

**Towamencin Township
Board of Supervisors
Work Session
May 11, 2022
7:00 PM**

Location: Dock Mennonite Academy Auditorium, 1000 Forty Foot Road, Lansdale, PA

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

Absent:

Chairman Wilson called the meeting to order at 7:01 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.
- Reminder we will hold our annual Towamencin Community Day at Fischer's Park on Saturday, May 21st from 12 pm - 4 pm. The event includes live music, food court, and an array of vendors and local community groups. This is a great event for the whole family and residents of all ages. Come out to support your local vendors and enjoy a beautiful day in the park.
- Please note that the Board's May 25th regular public meeting will be held at the Walton Farm Elementary School. Due to the anticipated turnout for the sewer sale decision agenda item. The meeting will be held the same time at 7pm.

- The Board met in Executive Session on May 10th to discuss personnel matters.

Eagle Scout Project – Fischer’s Park Kiosk Presentation

As part of the 2022 budget process, the Open Space and Parks Advisory Committee recommended an information kiosk for Fischer’s Park that could be built as an Eagle Scout project. Troop 51 member Jack Ely decided to pursue this project. He made a presentation to the Committee last month, receiving a positive recommendation. Jack has also received approval from his scout troop leadership and is now ready for Township consideration.

Jack’s presentation included: a design concept, park location options, the assembly and installation process, planning phasing, and materials and supplies. Jack expected the project completion to be towards the end of June. The estimated cost was \$1,000 before any discounts or donations. Jack requested that the Board consider funding any difference remaining after fundraising efforts, etc. The Board was receptive to Jack’s proposed project.

Chairman Wilson noted there was new FAQ information added to the sewer system valuation data room on the Township’s website.

Public Comments

In-Person Public Comment Summaries:

Martin Cohen, 18 Westhampton Way, referenced information on the Township website noting a \$115 million loan may not be legal. Chairman Wilson clarified there are borrowing limitations for municipalities that would prevent the Township from borrowing such a high figure.

Resident Tina Gallagher, of 117 Misty Meadow Lane, criticized the decision to sell the sewer system rather than explore other options to meet the Township’s fiscal needs, describing the purchase price to a large pay-day loan. She stressed the impact a rate hike will have on seniors.

Resident Kofi Osei, 105 Cambridge Way, challenged the validity of PFM’s financial analysis and criticized the Board’s intent to move forward with such an unpopular decision that will cause detriment to their residents. Mr. Osei shared his intentions to organize in rewriting the Township’s charter, which is permitted by state law.

Gary Starkweather, 1503 Kriebel Road, expressed his concerns with the Sunshine Act being used by some of the Board members to withhold responses and shield information from residents instead of the intentionality of the Act which is to increase transparency.

Rebecca Curlett, 968 Woodlawn Drive, commented the town halls were a show with the Board disregarding the overwhelming public opinion expressed, adding residents will remember this decision was not made in their interest.

Chairman Wilson clarified that the sewer system is not in disrepair, noting a 10-year maintenance plan is in place to address aging infrastructure and other permitting requirements. He continued that the Township is not in any financial straits, but rather the Board is planning for foreseeable

needs in the future that require significant funding and wish to do so in a manner with the least financial impact to residents.

Chairman Wilson read the emailed submissions, with summaries below.

Resident Judy Cunningham, 1 Old Dutch Way, expressed her opposition to a sale of the sanitary sewer system to NextEra, headquartered in Florida. She emphasized keeping the operation and rates local.

Resident Maureen McGowan, 1381 Village Way, expressed her disappointment with the supervisors decision to sell the sewer system; urging them to reconsider their position.

Michael Cary, 10 Hackney Way, asked that the Board not vote for the sale because it is not financially justified. He stressed the presentation projections are inaccurate. The total cost of the township and sewer are increasing due to the 9% return the buyer will get for buying the system.

Paul Andrews, 3013 Valley View Way, acknowledged the appeal of the lump sum sale proceeds. He noted his objections - residents and businesses are the ones who will be paying increased rates, that will have to take into account the very large \$115 million bid from Next Era and opposes privatizing an essential, local service. He suggested joining with Franconia sewer authority to spread costs while keeping our essential service locally controlled.

Dottie D'Amato, 1810 Hickory Way, commented the Board is not acting in the best interest of residents as sewer rates will double, calling it irresponsible in thinking an ice rink, pickle ball courts and other "wants" are gains for the community. I think this needs to be added to the ballot next week, in the primary and we need to inform our community.

Rory Kelley, 325 Central Drive, expressed his disappointed that the sewer will be sold to a company with few wastewater facilities and none in PA, adding the board wasted a golden opportunity to partner with residents during this process. He hopes the ordinance is developed in a manner that puts protections in place for the community.

Eagle Scout Project – Fischer’s Park Kiosk Presentation Decision

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved Jack Ely’s Eagle Scout Project as presented, and agreed to fund the balance of the project after Jack exhausts his fundraising, donation and discounting efforts.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Approval of Minutes: March 23, 2022

On a motion by Supervisor Marino, seconded by Supervisor Smith, the Board approved the March 23, 2022 minutes.

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

Approval of Minutes: April 13, 2022

On a motion by Supervisor Marino, seconded by Supervisor Smith, the Board approved the April 13, 2022 minutes.

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

The Town Hall minutes would be deferred until a future meeting.

Zoning, Subdivision and Land Development

None

Old Business

None

New Business

Walton Farm School Zone Traffic Data Update

The Board of Supervisors requested the police department perform a traffic data analysis of east and westbound lanes along Allentown Road in the Walton Farm School Zone area due to recent comments relating to safety concerns of children crossing the road at school arrival and dismissal times. The Police Department's highway unit performed the traffic data collection during the school zone activation times, between March 21 - March 25, with radar detection of traffic volume and speed detection.

Chief Troxel provided a summary of the data collection as observed in the school zone. The results revealed no speeding issues. He noted the police department placed the temporary sign board making motorists aware of the school zone and pedestrian crossing. Chief Troxel reviewed the law (PA vehicle code) regulating pedestrian crosswalks.

Chief Troxel explained the road was deemed as a dangerous roadway for pedestrian crossing - after a PennDOT analysis at the request of the North Penn School District – referencing the road width of 48 feet and shared the district's rationale to bus local children over walking. The noted

crosswalk has no crossing guard managing the students or traffic. School district officials made the decision to bus children living within 1.5 miles versus providing a crossing guard and forcing children to walk without the option to bus, as it was considered the safer option.

While roadway improvements were being reviewed by the traffic engineer, Chief Troxel recommended that children who live in this area use the school buses as that is the safer mode of transportation available at this time.

Inglewood Area Traffic Data Update

This is a follow-up to the traffic engineer's March 9th presentation, where traffic data was reviewed along Boyd Avenue and Woodlawn Drive in the Inglewood neighborhood. The Board asked that additional data be collected and evaluated to include Woodlawn Drive, between Allentown Road and Columbia Avenue, as there were speeding concerns along this road.

Chad Dixon from McMahon Associates provided a summary of the data collection, which took place between March 23 and March 31. He noted the speed data averaged at 30 mph and did not rise to implementing traffic calming measures per PennDOT standards (10 miles over the post speed limit via the 85th percentile) at this point.

Supervisor Marino asked about information collected for cut-through traffic. Mr. Dixon noted turning moment counts indicated some cut-through activity coming primarily from Lansdale Borough through this area, heading to Allentown Road, going westbound during the evening peak. However, these numbers were also below the threshold to implement calming measures.

Supervisor Smith explained to a resident why the "No Turn on Red" sign was removed at the intersection of Woodlawn Drive and Allentown Road. Supervisor Marino added that small radar speed signs, that could be mounted to posts, were being considered in that neighborhood.

Resolution 22-12: MS4 Skippack Creek Alliance Intergovernmental Agreement

The Township Engineer has been meeting with DEP about our NPDES MS4 submission and our staff and consultants have also been meeting with the other municipalities within the Skippack Creek Alliance about the proposed intermunicipal agreement. An update was provided at our April 13th meeting where the proposed agreement was presented and discussed with the Board. The plan has been reviewed by DEP and advertised for public comment. The municipal alliance - Towamencin Township, Hatfield Township Skippack Township, Worcester Township and Lower Providence Township - must now enter into an intermunicipal agreement to jointly address the stormwater water requirements within the Skippack Creek watershed. The Intermunicipal Agreement must be approved by resolution.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved Resolution 22-12, MS4 Skippack Creek Alliance Intergovernmental Agreement.

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

Voting No: N/A
Abstaining: N/A
Absent: N/A

Resolution 22-13: Authorization to Submit DCED Grant Application – Grist Mill Park Improvements

Last year, the Township submitted two grant applications to DCNR and DCED for the Grist Mill Park Improvement Project. Each grant application was for \$250,000 to cover the costs associated with the proposed improvements, including a pavilion, playground, two basketball courts, four pickleball courts, and a perimeter trail. The Township was awarded the DCNR grant for \$250,000 but was denied the DCED grant. Our planning consultant is recommending that the Township submit a new DCED grant application seeking \$250,000 again. The DCED application is due May 31st and requires a formal resolution from the Board authorizing their submission.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved Resolution 22-13, Authorization to Submit DCED Grant Application.

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

Acceptance of Donation to Police Department

The Police Department recently received a \$50 donation from the Immanuel Church of the Nazarene. The Board must consider acceptance of this gift in accordance with the Township's Donation Policy.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved acceptance of the donation to Police Department.

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

Resolution 22-14: Sale of Two Mowers on Muncibid

According §1504 to 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 two lawn mowers that have been replaced as part of the 2022 budget.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved Resolution 22-14, Sale of Two Mowers on Muncibid.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

TYA Softball Kona Ice Request

TYA Softball will be hosting a Memorial Day weekend softball tournament on May 28th and 29th at Bustard Park. One of the organization's fundraising goals includes a Kona Ice Truck for those two days from 10am to 5pm. Kona Ice donates 20% of the proceeds directly back to TYA Softball. A request letter has been provided by TYA Softball.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved TYA Softball's Kona Ice Request.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

Authorization to Prepare and Advertise Ordinance: Sale of Towamencin Municipal Sewer System

The Township Board of Supervisors underwent a lengthy and open process to explore the possibility of selling or leasing the sanitary sewer system, starting back in September 2020. A data room on the Township's website was created early in the process where significant documentation was provided to the public about the sewer system, including the information provided to the certified bidders, and copies of the received bids. The Board felt it was their fiduciary responsibility to the residents and rate payers of the Township to evaluate if the sale of the sewer system assets makes sense to the Township financially.

After receiving bids and holding two Town Hall meetings to present the evaluations and receive input from the community, the Board must decide on action to proceed with the preparation and advertisement of an ordinance to sell the sewer system.

Supervisor Snyder requested a roll-call vote, where each Supervisor indicates their position. By a 4 to 1 vote, the Board authorized the Township Solicitor to prepare and advertise the referenced ordinance associated with the sale of Towamencin Municipal Sewer System.

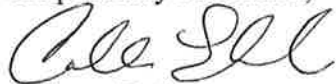
Voting Yes: H. Charles Wilson, III, Richard Marino, Kristin Warner, Laura Smith

Voting No: Joyce F. Snyder
Abstaining: N/A
Absent: N/A

Chairman Wilson noted the Board meeting to consider the draft ordinance would be May 25th. In addition, he noted there would be a separate meeting by the Towamencin Municipal Authority to also consider the sale of the sewer system. A date will be posted on the Township's website.

There being no additional business, the meeting adjourned at 8:20 pm.

Respectfully submitted,



Colleen Ehrle

Manager of Administration, Communication & Human Resources