

**Board of Commissioners Members:** Commissioner and President, Kevin C. Spearing; Commissioner and Vice President Charles M. Whiting; Commissioners R. Samuel Valenza, Joseph A. Lavallo, Kip McFatrige, 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 via audio conference call by the President of the Board of Commissioners, Kevin C. Spearing at 7:00 p.m.
- II. **Moment of Silent Meditation/Pledge of Allegiance**
- III. **Roll Call:** Commissioner and Board President Spearing, Commissioner and Vice President Whiting; Commissioners Lavallo, McFatrige, Scull and Lockard. Absent: Commissioner Valenza. Also present: Matthew H. Candland, Township Manager, and Alex Baumler, Township Solicitor.

### **PUBLIC HEARING**

**PUBLIC HEARING #1955 – 7:00 P.M. – Ordinance #1711** – To receive public comments pursuant to the addition of a new Chapter 149 “Fireworks” to the Upper Moreland Township Code of Ordinances regulating fireworks use within the Township to protect persons and property; repealing all inconsistent ordinances, or parts thereof in conflict therewith; and providing for a severability clause and an effective date.

- Commissioner Lockard motioned, seconded by Commissioner Whiting and the Board of Commissioners approved by a vote of 6-0, to open PUBLIC HEARING #1955.
- PUBLIC HEARING #1955 was held.
- Commissioner Lockard motioned, seconded by Commissioner Scull and the Board of Commissioners approved by a vote of 6-0, to close PUBLIC HEARING #1955.

### **REGULAR MEETING**

- IV. **Presentations/Announcements:**
  - A. Commissioner Spearing announced that prior to tonight's meeting the Board of Commissioners met in an Executive Session to discuss legal and personnel matters.
  - B. A Healthcare Insurance Proposal presented by The Benecon Group, Inc.:
    - Fred Bean, Vice President - Program Management, explained the Pennsylvania Municipal Health Insurance Cooperative (PMHIC) and discussed The Benecon Group as the general administrator of the employee benefit programs.
      - Brian Shannon, resident of Quigley Avenue, suggested to see a comparison of the current employee plan with the proposed Benecon plan. Mr. Bean replied that they will check if the data is available.
- V. **Public Comments:**
  - Brian Shannon, resident, commented that the County's website for voter services contains incorrect information on polling locations.
- VI. **Treasurer's Activity Report – August 2020**
  - Commissioner Whiting motioned, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 6-0, the Treasurer's Activity Report as submitted.

VII. **Approval of Minutes - August 3, 2020**

- Commissioner Lockard motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 6-0, the minutes as submitted.

VIII. **Committee Recommendations:**

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

1. **Appointments/Reappointments:**

- Commissioner Spearing announced that candidates are being sought for the Human Relations Commission and resumes are being accepted by Mr. Candland.

2. **List of Bills Payable:**

- Commissioner Lockard reviewed the List of Bills Payable, made a motion, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 6-0, the List of Bills Payable, as submitted.

3. **Aqua General Funds Bills**

- Commissioner Lockard motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 5-0 (one (1) abstention: Commissioner Spearing, Aqua employee), the Aqua General Fund Bills, as submitted.

4. **Other Items**

a. **Motion to Approve** the sale of surplus vehicles and equipment:

- Commissioner Lockard motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 6-0, the sale of surplus vehicles and equipment.

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

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**

a. **Motion to Approve Resolution R-2020-33** – Granting Preliminary/Final Land Development approval to Fairhill Commons for property located at 551 N. York Road:

- Michael Yanoff, Attorney for the applicant, stated that the agenda item should be amended to identify properties at 230 Fairhill Street and 551 N. York Road.
- Mr. Yanoff clarified that the 551 N. York Road property is not limited to use of student housing. Commissioner Lavelle directed Mr. Baumler to amend the agreement with specific language that mirrors the Conditional Use Application.
- Mr. Yanoff clarified that the Resolution contains requests for waivers and not requests for variances.
- Commissioner Spearing read a statement from Vicki Kushto, the representative for Green Willow Run. Mr. Yanoff responded that a Public Hearing and Community Development Committee meetings were held and various PennDOT issues remain.
- Ms. Kushto responded that she did not attend tonight's meeting because the Township Solicitor advised her that she would not be permitted to make a presentation. She added that the applicant did not provide copies of any

documents or respond to a report from her client's own expert, and issues remain concerning PennDOT.

- Mr. Baumler clarified to Ms. Kushto that there would be no additional new information presented at tonight's meeting, she was welcome to submit a statement and appear in person or via Zoom.
- Commissioner Spearing confirmed with Mr. Baumler that permits will be submitted directly by the applicant to PennDOT.
- Commissioner Lavalley reviewed the waiver requests.
- Dr. Lynnette Saunders, EAC Chair, commented opposition to trees that are not going to be replaced.
- Mr. Yanoff stated that there is a provision within the Resolution for replacement trees.
- Dr. Saunders inquired on proper stabilization of streambanks. Commissioner Lavalley stated there are conditions in the Subdivision and Land Development Ordinance that have not been amended or compromised.
- Commissioner Lavalley motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 5-0 (one (1) abstention: Commissioner McFatridge), waivers A through X.
- The Board of Commissioners approved by a vote of 5-0, Resolution R-2020-33.
- b. **Motion to Approve Resolution R-2020-34** – Granting Preliminary/Final Land Development approval to JLLH-WR, LLC for property located at 2255 Wyandotte Road:
  - Commissioner Spearing stated that the Applicant withdrew their request for Preliminary/Final Land Development approval at this time and a discussion will continue at a future meeting.
- 3. **List of Upcoming Zoning Hearing Board Applications:**
  - Commissioner Lavalley stated that no applications are scheduled for the September 24, 2020 Zoning Hearing Board Meeting.
- 4. **Other Items:**
  - a. **Motion to Approve Resolution R-2020-35** – Extending the guidelines and policy for outdoor sales of food and merchandise of existing business in the Township during the COVID-19 Pandemic:
    - Commissioner Lavalley motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 6-0, Resolution R-2020-35.
  - b. **Motion to Approve Resolution R-2020-36** – Authorizing the extension of the agreement for recycling services with J.P. Mascaro & Sons, for an additional period of six months, with certain price changes for certain services:
    - Commissioner Lavalley motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 6-0, Resolution R-2020-36.
  - c. **Motion to Approve** - The ratification for the submission of a Pennsylvania Recycling Technical Assistance application to the Department of Environmental Protection, to assist in the “Review for Proposals” for achieving higher recycling rates:
    - Commissioner Lavalley motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 6-0, the ratification for the submission of a Pennsylvania Recycling Technical Assistance application.

C. **Parks and Recreation Committee** – The Committee does not have any recommendations

for the Board of Commissioners to consider at this time.

D. **Public Health & Safety Committee** - The Committee recommends the Board of Commissioners take action on the following:

1. **Motion to Approve Ordinance #1711** – To add a new Chapter 149 “Fireworks” to the Upper Moreland Township Code of Ordinances regulating fireworks use within the Township to protect persons and property; repealing all inconsistent ordinances, or parts thereof in conflict therewith; and providing for a severability clause and an effective date:

- Commissioner Whiting motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 6-0, Ordinance #1711.

IX. **Commissioner Comments:**

- Commissioner Whiting encouraged everyone to wear face masks for the safety of themselves as well as others.
- Commissioner Spearing reminded everyone to register and to vote.
- Commissioner Spearing stated that the School Board will have a Zoom meeting on Tuesday, September 15, 2020 concerning the reverter clause for the North Willow Grove Park and Woodlawn School properties.

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

XI. **Adjournment:** There being no further business to discuss, the meeting was adjourned at 10:10 p.m.

Respectfully submitted by Kathleen Kristire.