

**Upper Moreland Township
Board of Commissioners - Regular Meeting
July 12, 2021 Meeting Minutes**

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

- 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 Lockard, McFatridge, Prousi, Scull and Valenza. Also present: Matthew H. Candland, Township Manager, Randall K. Schaible, Assistant Township Manager & Director of Finance, and Alex Baumler, Township Solicitor.
- IV. **Presentations/Announcements:**
 - Commissioner Spearing announced that the Board of Commissioners met on June 21, 2021 and prior to tonight's meeting in an Executive Session to discuss real estate and personnel matters.

PUBLIC HEARING

PUBLIC HEARING #1955 – 7:00 P.M. – To receive public comments pursuant to Ordinance #1717 amending Historical Preservation Overlay contained within the Upper Moreland Township Zoning Ordinance, Article XXV, to remove the administrative provisions creating the Township Historical Commission and its powers associated with the creation and maintenance of the Township Historic Property Registry.

- Commissioner Spearing motioned, seconded by Commissioner Valenza and the Board of Commissioners voted 7-0 to open Public Hearing #1955.
- Public Hearing #1955 was held.
- Commissioner Spearing motioned, seconded by Commissioner Valenza and the Board of Commissioners approved by a vote of 7-0 to close Public Hearing #1955.

REGULAR MEETING

- V. **Public Comments** - Nothing to report.
- VI. **Treasurer's Activity Report – June 2021:**
 - Commissioner Spearing read details from the report.
 - Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0, the report as submitted.
- VII. **Approval of Minutes - June 7, 2021 Regular Meeting:**
 - Commissioner Valenza amended the minutes on page 4, D., 2., first comment, adding at the end of the first sentence, "...without a permit." and the Board of Commissioners approved by a vote of 7-0, the minutes as amended.

VIII. **Committee Recommendations:**

- A. **Finance & Administrative Committee** – The Committee recommends the Board of Commissioners take action on the following:
1. (A). **Appointments/Reappointments:**
 - a. The reappointment of Raymond Fox, Jr. on the Advisory Planning Agency as a Ward 3 representative to a new two-year term that will expire on June 1, 2023.
 - b. The reappointment of George Hartman on the Advisory Planning Agency as a Ward 5 representative to a new two-year term that will expire on June 1, 2023.
 - c. The reappointment of Arlene Rubin on the Advisory Planning Agency as a Ward 7 representative to a new two-year term that will expire on June 1, 2023.
 - Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0, three Advisory Planning Agency reappointments.
 - d. The reappointment of James Farrell on the Police Pension Fund Committee to a new three-year term that will expire on June 6, 2024.
 - Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.
 - e. The appointment of Brian Shannon on the Advisory Planning Agency to fill the vacancy left by Dan Barber and serve a new two-year term that will expire on June 1, 2023.
 - Commissioner Scull stated his support for Mr. Shannon.
 - Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.
 - (B). **Motion to Approve Ordinance #1717** – Amending Historical Preservation Overlay contained within the Township Zoning Ordinance, Article XXV, to remove the administrative provisions creating the Township Historical Commission and its powers associated with the creation and maintenance of the Township Historic Property Registry:
 - Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.
 - (C). **Motion to Approve Ordinance #1718** – Repealing the current Chapter 23 “Historical Advisory Committee” from Part I, General Legislation of the Township Code of Ordinances; to dissolve the inactive Township Historical Advisory Committee; to establish a new Chapter 23 in its place to house the Township Historical Commission (former sections 350-190 through 350-198 of Chapter 350, Article XXV of the Township Zoning Ordinance); and to establish two Historical Commission alternate member positions and rules regulating the same:
 - Commissioner Scull requested to remove the word "two".
 - Commissioners Prousi, Spearing and Valenza explained reasoning for the limit.
 - Commissioner Valenza motioned, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 7-0.
 - f. **Upon approval of Ordinance #1718**, appoint Renee Anderley as an Alternate Member on the Historical Commission and serve a new term that will expire on December 31, 2022.

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

g. **Upon approval of Ordinance #1718**, appoint Michael Lovecchio as an Alternate Member on the Historical Commission and serve a new term that will expire on December 31, 2023.

- Commissioner Valenza motioned, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 7-0.

2. **List of Bills Payable:**

- Commissioner Valenza motioned, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 7-0.

3. **Aqua General Funds Bills:**

- Commissioner Valenza motioned, seconded by Commissioner McFatrige 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 Resolution R-2021-19** – Dissolving the Revitalization Task Force that was created by Resolution R-2010-31 in order to be eligible for certain funding categories described in the County Economic Development Program, the County requires the Township to designate a Task Force to guide in the preparation of a Revitalization Plan and oversee County-sponsored revitalization and redevelopment activities in the Township:

- Commissioner Valenza read the members' names and thanked them for their service.
- Commissioner Spearing commended the Task Force for their extremely helpful work.

- Commissioner Valenza motioned, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 7-0.

b. **Motion to Approve Resolution R-2021-20** – Dissolving the Transportation Impact Advisory Committee that was created by Resolution R-2016-08 for the purposes of developing a transportation impact fee ordinance (Ordinance # 1679) under the terms of Section 504-A(b)(1) of Act 209 of 1990:

- Commissioner McFatrige commended the members for their dedication and service.

- Commissioner Valenza read the members' names and thanked them for their service.

- Mr. Baumler explained the purpose of the Committee was to guide the Township to enact an Ordinance on the Transportation Impact Fee, which can be updated by Resolution.

- Brian Shannon, a resident of Quigley Avenue, commented details on adjusting the rate.

- Commissioner Valenza motioned to table, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 7-0 to table item.

c. **Motion to Approve Resolution R-2021-21** – Approving the interpretation that Paycheck Protection Program loans issued in 2020 and 2021 pursuant to the CARES Act as a result of COVID-19 shall not constitute gross receipts for the purposes of the Township Mercantile and Business Privilege Tax for tax years 2020 and 2021:

- Commissioner Valenza made a motion, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 7-0.

- d. **Motion to Approve** voting in support of the Purdue Pharma bankruptcy plan as outlined:
 - Mr. Baumler explained litigation and payments Purdue Pharmaceuticals are accountable to make to the United States government and to secured and unsecured creditors.
 - Commissioners Scull, Spearing and Lockard commented that they look forward to the opportunity to save lives by using some of the funding to educate the public.
 - Commissioner Valenza made a motion, seconded by Commissioner McFatrige 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, Willow Grove Community Development Corporation:
 - Commissioner Spearing motioned to table, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 7-0 to table item.

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** - Nothing to report.
- 3. **List of Upcoming Zoning Hearing Board Applications - July 22, 2021:**
 - Commissioner McFatrige read two applications to be presented at the meeting.
- 4. **Other Items:**
 - a. **Motion to Approve Ordinance #1717** – Action on this item was taken during Section VIII., 1. (B)., of Finance & Administrative Committee.
 - b. **Motion to Approve Ordinance #1718** – Action on this item was taken during Section VIII., 1. (C)., of Finance & Administrative Committee.
 - c. **Motion to Approve Resolution R-2022-22** – Authorizing the extension of the agreement for recycling services with J.P. Mascaro & Sons, dated October 22, 2015, for an addition period of six months, with certain price changes for certain services:
 - Commissioner Valenza inquired about the audit. Mr. Candland replied that an audit and studies occurred. Mr. Candland will provide a report at the July 19, 2021 Community Development Committee Meeting.
 - Commissioner McFatrige motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.
 - d. **Motion to Approve** the architectural services to perform design services for improvements at the Township Building:
 - Commissioner McFatrige stated that the Committee has not made a decision.
 - Commissioner Spearing motioned to table, seconded by Commissioner Valenza and the Board of Commissioners approved by a vote of 7-0 to table item.
 - e. **Motion to Approve** the stormwater line for the Horsham Township Project for traffic improvements at Blair Mill Road and Witmer/Commerce Roads:
 - Commissioner McFatrige motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.
 - f. **Motion to Approve** the request from Jaguar/Land Rover Dealership to move street light to another location:

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

C. **Parks and Recreation Committee** - The Committee recommends the Board of Commissioners take action on the following:

1. **Motion to Approve** request by Farmstead Alliance, for a proposed Food and Beverage Garden Program from September 10-12, 2021 and September 17-19, 2021:
 - Commissioner Scull motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.
2. **Motion to Approve** Masons Mill Park Hardcourt Bid Recommendations:
Commissioner Spearing stated that the bids received were over budget and the Township needs to provide funding.
 - Commissioner Valenza inquired about Option 4. Mr. Stasio explained that Option 4 is the entire project with the bids received, and the Bond Issue will make up the difference, without seeking new funding.
 - Commissioner Scull motioned, seconded by Commissioner Spearing and the Board of Commissioners approved by a vote of 7-0.

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

1. **Motion to Approve Ordinance #1719** – Amending Chapter 236 of the Township Code of ordinances to establish a curfew for peddling and soliciting of 9:00 p.m.; to establish a Township managed “Do Not Solicit” registry of Township property owners and to enact provisions for the application, processing and costs associated with the issuance of Solicitation licenses:
 - Commissioner Spearing explained that the Township was in violation of the rights of groups to solicit, and recommended the Township initiate a "Do Not Solicit" registry.
 - Commissioner Valenza inquired about the data provided on the "Do Not Solicit" list. Chief Andy Block replied that only addresses are provided, which is updated on a daily basis.
 - Commissioner Valenza stated that citizens can call 911 for anyone who comes to their door without a permit, unless they are religious, political or children's groups. Chief Block added that residents can also post "No Trespassing" or "No Soliciting" signs on their property.
 - Commissioner Lockard reminded that the four-month permit option was to be removed. Mr. Baumler recommended initially passing the Ordinance and then passing an amendment.
 - The Board and Mr. Baumler discussed permit fees and Commissioner Spearing recommended that a discussion with regard to amending fees continue at a future Committee Meeting. Mr. Baumler advised that a resolution would be required to amend fees.
 - Commissioner Whiting motioned, seconded by Commissioner Valenza and the Board of Commissioners approved by a vote of 7-0.

IX. **Commissioner Comments** - Nothing to report.

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

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

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Respectfully submitted by Kathleen Kristire.