

**Towamencin Township
Board of Supervisors
Monthly Meeting
April 26, 2023
7:00 PM**

Present:

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

Staff:

David G. Kraynik, Township Manager
Robert J. Iannozzi, Jr., Esq., Township Solicitor
Mary Stover, Township Engineer
Niral Modi, IT Staff

Present Remotely:

Colleen Ehrle, Director of Administration

Absent:

Chairman Wilson called the meeting to order at 7:05 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. Public comments submitted by 4:30 pm on the meeting day would be read at the start of the meeting.
- The Board met in executive session prior to tonight's meeting to discuss real estate matters.
- The 2 % discount period for the Township and County taxes ends April 30th. You may drop off your payment in person, use our drop-box after hours, mail or pay online. If you have questions about your bill, call the tax line at 215-368-5357.
- The next Pennsylvania American Water Open House will be tomorrow afternoon, April 27, at 3 pm to 5 pm, at the Holiday Inn's restaurant, located at 1750 Sumneytown Pike. Residents and business owners are encouraged to attend to ask questions and get to know Pennsylvania American Water team and their operations.
- Towamencin Day is scheduled for Saturday, May 13th, from 12 pm – 4 pm.

Public Comments

Emailed Comments

Resident Vanessa Gaynor thanked the Board for amending the public comment policy to better clarify its intent, but expressed concerns that it is the Board's opinion that it is not a violation of the Sunshine Act to restrict the contents of citizens' speech on topics relevant to the board.

Resident Paul Andrews noted he plans to continue living in the Township another 20-30 years. He criticized last year's conclusion to sell the sewer system based on PFM projections that ten years from now, residents would be paying \$1344 for sewer service. He calculated his home's rate, under PA American, to be \$2100, emphasizing PFM's projections were wrong.

Resident Michael Miller asked the Township to confirm if the calculation for future residential sewer bills will be \$2.875 per 100 gallons of water, plus a monthly fee of \$14.30 for metered customers? If correct, he questioned when was the Township first notified of this rate calculation and why it was not previously communicated to residents. He calculated his future sewer bill to be over \$2,400 annually, grossly different than what PFM projected.

Resident Pamela Quatraro shared that when using PA American's website example, she deduced her future sewer rate would be \$2,417 annually. She knew she would be impacted financially, but thought \$700 more annually, not \$2,000 more. She asked for verification if Towamencin residents are in Zone 1, and if her bill will escalate, as approximated.

Supervisor Marino read responses from PA American Water to questions posed following the Open House on April 20 and via social media. The questions are listed below. *Full responses were posted on the Township website as news article "Sewer Sale - Additional Questions & Answers (4/27)" <https://www.towamencin.org/resources/news/article/?id=5758>*

1. How will residents in condo complexes, in which the association is billed for water usage in bulk and included in the condo fee, be billed for sewer?
2. At current PA American Water rates, what is the typical amount or range that a customer will pay annually? For a single, couple, family of 3, 4, 5, etc. There must be industry data on usage.
3. Does PA American Water offer (or can it offer) a deduct meter program for customers that have a sub-meter installed for their outdoor usage such as swimming pools or irrigation systems? Assuming usage of 25,000 gallons a season for a typical backyard pool that is an additional estimated \$718.75 increase for a customer with a pool.

In-Person Comments

Resident and Government Study Commission member Jenn Foster claimed the rates cited by PA American Water for condominium and apartment complexes is inaccurate as these communities charge their fees based on unit size. She projected future sewer bills at Towamencin Condominiums, stressing the financial impact to residents living in communities that lack individual metering for water use.

Resident and Government Study Commissioner Kofi Osei commented that most residents engaging on the proposed Home Rule Charter reference the sewer sale – concluding the Commission’s intent is clear. He posed questions to the Township Solicitor and Board relating to the sewer sale. He urged residents to vote yes to the Home Rule Charter on May 16th.

Resident Becky Curlett shared what her anticipated and verified future sewer rate would be under PA American Water. She favors the Township keeping the system, stressing you can not shop around for better pricing if the sale goes through.

Resident Lorena Fields questioned why the majority of the Board would not pause the sale process. She shared she will not be able to afford future rate increases under PA American, as her condo fee will likely increase significantly. She feels voting for the Home Rule Charter is her last hope.

Resident and Government Study Commission member Gisela Koch complimented the Board’s direction with the improved look of the new self-storage facility on Frankin Street. She then noted the Board has not considered the potential hardship of approximately 2000 unmetered sewer residents and criticized there was no comprehensive plan update prior to the sewer sale decision.

Resident and Government Study Commissioner member Tina Gallagher stated the Board’s decision to sell is unjust and harmful to residents. She’s paid her sewer bill for 30 years. Residents on septic stand to benefit from the sale, with no financial impact by sewer rate increases. She hopes if the Home Rule Charter passes, that the sale can be resolved justly.

Resident Joanne Andrews asked if the Board still believes PFM’s rate projections that in 10 years residents will be paying \$1,344 annually. She noted PA American Water quoted her rate as much higher. She added carrying debt is not a bad thing if done appropriately.

Resident Joe Silverman criticized the price estimates cited in the Township’s 2020 Parks & Trails Plan Evaluation for Butch Clemens Park, referencing several items with exorbitant costs.

Approval of Minutes

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the March 22, 2023 minutes.

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

On a motion by Supervisor Snyder, seconded by Supervisor Marino, the Board approved the April 12, 2023 minutes.

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

Zoning, Subdivision and Land Development

Conditional Use Extension Request: High Street Logistics/ 1600 Delp Drive

The applicant, AG-HS Delp Property Owner LLC, has requested an extension to the April 27, 2023 conditional use deadline relating to steep slope disturbance. The Board approved the conditional use for the project in March 2022, and approved a conditional use extension request on September 28, 2022. Under Section 153-1115 of the Township's Zoning Ordinance, unless extended, a conditional use expires six (6) months from the date of a subsequently obtained land development approval. The project's land development resolutions were approved on April 27, 2022. The applicant is requesting another 6-month extension to the conditional use deadline of April 27, 2023, extending the deadline to October 27, 2023.

David Falcone Esq., of Saul Ewing LLP and applicant representative, provided background on the Conditional Use extension request to date. Robert Martin, of High Street Logistics, provided a project update, including permitting and improvements advancements since last September.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved extending the conditional use request until October 27, 2023.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Stormwater Operation and Maintenance Agreement: 914 Woodlawn Drive

The property owners at 914 Woodlawn Drive own a 20,125 square-foot lot within the Township's R-125 Residential Zoning District. They propose a 547 square-foot expansion to the existing driveway on the property and up to 500 square feet of new impervious coverage for a future pool, for a total proposed impervious coverage of 1,047 square feet. Since the cumulative additional impervious coverage would exceed 1,500 sf (including an existing garage), a grading permit and stormwater management controls are required. The plan and stormwater management proposal have been reviewed by the Township Engineer and Solicitor. The maintenance agreement for the stormwater facilities has been submitted for signature and recording.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved the Stormwater Operation and Maintenance Agreement for 914 Woodlawn Drive.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Old Business

None

New Business

Warrant List

The April warrant list was presented for approval. Supervisor Warner noted the top costs for the Township as reflected in the April warrant list.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved the warrant list in the amount of \$4,454,773.68.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Public Works Committee Report

The Public Works Committee meets monthly to review projects and identify deficiencies related to Township infrastructure, properties, and equipment. The Committee met on April 20th. Supervisor Marino provided the Committee's report with the following topics reviewed:

- Kriebel Road/Orchard Lane/Eagle & Valley View Way Storm Sewer Project Update
- Weikel Road Drainage /Pedestrian Walkway Update
- Central Drive Storm Sewer Repair Project Update
- Bocce Courts Update
- 2023 Road Paving Project – Awarded to Harris Blacktopping, Inc.
- 2022 ADA Ramp Replacement Project
- 2023 ADA Ramp Replacement Project
- Crosswalk at Allentown Road/Walton Farm School – pavement markings, added signage
- Allentown/Thorndale/Reinert Roads –additional signage, pavement markings added
- Old Forty/Rittenhouse Roads Intersection – PennDOT reviewing multi-way stop sign request
- Kerr Road Analysis
- Forty Foot Road Pedestrian Bridge – leak will be investigated via excavating planting beds
- Towamencin Swimming Pool Repairs – pump for slide needs replacing
- Salt Storage & Equipment Storage – bid to be release in the next few weeks.
- Green Lane Park Soccer Field – CKS provided proposal for grading plans
- Fischer's Park – requested CKS to provide proposal to design improvements (additional parking, a pavilion, potential pickle ball courts).
- Drinnon Park Improvements – resident meeting being considered.
- Welsh/Orvilla Intersection Project Update – updated schedules provided to property owners
- Route 309 Connector/Sumneytown Pike Improvements – proposed slip ramp/left turn lane
- Forty Foot Road/Newbury Way/PSDC Traffic Signal – PennDOT approved grant extension to November 2024

- Traffic Signal at Allentown Road & Derstine/Fretz Roads - McMahon performed analysis.
- Proposed Main Street Development – request to proceed with preparation of highway occupancy permits
- Electric Vehicle Charging Stations – staff to draft ordinance amendment.
- Grant Opportunities - staff, consultants to continue seeking potential grant opportunities.
- MS4 Permit Requirements – establish management committee with 5 municipalities.
- Comprehensive Plan – due April 21, 2023
- Storm Sewer System Long-term Maintenance Plan – Grist Mill starting point discussed.

Storm Sewer System Long-term Maintenance Plan

The Public Works Committee discussed the significant issue of deteriorating corrugated metal pipe – the basis for most of the storm sewer system - throughout the Township and how to prioritize a long-term maintenance plan needed system-wide. Currently, the Public Works Department addresses the pipe replacement as needed and in conjunction with the scheduled road paving program. It was suggested that the storm sewer system maintenance be divided into sections, scheduled as part of a yearly program, budgeted appropriately, and bid out. Such a program would likely be 10-15 years, or longer, due to the expense and time involved for this type of replacement and/or restoration work. The Public Works Director recommended starting in the Grist Mill area of the Township as there are several known areas with significant deterioration and no conflicting maintenance projects that could interfere with associated replacement and/or restoration work. The Committee recommended the Township Engineer submit a proposal defining the scope of work involved to initiate the maintenance plan within the Grist Mill neighborhood.

Chairman Wilson suggested pushing off this project until budget time with limited funds to pursue this work. He stressed funding the comprehensive plan update is the priority. Supervisor Marino noted the importance of understanding the scope of starting this project. Chairman Wilson agreed, but emphasized waiting to move forward till later in the year with other current funding priorities.

Finance Committee Report

The Township Finance Committee meets monthly to monitor economic indicators and the pulse of the Township’s revenues and expenditures. They also address various requests and concerns that may arise. The Committee met on April 21st. Supervisor Warner read the report.

Township 2023 March Financials - Tax revenue is in line with the budget and comparable to prior-year revenue through March 31st. Permitting revenue is also comparable to prior years and consistent with budgeted expectations. A mild winter has left the winter maintenance line items largely untouched for 2023. These savings will help offset any unanticipated costs elsewhere. The Committee also discussed roadway improvement program and ADA ramp bids compared to budget.

Update on TTIA Dissolution

OPEB Trust

StandGuard Contract - The Committee has a conference call scheduled with StandGuard on May 2nd to prepare for the upcoming pool season. Seasonal preparations and maintenance work at the facility have continued as expected.

Preliminary Discussion on Process to Allocate Sale Proceeds

2022 Commercial Sewer underbilling - Township staff drafted a letter to notify consumption-based commercial sewer accounts about the 2022 underbilling. The Committee recommended sending the mailing as soon as possible.

Capital and Comprehensive Plan funding updates

Univest Money Market Account - Univest Bank has offered an elite money market account that would accrue 5 percent interest, that will move with the federal funds rate (expected to increase at least another 25-50 basis points this summer). A minimum balance of \$1,000,000 is required to receive the headline interest rate. The rate is competitive with what the township currently receives with PLGIT. The advantage of a Univest account is its access within the treasury management portal for other township Univest operating accounts, allowing for quick and efficient transfer of funds as needed. The Committee recommends that the Board of Supervisors authorize the opening of a Money Market account with Univest Bank.

Inactive Bank Accounts - The Township has several inactive bank accounts listed under the General Fund, that no longer serve any purpose and are not competitive with current interest rates. It is the recommendation of the Committee that the Township close three bank accounts and transfer their remaining balances to PLGIT. The Committee recommends the Board of Supervisors authorize the Township Manager to initiate the closure of the accounts: one (1) Money Market account held at Meridian Bank; and two (2) commercial interest checking accounts held at WSFS.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board authorized opening a Univest Money Market Account, and to close the three inactive accounts.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Electric Supplier - The Township solicited electric supply quotes from brokers as the Township's market-rate costs have increased notably in the last year. Terms for all-inclusive fixed-rate supply are favorable right now compared to the current and future projected PECO price-to-compare. BidURenergy provided terms for several energy suppliers across a number of term lengths. The Committee reviewed the recommended 13- and 18-month rates compared to PECO and recent market trends. The Committee recommends the Board authorize the contract with BidURenergy, a subsidiary of NRG, for an 18-month, all-inclusive fixed rate electric supply contract.

Authorize Electric Supplier Contract

The Township has solicited electric supply quotes from brokers as market-rate costs have increased notably in the last year. The Finance Committee recommends the Board of Supervisors

authorize a contract with supplier Dynege, for an 18-month, all-inclusive fixed rate electric supply contract. The contracted rate estimate will be \$0.06961 per kilo-watt hour effective June 2023 until December 2024.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board authorized electric supplier contract with Dynege.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Authorization to Award Contract: 2023 ADA Ramp Project

This project includes the replacement of 30 handicap ramps to meet ADA compliance which includes 600 LF of concrete curb replacement, 3,920 SF concrete sidewalk replacement, 150 LF of concrete cheek wall and 240 SF of truncated dome inserts. The project work will take place within the Valley View Way, Creek Way and Spring Valley Road neighborhoods. Based on the review of bid submissions and the low bidder's qualifications, the Township Engineer recommends awarding the contract to LB Construction Enterprises, Inc., of Spring House.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board awarded the 2023 ADA Ramp contract to LB Construction Enterprises, Inc.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Municipal Buildings Roof Replacement Engineering Proposal

The Township budgeted funds for exterior building projects at the Municipal Complex for 2023, including renovations to the Administration and Meeting Hall Buildings, and the interconnecting breezeway between the buildings. The scope of work includes roof replacements, removal and replacement of the existing wood siding, replacement of decorative barn doors, repair/replace existing fascia and miscellaneous roofing improvements. The Township Engineer provided a proposal breaking out the engineering service fees with the Engineering/Design/Bidding Phase costs at \$19,500 and the Construction Management / Inspection Phase costs at \$20,500.

Supervisor Snyder questioned the overall costs in the proposal, sensing they were too high. Chairman Wilson agreed the costs seemed high. He suggested a request for bid be utilized for these engineering services. It was the consensus of the Board to table this item.

Christ Lutheran Church Fire Police Request – Touch-a-Truck Event April 29

Christ Lutheran Church is requesting the assistance of the Towamencin Volunteer Fire Company Fire Police Unit for traffic and safety control for their Touch-a-Truck Event, on Saturday, April 29 at 9 am. The event will include several construction and emergency response vehicles and take place on the Church's property on Mainland Road. It is open to the public from 10 am to 1 pm, with parking available at the Covenant Church across the street. Fire Police will assist the public crossing over Mainland Road.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved Christ Lutheran Church's Fire Police Request.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Authorization to Prepare Residential Sewer Rate Uniformity Ordinance

Towamencin provides wastewater services to some customers in Worcester and Lower Salford Townships. A majority of those customers receive such services as a result of a 1987 Montgomery Court of Common Pleas Court Order to provide such services to all of the residential lots in a certain Worcester residential development. In connection with the sewer sale, the Township's counsel has reviewed our existing rate arrangements with these customers and recommends the Board approve a Residential Sewer Rate Uniformity Ordinance making provision and ensuring that the Township charge uniform rates to Worcester, Lower Salford and Towamencin residents. The Township will continue to provide service to its existing residential customers in Worcester and Lower Salford, but now at the same rates and subject to the same terms and conditions as applicable to residential customers in Towamencin as required by the Pennsylvania Public Utility Code and certain regulations of the Pennsylvania Utility Commission. The Township will be authorized to file any and all necessary documents with the PUC regarding this issue, and the proposed ordinance will be used in furtherance of such filing.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board authorized the Township Solicitor and Special Counsel to prepare and advertise the proposed Residential Sewer Rate Uniformity Ordinance for Board consideration on May 10, 2023.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Direction to Prepare and File All Necessary PA PUC Filings

Township Special Counsel, with the cooperation the Towamencin Municipal Authority, is required to file an application for certificate of public convenience with the PA PUC to permit the Township to continue providing wastewater service, as a regulated utility, to residents in

Lower Salford and Worcester Townships and to ratify such service heretofore provided. In accord with Ordinance 23-03, Special Counsel is duly authorized, and thus directed, to prepare and file such necessary documents with the PUC in furtherance of the Sewer Sale.

Supervisor Snyder asked who the Township's Special Counsel is. Solicitor Iannozzi responded Liz Havey and Marc Feller.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board authorized and directed the Township Special Counsel to prepare and file all necessary documents with the PUC in furtherance of the sewer sale as appropriate.

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

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

Respectfully submitted,



Colleen Ehrle
Director of Administration