

**Towamencin Township  
Board of Supervisors  
Monthly Meeting  
March 23, 2022  
7:00 PM**

**Present:**

H. Charles Wilson III, Chairman  
Richard Marino, Vice Chairman  
Kristin Warner, Treasurer  
Laura Smith, Secretary  
Joyce F. Snyder, 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:**

Chairman Wilson called the meeting to order at 7:02 PM and led the assemblage in the Pledge of Allegiance.

**Opening Comments**

Chairman Wilson made the following announcements:

- The 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.
- A reminder to those in attendance to speak into a microphone when addressing the Board - individuals not speaking into a microphone are not heard by Zoom participants.
- The Town Hall meetings to present and review the bid results and related analysis regarding the potential sewer system sale or lease will be held at 7 pm on Wednesday, April 6<sup>th</sup> and Wednesday, April 20<sup>th</sup>. Both meetings will be held at the Dock Mennonite Academy Auditorium.
- Mr. Wilson recommended residents sign-up for the Township's news notifications via the new website to keep up to date on Township news, upcoming meetings and events.

**Public Comments**

Chairman Wilson read the emailed submissions, with summaries below.

Resident Lorena Fields, of 104 Concord Drive, commented she is opposed to a sale of the sewer system and requested that a vote for the sale to be held at the end of the second town hall meeting in front of constituents.

Resident Jenn Foster, of 105 Concord Place, asked the Board to explain the format of the town hall meetings and requested that a vote on the decision about this sale be made during the April 20th meeting. I believe the board knows how the majority of the community feels, so it is incumbent upon you, as elected officials, to listen to those concerns and make your vote public immediately after the April 20th meeting in front of as many residents as possible.

Resident JoAnn Goble, of Heritage Drive in Towamencin Condos, commented she is opposed to a sale of the sewer system, adding it is prudent that the decision about our essential infrastructure be made in front of as many Towamencin residents and businesses as possible. Have business owners in the Township been notified about the Town Halls? Will the decision about the sewer system be put at the end of the agenda of the April 20th town hall?

Resident Bruce Bailey, of 506 Monroe Drive, requested a decision about the sewer system be included at the end of the agenda of the April 20th town hall.

Resident Maureen Parry, of 13 Victoria Ct, commented she is opposed to a sale of the sewer system, where a company will make a profit from the residents of Towamencin. The residents need to vote on any plan, not just a few board members. This will impact every resident that lives in Towamencin; we are already financially strapped.

Resident Tina Gallagher, of 117 Misty Meadow Lane, thanked the Supervisors for agreeing to two town hall meetings and is looking forward to the presentation and the engagement of the community. Beside the PFM presentation, I would like the Supervisors to speak as well. If you think this is a good idea sell that idea. PFM will be rewarded for the sale by the percentage they receive. Most likely this outcome will include higher rates over the years. As I have said before, a back door tax is what this appears to be; I hope you can explain how it is not.

Resident Rakesh Godhania, of 1017 Thorndale Drive, noted opposition to a sale of the sewer plant. If the sewer plant is sold where does the money go?

#### In-Person Public Comment Summaries:

Resident Kofi Osei, of 105 Cambridge Way, critiqued PFM's analysis and presentation of the sewer system monetization review of bid submission from the February 23<sup>rd</sup> public meeting. He emphasized PFM's disclosure slide that provides no guarantees to client. Mr. Osei then went through each bidder noting his opposition and skepticism, with the exception of the Franconia Sewer Authority, who he thought may be a good partner in a potential regional authority.

Gisela Koch, 703 Freedom Circle, commented her opposition to the sewer sale due to anticipated rate increases and does not see the benefits of a sale for Towamencin Condominium owners. She asked that the Board look out for the community, not just the dollar signs.

Resident Martin Cohen, of 18 Westhampton Way, noted his lack of confidence in the state’s public utility commission, emphasizing it would be the only regulatory body and is subject to lobbyists.

Resident Joseph Silverman, of 1325 Reiff Road, complimented the Township’s Public Works Department for the recent landscaping and grounds work at Firehouse Park.

**Approval of Minutes: March 9, 2022**

March 9, 2022 minutes were deferred to a future meeting.

**Zoning, Subdivision and Land Development**

**ZHB 2022-01: 107 Lakewood Drive, Pool Application within a Floodplain and Watercourse**

A resident at 107 Lakewood Drive submitted an application to the Zoning Hearing Board to construct an in-ground swimming pool within a Floodplain Conservation District, allow earth disturbance within 50 feet of a shoreline of a pond or lake and allow earth disturbance within 50 feet of a watercourse.

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

**Final Plan Review – Chipotle & Mattress Warehouse**

The Shops at Town Square is proposing to replace the demolished Boston Market restaurant with a 2,445 square foot Chipotle fast food restaurant, with a drive-through and a 4,000 square foot Mattress Warehouse. The property is located in the “C-Commercial” and the “ELO-Entertainment Lifestyle Overlay” zoning districts. On December 8<sup>th</sup>, the Board granted preliminary plan approval with conditions. Revised final plans and supporting information have been submitted to meet the conditions outlined in the preliminary approval.

The applicant’s representatives Carl Weiner Esq. and John B. Anderson, P.E. of Cornerstone Consulting, reviewed the updated plans and consultant review letters, emphasizing pedestrian modifications, including crosswalks and a bridge connecting parking areas of the shopping center. The applicant had noted they will comply with the various consultant review letters.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board authorized staff to draft a Final Plan Resolution for consideration at a future meeting.

- Voting Yes: H. Charles Wilson, III, Laura Smith, Richard Marino, Kristin Warner, Joyce F. Snyder
- Voting No: N/A
- Abstaining: N/A
- Absent: N/A

**Preliminary/Final Land Development Plan Review: Verus Partners Delp Drive**

On February 9<sup>th</sup>, the applicant, Verus Partners, provided an initial review to the Board of Supervisors for this proposed land development, where the applicant proposes the construction of a 267,648 square foot warehouse building with associated improvements, including: parking, interior circulation, exterior roadway/intersection, landscaping, stormwater management, public water and public sewer service. The applicant has returned to provide an update based on the discussions and concerns noted held at the previous meeting.

Gregory J. Davis, Esq., representing the applicant, provided a summary of the measures taken since the February 9<sup>th</sup> meeting, which included engaging with an environmental acoustics firm to address sound mitigation concerns, a sound study was completed with recommendations, met with and shared the sound study with neighbors at Dock Woods, and shared the study recommendations and updated buffering with the Township Engineer and Zoning Officer. In addition, a fiscal impact analysis plan was prepared.

David C. Babbitt presented the fiscal impact analysis plan to the Board. Bob McCormick, of Verus Partners, explained their referral process in selecting the environmental sound consultant Cavanaugh Tocci and Associates, and introduced Aaron M. Farbo of Cavanaugh Tocci and Associates. Mr. Farbo provided his background in environmental sound studies with large warehouse facilities, then reviewed the analysis process and results of the sound study. Christian J. Brown, Principal of Brown Design Corp., reviewed the updated buffering design plans incorporating the sound study recommendations, specifically locations and extent of required sound barriers, presenting several renderings of proposed improvements with existing conditions.

Dock Woods resident, John Hubbert of 759 Spring Lane, inquired about the sound barrier wall materials, questioned conformity of the proposed renderings, and inquired about tree and density specifications.

Resident Joseph Silverman raised concerns about fumes drifting from wind circulation.

Chairman Wilson asked about the status of the emergency access drive and its ease of access for emergency vehicles. Mr. Davis noted they were working with the neighboring owner and that the drive would be cleared. Supervisor Marino asked if there were any proposed tenants to date. Mr. McCormick replied there were none at this time.

The Board noted their appreciation with the applicant's work demonstrated to address the sound mitigation concerns raised by Dock Woods residents and the Board. Supervisor Marino noted existing concerns with the overall impact of traffic by the project. Supervisor Snyder noted her interest in the emergency access improvements and traffic circulation.

A discussion review of next steps included: the Township Engineer will review the applicant's recent plan submission, a final review presentation will be presented at the Board's April 13<sup>th</sup>, where the Board will consider authorizing land development approvals at the April 27<sup>th</sup> meeting.

### **Old Business**

None

## **New Business**

### **Warrant List**

The March warrant list was presented for approval. On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved the warrant list in the amount of \$1,537,998.51.

Voting Yes: H. Charles Wilson, III, Laura Smith, Richard Marino, Kristin Warner, Joyce F. Snyder

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 March 17th. Supervisor Marino provided the Committee's report with the following topics reviewed:

- 1540/1556 Kriebel Road storm sewer replacement project update
- Weikel Road Drainage /Pedestrian Walkway status update
- 1060 Valley Forge Road drainage concern – PennDOT work delays
- 2010 Trumbauer Road drainage concern – work update
- Central Drive Storm Sewer Repair Project – system evaluation for increased capacity
- Orchard Lane Storm Sewer Pipe Relocation Project status update
- Kibler Meadows Parking Lot update
- Morgan Way playground installation project
- Bocci Court drainage discussion
- 2022 Paving and ADA Ramp Replacement Project update
- 2021 Road Paving Project Status
- Greenspace/landscape/signage improvements at PA Turnpike right-of-way areas update
- Storm sewer system - long-term maintenance plan update
- Paving matrix including storm sewers and sanitary sewer projects
- Allentown Road culvert replacement & coordination with 309 Connector Project
- Traffic calming handbook draft proposal
- Inglewood preliminary traffic evaluation update
- Municipal Complex Driveway lighting evaluation update
- Allentown Road/Walton Farm School Crosswalk
- Old Forty Foot/Rittenhouse Road Intersection
- Butch Clemens Field Netting

Chariman Wilson inquired about the timeframe in moving forward with the Central Drive Storm Sewer Project. Township Engineer Mary Stover noted her firm had started looking at alternatives to increasing capacity, but suggested meeting with the Public Works Committee prior to discuss

options, before bringing it back to the Board for review. Supervisor Marino suggested meeting with the residents impacted as well.

**Ordinance 22-02: Fretz Road Truck Restrictions**

On August 25<sup>th</sup>, the Board authorized the traffic engineer to perform an engineering study to evaluate a potential truck restriction along Fretz Road, between Wambold and Tomlinson Roads. A truck restriction is currently in place on Fretz Road, between Tomlinson and Allentown Roads. PennDOT reviewed the engineering study and approved the Township’s request to restrict truck traffic on Fretz Road as noted. The associated ordinance has been prepared and advertised for consideration. Once approved, the Township will order and install the required signage.

On a motion by Supervisor Marino, seconded by Supervisor Warner, the Board adopted Ordinance 22-02, Fretz Road Truck Restrictions.

Voting Yes: H. Charles Wilson, III, Laura Smith, Richard Marino, Kristin Warner, Joyce F. Snyder  
Voting No: N/A  
Abstaining: N/A  
Absent: N/A

**Authorization to Award Contract: 2022 Roadway Improvement Program**

A total of eight bid proposals were received for the 2022 Road Paving Program on March 16th for the Township’s annual repaving program. The work includes milling, leveling and the placement of final overlay and/or other miscellaneous pavement improvement work. The low bid proposal came in at \$406,500.75. Based on the bids submitted, the Township Engineer recommends the contract be awarded to Innovative Construction Services at the bid price of \$439,945.75. This contract amount includes costs associated with property owners’ concrete replacement and sump pump disconnection work, which will be billed to affected property owners or excluded from the contract if the work is privately contracted by the property owners.

Roads included for paving: Ridgewood Way, Rittenhouse Road, Saratoga Lane/Way, Linden Way, Farm Way, Hackney Way, Tanglewood Way, Tweed Way, and Clemens Road.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board awarded the 2022 Road Paving Contract.

Voting Yes: H. Charles Wilson, III, Laura Smith, Richard Marino, Kristin Warner, Joyce F. Snyder  
Voting No: N/A  
Abstaining: N/A  
Absent: N/A

**Fire Police Request – Upper Salford**

Upper Salford Volunteer Fire Company is requesting the assistance of the Towamencin's Fire Police Unit on a mutual aid basis for traffic and safety control for their two food truck events. The events will be held on Saturday, May 7<sup>th</sup> and Saturday, June 18<sup>th</sup>, from 10:00am to 6:00pm.

On a motion by Supervisor Marino, seconded by Supervisor Warner, the Board approved Upper Salford's Fire Police Request.

Voting Yes: H. Charles Wilson, III, Laura Smith, Richard Marino, Kristin Warner, Joyce F. Snyder

Voting No: N/A

Abstaining: N/A

Absent: N/A

### **Curbing Repair Contract Cost Increase Request**

The Township has received a letter from Allan Myers, the paving contractor for the postponed 2021 road paving program, requesting a 25 percent unit cost renegotiation for the curbing work that has been completed by their subcontractor. The basis for the request is due to a significant reduction in bid quantities with only 10% of the total curbing work outlined in the bid documents was actually required. The other 90% of the curbing work was completed privately by the property owners. Under the contract, the total cost for the required curbing is \$20,235.00 and with the requested increase, the cost would be \$25,293.75.

Supervisor Marino added the delay of the project likely contributed to the unit reduction. It was the consensus of the Board not to take any action on the item.

There being no additional business, the meeting adjourned at 9:04 pm.

Respectfully submitted,



Colleen Ehrle

Manager of Administration, Communication & Human Resources