

**Towamencin Township
Board of Supervisors
Monthly Meeting
August 26, 2020
7:30 PM**

Present:

H. Charles Wilson III, Chairman
Laura Smith, Vice Chairman
Daniel M. Littley, Jr., Treasurer
Richard Marino, Secretary
Daniel Bell, Asst. Treasurer/Asst. Secretary

Staff:

Robert A. Ford, Township Manager
Jack Dooley, Esq., Township Solicitor
Mary Stover, Township Engineer
Niral Modi, IT Staff
Paul T. Dickinson, Chief of Police

Present Remotely:

Colleen Ehrle, Assistant to Township Manager
Brooke Neve, Finance Director/Assistant Township Manager

Absent:

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

Opening Comments

Chairman Wilson made the following announcements:

- Due to the COVID-19 Emergency, the meeting is being held via Zoom video communications. The public was invited to participate remotely and e-mail questions to info@towamencin.org prior to the meeting.
- The Township's summer concert series continues tomorrow evening at 7 pm with the band "Shot of Southern" performing. Due to the Governor's COVID Emergency directive, space is limited to 250 attendees. Wristbands will be distributed upon entry to the concert area. Attendees must wear a mask, practice social distancing, and adhere to CDC Guidelines.
- The Township recently received news that it had been awarded a \$425,000 grant through the Pennsylvania Small Water and Sewer program. This project will help Towamencin investigate, repair, and rehabilitate the Skippack Creek Interceptor portion of the sanitary sewer collection and conveyance system.

Public Comments

None

Zoning, Subdivision and Land Development

Public Hearing – Zoning Code Amendment / Fences within Easements

The Zoning Ordinance currently prohibits fences in easements in one section of the code, while another section allows placement of items within easements with prior permission of the easement owner. Staff has prepared a code amendment to address this divergent language. For Township easements, if the Township were to allow placement of a fence in an easement, the Township would require a Waiver of Damages to be recorded for the property.

Chairman Wilson introduced Township Solicitor Jack Dooley, who opened the hearing by presenting the associated hearing exhibits. Mr. Dooley reviewed the conflict in the zoning code to the Board. A court reporter was present via Zoom to make a complete and formal record of the hearing.

Ordinance 20-04: Zoning Code Amendment / Fences within Easements

Adoption of this ordinance would amend the Township’s Zoning Code to provide regulations pertaining to the matter as presented in the proceeding public hearing.

On a motion by Supervisor Bell, seconded by Supervisor Littley Bell, the Board adopted Ordinance 20-04, Zoning Code Amendment / Fences within Easements.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Resolution 20-39: Preliminary Plan Approval Core 5 Warehouse Facility (Wambold & Allentown Roads)

This is a land development application for a 73-acre site located on Wambold Road near its intersection of Allentown Road. The proposed development includes three (3) industrial buildings with a total of 591,360 square feet and associated site improvements. A formal presentation of the plan was made to the Board of Supervisors at the August 12th meeting. Chairman Wilson noted the applicant withdrew their conditional use application regarding reserve parking.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 20-39, Preliminary Plan Approval Core 5 Warehouse Facility (Wambold and Allentown Roads).

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell
Voting No: N/A
Abstaining: N/A
Absent: N/A

Resolution 20-40: Final Plan Approval Core 5 Warehouse Facility (Wambold & Allentown Roads)

Per the Pennsylvania Municipalities Planning Code, a land development plan is, in most cases, a two-step process: a preliminary plan followed by a final plan. Generally, the preliminary plan is intended to provide a more generalized plan of development. The final plan provides design details for immediate development in addition to posting of financial security to assure completion of required public improvements.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 20-40, Final Plan Approval Core 5 Warehouse Facility (Wambold and Allentown Roads).

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell
Voting No: N/A
Abstaining: N/A
Absent: N/A

ZHB 2020-02: 200-230 Forty Foot Road (Firestone Store)

Bridgestone (Firestone) has applied for a variance for two wall-mounted signs. The Zoning Ordinance allows for one wall mount sign with a maximum area of 35 square feet on the front façade of a building. The applicant has applied for and received approval of a single sign that meets the code regulations. In addition, they are applying for a second front façade sign, with an area of 8 square feet and a wall sign on the southwest wall along the entrance drive of 38.5 square feet. The previously approved sign application also includes a “Firestone” panel in the multi-tenant freestanding sign at the main entrance.

It was the consensus of the Board not to send the Township Solicitor to appear before the Zoning Hearing Board on this application.

New Business

Warrant List

The August 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 \$871,385.58.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell
Voting No: N/A

Abstaining: N/A
Absent: N/A

Ordinance 20-05: Amendment to Sewer Tapping Fee

This ordinance amends Chapter 127 “Sewers” of the Towamencin Township Code to update definitions, to resolve conflicting or imprecise language, and to confirm the tapping fee for contributors to the Township’s sanitary sewer conveyance system pursuant to Act 57 of 2003.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board adopted Ordinance 20-05, Amendment to Sewer Tapping Fee.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell
Voting No: N/A
Abstaining: N/A
Absent: N/A

Resolution 20-41: Designation of Agent – COVID-19 Public Assistance Grant

FEMA's public assistance program provides federal reimbursement for up to 75 percent of eligible costs for eligible expenses associated with the response to the COVID-19 federally declared emergency. The applicant is responsible for the remaining 25 percent of the expense. The program requires the designation of an agent authorized to compile and submit the necessary application and documentation. This resolution appoints the Township Manager as the Township’s agent.

On a motion by Supervisor Bell, seconded by Supervisor Littley, the Board adopted Resolution 20-41, Designation of Agent for COVID-19 Public Assistance Grant.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell
Voting No: N/A
Abstaining: N/A
Absent: N/A

Resolution 20-42: Interfund Loan Transfer (Between Sewer Capital Fund & the Municipal Complex Repairs Fund)

This resolution corrects and clarifies an existing interfund loan from the Township’s Sewer Capital Fund to the Township’s municipal complex repairs fund approved in 2017 to finance repairs and install HVAC improvements to the municipal complex. A separate and additional loan was also established that same year for \$56,225 for similar municipal complex repairs. Resolution 17-14 authorized \$1,500,000. This current resolution shall re-authorize the difference of the original 2017 approved amount of \$1,500,000 less the 2017 loan set up of \$56,225 for a total of \$1,443,775. The loan period is for ten (10) years with principal and interest paid back to the Sewer Capital Fund monthly at the fixed rate of 1.157 percent, the rate charged by the 2013 Sewer Note with Del-Val (Delaware Valley Regional Finance Authority).

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board adopted Resolution 20-42, Interfund Loan Transfer (Between Sewer Capital Fund & the Municipal Complex Repairs Fund).

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Public Works Committee Report

The Public Works Committee meets on a monthly basis to scope projects and identify efficiencies related to Township infrastructure, properties, and equipment. The Committee met on August 25th. Supervisor Marino provided an update.

Storm Damage – The Public Works Department’s cleanup and restoration effort was applauded. Several areas across the Township required attention and repair, notably, a portion of Kriebel Road was repaved, repairs were made to Pheasant Hill Road’s culvert, several stone trails were restored. The associated costs were being monitored by Mr. Hillmantel for potential reimbursement.

Stormwater Fee – In light of the recent stormwater issues arising from the bad storms, Township Manager Robert Ford suggested the MS4 service fee discussions should be reactivated for budget season. The Committee noted information explaining the purpose and benefits of the fee should be posted on the website.

Rittenhouse Road Culvert Replacement Project Update – Township Engineer Tom Zarko noted that Public Works staff addressed the damage to the culvert project resulting from the tropical storm. An inspection of the impacted area revealed that it was properly restored. Mr. Zarko was assembling final information, as requested by the insurance company, for an outstanding claim, associated with the incident that damaged the culvert.

Central Drive Storm Drainage Improvement Project – The contractor has been making progress, removing significant debris in the lines. The preliminary inspections reveal more significant damage than originally anticipated. Video inspection reports are expected to be submitted shortly.

Curb Repair Notification Update – Mr. Ford reported the Zoom meeting between residents and staff was beneficial with questions answered and supplemental information provided. Township staff continues to field calls from notified residents. The residents have been referred to the residents’ group in an effort to help reduce costs to those impacted.

2020 ADA Ramp Replacement Work – Mr. Zarko noted the preconstruction meeting took place with the contractor. A schedule will be submitted shortly, so area residents can be notified.

Fischer’s Park Pedestrian Bridge – Mr. Zarko reported an internal video pipeline inspection revealing wastewater treatment pipe locations were recently established in the field. This created a need to shift location of the bridge abutments. The bridge will be moved 10’ eastward to eliminate the conflict. The expected completion timeframe is November 2020.

Railing at Fishing Platform – After a recent inspection by the Township’s insurance company, it was recommended that a railing be installed around the fishing platform. Mr. Zarko will review.

Fischer's Park Bathrooms – Mr. Hillmantel reported the auto-flush fixtures were installed. The hope is that the auto-flush units will resolve the restroom vandalism.

Roadway Maintenance Program – Mr. Zarko reported that CKS Engineers entered into an agreement with RoadBotics to develop a road maintenance program for Towamencin. The application will help assess and prioritize road maintenance. RoadBotics offered to evaluate the first five miles at no cost. A formal proposal to complete an overall road evaluation will be presented to the Board of Supervisors for review.

Towamencin Avenue Street Lighting – Mr. Ford provided an update noting PSDC proposed retrofitting the existing lighting fixtures and modifying the electric service to make the system more dependable. Township staff is waiting for an implementation schedule.

Rittenhouse Culvert Erosion and Sedimentation – Mr. Hillmantel reported problems with erosion and sedimentation by the Rittenhouse Culvert, by the crossing downstream of the Candlewood Development, affecting a property on Rittenhouse Road. Mr. Zarko noted that CKS had previously reached out to PADEP to discuss potential improvements to address the erosion and sedimentation control concerns, but PADEP was not receptive. The Committee discussed potentially working with State Representatives to obtain assistance to resolve these issues.

Supervisor Littley brought up a stormwater issue at 1060 Valley Forge Road, where the property owner experiences extensive flooding after bad storms. Mr. Marino noted this was a state road, which PennDOT maintains. Supervisor Smith recommended State Representative Hanbidge's staff assist with coordinating a PennDOT evaluation and/or find out what plans may be in motion for this roadway.

Supervisor Bell inquired if the Board would be able to view a Township example of the RoadBotics application before approving the proposal. Supervisor Marino noted the first five Township miles will be evaluated for free. This sample report should provide material for the Board to review.

Municipal Separate Storm Sewer System ("MS4") Program Update

The stormwater related requirements of the Federal Clean Water Act are administered under the Pennsylvania Department of Environmental Protection's Municipal Separate Storm Sewer System (MS4) Program. In accordance with current regulations, the Township has obtained an MS4 Stormwater Permit from the PA DEP and must complete specific tasks related to stormwater issues on an annual basis, and submit a report documenting satisfactory progress. Township Engineer Mary Stover, of CKS Engineers, Inc., provided an update on the program.

The Township's MS4 Permit is required by the EPA and PADEP for stormwater discharges from urbanized areas and includes six minimum control measures and Total Maximum Daily Load/Pollution Reduction Plans for Skippack Creek for sediment and total phosphorus reduction. Ms. Stover went through the individual requirements for each control measure noting how the Township was fulfilling each.

The Total Maximum Daily Load/Pollution Reduction Plans (TMDL/PRP) for Skippack Creek were reviewed. The application for the 2018 permit was submitted in September 2017; the updated permit has not been issued yet. The Township is almost entirely within the Skippack Creek

Watershed and is required to reduce sediment and total phosphorus pollution to the creek. Towamencin Township has been working with the Skippack Alliance to create a joint municipal plan for the Skippack Creek. The five-year period to implement the TMDL/PRP begins once the revised permit is issued.

An update on the Skippack Alliance was presented. The Skippack Alliance originally included six municipalities: Towamencin, Hatfield, Lower Salford, Worcester, Skippack and Lower Providence Townships. Phase 1 included updating the modeling of the stream to establish revised sediment reduction requirements and develop large scale projects. Phase 2 included preparing a joint TMDL Plan for the six municipalities with specific proposed projects to reduce the sediment loads and an agreement to fund the projects. Lower Salford Township has since left the Alliance, noting it would be more cost effective for them to formulate a plan on their own. The remaining municipalities are currently evaluating the proposed cost distributions with a few considering withdrawing. Chairman Wilson asked what is the expected timeline for the other municipalities to make a decision to stay or leave the Alliance. Ms. Stover replied within the next month or two.

The Alliance benefits to date include a 60 percent reduction of the sediment loads with the updated modeling in Phase 1. In Phase 2, revisions to the model have further reduced the sediment loads to an overall reduction of 75 percent of the sediment load from the original TMDL Study by EPA. The updated modeling also provides greater sediment reduction for many types of projects than using the DEP's efficiency values.

Township staff is waiting on feedback from the remaining municipalities to determine if the Alliance will move forward with the preparation of a final TMDL Plan and inter-municipal agreement. If not, Towamencin will need to update the TMDL/PRP plan for the Township either on its own or in conjunction with any remaining municipalities. In either case, an updated TMDL/PRP will need to be submitted to PADEP for final review and approval. Ms. Stover noted residents who have questions should contact the Township.

Supervisor Bell asked for clarification with regard to Ms. Stover's comment that the Township's ordinance would likely need to be updated in 2022 with respect to discharge detection and elimination measures. Ms. Stover responded that the updates would be administrative in nature, outlining specifics with prohibited discharges, as well as, operation and maintenance procedures.

TYA Request for Reduction in Field Rental Payment – 2020 Pandemic

The Towamencin Youth Association is requesting a reduction in its annual Field Use rental payment due to the restrictions of field use during the COVID Pandemic. Per the agreement, TYA is to pay the Township \$20,449 this year as a contribution to field maintenance. TYA is offering a payment of \$10,000 (\$5,000 now and \$5,000 in the fall). Chairman Wilson noted the Finance Director provided a breakdown of Township associated field expenses to date, excluding labor: \$7,900 infield mix, \$4,325 lawncare spraying and treatment, and \$3,690 for fertilizer, totaling \$15,915.

Chairman Wilson suggested a compromise of \$15,915, as overall expenses will likely increase by year-end. Supervisor Bell felt this was a fair amount and balance for both parties. Supervisor Marino felt the amount was reasonable.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board authorized a reduction in TYA's field rental payment for 2020, from \$20,449 to \$15,915.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Engagement of Independent Traffic Engineer for Derstine Road Study

Due to concerns with turning movements of trucks, and following a study completed by the Township Traffic Engineer, in November 2018, the Board adopted an ordinance restricting trucks from turning on to Derstine Road from Allentown Road. Continuing reports from residents and police indicate that trucks continue to ignore the posted restrictions, and additionally, that the horizontal curve in the roadway may present a hazard from trucks traveling in either direction. Staff recommends the engagement of an independent traffic engineer to review the findings in the initial 2018 study, and to define possible and prompt actions that the Township may take to address these concerns. It should be noted, both Towamencin and Hatfield Townships utilize the same traffic engineering firm, McMahon Associates. An independent traffic engineer is being recommended to eliminate any potential conflict.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board authorized staff to seek a proposal for the engagement of an independent traffic engineer to review the Derstine Road Study and to define possible action the Township may take to address this matter.

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

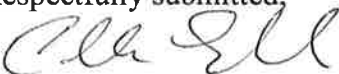
Voting No: N/A

Abstaining: N/A

Absent: N/A

There being no additional business, the meeting adjourned at 8:21 pm.

Respectfully submitted,



Colleen Ehrle

Assistant to Township Manager