

**Towamencin Township
Board of Supervisors
Monthly Meeting
November 24, 2020
7:30 PM**

Present:

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

Staff:

Robert A. Ford, Township Manager
Jack Dooley, Esq., Township Solicitor

Present Remotely:

Daniel Bell, Asst. Treasurer/Asst. Secretary
Mary Stover, Township Engineer
Colleen Ehrle, Assistant to Township Manager
Brooke Neve, Finance Director/Assistant Township Manager

Absent:

Chairman Wilson called the meeting to order at 7:31 PM and led the assemblage in the Pledge of Allegiance.

Opening Comments

Chairman Wilson made the following announcements:

- Due to the COVID-19 Emergency, the meeting is being held via Zoom video communications. The public was invited to participate remotely and e-mail questions to info@towamencin.org prior to the meeting.
- The Board met in executive session just prior to this evening's meeting to discuss personnel matters.
- The Township is hosting our annual Holiday Lights Festival on Saturday, December 5th, from 4:30 pm to 8:30 pm at Fischer's Park. The park will be decorated and lit up for the community and guests to enjoy. Trees will be decorated by the Girl Scouts and we will have free refreshments from our local Boy Scout Troops. The Annual Tree Lighting will take place from 6:00 pm to 7:00 pm featuring the Montgomery County Concert Band's Tuba Quartet. Santa Claus will light the tree at 6:30 pm. We ask that all attendees wear

masks and follow social distancing guidelines. All carriage and wagon rides have sold out.

Public Comments

None

Approval of Minutes: October 14, 2020

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the October 14th minutes.

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

Approval of Minutes: October 28, 2020

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the October 28th minutes.

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

Approval of Minutes: November 11, 2020

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the November 11th minutes.

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

Zoning, Subdivision and Land Development

Authorization to Appeal Court Decision: Towamencin Sumneytown Pike LLC

In February, a public hearing was held for a challenge to the Township's Zoning Code submitted by the developer of a Wawa convenience store, proposed at the corner of Forty Foot Road and Sumneytown Pike. The developer specifically challenged Section 153-619 of the Zoning Code

that sets certain restrictions within public and private easements. After a review of testimony and exhibits, the Board subsequently denied the challenge and proposed curative amendment. The Board did conditionally approve the associated preliminary and final land development plans contingent on the developer satisfying the zoning code restrictions on easements. The developer appealed the Board's decision to the Court of Common Pleas. Following oral argument of the parties, the Court declared that the pertinent section of the Township's Zoning Ordinance is unconstitutional and unenforceable.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board authorized the Township Solicitor to file an appeal to this decision to the Commonwealth Court.

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

Old Business

In 2017, the Township was awarded a Green Light Go (GLG) Grant of \$340,000 that was to serve as the match for a Montco CTP Grant. Subsequently, COVID-19 struck and the 2017 GLG Grant funding was pulled by PennDOT, which left the Montco CTP Grant of \$42,700 to be spent. In September, the County gave updated guidance that they would require an equal match to its grant amount. Therefore, the Township would need to provide a \$42,700 match. The County grant expires June 30, 2021.

Township staff spoke with Montgomery County about PennDOT's update that it is now considering re-funding the Green Light Go grant awards in 2021. The County noted they had seen PennDOT's notice and would like to see the original target projects completed. It is anticipated that the decision to re-fund the GLG projects would be made prior to County grant expiring in June. The County indicated they would be in favor of extending the CTP grant deadline if it meant the full project could be completed. Staff advised the County that the Township will wait for the PennDOT decision regarding re-funding. The Township would like to proceed with the project as a whole, since the permits are approved.

New Business

Warrant List

The November warrant list was presented for approval. On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the warrant list in the amount of \$1,241,013.01.

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

Abstaining: N/A
Absent: N/A

Ordinance 20-06: Truck Restrictions on Derstine Road

In November 2018, the Board enacted an ordinance restricting certain size trucks (Classes 6 through 13) from traveling northbound on Derstine Road, from the intersection of Allentown Road to the municipal border. Due to continuing safety concerns, staff recommended that the restriction be placed for both directions of travel along this section of roadway. This ordinance would amend Chapter 147 of the Towamencin Township Code by restricting trucks in classes 6 through 13, inclusive, from using the entire length of Derstine Road, in both directions, within Towamencin Township. Road signs are scheduled to be installed December 11th.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board adopted Ordinance 20-06, Truck Restrictions on Derstine Road.

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

Appointment to North Penn Water Authority

The North Penn Water Authority Articles of Incorporation provide that each municipal member of the Authority shall have one representative on the Board of the Authority. The term for the current Towamencin representative expires on December 31st of this year. William Dingman has served as Towamencin Township’s representative since 2017 and has agreed to continue in this position should the Board so desire. The Board of Supervisors may appoint a representative to fill the term expiring December 31, 2025.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board appointed William Dingman to serve on the North Penn Water Authority Board.

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

Authorization to Advertise Ordinance - Verizon Franchise Agreement

In June 2006, 35 member municipalities within the Montgomery County Consortium struck a “master franchise agreement” with Verizon, which was tailored to reflect the specific requirements of the individual municipalities. Towamencin approved its agreement and adopted the associated ordinance in August of that year. For the past year, the Consortium has been negotiating a franchise

contract renewal. While this new agreement continues to provide the Township 5 percent of Verizon's gross revenue received from cable services within Towamencin, there are some changes resulting from industry trends and Federal Communications Commission regulations. The changes include a reduced contract term to a five-year period, and Verizon will no longer provide courtesy cable services to municipalities and will charge services based on its current rate card.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board authorized advertising the franchise agreement ordinance for consideration of adoption and approval at the December 9th meeting.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Resolution 20-50: TE-160 Traffic Signal Permit (Allentown/Derstine/Fretz Roads)

This resolution is for timing modifications to the existing traffic signal located at the intersection of Allentown, Derstine, and Fretz Roads. The Pennsylvania Vehicle Code requires the approval of the Department of Transportation before any traffic signals may be legally erected or modified. The Township Traffic Engineer has reviewed the application and has recommended the Township proceed with the completion of the TE-160 form and resolution.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved Resolution 20-50, TE-160 Traffic Signal Permit (Allentown/Derstine/Fretz Roads).

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

Voting No: N/A

Abstaining: N/A

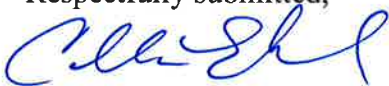
Absent: N/A

Chairman Wilson wished everyone a happy and safe Thanksgiving holiday.

Supervisor Marino expressed he was happy the Board could deliver the added truck restriction this evening and complimented the residents, who rallied for the improved safety measures related to the Derstine Road restrictions, for their persistence and patience.

There being no additional business, the meeting adjourned at 7:45 pm.

Respectfully submitted,



Colleen Ehrle

Assistant to Township Manager