

**Upper Moreland Township  
Board of Commissioners - Regular Meeting  
February 1, 2021 Meeting Minutes**

**Board of Commissioners Members:** Commissioner and President, Kevin C. Spearing; Commissioner and Vice President Charles M. Whiting; Commissioners R. Samuel Valenza, 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 by the President of the Board of Commissioners, Kevin C. Spearing.
- II. **Moment of Silent Meditation/Pledge of Allegiance**
- III. **Roll Call:** Commissioner and Board President Spearing, Commissioner and Vice President Whiting; Commissioners Valenza, McFatrige, Scull and Lockard. Also present: Matthew H. Candland, Township Manager, Randall K. Schaible, Assistant Township Manager & Director of Finance, and Sean Kilkenny, Township Solicitor.
- IV. **Presentations/Announcements:**
  - A. Announcement of a Commissioner vacancy in Ward 4 due to the passing of Commissioner Joseph A. Lavallo.
    - Commissioner Spearing stated that the vacancy is required to be filled. Interested residents of Ward 4 can apply for the position by sending a letter and resume to Mr. Candland within the next ten days. The Board of Commissioners will conduct interviews and make an appointment, and the appointee will serve until January 1, 2022.
  - B. Swearing-in by Captain James Hotchkiss of Bruce Edwards as Special Fire Police Officer:
    - The Board of Commissioners agreed to move the swearing-in to the March 1, 2021 meeting.
  - C. Presentation of Proclamation to Timothy A. Troxel, accepting and recognizing his retirement as a Lieutenant from Upper Moreland Township Police Department.
    - The Board of Commissioners agreed to move the presentation to the March 1, 2021 meeting.
  - D. 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.

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- V. **Public Comments** - Nothing to report.
- VI. **Treasurer's Activity Report – January 2021:**
  - Commissioner Spearing reviewed details of the report.
  - The Board of Commissioners unanimously approved the report as submitted.
- VII. **Approval of Minutes - January 4, 2021 Regular Meeting:**
  - Commissioner McFatrige motioned, seconded by Commissioner Scull and the Board of Commissioners approved by a vote of 6-0, the minutes as submitted.

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VIII. **Committee Recommendations:**

- A. **Finance & Administrative Committee** – 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
    - 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
      - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners voted 6-0 to approve the above-referenced appointments and reappointments.
    - g. **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
      - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners voted 6-0 to approve Resolution R-2021-03.
  2. **List of Bills Payable:**
    - Commissioner Valenza made a motion, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 6-0.

**3. Aqua General Funds Bills:**

- Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 5-0 (one (1) abstention: Commissioner Spearing, Aqua employee).

**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:

- Commissioner Valenza motioned, seconded by Commissioner Whiting and the Board of Commissioners approved by a vote of 6-0.

- b. **Motion to Approve Resolution R-2021-04** – Accepting and ratifying amendments to the Civil Service Rules proposed by the Civil Service Commission:

- Commissioner Scull commented concerns on promotions, diversity with hiring, and education. Chief Block and the Commissioners discussed diversity at entry level hiring, the process of promotions and Police Academy education, which must comply with State requirements.

- Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 6-0 Resolution R-2021-04.

- 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:

- Commissioner Valenza motioned, seconded by Commissioner Whiting and the Board of Commissioners voted 6-0 to approve.

**5. New Business:**

Mr. Kilkenny explained that the Court of Common Pleas has been forcing parties to settle many reassessment cases that have been outstanding between 2015-2017.

- 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:

- Commissioner Valenza motioned, seconded by Commissioner Lockard and the Board of Commissioners voted 6-0 to approve.

- 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:

- Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners voted 6-0 to approve.

- 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:

- Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners voted 6-0 to approve.

- 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:

- Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners voted 6-0 to approve.

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- e. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland Township and the tax payer, Westbury Apartments – Settlement Case #2017-27196:
    - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners voted 6-0 to approve.
  - f. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland Township and the tax payer, Good Mac Realty Partners LP – Settlement Case #2017-27232:
    - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners voted 6-0 to approve.
  - g. **Motion to Approve** a Tax Settlement between the Township, the School District of Upper Moreland Township and the tax payer, John Swartz – Settlement Case #2017-27225:
    - Commissioner Valenza motioned, seconded by Commissioner Spearing and the Board of Commissioners voted 6-0 to approve.
- 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 - February 11, 2021:**
    - Commissioner Spearing reviewed the four applications.
    - Commissioners McFatrige and Lockard commented about Application PH#21-5(11) regarding the outdoor movie theater screening area. Commissioner McFatrige suggested that Mr. Kilkenny review the Board of Commissioner's conditions at the Hearing Board meeting and Commissioner Lockard shared concerns from residents of Shoemaker Road and Pioneer Road that include noise from car engines running during the length of the movies.
    - Mr. Kilkenny stated that he will discuss the conditions of the Board of Commissioners, which were negotiated with New Century Associates Group, L.P., at the Zoning Hearing Board meeting. Residents can further discuss their concerns by attending the meeting as well.
    - Commissioner Spearing motioned, seconded by Commissioner McFatrige and the Board of Commissioners voted 6-0 to have Kilkenny Law monitor Application PH#21-5(11) at the February 11, 2021 Zoning Hearing Board meeting.
  - 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:
      - Commissioner Spearing motioned, seconded by Commissioner Valenza and the Board of Commissioners voted 6-0 to approve.
    - 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:

- Commissioner Spearing motioned, seconded by Commissioner Valenza and the Board of Commissioners voted 6-0 to approve Resolution R-2021-05.

**C. Parks and Recreation Committee:**

1. **Motion to Approve Resolution R-2021-06** – Approving the submission of a DCNR Grant application for improvements at Farmstead Park:
  - Mr. Stasio explained that there is a match of approximately \$115,000 for improvements to reduce flooding, clean and slow water, and enhance water quality for animal habitat and neighbors in that area.
  - Commissioner Scull motioned, seconded by Commissioner McFatrige and the Board of Commissioners voted 6-0 to approve Resolution R-2021-06.
2. **Motion to Approve** 2021 Capital Improvement Projects that include:
  - a. Brooks Street Park Playground Replacement (\$40,000)
  - b. Masons Mill Park Pavilion Replacement (\$30,000)
    - Mr. Stasio explained details of the improvements.
    - Commissioner Scull motioned, seconded by Commissioner McFatrige and the Board of Commissioners voted 6-0 to approve.

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

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:
  - Commissioner Whiting motioned, seconded by Commissioner McFatrige and the Board of Commissioners voted 6-0 to approve Resolution R-2021-07.

**IX. Commissioner Comments:**

- Commissioner Whiting reminded the public to wear masks for the safety of everyone.
- Commissioner Spearing commended the Public Works Department for an excellent job of clearing the roads from the winter storms.
- Commissioner Spearing reminded residents that there is no trash pickup on Tuesday, February 2, 2021 due to the highway emergency declared on the impending winter storm, and further recommended that residents remove their cars from the street.
- Commissioner Scull stated that February is Black History Month, which is an important commemoration for everyone in the United States.
- Commissioner Whiting reminded everyone to reflect on all the pioneers who made Black History Month what it is today.

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

**XI. Adjournment: There being no further business to discuss, the meeting was adjourned at 8:30 p.m.**

Respectfully submitted by Kathleen Kristire.