

**Towamencin Township
Board of Supervisors
Monthly Meeting
January 26, 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:

Colleen Ehrle, Manager of Administration, Communication & Human Resources

Chairman Wilson called the meeting to order at 7:00 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.
- The Township and Police Department are no longer using the Kulpsville post office box for mail. Our physical address should be used when mailing correspondence, payments, forms and permits.
- The Township's new website is scheduled to go live at the end of January. The new site will offer a modern look with easier navigation, modifying its layout to best suit the end users viewing experience depending on the device being used.

Public Comments

Chairman Wilson read the emailed submissions, with summaries below.

Resident Jae Yun, of 2047 Pleasant Valley Drive, commented she is against a sale of the sewer system. She noted the differing operational goals of a Township versus a private utility company, adding a private utility operation will lack the motivation to keep rates competitive when there is no competition. Intentions for spending the potential sale proceeds were requested.

Resident Judy Phipps, of 1231 Archer Lane, noted her opposition to the sale of the sewer authority, suggesting the Board of Supervisors may be trying to impose a back door tax with a sale, as rates would rise astronomically. She continued the impact of a sale would affect those who can least afford to pay exorbitant rates: the elderly, disabled, and anyone on a fixed income. She questioned the notion that sale proceeds may fund the township pension fund despite assurances it is well funded. In speaking with residents, she found most residents are unaware or not in favor of a sale.

Resident Lucy Kline, of 1549 Dean Drive, commented she respectfully asks the Board to cease pursuing the sewer sale and work to manage the expenses of the township in a prudent and responsible way. She commented it is a mistake to sell this valuable asset to a private entity, and to cover potential budget shortfalls. While not a fan of increased taxes, she trusts the Board to make smart decisions on budgetary concerns on behalf of our township. She sees no long-term benefit in selling the sewer system, but rather a detriment to taxpayers.

Resident Jenn Foster, of 105 Concord Place, asked why there has been no town hall scheduled to discuss the potential sewer sale? We were told this would happen before any decision was made, but the township has been slow to organize this. I believe you will hear that most residents are strongly opposed to a sale and deserve an opportunity of a town hall to voice these concerns.

Resident Tina Gallagher, of 117 Misty Meadow Lane, commented that it's important to notify all residents who are connected to the Towamencin sewer lines of the town hall details, including those outside of Towamencin. Hopefully, this date is scheduled soon.

Chairman Wilson responded that bids are due February 11th, and that a town hall will not be held until mid-late March, early April. Ample notice will be provided.

In-Person Public Comment Summaries:

Resident Kofi Osei, of 105 Cambridge Way, questioned the negotiation involved in Section 13 of the FAQ, noting the employment offering requirement to current employees. He then referenced a legal battle with DELCORA and Aqua America, stating Aqua's manner of taking publicly developed knowledge and skill is due to necessity. While referencing the FAQ's industry labor shortage note, he stressed local expertise is needed within the industry, and questioned the lack of planning for pending retirements. He added initial cash flows in these privatization schemes goes in the wrong direction and should be viewed critically.

Resident Martin Cohen, of 18 Westhampton Way, referenced a personal experience with a privatization effort, where employees were retained. He commented the operation of the sewer system is inherently a governmental function and should continue to be, noting the public utility commission is the only protection available. He advocated that the Board take a few years to observe rate trends at other municipalities who have sold their sewer systems.

Resident James Collins, 596 Weikel Road, noted that when he has discussed the potential sewer sale with residents, most are unaware or do not understand why, and that he is unaware of any residents rallying for a sale. He suggested including information on the future town hall within the

insert of the next sewer bill mailing. Mr. Collins also suggested the Board take time and observe rate trends at other municipalities who have sold their sewer systems. He would also like to understand the value added by a sewer sale.

Resident Joseph Silverman, of 1325 Reiff Road, noted his opposition to selling the sewer system.

Approval of Minutes: January 12, 2022

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the January 12, 2022 minutes.

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

Zoning, Subdivision and Land Development

Public Hearing: Dock Mennonite Academy Text Amendment

This is a proposed text amendment modifying the current regulations within the IN-Institutional Zoning District to include modifications to allowable building height requirements and to the location requirements for loading berths on properties with two street frontages.

Chairman Wilson introduced Township Solicitor Jack Dooley, Esq. who presented the associated hearing exhibits and introduced the Carl Weiner Esq., the applicant's representative. Project engineers John Hunt and Phil Lederach assisted with the hearing. A court reporter was present to make a complete and formal record of the hearing.

Ordinance 22-01: Dock Mennonite Academy Text Amendment

Adoption of this ordinance would amend the Township's Zoning Code to provide regulations pertaining to the matter as presented in the proceeding Public Hearing.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board adopted Ordinance 22-01, Dock Mennonite Academy Text Amendment.

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

Old Business

None

New Business

Warrant List

The January warrant list was presented for approval. On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved the warrant list in the amount of \$1,562,074.18.

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 January 24th. Supervisor Marino provided the Committee's report with the following topics reviewed:

- 1540/1556 Kriebel Road storm sewer replacement project, bid release update
- 1060 Valley Forge Road drainage concern – PennDOT work delays
- 2010 Trumbauer Road drainage concern – scope of work update
- Central Drive Storm Sewer System Repair Project – work and bid release update
- Orchard Lane Storm Sewer Pipe Relocation Project status update
- Keeler Road Bridge Repair Project complete, minor punch list work remaining
- Kibler Meadows Parking Lot update
- Trail Interconnection Project – Grist Mill Park and Grist Mill Drive update
- Nash Elementary School Future Soccer Field update
- 2022 Paving and ADA Ramp Replacement Project update
- Greenspace/landscape/signage improvements at PA Turnpike right-of-way areas update
- Long-term maintenance plan – privatization of storm sewer system assessments
- Allentown Road culvert replacement & coordination with 309 Connector project
- Traffic calming handbook draft proposal
- Municipal Complex driveway lighting upgrade
- Public/Private Project communication updates on website
- Morgan Way playground installation project
- Weikel Road Drainage /Pedestrian Walkway status update

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 January report. Recent events included:

- Continued drafting all the necessary bidding documents including but not limited to the; Asset Purchase Agreement (“APA”) and schedules, Asset Lease Agreement (“ALA”) and schedules, and the request for bids (“RFB”).
- Continued fielding due diligence questions received from the bidders and populating the data room as necessary.
- On December 22nd, the Board approved the release of the request for bids.
- On December 23rd, the Township distributed the bidding documents to the respective bidders.

Immediate Next Steps:

- Continue fielding questions from the bidders and populating the data room as necessary.
- Receive and evaluate the responses to the Township’s request for bids.

Traffic Signal Construction Specifications Update

Township staff and our consulting traffic engineer, McMahon Associates, have worked on updating the Township’s traffic construction and materials specifications, which were last updated in 2009 and fall within the Township’s Subdivision and Land Development Ordinance. Updates are based on current technologies and federal/state standards. Anton Kuhner, of McMahon Associates, provided an update specifications and answer any questions from the Board.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board authorized the preparation and advertisement of an ordinance to adopt the traffic signal construction specifications update.

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

Recommendation to Award Contract: Green Light Go Grant Traffic Signal Improvements

The 2017 Green-Light-Go Grant in the amount of \$341,000 was previously rescinded by PennDOT, but was restored with PennDOT's 2021 budget. Therefore, this project which will include improvements to various traffic signals throughout the Township was bid earlier this month with results due January 12th. The Township’s traffic engineer, McMahon Associates is recommending awarding the contract to low bidder, Armour and Sons Electric Inc., with a total bid of \$289,984.65. The bids included alternative work which is also being recommended since the bid results, including the alternative work, came in within the grant total. Anton Kuhner, of McMahon Associates, reviewed the bid results and recommendations.

Supervisor Marino conveyed the Board’s intention to maximize the grant funding with add-ons to address the remaining balance between the total bid award and grant funding.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board awarded the traffic signal improvement contract to Armour and Sons Electric Inc. in the amount of \$289,984.65.

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

Kriebel Road Trail I & II: Construction Update

The Kriebel Road Trail I project involves a pedestrian multi-use trail that will run from Valley View Way to Trumbauer Road, along the Kriebel Road sanitary sewer interceptor line. The Township received a federal Transportation Alternatives Set-Aside Grant in the amount of \$846,000 for this segment. The project was awarded to Doli Construction Corporation, who are set to begin construction soon. As part of the project, a pedestrian bridge will be installed to cross a section of Towamencin Creek. The bridge is currently going into design and the color of the bridge must be provided to the designers.

The project's consulting engineer, Joe Carlin, from Gilmore and Associates, provided a project update, noting the construction was targeted to begin the end March/early April. The Board noted their preference for the weathered steel finish to the pedestrian bridge and asked if there would be an upcharge over paint/primer options.

Mr. Carlin provided an update on the Kriebel Road Trail II noted the Township did not receive additional funding through a DCED grant application. Therefore, Mr. Carlin recommended two requests to the Montgomery County Planning Commission - requesting a one-year extension for the completion of the Kriebel Road Fischer's Park trail for the existing Montco 2040 grant (\$190,000) and permission to scale down the trail's scope to keep within the confines of available funding, while applying for additional grant funding to continue progress with this trail.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board directed staff to request a one-year construction completion extension for the existing Montco 2040 Grant. If successful, staff will submit an application for a second Montco 2040 Grant, due March 1st.

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

Resolution 22-06: Funding for Roadway Improvements

In accordance with the adopted 2022 Budget, this resolution authorizes the monthly transfer from the Township's Debt Service Fund to the Towamencin Township Infrastructure Authority for debt payments to the Delaware Valley Regional Financing Authority. An interest-only payment of

\$7,534.12 is due on the 25th of each month from January through April 2022, followed by an interest-only payment of \$5,921.84 due on the 25th of each month from May through December 2022. A principal payment of \$1,110,000.00 is due April 25, 2022.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved Resolution 22-06, Funding for Roadway Improvements.

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

Resolution 22-07: Disposal of Equipment

According to §1504 of the Second Class Township Code, the Board of Supervisors must authorize the disposal of personal property. Anything with a fair market value of \$2,000 or more needs to be advertised and sold at auction. The Township intends to dispose of the equipment through auction so that it may recoup a portion of the costs. This resolution authorizes the disposal through sale on Muncibid of one (1) Dodge Charger used by the Police Department and Township Manager.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved Resolution 22-07, Disposal of Equipment.

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

Authorize Police Training/Inter-Municipal Use Request: Drug Recognition Expert

The Pennsylvania DUI Association's Drug Recognition Expert (DRE) program is a grant program designed to certify officers in the examination of subjects, who are believed to be under the influence of a controlled substance. Officers must be trained and certified as a DRE and those certified are expected to make themselves available to other law enforcement agencies who may need their services. DRE services are reimbursed to the officer's municipality by grant funds. Chief Troxel is requesting approval for Sergeant Wiechec to apply for acceptance into the DRE certification program and once certified, be permitted to perform the duties outside of the Township.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the training request and Inter-Municipal Use of Township Police Officer.

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

Police Department – Acceptance Donation Request

The Police Department recently received a \$100 donation from Wilbur Eastlack. The Board must consider acceptance of these gifts in accordance with the Township’s donation policy.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved the Police Department’s acceptance of this donation.

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

Mutual Aid Request for Upper Gwynedd Township Carnival

The Police Department received a request from Upper Gwynedd Township’s Police Chief for one officer to work the police detail assigned to their carnival on Friday and Saturday, September 9th and 10th, from 7 pm to 11 pm. These hours worked would be considered overtime and reimbursed to Towamencin Township by Upper Gwynedd Township.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved the mutual aid request for Upper Gwynedd Township’s Carnival.

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

Volunteer Committee Appointments

Volunteer requests were received from residents who wish to serve on committees. The Board considered volunteer committee appointment requests.

On a motion by Supervisor Marino, seconded by Supervisor Smith, the Board appointed R. Carter LeBrocq to the Veterans Memorial Committee with a term ending December 31, 2023.

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

There being no additional business, the meeting adjourned at 8:48 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CEhrle', written in a cursive style.

Colleen Ehrle

Manager of Administration, Communication & Human Resources