

**Towamencin Township
Board of Supervisors
Monthly Meeting
July 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
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 7:33 PM and led the assemblage in the Pledge of Allegiance.

Opening Comments

The Board met in Executive session prior to this evening's meeting to discuss matters of litigation and personnel.

Chairman Wilson announced the remaining concert series dates:

- On Thursday July 28th at 7:00 pm, the Mango Men will be performing at Fischer's Park at 7:00 pm. The concerts are free to the public. Food sales will be provided by a food truck.
- On Thursday August 4th at 7:00 pm, Philadelphia Funk Authority will be performing at Fischer's Park.

Chairman Wilson also announced the American Red Cross has called a Blood Emergency due to an insufficient blood supply in the area. This is a critical blood shortage, which jeopardizes the treatment of seriously ill people. He asked that those present please sign up to donate blood.

Public Comments

Resident Rich Baruffi, of 1691 Heebner Way, thanked the Board for the recent experience he and his family had when coming out to Fischer's Park to see the Minion Movie. On a separate evening, he noticed the large turnout for the Real Diamond Concert, Neil Diamond Tribute Band. He encouraged the Board to keep these community events growing as he reported the community comradery is infectious.

He continued, still addressing the Board, the Township should not waste more time and money mulling over the RV Ordinance; that it can be done with common sense, using simple terminology. He felt the Township money would be better spent on family/community events rather than on Township engineers and planning commissions.

Approval of Minutes - July 13, 2016

Supervisor Mosesso reiterated his position that he believes that more can be done to improve the minutes. He indicated that he has been having discussions with another board member and that there may be some compromise where they can work together on this.

He concluded that the minutes have improved in the last two years since he has been commenting on them and thinks that putting the focus on them has improved the process. He thanked all involved in drafting the minutes and added he will abstain from voting.

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved the July 13th minutes.

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

Voting No:

Abstaining: David Mosesso

Absent:

Zoning, Subdivision and Land Development

Public Hearings - Zoning Code Amendment and Zoning Map Amendment Establishing a New Entertainment Lifestyle Overlay (“ELO”) District

Philadelphia Suburban Development Corporation proposes to create a new Overlay District that includes approximately 52 acres bounded by Allentown Road to the north, Forty Foot Road to the east, Tomlinson Road to the south and the R-175 Residential District to the west. The current zoning, which would remain as underlying, is SC – Shopping Center, C – Commercial and LI – Limited Industrial. The purpose of the Entertainment Lifestyle Overlay District is to provide for the consolidation and redevelopment of large commercial properties with adjacent, non-residentially zoned properties, in order to provide sufficient land area to accommodate a redevelopment in the current commercial market and to allow and control a variety of uses.

Chairman Wilson introduced Township Solicitor, Jack Dooley, who opened the hearing by providing background information, referencing the associated exhibits. Mr. Dooley then introduced Philadelphia Suburban Development Corporation’s Vice President, Mark Nicoletti, who presented the basis for the Overlay District with regard to the Towamencin Shopping Center and his plans for revitalizing this area. Township Manager Robert Ford also assisted with the hearing by providing a slide presentation, which illustrated the changes with this proposed zoning code amendment.

A court reporter was present to make a complete and formal record of the hearing.

Ordinance 16-10: Adoption of Zoning Code Amendment - Entertainment Lifestyle Overlay (“ELO”) District Regulations

The adoption of this ordinance would amend the Township’s Zoning Code to provide for regulations of the Entertainment Lifestyle Overlay (“ELO”) District presented in the proceeding public hearing.

On a motion by Supervisor Sinz, seconded by Supervisor Littley, the Board approved Ordinance 16-10, Adoption of Zoning Code Amendment - Entertainment Lifestyle Overlay (“ELO”) District Regulations.

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

Voting No:

Abstaining:

Absent:

Ordinance 16-11: Adoption of Zoning Map Amendment - Establishing a New Entertainment Lifestyle Overlay (“ELO”) District

The adoption of this ordinance would amend the Township’s Zoning Map, providing for the Entertainment Lifestyle Overlay (“ELO”) District as presented in the proceeding public hearing.

Chairman Wilson recommended to Mr. Nicoletti that going forward it would be helpful and hopefully make the hearing process run smoother if he brought his land development attorney to these hearings, especially with the scope of this project. Mr. Wilson continued that there was too much reliance on Township staff and resources in preparing for this hearing. Mr. Nicoletti acknowledged the recommendation.

On a motion by Supervisor Sinz, seconded by Supervisor Smith, the Board approved Ordinance 16-11, Adoption of Zoning Map Amendment - Establishing a New Entertainment Lifestyle Overlay (“ELO”) District.

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

Voting No:

Abstaining:

Absent:

Ordinance 16-12: On-Site Sewer Maintenance Program Amendment

Per Board direction at their March 23rd meeting, Township 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 would also allow for the inspections to be performed the same year 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 (EAC) for

review and comment before bringing the draft back to the Board of Supervisors. At its July 13th meeting, the Board accepted the EAC's recommendation to coordinate the inspections and pump outs at four-year intervals.

Supervisor Mosesso repeated his assessment from the previous meeting that he thinks the pump out and inspection cycles should be performed every five years instead of the proposed four year cycle. He feels the current pump-out time requirement of five years is working fine and is more economical for residents. He recommended the Board change the amendment to a five year cycle.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board approved Ordinance 16-12, On-Site Sewer Maintenance Program Amendment.

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

Voting No: David Mosesso

Abstaining:

Absent:

Request for Waiver of Land Development - Stein Seal Company Parking Spaces

The Stein Seal facility is in need of additional parking spaces. However, the spaces are needed on the Wambold Road side of the property, rather than the previously approved reserved parking at the back of the property. Per the Township Subdivision and Land Development Ordinance (SALDO), any modification of a commercial property can require approval through a formal land development process. The SALDO does, however, allow for the Board of Supervisors to approve a waiver of land development if the Board determines that the modifications are minor. The Stein Seal Company is proposing an additional 13 parking spaces.

Township Manager, Robert Ford, provided some background of the company and how the request came to the Township.

Ken Graver and Gary Schuler of Stein Seal Company were present to answer any questions.

Messrs. Graver and Schuler excused themselves briefly to move their vehicles in the Township parking lot to accommodate a resident. Chairman Wilson moved along to items 6.7 and 6.8 of the agenda and returned to this agenda item.

Mr. Ford presented the current and proposed parking lot configurations with a slide presentation. He added that Township staff and the traffic engineer reviewed the plans. It was determined there would not be any traffic impact from the proposed changes. Staff recommended waiving the land development with a condition of completing a grading permit application.

Chairman Wilson confirmed that the Stein Seal Company would need to establish an escrow account to cover the professional engineering and legal expenses associated with this proposal. Mr. Ford confirmed that an escrow account would be required for the grading permit and that the professional expenses would be charged to the applicant.

On a motion by Supervisor Sinz, seconded by Supervisor Littley, the Board approved Stein Seal Company's request to waive the land development with a condition of completing a grading permit application, which would incorporate the requirements of small project stormwater management.

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

Voting No:

Abstaining:

Absent:

Acceptance of Deed of Dedication – Weber Farm Preserve (SLD 796)

A section of land, located by the ultimate right of way along Old Morris Road, comprising 11,550 square feet of land or 0.2651 acres, was offered for dedication to the Township as part of the previously approved Preserve at Weber Farm Minor Subdivision Plan. The formal deed of dedication document has since been prepared and is now ready for acceptance.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board accepted the deed of dedication for the Weber Farm Preserve.

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

Voting No:

Abstaining:

Absent:

Draft Ordinance – Clothing/Materials Donation Bin

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. Based on the Board's direction at the July 13th meeting, the draft ordinance was amended, which specified the collection bins would be allowed as an accessory to the following uses as defined by the Towamencin Township Zoning Code: E-9 Place of Worship; E-12 School and C-18 Shopping Center.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board authorized the advertisement of the ordinance adoption for clothing/materials donation bins at a future Board meeting.

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

Voting No:

Abstaining:

Absent:

New Business

Warrant List

The warrant list was presented for approval.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the warrant list in the amount of \$1,264,256.78.

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

Voting No:

Abstaining:

Absent:

Finance Committee Report

The Township Finance Committee meets on a monthly basis to closely monitor economic indicators and the Township's revenue and expenses. The committee met on Tuesday July 19th. Supervisor Littley reviewed the report, which included the following discussion and action items: monthly financial reports, Hanks House update, special events ordinance and permit fee, Lower Salford Township Authority's billing request and a proposal review for the Police Department to construct a basic carport for their vehicles.

Lower Salford Authority Billing Request

The Committee reviewed a request from the Lower Salford Township Authority to use an estimated water usage of 517,470 gallons to calculate the semi-annual sewer bill for three Mainland Road properties. These are the three remaining properties after the diversion of 20 residential homes from the Towamencin Municipal Authority interceptor to the LSTA Mainland Wastewater Treatment Plant.

LSTA found inaccurate readings from the flow meters, which became apparent after the flow was reduced. Both LSTA and Towamencin Township sought the opinion of Bill Dingman, Sewer Engineer for both entities. Mr. Dingman recommended a slightly higher estimate of 530,042 gallons for the current billing period. The Finance Committee approved the use of the estimate with the condition that additional flows would be billed should they be discovered.

Mr. Ford will meet with Mr. Bill Dingman and Lower Salford Township Authority's Business Manager, Ms. Connie Weimer, to assess the condition of the mains and the need for ongoing televising and site repairs, as well as, the condition of the flow meters in question.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board accepted Mr. Dingman's recommendation to use the estimate of 530,042 gallons for the current billing period for the Lower Salford Township Authority's water usage.

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

Voting No:

Abstaining:

Absent:

Resolution 16-35: 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 & Trust of Newtown in the amount of \$50,970.56, which will be paid by TTIA.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 16-35, Funding for Roadway Improvements.

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

Voting No:

Abstaining:

Absent:

Resolution 16-36: Disposal of Township Property

According §1504 to the Second Class Township Code, the Board of Supervisors must authorize the disposal of personal property. Anything with a fair market value of \$1,000 or more needs to be advertised and sold at auction. Several vehicles and capital equipment were approved for replacement by the Board through the 2016 Budget. The Township intends to dispose of the old equipment through auction so that a portion of the costs can be recouped by the Township. The following equipment is proposed for disposal:

- 2007 Ford Crown Victoria, VIN# 2FAFP71W17X114284
- 2011 Ford Crown Victoria, VIN# 2FABP7BVXBX146857
- 2007 Ford Crown Victoria, VIN# 2FAFP71W37x114285
- 2006 GMC, Sierra, VIN# 1GTHK39U56E285620
- 2002 International Dump Truck, VIN# 1HTSCAAN82H500933
- TORO Z589, Model # 74253, Serial # 270000526

On a motion by Supervisor Littley, seconded by Supervisor Sinz, the Board approved Resolution 16-36, Disposal of Township Property.

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

Voting No:

Abstaining:

Absent:

Supervisor Sinz ended the meeting by commending the efforts of the Township's Public Works and Codes staff for their hard work in the recent heat wave, noting the manholes and sewer work. Mr. Ford added some details about the work involved with the sewer line repair on Specht Place.

There being no additional business, the meeting adjourned at 9:17 PM.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'R. Ford', is written over the text 'Respectfully submitted,'.

Robert Ford
Township Manager