

**Towamencin Township
Board of Supervisors
Work Session Meeting
July 13, 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
David Mosesso

Staff:

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

Chairman Wilson called the meeting to order at 7:31 PM and led the assemblage in the Pledge of Allegiance and then a moment of silence for the fallen police officers in Dallas, TX on July 7th.

Opening Comments

Chief Dickinson took a moment to publicly thank all the citizens, many of whom he never met or heard from before, for their outpouring of support and gratitude to the department for all they do to serve the Towamencin community, in light of the recent attacks and shootings of police officers throughout the country. Chief Dickinson added these expressions of appreciation have been very gratifying and uplifting to both him and the officers and that it's important that the police department is reminded that the vast majority of citizens appreciate their work.

Chairman Wilson noted agenda item 6.1 Discussion – RV Ordinance would be stricken from the night's agenda and will be rescheduled for the July 27th Board of Supervisors meeting, where a revised ordinance amendment will be reviewed for possible future adoption.

Chairman Wilson announced the upcoming concert series:

- On Thursday July 14th at 7:00 pm, Philly's Piano Man - the live Billy Joel experience will perform at Fischer's Park. This band has opened for Billy Joel twice at the Wachovia Center. The concerts are free to the public. Food sales will be provided by a food truck.
- On Thursday July 21st at 7:00 pm, Real Diamond, a Neil Diamond cover band, will be performing at Fischer's Park.

Public Comments

Resident Joseph Silverman provided some background on LED street lights. He briefly noted the potential detrimental effects of the blue light emissions from these light sources. He provided his research to Township Manager Robert Ford to share with the Board.

Approval of Minutes: June 22, 2016

Supervisor Mosesso commented that since the Board reneged on their approval to explore whether the minutes could be electronically transcribed that he will have to start asking to renew that agreement since the Technology Assessment and Innovation Committee has been unable to convene. He went on that he felt compelled to ask again to bring in a consultant to do a review of technology options for recording and transcribing the minutes or to recreate the committee with new members.

Supervisor Littley expressed that he did not think the Board should disparage Township volunteers, who make up the Technology Assessment and Innovation Committee. He continued to explain that the Board took a vote in which they voted against spending money for a consultant and most felt it was a waste of time and money. Supervisor Mosesso replied that he did not feel that anything to improve the Township's minutes is a waste of time. He added he can make such requests as many times as he desires.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved the June 22nd minutes.

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

Voting No: David Mosesso

Abstaining:

Absent:

Zoning, Subdivision & Land Development

Discussion – Donation Bin Ordinance

This issue was originally discussed at the Board's May 25th meeting, during which the Board provided comments and asked that a draft amendment be prepared and brought back to the Board for further discussion. During the initial discussion on this issue at the May meeting, the Township Solicitor advised that excluding the bins based solely on aesthetics may not be enforceable. Further, he recommended that the ordinance not be incorporated into the Zoning Code, but to have it more as a property maintenance code.

Township Manager Robert Ford presented an overview of the issue and provided a review of the drafted ordinance. He explained there is nothing currently in the code that regulates these bins, which often attract all sorts of dumping outside of the bins.

The drafted ordinance restricts the bins to certain zoning districts (C, SC, VC and LI). There would be a required one-year permit. The owner would fill out application, indicating how often the items will be collected. The ordinance also specified only one bin per non-residential site; the permit fee may be possibly waived for non-profits. The next step would be advertising the ordinance adoption at a future meeting.

Township Solicitor Jack Dooley recommended not waiving fees as the fee is meant to off-set the cost of the services provided by the Township, regardless of the nature of the organization. Mr. Ford said the permit fee would likely be in the range \$50 or less.

Supervisor Littley asked how enforcement of dumping will be handled. Mr. Ford replied there would be a notice to owner, the typical violation process.

There was a discussion of possibly back-charging owners if the Township had to intervene in the clean-up. Mr. Dooley noted that in order to remove a collection bin, it may require an injunction from the County's Court of Common Pleas. He continued the enforcement would need to be handled on a case-by-case basis.

Supervisor Littley compared the bins as a "hydrant to a dog," inspiring people to dump. Resident, Nora Schwartz, suggested the bin placement be in an overt location. She felt if the location is in plain sight, the owner would hopefully be compelled to regularly maintain.

Supervisor Littley suggested limiting the bins to only shopping center districts. Chairman Wilson suggested the inclusion of religious institutions and schools to the permitted areas.

It was consensus of the Board to have Township staff rework the ordinance to restrict the permitted locations to the shopping center districts and religious or school institutions.

Resolution 16-34: AVE Sign Application Approval

Korman Communities acquired the apartment complex located on Towamencin Avenue in 2014 and wish to place permanent signs throughout the facility property to identify it as their AVE brand of residential communities. At the Board of Supervisors' June 22, 2016 meeting, representatives of Korman Communities presented a plan for a permanent sign package and placement, which included wall-mounted logo signs, as well as, monuments signs with landscaping additions. The Board directed that a resolution be prepared approving the sign package as presented, noting that the monument signs would be illuminated internally with LED fixtures, while the wall-mounted signs will not be illuminated.

On a motion by Supervisor Sinz, seconded by Supervisor Littley, the Board approved Resolution 16-34, AVE Sign Application Approval.

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

Voting No:

Abstaining:

Absent:

Old Business

On-Site Sewer Maintenance Program

Per direction of the Board at the March 23rd meeting, staff prepared an ordinance amendment to the sewage management program for the Board's review and further discussion. The Township's Sanitary Sewer Engineer had recommended that the Township revise its ordinance to require

septic tank pump outs to be performed a minimum of every three years instead of the current five years. This change will also allow for the inspections to be performed at the same time and hopefully for many properties, at the same time as the septic tank pump out.

At its June 8th meeting, the Board directed that the draft ordinance be sent to the Township's Environmental Advisory Council to review and comment on before bringing the draft back to the Board of Supervisors for further discussion. At their June 14th meeting, the Environmental Advisory Council made the recommendation to change the ordinance language to change the pump out and inspection schedules to every 4 years, so that they can be conducted simultaneously.

Supervisor Mosesso shared that he has an on-site septic system and that he attended the Environmental Advisory Council's last meeting, noting that none of the members of the Council had these systems personally. He made the suggestion to increase the pump out and inspection cycle to 5 years as opposed to EAC's suggested 4 years. He continued he sees no reason to change the cycle, citing the five-year pump-out cycle has been successful.

Supervisor Littley added that those with on-site septic systems are relieved of paying the annual sewer bill, which translates to a generally higher cost to those with public sewer systems.

The Township's Sanitary Sewer Engineer representative, Matt Hostrander, explained that 75 percent of the Township's on-site systems are older, built in the 1960-1970s. He provided an overview of the research conducted by DEP and the Penn State Extension, noting their recommendations of the three year cycle are beneficial for the maintenance of the systems.

Resident Joseph Silverman inquired about the Township's discretion with making adjustments to the cycle length for residents, who may need fewer or more pump-outs depending on the size of the system and number of residents within their household. Mr. Hostrander responded that the discretion of the Township, for such cases, is included within the drafted ordinance.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board directed staff to schedule a subsequent public hearing in front of the Board of Supervisors to consider adoption with the four year inspection and pump out cycles.

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

Voting No: David Mosesso, James P. Sinz

Abstaining:

Absent:

New Business

Upper Salford Township Request for Fire Police Support

Upper Salford Township is requesting the assistance of the Towamencin Fire Police (among others in the region) for traffic and safety control on Thursday August 18, 2016 for the Philadelphia Folk Festival.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Upper Salford Township's Request for Fire Police Support.

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

Consideration of Contract Award – Traffic Signal Upgrades

The Board is asked to consider awarding a contract for the Traffic Signal Upgrades that will provide safety and operational improvements to numerous traffic signals throughout the Township. This project is being funded by an \$180,000 grant the Township received through the Automated Red Light Enforcement (ARLE) program. Two bids were received by Armour and Sons Electric, Inc., with a base bid of \$132,538 and Carr Duff Inc., with a base bid of \$205,000.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board awarded the traffic signal upgrades contract to Armour & Sons Electric, Inc. in the amount of \$132,538.

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

Supervisor Mosesso asked Mr. Ford about a previous grant application for a traffic signal at Rittenhouse and Old Forty Foot Roads and whether it was turned down. He asked what are the next steps are in this process.

Mr. Ford confirmed that the grant was not approved, but that there are other grants that could be pursued. He added by coincidence, Montgomery County is in the process of designing improvements to the one-lane bridge, along Rittenhouse Road, a little west of this location. The County has asked for some feedback from the Township. It may make sense to see what comes of that process.

Mr. Ford expanded that a year or two ago, PennDOT completed a LTAP study for the Township at this intersection where they made short-term and long-term recommendations, traffic signals were discussed. Mr. Ford indicated that he had forwarded this study to the County so that its recommendations could be considered as part of the County's designs. Mr. Ford also noted that a traffic study would need to be completed in order to see if the intersection warrants a traffic signal and then apply for such associated signal grants.

TYA Soccer Request for Use of Butch Clemens General Purpose Field

Due to significant growth of its soccer program over the last few seasons, Towamencin Youth Association is requesting use of the Butch Clemens Park General Purpose Field starting in July and running in to early October. TYA anticipates registering close to 900 players this season.

Jeff Hill, Towamencin Soccer Director, provided an overview of the success and growth of the program and made his request to the Board.

Supervisor Mosesso asked about the TYA soccer's current field usage locations. Mr. Hill responded that they are using one to five different fields within the North Penn School District, they have maxed out the Grist Mill Field and use Bustard Park (after the baseball season). In addition, they also use facilities in Hatfield and Worcester Townships.

Supervisor Mosesso asked how this affects the availability of fields for the citizens of the Township. Mr. Ford replied that the original plans for the Butch Clemens Park included the open general purpose field for scheduled events or pick-up games for Township residents. However, the field is not getting the regular use that was originally anticipated.

Supervisor Littley asked Mr. Hill if the soccer program is considering putting a cap on the total of soccer participants as field resources are becoming exhausted. Mr. Hill questioned if that was a fair request. Supervisor Littley continued to who has priority in using the field - Township residents or TYA? Mr. Hill replied they would accommodate other groups, who requested the field, but would like 24-hour notice. Mr. Hill added that they have modified the prior requests with fewer days on their proposed calendar, removing weekends, etc.

Supervisor Wilson expressed that he felt this field should continue be left open to the general public. The Board discussed the issue further, such as: allowing TYA soccer usage for this season only and semantics in scheduling other resident/group usage if TYA was permitted to schedule their requested dates.

Resident Pat Litavec commented that she would like to see the field remain open as there are few resources for residents for pickups games.

Supervisor Sinz was agreeable to TYA's request for usage for this season, considering the lack of current use, but specified TYA would need to make accommodations to other resident requests. Supervisor Sinz was concerned with the lack of marketing of the field and requested improved advertising so that residents are aware that the field exists and is available to use and reserve.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the TYA Soccer request for Use of Butch Clemens general purpose field for this season only with appropriate permitting fees to be paid to the Township for the park rental. The Board also made the recommendation for staff to promote the field through advertising in the newsletter and other sources.

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

Voting No:

Abstaining:

Absent:

Consider Acceptance of MCCC Verizon Cable Agreement Negotiation Proposal

Towamencin Township is within the two-year threshold to renegotiate its 12-year cable franchise agreement with Verizon. The Montgomery County Consortium of Communities has negotiated with a law firm to provide legal assistance for member municipalities that chose to participate that would provide two components:

- Perform a cable compliance review to determine whether the cable operator has complied with its obligations under the current agreement; and
- Negotiate a new agreement that addresses the changes since the last franchise and secures maximum benefits for the Township.

Additionally, the Consortium will help subsidize the cost in the amount of \$1,000 per municipality. Towamencin’s cost would be either \$5,375 or \$4,950 dependent on the final number of municipal participants.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board authorized Towamencin Township to enter in to an agreement, as provided through the Montgomery County Consortium of Communities, with the Cohen Law Group to provide legal counsel and negotiations for a renewed franchise agreement with Verizon.

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

Voting No:

Abstaining:

Absent:

Consider Acceptance of Donation to Police Department

Dock Woods Campus of the Living Branches Community has donated \$3,500 to the Towamencin Police Department. The Board must consider acceptance of this gift in accordance with the Township’s “Donation Policy.”

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved the Police Department’s acceptance of the \$3,500 donation from the Dock Woods Campus of the Living Branches Community.

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

Voting No:

Abstaining:

Absent:

Nash II Ballfield - E&S Plan and NPDES Permit Application

Mr. Ford summarized that Nash II Ballfield is located at Bustard Road and Liberty Bell Drive, adjacent to the Nash Elementary School. This field was originally part of the Bustard Park Master Field Plan. In 2008, bids were sought to develop the area in to a softball field, resulting in proposals around \$165,000. At the time, this was cost-prohibitive to pursue.

Mr. Ford reported that he, the Township Engineer, and the Public Works Director had recently met with an Alan Myers, Inc. representative recently at Nash II ballfield site, as the company, that is in the area working on the Pennsylvania Turnpike widening project, had offered to assist the Township in doing the required final grade *pro bono*. After walking the site, the company

representative was quite positive that they could help the Township out and said he could probably get it done before school starts this fall.

Mr. Ford advised that the Township Engineer spoke with the Montgomery County Conservation District this week to discuss the project. Since the NPDES permit for the project has expired, it will be necessary to submit a new NPDES Application. However, the District has an Expedited Review process to speed things up. They are limited to 4 per month on a first come, first serve basis. Unfortunately, the 4 for July are already taken up. However, if a permit application package and E&S Control application can be completed for submission by August 1st, the Township may be able to get an August Expedited Review. A Pre-Application meeting with the District is required. In general, the district would have 5 days to do a review and the township would have 5 days to address any review comments. Also, in addition to the standard \$1,500 fee, an additional \$3,000 would be required for an Expedited Review. MCCD said that if the Township could have everything ready for an August 1st submission, and there are no significant issues to address, an approved permit could be provided before the end of August.

The value of the work Alan Myers has offered to provide is estimated to be around \$50,000. The other associated costs include: preparation of the Erosion and Sediment Plan and NPDES Permit application is \$6,000; \$1,500 application fee; and a \$3,000 expedited permit fee. The overall cost would be \$10,500.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved preparation of the Erosion and Sediment Plan and NPDES Permit Application as presented by staff for the improvements at Nash II Ballfield.

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

There being no additional business, the meeting adjourned at 9:14 PM.

Respectfully submitted,


Robert Ford
Township Manager