

**Upper Moreland Township  
Board of Commissioners - Regular Meeting  
August 6, 2018 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 7:03 p.m.
- II. **Moment of Silent Meditation/Pledge of Allegiance**
- III. **Roll Call:** Commissioner and President Spearing; Commissioners Lavalle, Lockard, McFatridge, Scull, Whiting, and Valenza. Also present: David A. Dodies, Township Manager and Sean P. Kilkenny, Esquire, Township Solicitor.
- IV. **Presentations/Announcements:**
  - A. Commissioner Valenza announced that the August 20, 2018 Finance & Administrative Committee Meeting is canceled.
  - B. Commissioner Whiting announced that the August 20, 2018 Public Health & Safety Committee Meeting is canceled.
  - C. Commissioner Scull announced that the August 20, 2018 Parks & Recreation Committee Meeting is canceled.
  - D. Commissioner Lavalle announced that the August 13, 2018 Community Development Committee Meeting is canceled.

**REGULAR MEETING**

- V. **Public Comments – Non-Agenda Items Only:**
  - Elizabeth Kalinowski, a resident 510 Gilpin Road and representative for the residents of Gilpin Road, provided handouts and stated major concerns regarding noise generated from the roof top air conditioning units at the Regency Towers complex. She played an audio recording of the noise, read abbreviated sections from Ordinance 223 specifically pertaining to public or common nuisances, referred to her handout with over 60 incidents recorded since 2014, and presented a petition from the residents of Gilpin Road. Ms. Kalinowski provided several suggestions, based on her research, to install sound barriers. Ms. Kalinowski thanked the Committee for their consideration and stated that she looks forward to getting her home back to a peaceful environment during the Summer months.
  - Commissioner Spearing thanked Ms. Kalinowski for her well prepared presentation and explained that the matter will be continued to a future Community Development Meeting if necessary.
  - Mr. Dodies stated that he and Paul Purtell, Director of Code Enforcement, are to meet with Regency Towers management to assess the current situation versus the past.
  - Richard Wovensmith, 516 Gilpin Road, stated that he and his wife have been residents since 1977 and are familiar with the units that were in place prior to the current units

that are exceedingly loud.

- Commissioner Lavalley asked Mr. Dodies to locate the permit required for the installation and proof of inspection on the HVAC units.
- Commissioner Lavalley commented to Mr. Kilkenney that there is a Building Code requirement for rooftop HVAC clearance from the edge of a building.
- Thomas Patterson, a resident, stated that he had experienced other matters of concern with Regency Towers and is doubtful that they will be compliant on this issue. He is glad that Mr. Dodies will be following up on the matter.

VI. **Treasurer's Activity Report – July 2018:** The Treasurer's Activity Report was unanimously approved as submitted.

VII. **Approval of Minutes - July 9, 2018:**

- Commissioner Spearing amended the Regular Meeting Minutes to read under 1. Appointments/ Reappointments, the comment, "Commissioner Spearing stated that he very much favors the appointments in Ward 2 of John Knauss and Margaret Holscher."

The meeting minutes as amended above, were unanimously approved.

VIII. **Committee Recommendations:**

A. **Finance & Administrative Committee:**

1. **Appointments/Reappointments**

- a. The Board of Commissioners approved by a vote of 7-0, the reappointment of Lisa Marsteller as an At-Large member of the Parks and Recreation Advisory Council to serve a new two-year term that will expire on June 30, 2020.
- b. The Board of Commissioners approved by a vote of 7-0, the reappointment of Christopher T. Cattie as an At-Large member of the Parks and Recreation Advisory Council to serve a new two-year term that will expire on May 5, 2020.
- c. The Board of Commissioners approved by a vote of 7-0, the reappointment of Michael Chauveau as an At-Large member of the Parks and Recreation Advisory Council to serve a new two-year term that will expire on May 5, 2020.
- d. The Board of Commissioners approved by a vote of 7-0, the reappointment of Ronald Sanceciz as an At-Large member of the Parks and Recreation Advisory Council to serve a new two-year term that will expire on May 5, 2020.
- e. The Board of Commissioners approved by a vote of 7-0, the reappointment of Deidre Barnes as a representative of Ward 4 of the Advisory Planning Agency to serve a new two-year term that will expire on June 1, 2020.
- f. The Board of Commissioners approved by a vote of 7-0, the reappointment of Gerald T. Foley as a representative of Ward 6 of the Advisory Planning Agency to serve a new two-year term that will expire on June 1, 2020.
- g. The Board of Commissioners approved by a vote of 7-0, the reappointment of Denis Hurley as a representative of Ward 2 of the Advisory Planning Agency to serve a new two-year term that will expire on June 1, 2020.
- h. The Board of Commissioners approved by a vote of 7-0, the reappointment of James M. Farrell as a member of the Police Pension Fund to serve a new three-

**Upper Moreland Township  
Board of Commissioners - Regular Meeting  
August 6, 2018 Meeting Minutes**

year term that will expire on June 6, 2021.

- i. The Board of Commissioners approved by a vote of 7-0, the reappointment of Michael Davido as an Alternate member of the Police Pension Fund to serve a new three-year term that will expire on April 7, 2021.
  - j. The Board of Commissioners approved by a vote of 7-0, the Board of Commissioners approved by a vote of 7-0, the reappointment of Mark Drakeley as a member of the Police Pension Fund to serve a new three-year term that will expire on April 7, 2021.
  - k. The Board of Commissioners approved by a vote of 7-0, the appointment of Donald G. Warner as a member of the Police Pension Fund to replace Lee Falgoust to serve the remaining term that will expire on March 13, 2019.
2. **List of Bills Payable:**
    - The Board of Commissioners approved by a vote of 7-0, the List of Bills as submitted.
  3. **Aqua General Funds:**
    - The Board of Commissioners approved by a vote of 6-0 in favor and one (1) abstention (Abstention by Commissioner Spearing, Aqua employee).
  4. **Other Items** - Nothing to report.
  5. **New Business** - Nothing to report.

**B. Community Development Committee:**

1. **Code Enforcement:** Nothing to report.
2. **Land Development/Subdivision Applications:**
  - The Board of Commissioners unanimously approved by a vote of 7-0, **Resolution No. R-2018-22** - the request from Stephen and Linda Nagy of 425 Newton Road with waivers to adjust the location of an existing lot line prepared by TLC Surveying Inc. (Engineer); a portion of one parcel (425 Newton Road) is to be combined with an adjacent parcel (423 Newton Road).
3. **List of Upcoming Zoning Hearing Board Applications:**
  - Commissioner Lavalley stated that there are no applications scheduled for a Public Hearing in August.
4. **Other Items:**
  - a. The Board of Commissioners unanimously approved by a vote of 7-0 - the Professional Services Agreement from **AHAdams&Company** related to Police Department renovations.
    - Mr. Kilkenny explained that the following changes made to the original contract are:
      - Payment for services and change orders based on agreeable terms and a schedule.
      - Circulation of a standard contract form used by other townships which saves on the cost of AIA documents.
  - b. The Board of Commissioners unanimously approved by a vote of 7-0, **Resolution No. R-2018-23** - an 18-month extension on the approved land development plan for Lightbridge Academy, 2321 Blair Mill Road.

**Upper Moreland Township  
Board of Commissioners - Regular Meeting  
August 6, 2018 Meeting Minutes**

- c. The Board of Commissioners unanimously approved by a vote of 7-0, **Resolution No. R-2018-24** - setting a Public Hearing date on September 10, 2018 at 7:00 p.m. to review a draft ordinance amending Section 340-239 of the Zoning Ordinance, to clarify what actions applicants must take during the 9-month effective period following a decision by the Zoning Hearing Board.
  - d. The Board of Commissioners unanimously approved by a vote of 7-0, **Resolution No. R-2018-25** - the submission of a Multi-Modal Transportation Fund Grant application for improvements at and adjacent to the intersection of Davisville Road and Byberry Road.
    - Commissioner Lavalle stated that improvements to the intersection at Davisville and Byberry Roads are reflected on the Land Development Plans submitted by the YMCA; however, this particular Multi-Modal Transportation Grant Application would continue improvements at the intersection that were not included in the YMCA's Land Development Plans.
5. **Commissioner Comments** - Nothing to report.

**C. Parks & Recreation Committee:**

- 1. **New Business:**
  - a. The Board of Commissioners unanimously approved by a vote of 7-0, the proposal to remove trees in conjunction with demolition of 114 and 116 Park Avenue properties, as recommended by James R. Faber, Township Landscape Architect.
- 2. **Commissioner Comments:**
  - Commissioner Scull stated that the August 20, 2018 Parks & Recreation Committee Meeting is canceled.
  - Commissioner Scull stated that he visited the summer camp program and was impressed with the activities and will offer suggestions for future camp ideas.
  - Commissioner Scull met with the Parks & Recreation Advisory Council at Boileau Park and he looks forward to working with them.
  - Commissioner Scull stated that he will attend the Golden Age Committee Meeting in September.

**D. Public Health & Safety Committee:**

- 1. **New Business:**
  - a. The Board of Commissioners unanimously approved by a vote of 7-0, the purchase of Pierce Ascendant 107' Quint Ladder Truck to be financed by funds from the 2017 General Obligation Bond Issue; A loan of up to \$300,000 from the Pennsylvania Emergency Management Agency (interest rate of 2%); and, fund balance maintained in Truck Escrow Fund. Estimated cost of the truck is \$1,000,000.
    - Commissioner Lockard stated that this replaces a truck purchased in 1993 and thanked the Captain and others for their extensive research and patience while deliberating the options.
    - Commissioner Spearing thanked the entire Fire Company for all their services to the Township and for collaborating on the purchase of a new fire truck.
  - b. The Board of Commissioners unanimously approved by a vote of 7-0, **Resolution No. R-2018-26** - the adoption of the 2017 Montgomery County Hazard Mitigation

**Upper Moreland Township  
Board of Commissioners - Regular Meeting  
August 6, 2018 Meeting Minutes**

Plan.

- Mr. Dodies stated that Montgomery County adopts a revised Hazard Mitigation Plan every two years that requires municipalities to become members and signoff on procedures for mutual aid to remain eligible for reimbursement in the event of a disaster with the application of relief funds.
- c. The Board of Commissioners unanimously approved by a vote of 7-0, the use of CARFAX For Police Program.
  - Commissioner Valenza inquired if there will be delays obtaining an accident report. Chief Michael Murphy stated that as soon as the report is submitted by the Police Department to PennDOT, the accident report becomes available within 24 hours through CARFAX's internet site at the cost of \$10.

IX. **New Business** - Nothing to report.

X. **Commissioner Comments:**

- Lynette Saunders, Chair, Environmental Advisory Council, clarified that the August 13, 2018 Community Development Committee Meeting is canceled.
- Commissioner Spearing commented on phone calls received regarding Distributed Antenna Systems (DAS) throughout the Township and stated that there will be continued discussions at the September 13, 2018 Zoning Hearing Board. The public is invited to attend and review the requests for variances.
- Commissioner Spearing announced an Executive Session would be held following adjournment of tonight's Regular Meeting to discuss legal matters.

XI. **Visitor Comments:**

- Brian Shannon, a resident, commented that House Bill 2564 (an Act providing for small wireless facilities deployment) has been introduced in Harrisburg to remove the impact of local zoning and township input on Distributed Antenna Systems (DAS) towers. He added that Crown Castle is one of its sponsors.

XII. **Adjournment:** There being no further business to discuss, the meeting was adjourned at 8:00 p.m.

Respectfully submitted by Kathleen Kristire.