

**Upper Moreland Township  
Board of Commissioners - Regular Meeting  
July 8, 2019 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. 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 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, Commissioners Lavallo, McFatrige, Whiting, Valenza, Lockard. Absent: Commissioner Scull. Also present were David A. Dodies, Township Manager, and Sean Kilkenny, Township Solicitor.
- IV. **Presentations/Announcements:**
  - A. John Fugelo, Captain of Emergency Services/Fire Marshal and Commissioner Whiting presented citations to 13 participants from the Willow Grove Fire Company who completed the Driver Operator – Pumper Certification: A National Professional Qualification Certification NFPA 1002.
  - B. Herman Weinrich, Owner of Weinrich's Bakery, invited everyone to attend the 100th year anniversary of Weinrich Bakery on Saturday, September 7, 2019 at 1:00 p.m. Mr. Weinrich spoke about the history of his family business in New York and then Willow Grove.
  - C. Commissioner McFatrige read and presented plaques to Commissioner Lavallo, Commissioner Valenza and Commissioner Spearing for their 12 years of service to Upper Moreland Township as elected officials on the Board of Commissioners.
  - D. Michael Murphy, Chief of Police, presented Shayna Belle and Harry Yanoshak with Citizens Commendations, and Officers Craig Bald and Andrew Clauhs with Letters of Commendation for their responses to the scene of a motor vehicle accident that occurred on March 13, 2019, along the 3400 block of Davisville Road that resulted in a positive lifesaving outcome. Chief Murphy additionally presented Detectives James Kelly, Frank Gallagher and John Schramm with Commendations of Merit for their investigation of a drug distribution case that occurred on November 6, 2016 and resulted in a conviction on May 9, 2019. Chief Murphy highly commended the detectives for their outstanding work.
  - E. Commissioner Spearing announced that the Board of Commissioners will take a brief recess prior to the commencement of Public Hearing #1947.

**PUBLIC HEARING**

- Commissioner Spearing announced Public Hearing #1947 to receive public comments concerning Verizon Communications Services in keeping with the requirements of the Federal Cable Communications Act with respect to the renewal of their franchise agreement with Upper Moreland Township.
- Mr. Kilkenny read a description for the purpose of the Public Hearing.
- Commissioner Valenza made a motion, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 6-0 to open Public Hearing #1947.

- Public Hearing #1947 was held.
- Commissioner Valenza made a motion, seconded by Commissioner McFatrige, and the Board of Commissioners approved by a vote of 6-0 to close Public Hearing #1947.

**REGULAR MEETING**

**V. Public Comments:**

- Jeffrey Blake, a resident of 2885 Tower Road, Huntingdon Valley, PA, submitted a letter to the Board of Commissioners that was signed by 56 neighboring residents of the June Fete, expressing serious concerns regarding opposition to installation of small cell antennas by Crown Castle for Verizon, which are in close proximity to their homes and daily activities. A copy was previously provided to Representative Thomas Murt, Senator Maria Collett and Representative Madeleine Dean. Mr. Blake thanked the Board for their sincere consideration of the residents' issues.

**VI. Treasurer's Activity Report – June 2019** - The Treasurer's Activity Report was unanimously approved as submitted.

**VII. Approval of Minutes - June 3, 2019:** The minutes were unanimously approved as submitted.

**VIII. Committee Recommendations:**

**A. Finance & Administrative Committee:**

**1. Appointments/Reappointments:**

1. The Board of Commissioners approved by a vote of 6-0, the reappointment of Dan Barber on the Advisory Planning Agency as a Ward 1 representative to serve a new two (2) year term that will expire on June 1, 2021.
2. The Board of Commissioners approved by a vote of 6-0, the reappointment of Raymond Fox, Jr. on the Advisory Planning Agency as a Ward 3 representative to serve a new two (2) year term that will expire on June 1, 2021.
3. The Board of Commissioners approved by a vote of 6-0, the reappointment of George J. Hartman, Jr. on the Advisory Planning Agency as a Ward 5 representative to serve a new two (2) year term that will expire on June 1, 2021.
4. The Board of Commissioners approved by a vote of 6-0, the reappointment of Arlene Rubin on the Advisory Planning Agency as a Ward 7 representative to serve a new two (2) year term that will expire on June 1, 2021.
5. The Board of Commissioners approved by a vote of 6-0, the appointment of Paul McCarthy as an At Large member of the Parks and Recreational Advisory Council to fill the vacancy left by Edward Sheehan and to complete the remainder of the current term that will expire on November 14, 2020.
  - Commissioners Valenza and Spearing expressed their support for Mr. McCarthy as an appropriate choice for the position. Commissioner Spearing invited Mr. McCarthy to introduce himself and Mr. McCarthy stated that he is honored to serve on the Parks and Recreational Advisory Council. Commissioner Spearing stated that Mr. McCarthy has provided a watchful eye over issues at Fair Oaks Park for many years.

**2. List of Bills Payable** - The Board of Commissioners approved by a vote of 6-0, the List

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of Bills as submitted.

3. **Aqua General Funds Bills** - The Board of Commissioners approved by a vote of 5-0 in favor; one (1) absent (Commissioner Scull) and one (1) abstention (abstention by Commissioner Spearing, Aqua employee).
4. **Other Items:**
  - a. Motion to approve Communications Site License Agreement between PA Turnpike Commission and Upper Moreland Township.
    - Mr. Dodies stated that the PA Turnpike Commission had requested that the Agreement from 1978 be revised to include installation of the new tower and removal of the old one. Mr. Dodies added that there are no substantial changes to the overall Agreement, which was reviewed by the Township Solicitor.
    - Commissioner Valenza made a motion, seconded by Commissioner McFatridge, the Board of Commissioners approved by vote of 6-0, the Communications Site License Agreement between PA Turnpike Commission and Upper Moreland Township.
  - b. **Resolution R-2019-18** – To schedule and advertise a Public Hearing on August 5, 2019 at 7:00 p.m., to consider an ordinance repealing the Township’s Occupational Privilege Tax Ordinance and enacting a Local Services Tax Ordinance.
    - Commissioner Spearing stated that he supports enacting a Local Services Tax Ordinance.
    - Commissioner Valenza made a motion, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 6-0 to schedule and advertise a Public Hearing on August 5, 2019 at 7:00 p.m., to consider an ordinance repealing the Township’s Occupational Privilege Tax Ordinance and enacting a Local Services Tax Ordinance.
  - c. Motion to approve the sale of a 1993 Simon Duplex Tiller/TLI 110-Foot Ladder truck per Resolution No. R-2019-17, to Mark A. Koenig for \$10,100.00.
    - Commissioner Valenza made a motion, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 6-0 to approve the sale of a 1993 Simon Duplex Tiller/TLI 110-Foot Ladder truck per Resolution No. R-2019-17, to Mark A. Koenig for \$10,100.00.
  - d. Motion to approve a proposed settlement related to two (2) reverse assessment appeals as filed by the School District of Upper Moreland Township for property located within the Township at 3855 Blair Mill Road.
    - Mr. Kilkenny commented that Commissioner Lockard noticed a typographical error in paragraph 10 revising the amount of \$3,460.72 be corrected to \$3,893.31. Also, the Payment Amount of \$42,586.68 should be corrected to \$43,019.27.
    - Commissioner Valenza made a motion, seconded by Commissioner McFatridge and the Board of Commissioners approved by a vote of 6-0 to approve a proposed settlement related to two (2) reverse assessment appeals as filed by the School District of Upper Moreland Township for property located within the Township at 3855 Blair Mill Road.
5. **New Business:**
  - Commissioner Spearing stated that Denis Hurley has recently moved to Ward 6 and he supports that Mr. Hurley remain as a representative of Ward 2 on the Advisory

Planning Agency at this time.

**B. Community Development Committee:**

1. **Code Enforcement** - nothing to report.
2. **Land Development/Subdivision Applications** - nothing to report.
3. **List of Upcoming Zoning Hearing Board Applications:**
  - Commissioner Lavalley read two applications to be considered at the Zoning Hearing Board meeting scheduled for July 11, 2019 at 7:30 p.m.
4. **Other Items:**
  - a. Motion to approve a Change Order submitted by Township Engineer, Gilmore & Associates, Inc., for removal and replacement of unsuitable soils as required to construct new Parking Lot at Masons Mill Park: Change Order #1 in the amount of \$69,725.00 to a final contract amount of \$475,249.00.
    - Commissioner Lavalley commented that the appropriate geotechnical testing was executed prior to the final design, but during the excavation process, a species of soil was identified and registered with a high moisture content, which does not accept compaction very well.
    - Commissioner Spearing stated that the consultants, staff and contractor worked together to make changes to lower the cost, and he thanked everyone for their cooperation.
  - Commissioner Lavalley made a motion, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 6-0 a Change Order submitted by Township Engineer, Gilmore & Associates, Inc., for removal and replacement of unsuitable soils as required to construct new Parking Lot at Masons Mill Park: Change Order #1 in the amount of \$69,725.00 to a final contract amount of \$475,249.00.

**C. Parks & Recreation Committee - nothing to report.**

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

1. **Ordinance No. 1702** – Amending the Township Code relating to fire prevention, specifically the imposition of fines and penalties by action of the Fire Marshal (or Police Department) related to Unlawfully Parking in designated fire zones.
  - Commissioner Whiting made a motion, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 6-0 **Ordinance No. 1702**, amending the Township Code relating to fire prevention, specifically the imposition of fines and penalties by action of the Fire Marshal (or Police Department) related to Unlawfully Parking in designated fire zones.
2. **Resolution No. R-2019-19** – Approving the sale of a used Police vehicle to Montgomery County
  - Commissioner Whiting made a motion, seconded by Commissioner McFatrige and the Board of Commissioners approved by a vote of 6-0 **Resolution No. R-2019-19**, approving the sale of a used Police vehicle to Montgomery County.

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

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**X. Commissioner Comments:**

- Commissioner McFatridge stated that the Parks and Recreation Department received a letter from the Upper Moreland Little League thanking the Department for preparing the athletic fields for a District tournament that they won this past weekend. The team is going on to State competition.
- Commissioner Spearing reminded the public that there is a 150-foot setback from any structure when using fireworks. He stated that residents should be respectful of their neighbors and their animals. He suggested that residents call the Police Department for recommendations on how and where to set off their fireworks.
- Commissioner Valenza requested that drivers be patient with PennDOT for road closures and repairs that will be completed shortly.
- Commissioner Lavalley announced that there will be a groundbreaking ceremony for a war memorial on July 19, 2019, 11:30 a.m. at the new America-Korea Alliance Peace Park located at 1001 Kenas Road in Montgomery Township, which will host several speakers, dignitaries, representatives and guests from the Philadelphia area and Montgomery County. The project is being funded with secured grants from the Commonwealth of Pennsylvania, the Republic of Korea and individuals to build the monument and a plaza for cultural exchanges. The community is invited to attend the committee meetings at the Montgomery Township Building and the next meeting is July 11, 2019 at 11:30 a.m.

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

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

Respectfully submitted by Kathleen Kristire.