAS**, OWNER is the current owner of the PROPERTY, a 6,250 square foot lot of land improved with a single-family dwelling, detached garage, firewood shelter and associated curbing, landscaping and stormwater improvements; and

**WHEREAS**, OWNER desires the Township's permission to continue to maintain the firewood shelter (the "FIREWOOD SHELTER") that is sited on the PROPERTY and which is located in the Township right-of-way (the "RIGHT-OF-WAY") in violation of the Upper Moreland Township Code Section 290-16's prohibition on placement of any obstruction within the boundary of any public street; and

**WHEREAS**, the TOWNSHIP is willing to consent to the above-described use, subject to the following terms and conditions:

**WITNESSETH:**

1. Subject to the terms and conditions stated herein, consent is hereby given by the TOWNSHIP to OWNER, insofar as it has the right to do so, to maintain at OWNER'S sole cost and expense the FIREWOOD SHELTER partly on or within TOWNSHIP's RIGHT-OF-WAY.
2. OWNER accepts this consent with full knowledge of the TOWNSHIP's prior rights and existing facilities.

3. OWNER warrants that any construction and/or maintenance in the area of TOWNSHIP's RIGHT-OF-WAY will not interfere with the TOWNSHIP's use of the roads or the pedestrian use of the sidewalk.
4. The TOWNSHIP shall not be liable for any damages to, or the replacement of, the FIREWOOD SHELTER due to or during periods of construction, alteration, maintenance, operation, repair, replacement or removal of the TOWNSHIP's existing or future facilities.
5. The TOWNSHIP shall have no responsibility for the maintenance of the FIREWOOD SHELTER authorized herein.
6. Other than the FIREWOOD SHELTER authorized herein, OWNER shall neither change the grade on the RIGHT-OF-WAY, nor place or construct upon the RIGHT-OF-WAY any buildings, trees, structural improvements or other encroachments without the express written permission of the TOWNSHIP.
7. In consideration of the consent hereinabove granted, OWNER hereby agrees to indemnify, defend and hold the TOWNSHIP harmless of and from all claims for injury to or death of any person or for damage to property arising out of or in any way connected with the installation, construction, maintenance, or use of the FIREWOOD SHELTER, located partly on or within the TOWNSHIP's RIGHT-OF-WAY.

THIS CONSENT shall not serve to diminish or affect the TOWNSHIP's rights to its rights-of-way.

THIS AGREEMENT shall be considered a covenant running with the land and shall be binding upon and shall inure to the benefit of the PARTIES hereto, their heirs, executors, administrators, successors and assigns.

**[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]**

**IN WITNESS WHEREOF**, the PARTIES have caused this AGREEMENT to be duly executed the day and year first above written.

ATTEST:

**OWNER**

---

David S. Plfugfelder

ATTEST:

**OWNER**

---

Laura S. Plfugfelder

ATTEST:

**UPPER MORELAND TOWNSHIP  
BOARD OF COMMISSIONERS**

---

Matthew H. Candland

---

Kevin C. Spearing, President

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF MONTGOMERY :

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared Kevin C. Spearing, President of the Upper Moreland Township Board of Commissioners, on behalf of the TOWNSHIP referenced in the within instrument, and as such President, being duly authorized to do so, executed the within instrument on his behalf for the purposes therein contained by signing the name of the TOWNSHIP by himself, as President of the Board of Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

---

Notary Public

COMMONWEALTH OF PENNSYLVANIA : SS  
COUNTY OF MONTGOMERY : :

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared DAVID S. PFLUGFELDER, who acknowledged himself to be the OWNER in the above-agreement and being authorized to do so, executed the within instrument for the purposes therein contained by signing his name as such OWNER.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

---

Notary Public

COMMONWEALTH OF PENNSYLVANIA : SS  
COUNTY OF MONTGOMERY : :

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared LAURA S. PFLUGFELDER, who acknowledged herself to be the OWNER in the above-agreement and being authorized to do so, executed the within instrument for the purposes therein contained by signing her name as such OWNER.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

---

Notary Public

**UPPER MORELAND TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. R-2021-05**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF UPPER MORELAND TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AUTHORIZING THE EXTENSION OF THE AGREEMENT FOR RECYCLING SERVICES WITH J.P. MASCARO & SONS, DATED OCTOBER 22, 2015, FOR AN ADDITIONAL PERIOD OF SIX MONTHS, WITH CERTAIN PRICE CHANGES FOR CERTAIN SERVICES.**

**WHEREAS**, Upper Moreland Township (the “Township”), Montgomery County, is a duly organized Pennsylvania First-Class Township; and

**WHEREAS**, the Township executed an Agreement for Recycling Services (the “Agreement”) with J.P. Mascaro & Sons, dated October 22, 2015, for a term of three (3) years, with Township options to renew for up to an additional two (2) years; and

**WHEREAS**, the Township exercised both options to extend and renew the Agreement, which final renewal term was set to expire on or about November 20, 2020; and

**WHEREAS**, in response to the outbreak of the COVID-19 virus, on March 6, 2020, the Governor of the Commonwealth of Pennsylvania issued a Proclamation of Disaster Emergency, and has subsequently extended such Proclamation on three occasions, which authorizes the governing bodies and executive officers of all political subdivisions affected by the emergency to act as necessary to meet the current exigencies by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time consuming procedures and formalities normally prescribed by law; and

**WHEREAS**, the Upper Moreland Township Board of Commissioners issued a Disaster Emergency Declaration pursuant to 7501 of the Emergency Management Services Code, 35 Pa. C.S. § 7501, on March 7, 2020, to protect Township citizens and employees and has subsequently ordered two extensions of the Declaration on August 10, 2020 and November 9, 2020; and

**WHEREAS**, in order to meet and respond to the ongoing public health emergency caused by the COVID-19 pandemic and avoid interruption in service the Township Board of Commissioners adopted Resolution R-2020-36 which authorized entry into an Amendment to Agreement for Recycling Services with J.P. Mascaro & Sons to extend recycling services for a period of an additional six (6) months expiring on or about April 21, 2021; and

**WHEREAS**, the Amendment to Agreement for Recycling Services provides an option to the Township to extend the Agreement for an additional period of six (6) months should the Township deem such extension necessary and should the Township provide sixty (60) days prior notice of the same to J.P. Mascaro & Sons; and

**WHEREAS**, in order to meet and respond to the ongoing public health emergency caused by the COVID-19 pandemic and avoid to interruption in service, the Township Board of Commissioners deems it necessary to exercise its option to extend the Agreement for an additional period of six (6) months.

**NOW, THEREFORE, BE IT RESOLVED**, by the Upper Moreland Township Board of Commissioners that Upper Moreland Township is hereby authorized to exercise its option contained in the Amendment to Agreement for Recycling Services with J.P. Mascaro & Sons to extend recycling services for a period of an additional six (6) months, subject to certain changes in terms regarding index price rates, as shown on the attached Exhibit "A".

**DULY PRESENTED AND ADOPTED** by the Board of Commissioners of Upper Moreland Township, Montgomery County, Pennsylvania, this 1st day of February, 2021.

**UPPER MOREAND TOWNSHIP  
BOARD OF COMMISSIONERS**

Attest:

---

Matthew H. Candland, Secretary

---

Kevin C. Spearing, President

## **EXHIBIT A**

**ADDENDUM TO OCTOBER 22, 2015 AGREEMENT FOR RECYCLING  
SERVICES BETWEEN THE MONTGOMERY COUNTY CONSORTIUM  
OF RECYCLING COMMUNITIES AND SOLID WASTE  
SERVICES, INC. d/b/a J. P. MASCARO & SONS**

---

THIS ADDENDUM is entered into between **THE MONTGOMERY COUNTY CONSORTIUM OF RECYCLING COMMUNITIES**, consisting of Springfield Township, Abington Township, Cheltenham Township, Hatboro Borough, Plymouth Township, Upper Dublin Township and Upper Moreland Township (collectively, the "Consortium") on the one part; and **SOLID WASTE SERVICES, INC. d/b/a J. P. MASCARO & SONS** ("Mascaro") on the other part.

**WITNESSETH:**

**WHEREAS**, the Consortium and Mascaro entered into an Agreement dated October 22, 2015, for the Acceptance and Processing of Recyclable Materials, Including Operation of the Consortium's Recycling Transfer Facility, for the period of October 22, 2015 through October 21, 2020 (including option years exercised) ("Agreement"); and

**WHEREAS**, the Consortium voted to extend the Agreement for an additional period of six (6) months, from October 22, 2020 through April 21, 2021, and Mascaro has agreed to continue providing services during that time;

**NOW, THEREFORE**, the parties hereby agree that:

1. Mascaro shall provide the same services as currently provided under the Agreement for the period October 22, 2020 through April 21, 2021.
2. Mascaro's price for said services from October 22, 2020 through April 21, 2021, shall be as provided for in the previous Agreement and as modified in the Pricing Schedule attached hereto as *Exhibit A*.

3. The Consortium shall also have the sole right to extend this Agreement for an additional six (6) months (April 22, 2021 through October 21, 2021), and shall provide Mascaro with at least sixty (60) days prior notice of its intention to exercise said option.

4. All remaining terms and conditions of the October 22, 2015 Agreement shall remain in full force and effect.

ATTEST

**SOLID WASTE SERVICES, INC. d/b/a  
J.P. MASCARO & SONS**

Michael Mascaro, Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

**TOWNSHIP OF UPPER DUBLIN**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

**SPRINGFIELD TOWNSHIP**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

**ABINGTON TOWNSHIP**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

**CHELTONHAM TOWNSHIP**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

**HATBORO BOROUGH**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

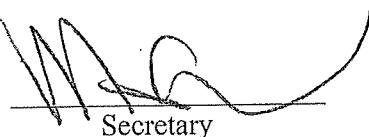
ATTEST:

**PLYMOUTH TOWNSHIP**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
Secretary

**UPPER MORELAND TOWNSHIP**

By: Kevin C. Spearing  
Name: Kevin C. Spearing

Title: President, Board of Commissioners

Date: 10/15/2020

Upper Dublin Township on behalf of the  
 Montgomery County Consortium of Recycling Communities  
 Monthly Invoice Calculation  
 For the Month of

May 2020

			<u>Month</u>	<u>Tons Processed</u>
<u>Commingle Materials</u>			May	270.46

<u>Material</u>	<u>Index Price</u>	<u>% Alloc.</u>	<u>Composition Net Price</u>
PET	\$ 184.29	9.36%	\$ 17.25
HD-NAT	\$ 800.00	2.30%	\$ 18.40
HD-PIG	\$ 80.00	4.78%	\$ 3.82
MIX PLASTICS	\$ -	1.34%	\$ -
TIN	\$ 15.00	3.56%	\$ 0.53
ALUM	\$ 800.00	1.74%	\$ 13.92
ASEPTIC	\$ 22.50	0.25%	\$ 0.06
RIGID	\$ 60.00	1.94%	\$ 1.16
RESIDUE	\$ (80.00)	17.61%	\$ (14.09)
GLASS	\$ (27.50)	57.12%	\$ (15.71)
<b>TOTAL</b>		<b>100.00%</b>	<b>\$ 25.34</b>

			<u>Month</u>	<u>Tons Processed</u>
<u>Single Stream Materials</u>			May	1,204.99

<u>Material</u>	<u>Index Price</u>	<u>% Alloc.</u>	<u>Composition Net Price</u>
ONP	\$ 15.00	33.15%	\$ 4.97
OCC	\$ 120.00	13.33%	\$ 16.00
PET	\$ 184.29	5.39%	\$ 9.93
HD-NAT	\$ 800.00	1.50%	\$ 12.00
HD-PIG	\$ 80.00	1.53%	\$ 1.22
MIX PLASTICS	\$ -	0.17%	\$ -
TIN	\$ 15.00	2.53%	\$ 0.38
ALUM	\$ 800.00	1.65%	\$ 13.20
ASEPTIC	\$ 22.50	0.09%	\$ 0.02
RIGID	\$ 60.00	0.98%	\$ 0.59
RESIDUE	\$ (80.00)	17.57%	\$ (14.06)
GLASS	\$ (27.50)	22.11%	\$ (6.08)
<b>TOTAL</b>		<b>100.00%</b>	<b>\$ 38.17</b>

**INVOICE CALCULATION:**

Commodity Value	Commingle	\$ (25.34)
Fixed Processing Cost		\$ 98.78
Total Per Ton		\$ 73.44
Tons Processed		<u>270.46</u>
Invoice Amount	May	\$ 19,862.58

\$ 80 → \$ 84 / ton

\$ 98.78 → \$ 135 / ton

Commodity Value	Single Stream	\$ (38.17)
Fixed Processing Cost		\$ 98.78
Total Per Ton		\$ 60.61
Tons Processed		<u>1,204.99</u>
Invoice Amount	May	\$ 73,034.46

**Grand Total Invoice Amount** \$ 92,897.04

Note: Positive amount Indicates amount due from MCCRC to J.P. Mascaro & Sons  
 Negative amount indicates amount due from J.P. Mascaro & Sons to MCCRC

Remit To: J.P. Mascaro & Sons  
 PO Box 7250  
 Audubon, PA 19407-7250  
 Attention: Accts Receivable

**UPPER MORELAND TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. R-2021-06**

**A RESOLUTION OF THE UPPER MORELAND TOWNSHIP BOARD OF  
COMMISSIONERS AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION  
TO THE PENNSYLVANIA DEPARTMENT OF CONSERVATION AND NATURAL  
RESOURCES FOR THE UPPER MORELAND FARMSTEAD PARK ECOLOGICAL  
RESTORATION PROJECT.**

**WHEREAS**, Upper Moreland Township (“Applicant”) desires to undertake the Upper Moreland Farmstead Park Ecological Restoration Project (the “Project”); and

**WHEREAS**, the applicant desires to receive from the Department of Conservation and Natural Resources (the “Department”) a match grant in the amount of one hundred fifteen thousand dollars (\$115,000) for the purpose of carrying out this Project; and

**WHEREAS**, the application package includes a document entitled “Terms and Conditions of Grant” and a document entitled “Grant Agreement Signature Page”; and

**WHEREAS**, the Applicant understands that the contents of the document entitled “Terms and Conditions of Grant,” including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the Applicant is awarded a grant; and

**NOW THEREFORE, it is resolved that:**

1. The “Grant Agreement Signature Page” may be signed by on behalf of the Applicant by Kevin Spearing, President of the Upper Moreland Township Board of Commissioners (“Official”).
2. If this Official signed the “Grant Agreement Signature Page” prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the Applicant is awarded a grant, the “Grant Agreement Signature Page” signed by the above Official, will become the Applicant/Grantee’s executed signature page for the Grant Agreement, and the Applicant/Grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the Grantee by the Official who, at the time of signing of the amendment, has the title specified in paragraph one, and intends to be bound by the amendment.

I hereby certify that this Resolution was adopted by the Upper Moreland Township Board of Commissioners this 1st day of February, 2021.

Attest:

**UPPER MORELAND TOWNSHIP  
BOARD OF COMMISSIONERS**

---

Matthew H. Candland, Secretary

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Kevin C. Spearing, President

**UPPER MORELAND TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. R-2021-07**

**A RESOLUTION OF THE UPPER MORELAND TOWNSHIP BOARD OF  
COMMISSIONERS AUTHORIZING APPLICATION TO THE PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL APPROVAL ON  
DAVISVILLE AT TERWOOD ROAD.**

**WHEREAS**, Upper Moreland Township (“Townhip”) desires to remove the “No Turn on Red” restriction currently in effect for southbound vehicle traffic on Davisville Road at Terwood Road (the “Project”); and

**WHEREAS**, the Township is required to obtain the consent of the Pennsylvania Department of Transportation prior carrying out this Project.

**NOW THEREFORE**, be it is resolved that the Upper Moreland Township Board of Commissioners hereby authorizes and directs Township Manager Matthew H. Cndlnd to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation, and to sign this application on the behalf of Upper Moreland Township.

I hereby certify that this Resolution was adopted by the Upper Moreland Township Board of Commissioners this 1st day of February, 2021.

Attest:

**UPPER MORELAND TOWNSHIP  
BOARD OF COMMISSIONERS**

---

Matthew H. Cndlnd, Secretary

---

Kevin C. Spearing, President

# **EXHIBIT A**

# **EXHIBIT A**

## Application for Traffic Signal Approval

Please Type or Print all information in Blue or Black Ink



County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

### A - Applicant's (Municipal) Contact Information

Municipal Contact's Name : Matthew Candland Title : Township Manager  
 Municipal Name : Upper Moreland Township  
 Municipal Address : 117 Park Avenue, Willow Grove, PA 19090  
 Municipal Phone Number : 215-659-3100 Alternative Phone Number : \_\_\_\_\_  
 E-mail Address : mcandland@uppermoreland.org  
 Municipal Hours of Operation : Monday thru Friday; 8:30AM to 4:30PM

### B - Application Description

Location (*intersection*) : Davisville Road (S.R. 2042) and Terwood Road (S.R. 2033)  
 Traffic Control Device is :  NEW Traffic Signal  EXISTING Traffic Signal (Permit Number) : 64-0022  
 Type of Device (*select one*)  Traffic Control Signal (MUTCD Section 4D, 4E, 4G)  Flashing Beacon (MUTCD Section 4L)  School Warning System (MUTCD Section 7B)  
 Other : \_\_\_\_\_  
 Is Traffic Signal part of a system? :  YES  NO System Number (*if applicable*) : I-0090  
 If YES, provide locations of all signalized intersections in system.  
 Explain the proposed improvements : Removal of No Turn on Red restriction for southbound Davisville Road  
 Associated with Highway Occupancy Permit (HOP)? :  YES  NO If YES, HOP Application # : \_\_\_\_\_

### C - Maintenance and Operation Information

Maintenance and Operations are typically performed by? :  
 Municipal Personnel  Municipal Contractor  Municipal Personnel & Contractor  
 Other : \_\_\_\_\_  
 Maintenance and Operations Contact Name : Dave Elsier Company/Organization : Upper Moreland Township  
 Phone # : 215-659-3100 Alternative Phone # : \_\_\_\_\_ E-mail : delsier@uppermoreland.org

### D - Attachments Listing

<input checked="" type="checkbox"/> Municipal Resolution ( <i>required</i> )	<input type="checkbox"/> Location Map	<input type="checkbox"/> Traffic Volumes / Pedestrian Volumes
<input type="checkbox"/> Letter of Financial Commitment	<input type="checkbox"/> Photographs	<input type="checkbox"/> Turn Lane Analysis
<input checked="" type="checkbox"/> Traffic Signal Permit	<input type="checkbox"/> Straight Line Diagram	<input type="checkbox"/> Turn Restriction Studies
<input type="checkbox"/> Warrant Analysis	<input type="checkbox"/> Capacity Analysis	<input type="checkbox"/> Other : _____
<input type="checkbox"/> Crash Analysis	<input type="checkbox"/> Traffic Impact Study (TIS)	
<input type="checkbox"/> Traffic Signal Study	<input type="checkbox"/> Condition Diagram	

## Application for Traffic Signal Approval

Please Type or Print all information in Blue or Black Ink



County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

### E - Applicant (Municipal) Certification

The applicant desires to own, operate, and maintain the traffic control device in the location indicated above; and the Vehicle Code requires the approval of the Department of Transportation ("Department") before any traffic signals may be legally erected or modified. A signed Application for Traffic Signal Approval (TE-160) must be submitted in conformance with the instructions provided by the Department, and a Traffic Signal Permit must be issued, before any work can begin.

If the Department approves a traffic signal after a traffic engineering study and engineering judgment indicates the need, the traffic signal shall be installed, owned, operated, and maintained within the parameters indicated in the Vehicle Code and the Department's regulations relating to traffic signs, signals, and markings. The Department may direct appropriate alterations to the design or operation (including, but not limited to, hours of operation) of the traffic signal, or require removal of the traffic signal, if traffic conditions or other considerations necessitate alteration or removal.

All items associated with the traffic control device (geometric features, signs, signals, pavement markings, pedestrian accommodations, and other traffic control device associated items) are the applicant's responsibility. The Traffic Signal Permit will then document all of the items associated with operation of each traffic control device. The applicant, at its sole expense, shall provide the necessary inspection, maintenance, and operation activities in conformance with the Department's Publication 191 or as otherwise agreed to by the Department. The applicant shall perform the preventative and responsive maintenance requirements and recordkeeping in accordance with the exhibits specified below. If the applicant fails to provide the required inspection, maintenance, or operation services within thirty (30) days of receipt of written notice from the Department, the Department shall have the right to perform the required inspection, maintenance, or operation services in the applicant's stead and the applicant shall reimburse the Department for all costs incurred. Federal- and/or state-aid participation may be withheld on all future projects if the applicant fails to demonstrate to the Department the ability to provide all required maintenance and operation services. The applicant certifies that it has funds available and committed for the operation and maintenance of the traffic control device and that it will make available sufficient funds for all required future inspection, maintenance, and operation activities.

The applicant shall indemnify, save harmless and, defend (if requested) the Commonwealth of Pennsylvania, its agents, representatives, and employees from and against any damages recoverable under the Sovereign Immunity Act, 42 Pa. C.S. §§ 8521-8528, up to the limitations on damages under said law, arising out of any personal injury or damage to property which is finally determined by a court to be caused by or result from acts or omissions of the applicant and for which a court has held applicant, its officials, or employees to be liable. This provision shall not be construed to limit the applicant in asserting any rights or defenses. Additionally, the applicant shall include in any contracts into which it enters for maintenance, operation, or inspection of the traffic control device this same obligation to indemnify the Commonwealth and its officers, agents, and employees; and it shall require its contractor(s) to provide public liability insurance coverage, naming the Commonwealth and the applicant as additional insureds for bodily injury, including death and property damage, in the minimum amounts of \$500,000 per person, \$1,000,000 per occurrence, it being the intention of parties to have the contractor fully insure and indemnify the Commonwealth and the applicant.

The applicant shall comply with the study and ordinance requirements of 75 Pa. C.S. § 6109. The applicant submits this application with the intention of being legally bound.

Neither this application nor any Traffic Signal Permit creates any rights or obligations with respect to parties other than the applicant and the Department. Third parties may not rely upon any representations made by either the applicant or the Department in connection with the submission or approval of this application or any work permitted or approved that is related to this application, as regards either payment of funds or performance of any particular item of maintenance precisely as specified.

The applicant agrees to comply with the attached Exhibits:

- Exhibit "A": Preventative and Response Maintenance Requirements (Sheet 3 of 5 )
- Exhibit "B": Recordkeeping (Sheet 4 of 5 )
- Exhibit "C": Signal Maintenance Organization (Sheet 5 of 5 )

Printed Municipal Contact Name :	Date :
Signed By :	Witness or Attest :
Title of Signatory :	Title of Witness or Attester:

**Exhibit "A":**  
**Preventative and Response Maintenance**  
**Requirements**



Sheet 3 of 5  
**DEPARTMENT USE ONLY**

County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

**Preventive Maintenance**

The APPLICANT or its contractor will provide preventive maintenance for each individual component of the traffic signal installation covered by this application at intervals not less than those indicated in the Preventive Maintenance Summary, PA DOT Publication 191, current version. This is the recommended level of maintenance to keep the intersection control equipment and signals in mechanically, structurally and aesthetically good condition.

**Response Maintenance**

The APPLICANT or its contractor will provide response maintenance in accordance with the provisions of the Response Maintenance Schedule. It encompasses the work necessary to restore a traffic signal system to proper and safe operation. Includes Emergency Repair and Final Repair.

**FINAL REPAIR:**

Repair or replace failed equipment to restore system to proper and safe operation in accordance with permit within a 24-hour period.

**EMERGENCY REPAIR:**

Use alternative means or mode to temporarily restore system to safe operation within a 24-hour period. Final repair must then be completed within 30 days unless prohibited by weather conditions or availability of equipment.

**Response Maintenance Schedule**

<u>KNOCKDOWNS</u>	<u>TYPE OF REPAIR PERMITTED</u>
Support - Mast arm	Emergency or Final
Support - Strain pole	Emergency or Final
Span wire/tether wire	Final Only
Pedestal	Emergency or Final
Cabinet	Emergency or Final
Signal heads	Final Only
<u>EQUIPMENT FAILURE</u>	
Lamp burnout (veh. & ped.)	Final Only
Local controller	Emergency or Final
Master controller	Emergency or Final
Detector sensor	Emergency or Final
- Loop	Emergency or Final
- Magnetometer	Emergency or Final
- Sonic	Emergency or Final
- Magnetic	Emergency or Final
- Pushbutton	Emergency or Final
Detector amplifier	Emergency or Final
Conflict monitor	Final Only
Flasher	Final Only
Time clock	Emergency or Final
Load switch/relay	Final Only
Coordination unit	Emergency or Final
Communication interface, mode	Emergency or Final
Signal cable	Final Only
Traffic Signal Communications	Final Only
Traffic Signal Systems	Final Only

**Exhibit "B":**  
**Recordkeeping**Sheet 4 of 5  
**DEPARTMENT USE ONLY**

County : \_\_\_\_\_  
Engineering District : \_\_\_\_\_  
Department Tracking # : \_\_\_\_\_  
Initial Submission Date : \_\_\_\_\_

**Recordkeeping**

Accurate and up-to-date recordkeeping is an essential component of a good traffic signal maintenance program. In recognition of this fact, the APPLICANT must prepare, retain, and make available to the COMMONWEALTH, on request, a record of all preventive and response maintenance activities performed on the traffic signal equipment covered by this application.

The APPLICANT shall establish a separate file for each installation and keep its records in the municipal building, signal maintenance shop, or other weather-protected enclosure.

At a minimum, the following records will be kept by the APPLICANT or its contractor for each traffic signal. These forms can be found in Section 10.0, Maintenance Record Forms, PA DOT Publication 191, current version.

**FORM 1 - Master Intersection Record**

This form, which lists all maintenance functions performed at the intersection, should be updated within one day of the activity but no more than one week later.

**FORM 2 - Response Maintenance Record**

Each time response maintenance is required at the intersection, this form is to be completed. Once the pertinent information is transferred to the master intersection record, this form is to be placed in the intersection file.

**FORM 3 - Preventive Maintenance Record**

This form will be used to provide a record of the preventive maintenance activities performed at each intersection. The date, the activities performed, and the signature of the person in charge of the work must be recorded in the form.

This form may be kept at the intersection, if it is adequately protected from the weather. Form 1 must be updated at the central file, however, to reflect the date and activity.

**Exhibit "C":**  
**Signal Maintenance Organization**


County : \_\_\_\_\_  
 Engineering District : \_\_\_\_\_  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

**Personnel Classifications**

In order to properly maintain the traffic signal equipment covered by this applicant, the APPLICANT agrees to provide, as minimum, the following staff throughout the useful life of equipment. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191.

**Traffic Engineer** - The administrative position which has prime responsibility for the proper operation of traffic signal equipment. The principal function of this position is the supervision and control of subordinate personnel and the planning of their activities to ensure adequate preventive and response maintenance programs.

**Minimum Position Requirements**

1. A thorough understanding of traffic signal design, installation and maintenance.
2. A working knowledge of the interaction between the following traffic characteristics: Intersection geometry, traffic flow theory, control type (fixed time, actuated, etc.), signal phasing and timing, and interconnection.
3. An ability to supervise subordinate personnel effectively in the assignment of their work.
4. Possession of a college degree in engineering, which includes course work in traffic engineering.
5. Either four years experience in the field of traffic engineering or its equivalent in graduate college work.

**Signal Specialist** - The individual responsible for the diagnostics and repair of all traffic signal equipment including solid state equipment.

**Minimum Position Requirements**

1. Extensive training and troubleshooting skills in electronics and software.
2. Ability to repair modules in the shop and to design test equipment needed to diagnose and repair a problem.
3. Ability to make design and modifications to implement or omit special functions.
4. Ability to implement a recordkeeping system to include maintenance activities, inventory control and identification of recurring problems.
5. Ability to perform all tasks required of a signal technician.

**Signal Technician** - Individual responsible for the operation and maintenance of traffic signals and electromechanical equipment.

**Minimum Position Requirements**

1. Ability to perform response maintenance on solid state equipment up to the device exchange level.
2. Capability to diagnose a vehicle loop failure and initiate corrective action.
3. Ability to tune detector amplifiers.
4. Ability to follow wiring schematics, check and set timings from plan sheet and check all field connections.
5. Ability to perform preventive maintenance on all equipment and to maintain accurate records of all work perform.

**Training**

The APPLICANT agrees to secure training in order to upgrade the ability of its present staff to properly perform the required maintenance functions. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191.

**Budget Requirements**

The APPLICANT agrees to provide, in its annual operating budget, dedicated funds which are sufficient to cover the cost of the personnel, training, contractors (if utilized) and specialized maintenance equipment which are required, by virtue of this application. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191..

## Application Instructions

### A - Applicant's (Municipal) Contact Information

**Municipal Contact's Name:** Provide the municipal contact name that is (or will be responsible) for the traffic signal. Typically this is either the Municipal Manager or Roadmaster.

**Title:** Provide the title of the municipal contact name.

**Municipal Name:** Provide the official municipal name.

**Municipal Address:** Provide the full address of the municipal building.

**Municipal Phone Number:** Provide the municipal phone number of the municipal contact.

**Alternative Phone Number:** Provide an alternative phone number of the municipal contact.

**E-mail Address:** Provide the e-mail address of the municipal contact.

**Municipal Hours of Operation:** Please provide the municipalities normal operating hours (i.e. Monday-Thursday 9 AM - 2 PM)

### B - Application Description

**Location (*intersection*):** Please provide a detailed location of the device or devices being considered for approval.

Please include any State Route and/or local road names in your description.

**Traffic Control Device is:** (Please select one of the two following categories)

**NEW Traffic Signal:** This item should be selected when requesting approval of a traffic signal that is currently not in operation at the device location indicated above.

**EXISTING Traffic Signal:** This item should be selected when requesting approval to make a modification or update to an existing traffic signal.

**(Permit Number):** Please provide the traffic signal permit number.

**Type of Device (select one):** (Please select one of the four following categories)

**Traffic Control Signal:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Sections 4D, 4E, and 4G. When selecting this category this is the typical red/yellow/green and pedestrian signal indications

**Flashing Beacon:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Section 4L. When selecting this category, this is typically either the flashing yellow/red signal at an intersection and/or the flashing yellow warning sign.

**School Warning System:** As defined in federal Manual on Uniform Traffic Control Devices (MUTCD) Section 7B. When selecting this category, this is typically the flashing school warning sign with a 15 mph indication.

**Other:** When selecting this category, this pertains to all other permitted electrically powered traffic control devices approved by the Department.

**Is Traffic Signal part of a system?:** Check off the appropriate box, either YES or NO. If YES, please fill in the **System Number (if applicable):** line.

**Explain the proposed improvements:** Provide a description of the proposed improvements to the intersection. This may be as complex as installing and/or upgrading a traffic signal or as non-complex as placement of a new traffic sign to supplement an existing traffic signal.

**Associated with Highway Occupancy Permit (HOP)?:** Check off the appropriate box, either YES or NO. If YES, please fill in the **Application #:** line.

### C - Maintenance and Operation Information

**Maintenance and Operations are typically performed by?:** Please indicate if maintenance and operation will be performed by Municipal Personnel or through Contract Services.

**Maintenance and Operations Contact Name:** Provide the primary maintenance contact name for the individual that is (or will be responsible) for the maintenance and operation of the traffic signal.

**Company/Organization:** Provide the name of the company/organization with which the primary maintenance contact is affiliated.

**Phone #:** Provide the phone number for the primary maintenance contact.

**Alternative Phone #:** Provide an alternative phone number for the primary maintenance contact or affiliated company/organization.

**E-mail:** Provide the e-mail address for the primary maintenance contact.

### D - Attachments Listing

Check off all documents which will be submitted along with this application. Note that a Municipal Resolution, authorizing the municipal contact to submit and sign the application, is a required document.

A sample Municipal Resolution has been provided on the next page.

### E - Applicant (Municipal) Certification

**Printed Municipal Contact Name:** Please print the name of the municipal contact person signing the application.

**Date:** Please provide the date on which the application was signed.

**Signed By:** Please provide the signature of the named municipal contact.

**Title of Signatory:** Please provide the title of municipal contact.

**Witness or Attest:** Please provide the signature of the person witnessing or attesting the signature.

**Witness or Attester:** Please provide the title of the person witnessing or attesting the signature.

**RESOLUTION**

**BE IT RESOLVED**, by authority of the \_\_\_\_\_  
(Name of governing body)

of the \_\_\_\_\_ Township of Upper Moreland \_\_\_\_\_, \_\_\_\_\_ Montgomery \_\_\_\_\_ County, and it  
(Name of MUNICIPALITY)

is hereby resolved by authority of the same, that the \_\_\_\_\_  
(designate official title)

of said MUNICIPALITY is authorized and directed to submit the attached Application for Traffic  
Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of  
the MUNICIPALITY.

**ATTEST:**

\_\_\_\_\_  
Township of Upper Moreland

(Name of MUNICIPALITY)

By: \_\_\_\_\_

(Signature and designation of official title)

(Signature and designation of official title)

I, \_\_\_\_\_, \_\_\_\_\_  
(Name)

\_\_\_\_\_ (Official Title)

of the \_\_\_\_\_, do hereby certify that the foregoing  
(Name of governing body and MUNICIPALITY)

is a true and correct copy of the Resolution adopted at a regular meeting of the

\_\_\_\_\_, held the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
(Name of governing body)

**DATE:** \_\_\_\_\_

(Signature and designation of official title)