

**Towamencin Township
Board of Supervisors
Work Session
October 13, 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
Tom Zarko, Township Engineer
Niral Modi, IT Staff
Timothy Troxel, Chief of Police
Colleen Ehrle, Assistant to Township Manager

Present Remotely:

Brooke Neve, Assistant Township Manager/Finance Director

Chairman Wilson called the meeting to order at 7:34 PM and led the assemblage in the Pledge of Allegiance.

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.
- The Township's fall newsletter is available on-line with mailed copies arriving shortly.
- The Township is currently working on a master plan for the Veterans Memorial Park and is looking for your help to shape the future of the new park. A flyer and link to the public opinion survey is now available on the Township's website.
- The Board met in Executive Session prior to this evening's meeting to discuss legal and personnel matters.

Public Comments

Chairman Wilson read the emailed submissions, summaries below.

Residents Maureen McGowan, 1381 Village Way, and Patricia Romano, 1500 Ide Drive, requested that the Board of Supervisors vote on a commitment to mail notices for both the meeting to decide whether the bids are worthwhile and the meeting to actually decide on a bid if any are kept.

Resident Rames Condon, 1370 Anders Rd, suggested the following traffic improvements to the Board and staff: add several speed humps on Kriebel Road, before and after 476 overpass; stop signs at 3 sides of intersection of Kriebel and Anders Roads, speed humps on Anders Road to mitigate speeding (since this is a cut-through), add traffic signal to Kriebel and Sumneytown Pike intersection, add sidewalks from Anders Road to Kriebel Road connecting neighborhood across 476 overpass to allow more walkability, increase sound wall by overpass of 476.

Chairman Wilson responded that the Police Chief was in the audience to note the speeding issues and that some of these areas were reviewed prior. It may be necessary for the traffic engineer to review. He added it would be difficult to add a traffic signal to Kriebel and Sumneytown Pike, with the existing signal at Troxel and Sumneytown Pike. He noted that a previous recommendation was to restrict left turns from Kriebel Road onto Sumneytown Pike.

In-Person Public Comments:

Resident Kofi Osei, 105 Cambridge Way, critiqued the Board of Supervisors' fiscal planning with respect to the sewer rates when not accounting for the following: operational risks, Upper Gwynedd separation agreement effects, staff turnover, and value-added services provided by TMA. Mr. Osei theorized rate increases of 1-2 percent over time made better fiscal sense. Mr. Osei reiterated his request that any bid presentation and meeting to vote to commit to a bid should be advertised to residents through the mail.

Chairman Wilson responded that anticipating capital expenditures and not raising rates until its necessary does not equate to poor fiscal planning. Mr. Wilson reiterated the Board is not committed to proceeding with a sale, but will move through the process to understand the system's valuation so that a financial analysis can be performed to assess the financial impact to Township taxpayers and ratepayers.

On a motion by Supervisor Wilson, seconded by Supervisor Bell, the Board authorized staff to mail a letter from the Board explaining the process, including their commitment to provide mailed notices to each household of any townhall or special meeting when the bidding information is available to present to the public.

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

Approval of Minutes: September 22, 2021

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the September 22, 2021 minutes.

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

Zoning, Subdivision and Land Development

Amazon Zoning Lot Declaration Agreements

Amazon was required to acquire right-of-way acquisitions in order to perform necessary intersection improvements as a condition of their land development process. As part of the development approval, it was understood that the Township and property owners desire to recognize the property for purposes of future land development without regard to the loss of acreage resulting from the conveyance of a right-of-way and easement. Therefore, the Board must affirm the execution of the Zoning Lot Declaration Agreements for 1513 Gehman Road, 1500 Gehman Road, and 2080 Detwiler Road.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board affirmed the execution of the agreements.

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

ZHB 2021-05: Verus Partners, Delp Drive – Special Exception

A Special Exception Application has been made to the Zoning Hearing Board by Verus Partners LLC to permit the proposed access road to cross the required 50-foot margin of the stream that traverses the only portion of the property from which access can be obtained.

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

ZA 2021-03 – Dock Mennonite Academy – Text Amendment

Dock Mennonite Academy has submitted an application to the Township for a Zoning Ordinance Text Amendment. The proposed improvements include a 47,851 square foot addition to an existing auditorium building, a 2,101 square foot addition to a classroom building, a bus loading and drop-off area, a loading/trash area and additional parking. The proposed zoning text amendment is to permit the increased height of a portion of a building in the IN District and to permit loading berths by conditional use in the front of a building, where the property has two street frontages and the loading berth is set back a minimum of 200 feet.

Carl N. Weiner, Esq., representing the applicant, presented an overview of the proposed improvements and proposed text amendment to the Board.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved scheduling a review before the Township and County Planning Commissions, followed by a public hearing before the Board of Supervisors.

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

Old Business

Holiday Inn Cemetery – Appraisal Authorization

In August, the Board authorized staff to investigate the process for acquiring an abandoned cemetery, located behind the Holiday Inn. It was determined that eminent domain should be used to acquire this cemetery, as done similarly when the Township acquired the Tennis-Lukens Cemetery. Township Solicitor Jack Dooley explained when there is no apparent owner, the eminent domain process is used to acquire the property, allowing the Township to buy the property at fair market-value. Performing an appraisal begins the process for determining its worth. Indian Valley Closing Services provided an appraisal estimate between \$1,200-\$2,000.

Supervisor Smith asked how does the Township pay the appraised property value if the owner is unknown. Solicitor Jack Dooley responded that the Township would not have to pay if no owner is determined.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board authorized an appraisal of the cemetery and proceed acquiring via eminent domain.

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

New Business

Forty Foot Road Widening Project Change Orders

As we near the end of this project, our consultant McMahon Associates is providing three change orders for review and consideration. They involve additional work necessary to accommodate and remediate utilities, additional work required by PennDOT field representative involving additional over excavation and backfill to fulfill Highway Occupancy Permit obligations, and general balancing of overruns and underruns from the bid quantities. Sean Hughes from McMahon Associates reviewed the details of the change orders. Supervisor Marino confirmed details of the change orders with Mr. Hughes.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved change orders 3, 4 and 5.

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

Small Wireless Facilities Draft Ordinance Review

On June 30, 2021, Act 50, titled “Small Wireless Facilities Deployment Act,” was signed into law by Governor Wolf. Act 50 preserves municipal authority over defined “small wireless facilities” in the public rights-of-way. However, municipalities must enact new or amend existing ordinances to comply with the requirements of the Act. Solicitor Dooley drafted an ordinance to comply with these requirements and provided an overview of the regulations and standards for these facilities.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board authorized staff to advertise the draft ordinance upon reviews with the Township’s Planning Commission.

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

Resident Joseph Silverman, of 1325 Reiff Road, asked if these facilities were associated with 5G technology. Solicitor Dooley responded that it was his understanding the legislation was passed due to the increased demand of 5G wireless technology.

2020 Audit Presentation

The Township’s appointed auditor Maillie LP completed the Township’s 2020 audit. Dale Umbenhauer, from Maillie LP, provided a brief presentation of the Township’s 2020 audit, highlighting the Township’s net position, changes in net position, general fund budget versus actual, and a review of governmental fund balances.

Supervisor Bell commended Brooke Neve, Assistant Township Manager/Finance Director, and the Township’s administration team for all their work involved in the audit preparation.

Website Update Preview Presentation

Township staff, along with our consultant Catapult Web, have been working on creating an updated Township website. Township IT Director Clayton Reed provided a preview of the future website, referencing updated and new features. William Schwartz, of Catapult Web, was also in attendance. Mr. Reed explained the website will allow for more staff members to provide updates to pages of interest.

The Board was positive in their feedback and looked forward to the updated website. Supervisor Marino suggested a “related links” menu similar to the existing website, if one did not exist. Mr. Schwartz noted that would be easy to incorporate.

Skippack Creek Interceptor Televising and Investigation Project Award Bid

In August, the original bid associated with investigation, repair and rehabilitation of the Skippack Creek Interceptor was rejected. The Sewer Committee recommended and the Board authorized re-bidding only the televising and investigation portion of the project to determine what repairs are necessary before re-bidding the repair component. PA Small Water and Sewer Grant Program representatives confirmed it was acceptable to divide the project into separate bids. The televising and investigation work bids due October 7th. Gilmore Associates compiled the bid results, recommending an award to Sewer Specialty Services Company, Inc. in the amount of \$152,498.00.

TJ Figaniak from Gilmore Associates reviewed the bid submission, award recommendation, scope of the project, and timeline. Supervisor Marino asked what would be the completion time frame. Mr. Figaniak replied 60 days for substantial completion, 90 days final completion. Mr. Marino asked when would the repair and rehabilitation scope of work be available. Mr. Figaniak replied in early 2022.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board awarded the bid to Sewer Specialty Services Company, Inc. in the amount of \$152,498.00.

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

Boy Scout Troop 51 Proclamation

2020 marked the 100th anniversary of Boy Scout Troop 51’s existence. Although located in Hatfield Township, many young men from Towamencin Township are members of Troop 51 and the Township has benefited from the many Eagle Scout projects completed within our Township borders. They were unable to celebrate this milestone last year and are now recognizing their Centennial Celebration on October 17, 2021. A proclamation has been prepared recognizing the milestone and Township Manager Don Delamater will present it at the Troop’s celebration.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved the proclamation to Boy Scout Troop 51, marking their 100th anniversary.

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

Finance Committee Report

The Township Finance Committee meets on a routine basis throughout the year. The Committee monitors economic indicators and the pulse of the Township's revenues and expenditures. The Committee also addresses various requests and concerns that may arise. The Committee met on September 23rd and September 30th.

Supervisor Bell reviewed the report which included the following discussion items combined from both meetings, including: Open Space & Parks Below the Line Capital Requests, 2022 Budget assumptions, Sewer Capital 2017 Loan Payback, American Rescue Plan Act (ARPA) funding uses, outstanding principal debt graphs, on-site rental properties, rough draft of sources and uses of funds related to potential sale of sewer system, 2020 Audit Review Presentation, and Towamencin Swim Team Presentation. The following Committee recommendations were approved by the Board.

On a motion by Supervisor Littley, seconded by Supervisor Smith - based on recently received open space and in lieu of replacement tree fees - the Board approved the following expenditures: install shade sails at Fischer's Park tot playground and bocce courts (\$40,000), install playground at Morgan Way (\$35,000), add parking area at Kibler Meadows (\$15,000), remove dead trees along trails and edges of park woodlands (\$35,000), and begin infrastructure installations at Butch Clemens field (\$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

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved paying off the Sewer Capital 2017 Loan in 2021 in the amount of \$33,735.54.

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

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the following projects as part of American Rescue Plan Act funding: Central Drive Storm Sewer Improvements (estimated costs \$316,700), Weikel Road Drainage Project (estimated costs \$115,540-\$479,965), and 1540 and 1532 Kriebel Road Drainage Project (estimated costs \$350,000).

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

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board authorized the Township's Public Works staff to inspect the rental unit and provide an estimates for the needed work, noting if work can be done in-house or outsourced.

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 21-31: PECO Green Region Grant Application

Municipalities could receive grants of up to \$10,000 as part of PECO's Green Region Open Space program. Applications are being accepted through October 19th for the grants program, administered by Natural Lands. The grants are designed to assist municipalities, recreational authorities and nonprofits with their open space projects. This resolution authorizes the submission of an application seeking \$10,000 for construction of the pedestrian multi-use trail that will run from Valley View Way to Trumbauer Road, along the Kriebel Road sanitary sewer interceptor line. The majority of this trail cost is funded by a TA Set-Aside Grant.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 21-31, PECO Green Region Grant Application.

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

Additional Business

Supervisor Littley appealed to parents to keep their children safe by having them wear reflective clothing and gear, when riding bikes at night, emphasizing the hazard with it getting dark earlier.

There being no additional business, the meeting adjourned at 8:59 pm.

Respectfully submitted,



Colleen Ehrle

Assistant to Township Manager