

**Towamencin Township
Board of Supervisors
Monthly Meeting
December 22, 2021
7:30 PM**

Present:

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

Staff:

Donald D. Delamater, Township Manager
Jack Dooley, Esq., Township Solicitor
Mary Stover, Township Engineer
Clayton Reed, IT Director
Jeff Kratz, Police Lieutenant

Present Remotely:

Colleen Ehrle, Assistant to Township Manager

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

Recognition of Supervisors – Daniel G. Bell and Daniel M. Littley, Jr.

Commendations were prepared and presented to Supervisors Bell and Littley for their service to the Township during their respective terms as Township Supervisors. Chairman Wilson read both commendations. Supervisors Smith, Wilson and Marino each took turns recognizing Supervisors Bell and Littley's contributions and shared their well wishes as they conclude their terms.

Supervisor Bell expressed his gratitude for his time serving on the Board and thanked his fellow supervisors, Township staff, family and friends. Supervisor Bell wished the future Board members well in their new roles, offering words of encouragement.

Opening Comments

Chairman Wilson made the following announcements:

- This meeting is being held in person at the Township's Meeting Hall and also provided via Zoom, for residents unable to attend in person. As accorded by law and notice, public comments submitted by 4:30 pm on the meeting day will be read at the start of the meeting. For those physically present, public comment is available at the start of the meeting.

- In accordance with the Pennsylvania 2nd Class Township Code, the Board of Supervisors will meet on Monday, January 3, 2022, at 7:00 pm to re-organize.
- The Board met in executive session prior to this evening's meeting to discuss personnel matters.

Public Comments

Chairman Wilson read the emailed submissions, with summaries below.

Resident Jacqueline ter Kuile, of 1901 Old Forty Foot Road, commented, private for profit companies have the authority to raise rates in the interest of their principals, not the citizens of Towamencin, who they would service. She referenced other municipalities and their residents opposition to such sales, and advocated for municipal ownership. I urge the Board to decide in favor of what is truly best for the human beings that live in this Township.

Resident Maureen Sabo, of 1325 Stonybrook Lane, commented, I do not support the sewer sale.

Resident Judith Miller, of 2024 Spring Valley Road, commented, I do not support selling our sewer authority. Please don't make this mistake. I'm on a fixed income. Take a moment to look around at other communities who have sold their sewer authorities to for-profit businesses. Don't do it for the quick buck, taxpayers' sewer bills could increase 3x what it is now.

Resident Tina Gallagher, of 117 Misty Meadow Lane, commented, It's great seeing the progress at Detwiler and Gehman Rds. This Amazon thoroughfare will be safer. I hope we can see the same action at the dangerous curve on Allentown Road.

Resident Rebecca Calarco, of 586 Woodlawn Drive, commented, I am opposed to the sale or lease of our sewer system with concerns about the long term, negative impacts from a sale. What assistance will become available to residents on fixed incomes, especially seniors once rates significantly increase? I struggle to understand the direct benefit a sale will have on residents.

Resident Kofi Osei, of 105 Cambridge Way, commented he was unsatisfied with the methodology and conclusion of Chief Troxel's presentation on crash data along Allentown Road at the last meeting. PennDOT classifies the stretch of Allentown Road, from Reinert to Forty Foot, as an "Historic High Risk Road Segment" using data prior to 2017. PennDOT noted they are adding more signage and will do a traffic study to see what else could be changed about the curve. He would like PennDOT to have a public hearing in Towamencin. Mr. Osei is still opposed to the sale/lease of our sewer system.

Resident Sue Rieck, of 2305 Coventry Way, commended the work involved in the beautiful holiday light displays at Fischer's Park and appreciated the Township doing this each year for the community.

Resident Rakesh Godhania, of 1017 Thorndale Drive, requested an update/timeline and the prioritization of future basketball courts, referencing Township discussions for soccer fields at Nash, shade for park equipment at Fischer's Park, pavilions and pickle ball courts and other items that are moving ahead of basketball courts that do not exist in our township the way they exist in neighboring townships.

Chairman Wilson replied basketball courts are planned at Grist Mill Park, subject to grant funding.

In-Person Public Comment Summaries:

Resident Diana Kelly, of 1484 W. Main Street, expressed her concerns about the traffic implications and the intended density (four sets of four townhomes) for the proposed Belfair Square land development, located off Welsh Road, referencing the following: lack of overflow parking, impacts when extra guests enter/exit the property from/onto Welsh Road, the existing am/pm rush backups and recommended a traffic analysis be included as part of the development.

Resident Martin Cohen, of 18 Westhampton Way, acknowledged the retiring Board members, and noted his concern with how a private company would recoup their purchase price via adjusting sewer rates, if the sewer system was sold, adding any projects funded by a sale would be paid by residents. He suggested waiting 10 years to observe local trends with other sewer authority sales.

Jeff Baer, resident and President of the Towamencin Youth Association, thanked Supervisors Bell and Littley for their time and contributions during their time on the Board. Mr. Baer acknowledged Supervisor Bell, as the Township's TYA liaison, emphasizing his energy, enthusiasm, and concern for their programming within a fiscally responsible context.

Nora Donaldson, of 18 Westhampton Way, shared her personal experience while living in Florida and contending with black sludge in her water supply and how she was at the mercy of the private utility, causing her to move. She commented the interest of private companies is profits, not the welfare of residents, and found no upside to a potential sewer sale.

After the public comments, Chairman Wilson invited Supervisor Littley to share any final words. Supervisor Littley commended the Township's staff past and present for their outstanding work and emphasized a Township Supervisor must put their heart into the role.

Approval of Minutes: December 8, 2021

December 8, 2021 minutes were deferred to a future meeting.

Zoning, Subdivision and Land Development

Resolution No. 21-34: Final Plan Approval Dock Woods HealthCare Facility

Living Branches submitted a land development application for a 17,540 square foot building addition proposed for the Dock Woods Health Care Facility with associated site improvements to accommodate the proposed expansion. The proposed plan received preliminary plan approval on September 8th and the final plan presentation was made at the December 8th Board meeting.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution No. 21-34, Final Plan Approval Dock Woods HealthCare Facility.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Franklin Storage Brick Façade Request

As part of the land development approvals and the Towamencin Village Land Use and Design Manual for the new Franklin Street storage facility, they are required to construct the building and decorative fencing with actual clay brick. Due to a construction issue with the building's foundation, the developers have requested the Township consider the brick material be replaced with an EIFS or simulated brick façade. Eric Gehring, of Kramer + Marks Architects, representing the developer, provided an overview to the Board with updated design renderings featuring the EIFS product.

Chairman Wilson explained the Franklin Storage development was approved based on the submitted architectural choices and that recent projects in the Village Overlay District have followed the brick standard. The Board emphasized the potential precedent set if they made an exception to the standard now as it would impact current and future projects in the District. The consensus of the Board was not to allow the EIFS materials in lieu of brick.

Old Business

None

New Business

Warrant List

The December warrant list was presented for approval. On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved the warrant list in the amount of \$1,221,508.79.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Public Works Committee Report

The Public Works Committee meets on a monthly basis to review projects and identify deficiencies related to Township infrastructure, properties, and equipment. The Committee met on December 16th. Supervisor Marino provided the Committee's report with the following topics reviewed:

- 1540/1556 Kriebel Road storm sewer replacement project, bid release expected this winter
- 1060 Valley Forge Road drainage concerns – PennDOT notes work to begin in early 2022
- 2010 Trumbauer Road drainage concern – Township Engineer to propose options
- Central Drive Storm Sewer System Repair Project – bids to be released in winter 2022
- Keeler Road Bridge Repair Project – start date January 3rd
- Kerr Road speed hump request
- Trail Interconnection Project – Grist Mill Park and Grist Mill Drive
- Nash Elementary School Future Field – TYA request soccer field over softball field
- 2022 Paving and ADA Ramp Replacement Project Update
- Brake retarder restrictions and signal timing concerns along Forty Foot Road
- Montgomery County bridge improvement projects – 4 Township bridges could be included

- Greenspace/Landscape/Signage Improvements at PA Turnpike right-of-way areas
- Storm Sewer System - developing a potential long-term maintenance plan
- MS4 Program update
- 868 Orchard Lane – storm sewer pipe settlement issue
- Allentown Road Culvert Replacement Project
- 309-Connector Project Update
- Allentown Road – traffic concerns by Thorndale Development
- Kerr Road drainage concerns
- PennDOT's 5-year Resurfacing Plan
- Kriebel Road Parking Lot Project
- Rittenhouse Road Culvert complaint – inspection completed

Sewer System Monetization Status Report

As part of the Township's ongoing exploration of a possible sale of its sewer system, at the Board's request, PFM Financial Advisors provides monthly progress updates. Chairman Wilson read the September report. Recent events included:

- Continued drafting necessary bidding documents including but not limited to the; Asset Purchase Agreement & Schedules, Asset Lease Agreement & Schedules, and the Request for Bids.
- On November 24, the Township distributed a second draft of the APA & ALA schedules to bidders for review and comment.
- On November 29, the Township received its second round of comments from bidders.
- On December 6, the Township received its second round of comments from bidders in connection to the APA & ALA schedules.
- On December 11, the Towamencin Municipal Authority authorized the release of the RFB.
- On December 15, the Township facilitated bidder calls for additional system/user due diligence.

Immediate next steps include:

- Continue fielding due diligence questions received, and populating the data room as necessary.
- Continue drafting the various required bidding documents.
- The tentative timeline calls for a review of the bidding documents by the Board at their December 22nd meeting, followed by the release of the RFB in the days thereafter.

Authorization to Release RFB for Sewer System

Another part of the Township's ongoing exploration into the possible sale of its sewer system is to determine the value of the sewer system assets. The next step is to release a Request for Bids (RFB) to the previously identified five potential bidders. It is the view of the Board that an informed decision - as to whether or not to keep, sell or lease the sewer system - can not be made until formal bids are received. This is part of the process to evaluate if the sale of the system makes sense to the Township financially.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board authorized releasing the request for bids for the sewer system.

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

Resolution 21-35: 2021 Budget Amendment

The Second Class Township Code provides that the Board of Supervisors may, by Resolution, amend the Operating and Capital Budgets transferring unencumbered appropriations from one account to another. The Finance Committee has closely monitored revenues and expenditures throughout the year, and based on a year-end projection prepared by staff, it has been determined that certain budget line items need to be amended in the 2021 Budget as we close out the year.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 21-35, 2021 Budget Amendment.

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

Resolution 21-36: Adopt 2022 Budget

The Towamencin Township Supervisors authorized the advertising and release for public inspection of the Township's 2022 Budget at its November 23, 2021 meeting. This resolution will adopt the budget as presented with a slight modification to include sludge removal revenues in the sewer fund. Highlights include:

- No property tax millage increase
- Sewer rental fee increase, first since 2008 – 14 years ago.
- Increase of Homestead / Farmstead Exception to \$50,000 (\$45,000 last year)
- Retention of 5 percent General Fund Balance as per our Fund Balance Policy
- Increase of dedicated millage for the Fire Fund to cover the increased costs
- Continuation of Sanitary Sewer System maintenance and I&I program
- Continue robust Road Paving Program
- Increase the public works staffing level by one employee
- Upgrade to burglar and fire alarm systems for the Police, Administration and Meeting Hall Buildings
- Continue expanding special events programming at Fischer's Park during summer
- Continue extensive parks capital projects, including trail development and existing parks improvements
- Funding three significant stormwater projects throughout the Township to rehabilitate existing systems and install a new system to address major flooding problems.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 21-36, Adopt 2022 Budget.

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

Resolution 21-37: Sewer Capital Fund Transfer in lieu of “TAN”

Certain Township funds could incur temporary indebtedness in anticipation of the receipt of taxes and other revenue during the first two quarters of the year. Rather than incur the costs of a Tax Anticipation Note (“TAN”) from a bank, the Sewer Capital Fund has funds available to lend temporarily to the General, Fire, Park and Recreation and Debt Services Funds as needed in the short term. As an annual practice, staff recommends that a short-term loan not to exceed \$600,000 from the Sewer Capital Fund be made available, if needed, in anticipation of taxes and other revenue. The loan shall bear interest at the weekly variable rate computed on the basis of a 365-day year and paid monthly to the Sewer Capital Fund. The principal portion of the loan shall be repaid no later than December 31, 2022.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 21-37, Sewer Capital Fund Transfer in lieu of “TAN.”

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

Resolution 21-38: North Valley View Way Street Light District

Located near the intersection of Valley Forge Road and Morris Road, this is the Township’s only established Street Light District. Property owners within this area are assessed annually to fund the operation and maintenance of the six streetlights in this development. These lights were converted to LED lamps in 2017. The amount assessed to each property is \$35.00 annually.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 21-38, North Valley View Way Street Light District.

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

Resolution 21-39: Sewer Rental Rate

This resolution will establish the annual sewer rate of \$450 for an EDU, an increase from the 2021 rate of \$375.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 21-39: Sewer Rental Rate.

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

Resolution 21-40: Tax Levy

This action establishes the millage rate at 4.558 for 2022 to satisfy the requirements of the budget. There is no increase from 2021.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 21-40, Tax Levy.

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

Resolution 21-41: Homestead Exemption

This establishes the Homestead Exemption at \$50,000. In 2000, the County implemented the Homestead Exemption Program that allows for the reduction the amount of the assessed value of a property that is taxed by the Township. In order to participate, the property must be the primary residence of the property owner. Once a property is participating, it will remain in the program unless its status changes (i.e., sold or rented). A new buyer must register with the County in order to participate.

As part of its budget process, The Township annually determines the amount of exemption. For 2022, the Board increased this exemption from \$45,000 to \$50,000. Those participating homeowners will receive an exemption on the township portion of their tax bill only.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 21-41, Homestead Exemption establishing exemption amount at \$50,000.

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

Resolution 21-42: Farmstead Exemption

The farmstead exclusion is a similar method of targeting real property tax relief to farmers. It allows real property tax relief to farmers on the taxes they pay on farm buildings (other than the farmhouse, which receives tax relief through the homestead exclusion), as long as at least one farm owner lives on that farm. By law, if homestead exemption is offered in a taxing jurisdiction, the farmstead exemption must also be offered. The farmstead exemption rate is set by the governing body and cannot exceed the amount of the homestead exemption. This resolution establishes the Farmstead Exemption at \$50,000.00.

On a motion by Supervisor Littley, seconded by Supervisor Marino, the Board approved Resolution 21-42, Farmstead Exemption.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Resolution 21-43: Adoption of 2022 Fee Schedule

This establishes the fees charged for various permits and Township services, including zoning, land development, building, fire suppression systems, etc.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 21-43, Adoption of 2022 Fee Schedule.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Resolution 21-44: Investment Policy

At the recommendation of the Township Appointed Auditors several years ago, the Finance Committee prepared an "Investment Policy" that was subsequently approved by the Board. The purpose of an Investment Policy is to establish cash management and investment guidelines for the stewardship of public funds under the jurisdiction of Towamencin Township. It is the policy of Towamencin Township to invest its funds in a manner that will provide the highest investment return with the maximum security while meeting the daily cash flow needs of the Township and to comply with all state statutes governing the investment of public funds. In accordance with the recommendation of the auditors, the policy is reviewed annually.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 21-44, Investment Policy.

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

Voting No: N/A

Abstaining: N/A
Absent: N/A

Comcast Cable Franchise Renewal Negotiating Proposal

The Township’s Franchise Agreement with Comcast is up for renewal, and we have received a proposal from The Cohen Law Group (“CLG”) to assist in a franchise fee audit and cable franchise renewal negotiations with Comcast. The Proposal includes the scope of services for this project as well as the cost of services on a flat fee basis based on the number of other Montgomery County municipalities participate in this negotiating process. Towamencin is one of 15 municipalities that are eligible for renewal and received this proposal.

On a motion by Supervisor Littley, seconded by Supervisor Marino, the Board approved Comcast Cable Franchise Renewal Negotiating Proposal.

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

Police Department – Acceptance Donation Request

The Police Department recently received a \$250 donation from Dunkin Donuts (Sanjay & Kinnari S. Patel) and a \$300 donation from Mainland Grille (Mainland Golf, Inc.). The Board must consider acceptance of these gifts in accordance with the Township’s donation policy.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved of the Police Department’s acceptance of these donations.

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

The Board wished residents a happy and safe holiday season.

There being no additional business, the meeting adjourned at 9:01 pm.

Respectfully submitted,



Colleen Ehrle

Assistant to Township Manager