

**Towamencin Township
Board of Supervisors
Monthly Meeting
November 24, 2015
7:30 PM**

Present:

H. Charles Wilson III, Chairman
Laura Smith, Vice Chairman
Daniel M. Littley, Jr., Treasurer/Asst. Secretary
David Mosesso

Absent:

James P. Sinz, Secretary

Staff:

Robert A. Ford, Township Manager
Jack Dooley, Esq., Township Solicitor
Tom Zarko, Township Engineer
Paul T. Dickinson, Chief of Police
Maureen Doyle, Finance Director
Colleen Ehrle, Assistant to the Township Manager

Chairman Wilson called the meeting to order at 7:41 PM and led the assemblage in the Pledge of Allegiance.

Opening Comments

Chairman Wilson announced the Board met in Executive Session prior to the meeting to review matters of personnel and potential litigation.

Chairman Wilson announced that the Holiday Lights Festival will be held on Saturday, December 5, 2015 from 4:30 pm - 8:30 pm at Fischer's Park. Walk-ons will be available for the large surrency. More information is available on the Township website.

Public Comments

None

Approval of Minutes

Supervisor Mosesso stated his opinion that the minutes should be electronically recorded and transcribed.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the meeting minutes of November 10, 2015 were approved.

Voting Yes: H. Charles Wilson, III, Laura Smith, and Daniel M. Littley, Jr.

Voting No:

Abstaining: David Mosesso

Absent: James P. Sinz

Zoning, Subdivision & Land Development

Proposal to Remove Note Restriction for Title Purposes - 1536 Allentown Road (Lapp Property)

The owner of 1536 Allentown Road is requesting to prepare a recordable document for title purposes that would remove a restriction from the subdivision plan that indicates the property is located on an “unbuildable” lot. The basis for this original restriction was the subdivision plan depicted the lot was located in the Floodplain. However, subsequent FEMA Floodplain Maps have since removed the Floodplain designation.

Oliver Gingrich, attorney for the property owners, presented a slide presentation of the history and background of the property to the Board. Mr. Gingrich introduced real estate agent, Ron Wyckoff, who provided additional information regarding the lot as well as a letter from the owners and the current floodplain status.

Supervisor Littley asked Mr. Wyckoff about the drainage of the lot after a 1” rain event. Mr. Wyckoff responded that there is no excessive run-off.

Following the drainage discussion, the Board agreed to postpone making a decision of the note restriction until the drainage analysis calculations were received from the owner’s engineer, Richard C. Mast Associates, P.C., and reviewed by the Township’s engineer to confirm this lot can be developed.

Consider Acceptance of Zoning Code Amendment Application (Signs)

The Dock Woods Community has submitted an application requesting that the Board hold a public hearing to consider a proposed Zoning Code text amendment for signage at the community. The applicant is proposing to increase the number and dimensions of signs permitted for their combined nursing home and personal care facilities, on a single tract or multiple tracts of land of 100 acres or more, located in the IN Institutional Zoning district.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board voted to approve the application and hold a public hearing on the proposed zoning amendment submitted by The Dock Woods Community.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso

Voting No:

Abstaining:

Absent: James P. Sinz

ZHB Application # 2015-07 - Sumneytown Pike & Wambold Road (Mainland Square)

The applicant is seeking relief to install a six foot high, solid wood fence along the Sumneytown Pike frontage of the Mainland Square property. Although fences and walls may be six feet tall in side and rear yards, they may not be higher than three feet in front yard areas. By definition, the site's frontage, along Sumneytown Pike, is considered a "front yard." The length of the fence will be 795 feet.

The Board had some questions and concerns about the proposed fence. Supervisor Smith asked who would maintain the fence. Chairman Wilson felt some conditions should be placed on the application by the Zoning Hearing Board should they approve the variance. Supervisor Mosesso suggested that a berm be installed instead of a fence.

The Board requested Solicitor Dooley reach out to the applicant to determine maintenance responsibilities of the fence and requesting a rendition of the proposed fence for the Board to review in order to make a decision regarding sending the Township Solicitor to the Zoning Hearing Board hearing.

Old Business

Discussion on Grant Application - Forty Foot Road "Choke Point"

PennDOT is currently accepting applications for the Multimodal Transportation Fund through December 18, 2015. The Township may wish to consider the submission of a grant application through this program in order to design and construct a slight widening of Forty Foot Road, near its intersection with Tomlinson and Heebner Roads. Forty Foot Road has two lanes of travel in both directions from Sumneytown Pike to the Hatfield Pointe Shopping Center with the exception of this short section resulting in a "choke point" that causes traffic conflicts. A local funding match, in an amount no less than 30% of the awarded amount, is required.

Joe DiSantis of McMahon Associates presented two scenarios to improve traffic patterns on this stretch of Forty Foot Road.

The first option would involve a full width milling and overlay, a shifting of the roadway crown and would require an approximate \$600,000 Township match. Whereas, the second scenario would only involve widening the westbound side of Forty Foot Road, providing an additional turn/thru lane by the Tomlinson and Heebner Roads intersection. This second scenario would require a Township match of approximately \$300,000.

The developer has discussed putting up the match money in exchange for credits on future traffic impact fees. It was the consensus of the Board that the credits for future traffic impact fees be restricted to the SKF and Towamencin Village Shopping Center sites.

The Board asked Solicitor Dooley to contact Mark Nicoletti, PSDC Vice President, stating the Township's interest in the lower-priced scenario, including the restriction of the use of credits,

and to confirm Mr. Nicoletti is agreeable to this scenario, so that the Township can move forward with the grant application and associated resolution before the projected deadline.

New Business

Ordinance 15-16 - Funding of Emergency Radios

This ordinance authorizes the Township to borrow \$352,510 from Montgomery County, through the issuance of a promissory note, for the purchase of emergency radios that will be issued to the police department, emergency management, and Towamencin Volunteer Fire Company. The repayment will take place over a five (5) year period at no interest.

Two years ago, Montgomery County decided to upgrade some and replace other portions of the emergency radio system at an estimated cost of \$29.9 million. Of that total, \$6.1 million has been set aside to buy more than 1,800 new radios which will replace antiquated units. Radios being purchased for municipalities will be financed under a program the county negotiated with the Delaware Valley Regional Finance Authority. The radios are estimated to cost about \$3,500 each.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board voted to approve Ordinance 15-16, Funding of Emergency Radios.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso

Voting No:

Abstaining:

Absent: James P. Sinz

Award of Contract – Appointed Auditors

Section 917 of The Pennsylvania Second Class Township Code provides that the Board of Supervisors, at its annual organization meeting in January, may appoint a firm of certified or competent public accountants to make an examination of all the accounts of the Township for the fiscal year. At least thirty days prior to such appointment, the Board shall advertise their intent to appoint a firm of certified or competent public accountants to replace the elected auditors.

The Township received two proposals from professional auditing firms, Bee, Bergvall & Company and Maillie LLP. Bee, Bergvall & Company is the current auditing firm for the Township.

Chairman Wilson felt it is a good business practice to periodically change auditing firms and recommended Maillie LLP. Supervisor Littley stated he felt the Township should stay with the low bid auditing firm, Bee, Bergvall & Company.

On a motion by Supervisor Smith, seconded by Supervisor Mosesso, the Board voted to appoint Maillie LLP as the auditing firm and for staff to provide the thirty-day required notice.

Voting Yes: H. Charles Wilson, III, Laura Smith, David Mosesso

Voting No: Daniel M. Littley, Jr.

Abstaining:

Absent: James P. Sinz

Floodplain Ordinance Amendment Policy Issues

Flood Insurance Rate Maps (FIRMS) are being updated by the Federal Emergency Management Agency (FEMA) for all of Montgomery County. Along with these map updates, all Montgomery County municipalities are required to update their Floodplain Regulations to meet the updated criteria. These revised regulations must be in effect by March 2, 2016, when the new FIRMS become effective. In Montgomery County, the Montgomery County Planning Commission (MCPC) has been assigned the task of coordinating this effort. The current floodplain regulations in Towamencin Township have been reviewed and were compared to the MCPC Model Ordinance and the model ordinance prepared by the Pennsylvania Department of Community and Economic Development (DCED). In the model ordinance, there are a number of sections that allow for options to be chosen by a municipality.

Township engineer, Tom Zarko, presented a brief overview of the MCPC Model Ordinance. Mr. Zarko then introduced, Mary Stover, engineer from CKS Engineers. Ms. Stover has spearheaded this effort between the Township's Planning Commission, County Planning Commission Staff, and the Township Zoning Officer. Ms. Stover reviewed and compared the various sections of the model ordinance and the Township's current code, as well as, the Township Engineer's recommendations to the Township.

Supervisor Littley asked if grandfathering would be permitted in reference to the current ordinance regarding *Uses Permitted by Right*. Solicitor Dooley and Mr. Zarko both said they could be grandfathered. Supervisor Littley questioned the contradictory language within the Repetitive Loss category, comparing it to the existing ordinance.

The Board discussed the Township Engineer's recommendations and agreed to authorize the recommendations from the Township Engineer so that the updated Floodplain Regulations could be drafted to meet the updated requirements. Mr. Zarko said he would include the Board's comments and direction within the draft amendment.

Sewer Report

Thomas Figaniak of Gilmore Associates provided an overview of the sewer system maintenance and performance over the past three months and offered recommended next steps for the program.

Supervisor Mosesso inquired about the outstanding lateral work associated with the Inglewood area of the Township noting that there were twelve properties that still have not replaced their old and damaged sewer laterals.

The Board discussed the issue and directed staff to follow up with the property owners by sending letters that would be mailed the end of February 2016. The reminder notices would reference the original letter and remind owners of the required maintenance with a new and final deadline this spring.

Warrant List

The warrant list was presented for approval. Supervisor Mosesso stated his reasoning for abstaining from voting on the Warrant List each month, due to his voting “no” to the 2015 budget.

Chairman Wilson explained the Board acts as a whole. Once a majority approves a budget, that is the budget and along with it goes a responsibility to pay the bills appropriately incurred in accordance with the budget. Supervisor Littley reminded Supervisor Mosesso that he approved the amended 2015 budget at their previous Board Meeting on November 10, 2015. Supervisor Mosesso said he would continue to abstain on this item.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the warrant list in the amount of \$904,156.18.

Voting Yes: H. Charles Wilson, III, Laura Smith, and Daniel M. Littley, Jr.

Voting No:

Abstaining: David Mosesso

Absent: James P. Sinz

Authorization to Release 2016 Budget for Public Inspection

This action would authorize the release of the 2016 Township budget for public inspection, which is scheduled for adoption by the Board on December 23, 2015. Township Manager, Robert Ford, presented a summary of the proposed budget, outlining the various departments and achievements made in 2015.

At the conclusion of the presentation, Supervisor Mosesso stated he had a few comments before voting. Supervisor Mosesso stated he went through the budget and he noted there were items purchased, which now have acquired associated debt service for the Township, such as equipment and trucks for the Public Works department, for which he voted against.

He continued that there are some (unnamed) employees whose benefits and salary are included in the budget, who he believes should not be employed by the Township. This includes some new hires made in 2015 for the Police department. He also mentioned he did not vote for the purchase of police cars and other items, which have added to the debt service this year. Supervisor Mosesso concluded that he realizes he is only one vote and is not anxious to vote on this budget, but will vote for it, despite finding it to be austere in nature.

Chairman Wilson added he did not feel the other Supervisors shared Supervisor Mosesso’s comments and he took exception to his comments regarding staff and noted expenses.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board authorized staff to release the budget for public inspection.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso

Voting No:

Abstaining:

Absent: James P. Sinz

Fischer's Park Improvements Phase 2 - Change Order 2

This is the second change order for the Fischer's Park Phase II Project, which was initiated this summer and significantly funded by a DCNR Grant. This change is for the reconciliation of the contract bid items to the actual field measured installed quantities, in the net amount of an additional \$6,132.44.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Fischer's Park Improvements Phase 2, Change Order 2.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso

Voting No:

Abstaining:

Absent: James P. Sinz

Consider Acceptance of Donation to Police Department

The Police Department recently received a \$100 donation, from Mr. & Mrs. Chapman of Allentown Road. The Board must consider acceptance of this gift in accordance with the Township's "Donation Policy."

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board voted to accept this donation in accordance with the Township's "Donation Policy."

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso

Voting No:

Abstaining:

Absent: James P. Sinz

Appointments to Committees

As a result of an appeal in the Township's newsletter for volunteers to serve on various Township committees and commissions, several residents had stepped forward expressing a desire and commitment to serve our community. Consequently, the Board would like to consider a number of appointments.

On a motion by Supervisor Mosesso, seconded by Supervisor Littley, the Board made the following appointments:

- Mr. Michael David Jayes was appointed to the Emergency Operations Committee with a term expiring December 31, 2017. Mr. Jayes was also appointed to the Planning Commission with a term expiring December 31, 2015.
- Mr. Robert Sabanas was appointed to the Zoning Hearing Board with a term expiring on December 31, 2018.
- Dr. Edward Buonocore was appointed to the Planning Commission with a term expiring December 31, 2017.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso

Voting No:

Abstaining:

Absent: James P. Sinz

Authorization to Seek Proposals for Professional Services

Staff recommends that the Board authorize obtaining contract proposals to provide the Township with professional quantitative and economic analytical services in preparation for interest arbitration for the labor contract with the police union.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board voted to authorize staff to seek proposals for professional services.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., David Mosesso

Voting No:

Abstaining:

Absent: James P. Sinz

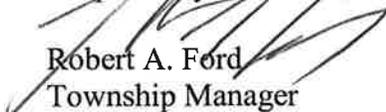
Additional Business

Supervisor Mosesso asked the Board to consider directing staff to research methods for recording and transcribing the minutes, then provide recommendations to the Board to possibly implement these recommendations in the future. Chairman Wilson asked for clarity as to what Supervisor Mosesso wanted researched. Supervisor Mosesso specified electronic software to record and transcribe the minutes.

Supervisor Littley made a recommendation for the Board to direct the Technology Assessment and Innovation Committee to research different recording and transcription software available. The Board agreed to refer this research to the Technology Assessment and Innovation Committee to review in the future.

There being no additional business, the meeting adjourned at 9:53 PM.

Respectfully submitted,


 Robert A. Ford
 Township Manager