

**Towamencin Township  
Board of Supervisors  
Monthly Meeting  
April 27, 2016  
7:30 PM**

**Present:**

H. Charles Wilson III, Chairman  
Laura Smith, Vice Chairman  
James P. Sinz, Secretary/Asst. Treasurer  
Daniel M. Littley, Jr., Treasurer/Asst. 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

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**Absent:**

David Mosesso

Chairman Wilson called the meeting to order at 7:30 PM and led the assemblage in the Pledge of Allegiance.

**Awards and Recognition**

**Proclamation and Flag Presentation – National Police Week**

In 1962, President Kennedy signed a declaration which designated May 15<sup>th</sup> as “Peace Officers Memorial Day” and the week in which that date falls as Police Week. The Board is asked to consider proclaiming the recognition of National Police Week in Towamencin Township as May 15<sup>th</sup> through May 21<sup>st</sup>.

Detective Michael Paul, from Towamencin’s Police Department, presented and displayed the National Law Enforcement Memorial Flag, which will be flown on the pole located at the Municipal Complex during that week. Chairman Wilson read the proclamation.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved National Police Week Proclamation.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

## **Swearing-In Ceremony of New Officers: James Hagan and Gabriel Wasserman**

Following a highly competitive selection process, the Board of Supervisors is pleased to announce the appointment of two individuals as Police Officers for Towamencin Township. The new officers are James Hagan and Gabriel Wasserman. They will fill vacancies created within the department during the past 12 months.

James Hagan is an Abington resident, who graduated with a bachelor's degree in criminal justice from Shippensburg University in 2013 and graduated from the Montgomery County Municipal Police Academy in 2015. Mr. Hagan was a security officer at Penn State's Abington campus and a part-time police dispatcher with the Abington Township police department.

Gabriel Wasserman is an Ambler resident and current student at Montgomery County Community College. He graduated from the Montgomery County Municipal Police Academy in 2014. Wasserman was certified as a municipal police officer by the Commonwealth's Municipal Police Officers Education and Training Commission, and had previously worked part time for Lansdale Borough's police department, as well as, Colwyn Borough.

Chairman Wilson presided over the oaths of office for each officer with their families present for the swearing-in ceremony.

## **Zoning, Subdivision and Land Development**

### **Resolution 16-13: Denial of Dedication – Town Square Phase 1**

Philadelphia Suburban Development Corporation has requested that the Township accept the dedication of the public improvements in the Towamencin Township Town Square, Phase 1 Land Development. The Township Engineer has identified a number of deficient items related to the completion of the public improvements, as outlined in a report dated April 14, 2016, and recommends that the Board deny this request until these deficiencies have been satisfactorily addressed by the Applicant.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 16-13, Denial of Dedication Town Square Phase 1.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Resolution 16-14: Denial of Dedication – Town Square Phase 2**

Philadelphia Suburban Development Corporation has requested that the Township accept the dedication of the public improvements in the Towamencin Township Town Square, Phase 2 Land Development. The Township Engineer has identified a number of deficient items related to the completion of the public improvements, as outlined in a report dated April 14, 2016, and recommends that the Board deny this request until these deficiencies have been satisfactorily addressed by the Applicant.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 16-14, Denial of Dedication Town Square Phase 2.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

**Waiver of Damages Request for Fence Placement– 439 Candlewood Way**

The property owners of 439 Candlewood Way are seeking approval to file a Waiver of Damages for a proposed four (4) foot high backyard fence, which would encroach in to a 20 foot wide sanitary sewer easement.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the waiver of damages request for the fence placement at 439 Candlewood Way.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

**Old Business**

None.

**New Business**

**Warrant List**

The warrant list was presented for approval.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved the warrant list in the amount of \$763,912.96.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

**Finance Report**

Chairman Wilson noted that the Township Finance Committee meets on a monthly basis to closely monitor economic indicators and the pulse of the Township’s revenue and expenses. The committee met on Monday, April 25<sup>th</sup>.

Supervisor Littley reviewed the report, which included the following discussion and action items: monthly financial reports, HVAC and building maintenance, GTRP Grant Project Audit

Proposal, additional mapping for Munilogic, split rail fence at Butch Clemens Park, Hanks House update, Clemens Markets sewer bill adjustment request, parks and recreation ads and sponsors and a Towamencin Municipal Authority overpayment review.

The following items were recommended by the committee for Board approval:

### **GTRP Grant Project Audit Proposal**

Article XIV of the Greenways, Trails and Recreation Program Grant Agreement (GTRP) completion of a Project Audit by a certified public accountant for grant amounts of \$100,000 or more. The Township received \$146,215 from the Commonwealth Financing Authority for Fischer's Park Improvements. The Township's appointed auditor, Maillie LLP, provided a proposal for the project audit not to exceed \$2,500.

n by Supervisor Smith, seconded by Supervisor Sinz, the Board accepted the Mallie proposal for the project audit.

**Voting Yes:** H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz  
**Voting No:**  
**Abstaining:**  
**Absent:** David Mosesso

### **Split Rail Fence at Butch Clemens Park**

The Open Space and Parks Advisory Committee and Board were interested in putting something up at Butch Clemens Park to keep people from driving on to the field. The cost for split rail fencing at the end of the parking lot would be \$670; whereas, the cost to fence in the entire parking lot down to the shed is approximately \$1,780.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved the installation of fencing, just at the end of the parking lot, for an estimated cost of \$670.

**Voting Yes:** H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz  
**Voting No:**  
**Abstaining:**  
**Absent:** David Mosesso

### **Clemens Markets – Request for Sewer Bill Adjustment for Water Leak**

The committee reviewed a request from Douglas Moyer, CFO of Clemens Markets, Inc. for an adjustment to the fourth quarter sewer invoice for the property at 1555 Bustard Rd. The NPWA discovered an underground leak from a cracked pipe that ran from the building to the pond in the back of the building. The third and fourth quarter sewer bills were based on water consumption and therefore extraordinarily high. Since the water hadn't been treated at the sewer plant, the committee recommended a \$5,000 credit be

applied toward the \$8,810 last unpaid invoice. The pipe has been repaired and the average quarterly invoices should decrease to less than \$700 per quarter.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved a \$5,000 credit to the fourth quarter sewer charge.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Parks & Recreation Ads and Sponsors**

Worcester Township has offered to advertise Towamencin's Pool membership information in their June newsletter. After a brief discussion about whether to offer a discount to new non-resident families joining the pool, the committee decided against recommending a discount since the non-resident individual fees have already been reduced for 2016.

The committee also reviewed a request to print sponsorship postcards to be distributed to business leaders at Economic Development Committee and Business Alliance meetings and also to print and mail postcards to residents reminding them of various summer events. The printing and mailing costs will be covered by the parks and recreation sponsor funds already received.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved printing the two postcards.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Towamencin Municipal Authority Overpayment**

The Township was notified by the Towamencin Municipal Authority of an overpayment previously recorded on their books in the amount of \$373,253. This amount will be taken as a credit against the operating service charge paid to the Authority in 2016. Chairman Wilson requested the preparation of a resolution to amend the 2016 budget to transfer the excess funds to the Sewer Capital Account. The Board will consider adopting the budget amendment resolution.

### **Resolution 16-15: Ratification of Revised Municipal Waste Management Plan**

Under the Municipal Waste Planning, Recycling and Waste Reduction Act ("Act 101"), all counties in Pennsylvania are obligated to prepare and revise a municipal waste management

plan, which establishes an appropriate system to ensure the proper management, collection, transporting, recycling and disposal of all municipal waste generated within the county. This Montgomery County Municipal Waste Management Plan revision has only amended and revised portions of the 2006 plan. Other elements of previous plans that are not specifically revised remain unchanged. This plan revision contains information on the county municipal waste management system, municipal solid waste generation volumes and waste disposal needs in Montgomery County through 2025.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved Resolution 16-15, Ratification of Revised Municipal Waste Management Plan.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Towamencin Volunteer Fire Company Request: Landscape Maintenance**

Due to increased call volumes and more rigorous training requirements that limit available time, the Fire Company is requesting that the Public Works Department assume the ground maintenance responsibilities at the fire station facilities on Bustard Road and Snyder Road. This would include mowing, weed-whacking and bush trimming. This request was reviewed by the Public Works Director, who advised that this would not be a significant impact on the Township maintenance crews' workload. The areas needing cutting at the stations are fairly small, and the Public Works Department is reducing the mowing of other areas in the Township due to the MS-4 requirements.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the landscape maintenance request by the Towamencin Volunteer Fire Company.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Resolution 16-16: Funding for Roadway Improvements**

The Board is asked to approve payment and the transfer of funds to the Towamencin Township Infrastructure Authority, as authorized in the approved 2016 Budget. This is for the quarterly debt payment to the First National Bank and Trust of Newtown in the amount of \$464,437.50 that will be paid by TTIA on April 29<sup>th</sup>.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 16-16, Funding for Roadway Improvements.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

**Resolution 16-17: Request to Amend the Philadelphia Wage Tax**

Under the Sterling Act, the City of Philadelphia is allowed to collect 3.5 percent in wage taxes from suburban residents working in the city while exempting them from their local Earned Income Taxes, costing suburban communities and school districts several millions in tax dollars every year. For township residents who work outside of the township other than in the City of Philadelphia, one percent of the Earned Income Tax is returned to the township where it is split between the township and the school district to pay for public education and municipal services. This resolution calls on state legislature to amend the act to allow up to one percent of the non-resident wage tax charged by Philadelphia to be returned to the municipality where the resident resides.

Chairman Wilson explained these amendments originated in Bucks County, where several municipalities have passed similar resolutions.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 16-17, Request to Amend the Philadelphia Wage Tax.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

**Resolution 16-18: Delegate Township Manager to Execute Disaster Assistance Agreement**

Montgomery County municipalities and non-profit agencies are eligible to recoup some of the nearly \$5.3 million in costs associated with the severe snow storm that struck the region in January following the President's declaration that the storm was a disaster for 22 counties in Pennsylvania, including Montgomery County, making them eligible to apply for federal aid. Towamencin Township compiled costs of approximately \$66,300 associated with the storm that are eligible for 75% reimbursement, including overtime, equipment and materials. FEMA requires a resolution identifying the applicant's agent as the person who is duly appointed by the governing body to act on its behalf in all matters relating to public assistance grants. This resolution identifies the Township Manager as the Township's Agent, having the legal authority to apply for public disaster assistance on behalf of the Township and is authorized to execute all required forms for disaster relief funds on behalf of the Township.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved Resolution 16-18, Delegate Township Manager to Execute Disaster Assistance Agreement.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Wounded Warrior Amputee Softball Game 10/1: Field-Use Request**

The “Griffin Gives Foundation” has contacted the Township asking whether a baseball field would be available to host their Wounded Warrior Amputee Softball Game in October. This group of heroes played against local first responders (Souderton Fire, Telford Fire, Montgomery County Police and members of the Telford VFW) in 2014 in Franconia Township. Throughout the day, there were approximately 500 spectators at the softball field and 125 were hosted for dinner. It is the Foundation’s hope to move this special event to the North Penn Community and host local first responders as was done two years ago.

Township Manager, Robert Ford, suggested that the Foundation could use Butch Clemens Park for the event. However, there would be a parking issue to consider as this game would attract a large turnout. Mr. Ford said the Township could reach out to neighboring sites, such as Ralph’s Corner Shopping Center, Clemens Food Group and North Penn Water Authority, to request accommodations for the overflow parking.

Supervisor Smith said the Township should try to make this a yearly event. Supervisor Littley added that any permitting or rental fees should be waived.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved hosting the Wounded Warrior Amputee Softball Game in October at Butch Clemens Park.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Request for Approval – Police Department Overnight Travel for Training**

The Police Department is seeking approval for Overnight Travel for Training for two (2) Police Booking Technicians to attend the Pennsylvania Justice Network (JNET) Integration meeting at State College on June 1<sup>st</sup> and June 2<sup>nd</sup>. The expense for this training is accounted for within the 2016 approved budget and will be in accordance with the Township’s Travel Reimbursement Policy.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board approved the Police Department’s overnight travel request for training.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Proposed Name for New Pavilion at Fischer’s Park**

Over the past two years, the Township Open Space & Parks Advisory Committee has been discussing naming the new pavilion that was constructed at Fischer’s Park, as part of the recent improvements projects. It should be noted that there was an attempt made at previous Towamencin Days to get suggestions from the public, as well as, in the recent spring newsletter,

but the response was negligible. The goal is to have a formal “christening” of the pavilion at this year’s Towamencin Day on May 14<sup>th</sup>.

The committee has recommended the name “Meadow View” for the new pavilion. Supervisor Littley inquired why the committee didn’t pick one of the names proposed years ago.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the proposed “Meadow View” as the name of the new pavilion at Fischer’s Park.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **75th Anniversary of Boy Scout Troop 178 Proclamation**

Boy Scout Troop 178 and Christ Lutheran Church, in Kulpsville, are celebrating 75 years together on May 20<sup>th</sup> and 21<sup>st</sup>. In recognition of the contributions that Boy Scout Troop 178 has made to Towamencin Township, and to the betterment of youths of our community, it is the desire of the Board of Supervisors to proclaim Saturday May 21, 2016 as “Boy Scout Troop 178 Day” in the Township of Towamencin.

Chairman Wilson read the proclamation, including a summary of the efforts and projects provided by the Troop over the years.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the 75th Anniversary of Boy Scout Troop 178 Proclamation.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

### **Turnpike Widening Project: Green Lane Road Construction Site**

The contractor for the Turnpike widening project (Allan A. Myers, Inc.) has a C-Crate for storing tools in a location off Green Lane Road. The contractor has determined that the current location of the crate is sitting partially outside the construction easement area on Township property. The contractor is currently working on erecting the Turnpike bridge over top of Green Lane Road and due to limited space, this is the only area they could set the crate out of the way of the cranes and materials. Allan Myers is requesting that they be allowed to keep the crate in its current location. They affirmed that they will restore the area to its original state once the work is complete.

Chairman Wilson asked Mr. Ford if Allan A. Myers, Inc. had been approached about the handicapped ramp improvements required when Green Lane Road is resurfaced, as they previously agreed to. Mr. Ford replied he would be following up with Bill Muzika of Allan Myers, Inc regarding this matter.

Mr. Ford added that Mr. Muzika said Allan A. Myers, Inc. would be able to help out with the remaining grading work to be done at Nash II, but that the scheduling of an on-site field meeting was deferred until the weather got better.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Allan A. Myers, Inc.'s request to keep their C-Crate stored off of Green Lane Road, on Township property, while they continue working on the Turnpike Widening Project close by.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

**Resolution 16-19: Transfer Funds 2013 Sewer Revenue Note to Reimburse Capital Expenditures**

On August 1, 2013, the Township issued a \$2,500,000 Guaranteed Sewer Revenue Note to fund Sewer Capital Expenses. This resolution authorizes the transfer of the balance of funds, \$226,755 from the 2013 Guaranteed Sewer Revenue Note Proceeds for the reimbursement of capital expenditures for the period beginning August 1, 2015 through March 31, 2016. The resolution also authorizes the closure of Univest Bank Account titled "Sewer Capital."

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 16-19, Transfer Funds 2013 Sewer Revenue Note to Reimburse Capital Expenditures.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

**Resolution 16-20: Budget Amendment Sewer Operating and Capital Funds**

As briefed during the monthly Finance Committee Report, the Township was notified by the Towamencin Municipal Authority of an overpayment previously recorded on their books in the amount of \$373,253. This amount will be taken as a credit against the operating service charge paid to the Authority in 2016. This resolution is to amend the 2016 budget to transfer the excess funds to the Sewer Capital Fund.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 16-20, Budget Amendment for Sewer Operating and Capital Funds.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

**Additional Business**

**Police Department Comment**

Supervisor Smith recounted her neighbors' recent experiences with the Township police officers, who kindly offered them transportation home from the hospital, rather than having to wait until morning for a taxi. These residents were very appreciative of the officers' assistance.

**Supervisor Mosesso – Absence from Several Board Meetings**

Supervisor Sinz questioned the status of the Board's fifth member, David Mosesso, making a comment about the four to zero votes of late. Starting with the March 9<sup>th</sup> board meeting, Supervisor Mosesso has been absent from the last four Board of Supervisors meetings. Supervisor Sinz asked if others knew what's going on and if he's ok. Staff and the other Board members did not have any information as to the reason Supervisor Mosesso has been missing from recent meetings. Mr. Ford noted that Supervisor Mosesso has also been absent from recent committee meetings as well, specifically Open Space and Parks Advisory Committee meetings.

Supervisor Sinz asked Solicitor Jack Dooley if something can be done, maybe a censure, in situations like this, where a supervisor is not doing their job. Mr. Dooley responded that a removal impeachment action would require a State Senate hearing. Supervisor Littley commented Supervisor Mosesso is still collecting a paycheck and maybe the Board needs to start talking to our State Senator to start this procedure.

It was the consensus of the Board for staff to prepare a resolution for Mr. Dooley to review, raising concerns of Supervisor Mosesso's absence at Board meetings and to begin censure proceedings.

On a motion by Supervisor Sinz, seconded by Supervisor Smith, the Board approved Township staff to prepare a resolution, for Solicitor Dooley's review, for censure relating to Supervisor Mosesso's absence at several consecutive Board meetings.

**Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., James P. Sinz**

**Voting No:**

**Abstaining:**

**Absent: David Mosesso**

There being no additional business, the meeting adjourned at 8:27 PM.

Respectfully submitted,

  
Robert A. Ford  
Township Manager