

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

Present:

H. Charles Wilson III, 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
Niral Modi, IT Staff
Timothy Troxel, Chief of Police

Present Remotely:

Brooke Neve, Assistant Township Manager/Finance Director

Absent:

Daniel M. Littley, Jr., Vice Chairman
Colleen Ehrle, Assistant to Township Manager

Chairman Wilson called the meeting to order at 7:32 PM and led the assemblage in the Pledge of Allegiance.

Awards & Recognition

Lifesaving Award Presentation

Chief Troxel recognized the lifesaving actions taken by a group of 12-year old friends, when one experienced a medical emergency. On August 4th, after buying snacks from Royal Farms, one of the boys began choking on his snack and was unable to breathe. Another boy recognized his friend was having a medical emergency and responded. He recalled a YouTube video he recently watched on what to do in such an emergency. He directed another friend to call 911, and immediately began administering back slaps and chest thrusts, which quickly dislodged the item allowing his friend to breathe again.

Chief Troxel presented the lifesaving award to the boys for their fast-acting instincts to help their friend. The Board commended the young citizens on their lifesaving actions.

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.
- On Saturday, September 11th, we held our annual Towamencin Community Day. We thank all the groups and vendors who participated and made it a great day. We also want to thank our Veterans, emergency responders and boy scouts who participated in the 911 remembrance on its 20th anniversary.
- Come out to our Fall Movie and Concert Event on Friday, October 1st, featuring performers Lolly and Yoyo, a dog costume parade, and the movie Hocus Pocus.

Public Comments

Chairman Wilson noted the FAQ is now complete and will be added to the website by the following morning and that there is also a table of contents reference page to help users find specific documents of interest. Mr. Wilson addressed information on social media inferring the Board will not hold public meetings with respect to the sewer system bidding/evaluation assessment. The Board has not decided on specifics with respect to public meetings or how notification will be provided. He reviewed the timeline noting the release of bids would be a part of a public meeting in either November or December, with a public presentation review of bid submissions in January or February.

Chairman Wilson read the emailed submissions, with summaries below.

Resident Rory Kelley, of 325 Central Drive, followed up on an approved March 2020 Inglewood traffic proposal questioning if a formal evaluation was conducted. He expressed his concern for the safety of residents, especially kids. The traffic issues have resurfaced with school back in session, with vehicles speeding and regularly rolling through stop signs at the intersections of Woodlawn and Columbia, Oak and Columbia and Central and Columbia, and cut throughs from Main Street, Valley Forge and Allentown Roads. He requested a permanent solution to this issue, suggesting the inclusion of resident interviews in any formal studies.

Chairman Wilson responded the traffic study was postponed due to significant reductions of traffic due conditions caused by the pandemic and summer seasons. The traffic study will be scheduled.

Richard Schneider, of 705 Abbey Lane and 40-year resident, noted his opposition to selling the sewer system, preferring sewer fees be raised, describing selling it as a short-term solution.

Tina Gallagher, 117 Misty Meadow Lane, requested continued transparency and accessible information on the Township's webpage. She noted an FAQ was not provided and no response was provided for town hall meeting or mailing requests. She questioned why sewer rates were not increased as costs for the sewer system increased during the years 2005-2015, referencing data from the 2018 cost study, and asked how this effected the Township's debt. She thinks selling the sewer will come at a high cost for residents, who should not have to pay for previous mismanagement. She recommended the Township maintain control and raise the sewer rates.

Chairman Wilson responded that the FAQ would be available the next morning and that meetings and townhalls have not been decided yet. Mr. Wilson clarified the 2018 cost study reflects capital expenditures, not operating expenses. He added the Township did not raise fees during that period, as there was no need to, adding the sewer rental fees covered operational costs of the plant and collection system, debt service, contribution to the capital reserve, Township overhead, and a surplus into sewer capital fund. Mr. Wilson touched on the separation of Upper Gwynedd Township as a partner in 2015 and as a customer in 2021 in reference to the sewer system responsibilities for capital expenditures and loss of revenue. Mr. Wilson noted the sewer authority rate does not influence the Township debt.

In-Person Public Comments:

Resident Kofi Osei, of 105 Cambridge Way, thanked the organizers of Towamencin Day. He apologized for his previous statement about the Township's practice to borrow from the sewer authority, rather the Township borrowed from their sewer capital fund, essentially borrowing from itself. He noted sewer rates not being raised since 2007 reinforces a lack of basic fiscal planning with capital improvement costs referenced as a basis for a potential sale.

Mr. Osei found it inappropriate for two Township Supervisors to also serve on the Municipal Authority Board, with the same individual acting as solicitor for both entities, adding the setup creates the potential for conflicts of interest and perverse incentives. He is not convinced the Board is trying to be forthcoming about the monetization process and questioned why the Board would not explore other options to fund future capital expenditures first. Mr. Osei reiterated his request that the Board commit to a Townhall meeting, with mailed notification, prior to voting on bids.

Chairman Wilson responded that there seems to be confusion with the sewer system being in great shape and the changing regulations that may impact future significant capital expenditures, adding it is not evidence of mismanagement. He added townhalls would not take place before bid submissions are received. They need information from bid evaluation process to present. We can commit to multiple meetings in January in February after an evaluation of the system is available. The notification of meetings has not been determined to date.

Resident Martin Cohen, 18 Westhampton Way, reiterated he is not comfortable with sale of sewer system, not in favor of privatization, and believes it is a government entity. He noted difficulty in hearing the Chairman and critiqued the overall sound of the Meeting Room, describing it as an echo-chamber, and asked for improvements to the sound quality.

Chairman Wilson requested staff to check the Meeting Hall's audio quality and acknowledged the sound challenges of the room.

Approval of Minutes: September 8, 2021

On a motion by Supervisor Bell, seconded by Supervisor Smith, the Board approved the September 8, 2021 minutes.

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

Zoning, Subdivision and Land Development

Amazon – TCO Extension/Right-of-Way Status Update

As a condition of the land development process, Amazon was required to make certain improvements to portions of Gehman and Detwiler Roads in order to accommodate increased truck traffic generated by its new facility. As right-of-way needed to be obtained, the Township granted a temporary certificate of occupancy (TCO) in 2019, with multiple extensions, allowing Amazon to commence operations while addressing the roadway improvements. The Board granted its last extension for September 22nd. Darwin R. Beauvais, Esq, representing Amazon, with Dan Fuchs, Senior Manager of Amazon, were present and provided a summary of the pending land acquisitions and construction timeline for the noted rights-of-ways.

The closing date for the private land acquisitions is scheduled for October 1st with construction to start in 2 to 3 weeks, lasting approximately 8 weeks. Chairman Wilson suggested Amazon representatives provide a progress update at the Board’s December 8th meeting. The representatives were agreeable to provide an update at the Board’s December 8th meeting.

On a motion by Supervisor Smith, seconded by Supervisor Bell, the Board granted the TCO extension to December 31, 2021.

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

Amazon – Right-of-Way Evening Construction Request

As part of the approved project, Amazon must perform improvements to the Gehman/Detwiler Roads intersection. Amazon’s contractor has requested to work at night (5-7 day period) to install the storm drainage improvements at the intersection. Supervisor Marino recommended any saw-cutting or jackhammering work be done during daytime hours, due to the loudness of such work. Dan Fuchs, Senior Manager of Amazon, responded that was a reasonable request.

On a motion by Supervisor Smith, seconded by Supervisor Bell, the Board approved Amazon’s evening construction request.

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

Liberty Paving – Sketch Plan Review

A revised sketch plan was submitted by Liberty Paving Company for proposed land development. The overall site consists of approximately 0.82 acres and is located on the southerly side of Detwiler Road, near the intersection of Wambold Road within the “LI – Limited Industrial” zoning district. The applicant is proposing to develop the property with a 4,000 square foot equipment storage and maintenance building, with office space, associated parking, and stormwater

improvements. The lot is narrow and non-conforming requiring a number of potential waivers in order to develop.

Cliff Stout, P.E. of STA Engineering, Inc., representing the applicant, introduced owners Will and Delores Harris. Mr. Stout reviewed the updated plan, outlining modifications made from the previous plan. Mr. Stout focused on waivers related to sidewalks, parking, adequate maneuvering space, pedestrian paths, required loading and recommended trash refuge areas.

Chairman Wilson asked how many employees would work at the site. Mr. Harris noted maybe six, but some will carpool. Supervisor Marino recommended removing the bullnose radius islands to help with the site's maneuverability. Mr. Stout was appreciative of this suggestion. The Board had no major concerns with the waivers noted by Mr. Stout.

Planet Fitness PSDC - Evening Construction Request

Planet Fitness is scheduled to have an awning installed over the entrance door and will need to do so outside their operation hours. PSDC has submitted a request to allow the awning installation work after 9 pm on a Friday night, outside the Township's required construction hours.

Chairman Wilson asked Township Engineer Mary Stover if the awning was a part of the approved building plan. Ms. Stover responded she figured it was on the building plan and would confirm it was an approved feature.

On a motion by Supervisor Bell, seconded by Supervisor Smith, the Board approved Planet Fitness (PSDC)'s evening construction request, contingent that the awning is a part of the approved building plan.

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

Old Business

Matteo Real Estate Group – Amended Stipulation of Settlement

In 2006, a stipulation agreement was reached and executed, allowing for a C-2 Vehicle Sales use at 1740 Sumneytown Pike. At the Board's August 11th meeting, the property owner reported that he has leased the property to Avis/Budget car rental and requested a change to stipulation agreement 2006-20632 pertaining to hours of operation and signage. The Board approved the requested changes and authorized the solicitor to prepare the appropriate amendment to the agreement. The amended stipulation of settlement agreement has been prepared by the solicitor and signed by Matteo Real Estate Group.

On a motion by Supervisor Smith, seconded by Supervisor Bell, the Board approved the amended stipulation of settlement.

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

Voting No: N/A
Abstaining: N/A
Absent: Daniel M. Littley, Jr.

New Business

Warrant List

The September warrant list was presented for approval. On a motion by Supervisor Bell, seconded by Supervisor Smith, the Board approved the warrant list in the amount of \$1,618,209.89.

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

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 September 16th. Supervisor Marino provided the Committee's report with the following topics reviewed:

- Weikel Road Drainage/Pedestrian Walkways Improvement Project – October 12th Meeting
- 1540 Kriebel Road Storm Sewer Drainage Issue – Status Update – Budget Workshop
- 1060 Valley Forge Road Drainage Concerns – PennDOT in touch
- 2021 Road Paving & ADA Ramp Replacements Updates – still no paving schedule from Allan Myers
- Pennsylvania Turnpike Right-of-Way Landscape Improvement Areas
- Cemetery (behind Holiday Inn) - Acquisition Intention & Maintenance
- Derstine Road Truck Traffic
- Hurricane Ida Clean-up and Repairs Status Update
- 1556 Kriebel Road Drainage Concerns
- Reviewed and recommended approval of lighting proposal for flagpole at Veterans Park

On a motion by Supervisor Marino, seconded by Supervisor Bell, the Board approved Armour & Sons' proposal in the amount of \$2,873 to install a LED mounted light to illuminate the flagpole.

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

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: continuing drafting the necessary bidding documents, and to begin drafting an FAQ to help address questions from the public.

Immediate next steps include: continue fielding due diligence questions received from the bidders, and continue drafting the various required bidding documents.

Police Building Roof Replacement - Change Order

The police building roof replacement is complete. Additional materials and work beyond the scope of the contract were required and recommended by the building inspector, including: 42 sheets of plywood replacement, 16 feet of roof rafters and a downspout extension to prevent future water deterioration problems. All materials outlined in this change order were recommended and inspected by our building inspector while the project progressed. The change order work is \$6,992.00. The original bid of \$85,100, plus the \$6,992 change order is still below the project budget of \$100,000.

On a motion by Supervisor Smith, seconded by Supervisor Bell, the Board approved the change order to the Police Building Roof Replacement Contract.

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

Resolution 21-30 - PEMA Reimbursement Agreement – Authorize Signature

In 2020, the Township's Police Department was asked to assist in responding to civil disturbance and unrest in Pennsylvania, primarily in Philadelphia. PEMA has received funding from the U.S. Department of Justice to mitigate the emergency costs incurred by the law enforcement response. The Township incurred \$11,187.35 in costs. The Board must approve a resolution authorizing the Township Manager to execute the reimbursement agreement to recoup this expense.

On a motion by Supervisor Smith, seconded by Supervisor Bell, the Board approved Resolution 21-30, PEMA Reimbursement Agreement – Authorize Signature.

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

There being no additional business, the meeting adjourned at 8:47 pm.

Respectfully submitted,



Colleen Ehrle
Assistant to Township Manager