

**Towamencin Township  
Board of Supervisors  
Monthly Meeting  
October 12, 2022  
7:00 PM**

**Present:**

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

**Staff:**

Dennis Carney, Interim Township Manager  
Robert J. Iannozzi, Jr., 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:**

Richard Marino, Vice Chairman

Chairman Wilson called the meeting to order at 7:04 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 will be read at the start of the meeting.
- The annual Turkey Trot will be held on Saturday, November 12<sup>th</sup> at 8 am. Registration information is available on the Township's website and Facebook page.
- Our Budget Work Sessions will continue on Wednesday October 19<sup>th</sup> and November 2<sup>nd</sup> at 7 pm here in the Meeting Hall Building of the Municipal Complex.
- Prior to the meeting, the Board met in executive session to discuss a personnel matter.
- Agenda item 8.1 "Authorization to Amend to Sewer Treatment Agreement (CFG)" would be postponed until the following Board meeting.

**Public Comments**

Resident Kofi Osei, of Cambridge Way, suggested the Board base budget decisions assuming the sewer sale will not go through – pursue options such as raise taxes, implement a stormwater management fee, and/or transition to quarterly sewer billings if applicable increased funding is necessary. Mr. Osei emphasized Home Rule Charter requires explicit consent from Township residents. He criticized the FAQ updated questions 17 and 18, noting they do not answer how a Home Rule Charter can stop the sewer sale. Mr. Osei expounded on Home Rule Charter powers, his intention for its use, then posed several questions to the Supervisors relating to Home Rule Charter, the sewer sale, election campaigning and the updated FAQ content.

Resident Tina Gallagher, of Misty Meadow Lane, stated over 40 questions were submitted to the office of consumer advocacy for Next Era relating the sewer system operations. She shared some insight from a conversation with a US Water representative - they are working on the responses to the questions, which would not be public; the relationship with Next Era and US Water is under negotiation; they noted US Water would not be involved in the operation, maintenance, billing or customer service aspects of the wastewater operations. Ms. Gallagher emphasized residents should be informed of the answer submissions provided to the office of consumer advocacy.

Resident Michael Main, of Old Morris Road, stated he was running for the TRUST Towamencin slate for the government study commission in the general election. Mr. Main shared some excerpts from the Home Rule Charter handbook, emphasizing the commissioners’ long-term influence on the community, fact-finding in the deliberation process, and the commissioners’ responsibility to regulate the government of the municipality. He commented why Home Rule Charter should not be used to stop the sewer sale citing, reading the FAQ #17 answer and encouraged residents to vote for the seven TRUST Towamencin candidates running for the government study commission.

Resident Vanessa Gaynor, of 707 Woodlawn Drive, referenced the traffic calming study referenced at the Board’s March 9 meeting and asked if it was currently being investigated. Chairman Wilson recommended Ms. Gaynor complete the traffic calming form and submit to the Township Manager to advance this concern. Ms. Gaynor then questioned any suggestion that Towamencin NOPE candidates - running for the government study commission – would perform the government study in an improper fashion.

Resident Doug Kile, of 1515 Susan Drive, thanked Interim Township Manager Dennis Carney for helping to address recent vandalism at Butch Clemens Field. Mr. Kile acknowledged the confusion existing among residents and their general understanding of Home Rule Charter and what can and can not be done under one, suggesting the Township provide additional information on the topic.

### **Approval of Minutes: September 28, 2022**

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the September 28, 2022 minutes.

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

Voting No: N/A

Abstaining: N/A

Absent: Richard Marino

### **Zoning, Subdivision and Land Development**

**Resolution 22-28: Kessler Dental Waiver of Land Development Request**

The applicant requested a waiver from the land development process, along with waiver and deferral requests. The waiver request was reviewed by the Board at its September 28th meeting. The approval resolution is ready for the Board's consideration.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved Resolution 22-28, Kessler Dental Waiver of Land Development Request.

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

**Resolution 22-29: Mainland Golf Waiver of Land Development Request**

The applicant has requested a waiver from the land development process, the applicant reviewed the proposed changes and waiver request to the Board at its September 28th public meeting. The approval resolution is ready for the Board's consideration.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved Resolution 22-29, Mainland Golf Waiver of Land Development Request.

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

**Schnabel Minor Subdivision – Land Development Second Review**

The subject property consists of 25.92 acres located on both sides of Kriebel Road on the eastern side of the intersection with Kriebel Road and Old Forty Foot Road in the "R-200 - Residential Agricultural" Zoning District. There is one existing single-family detached dwelling, a detached garage with an apartment on the second floor, two existing driveways to Kriebel Road, two septic fields, two wells and a shed on the property. One of the dwellings also contains an existing home occupation. The remainder of the property has been farmed. Lot 1 is proposed to consist of 2 acres to include all the existing improvements noted above. Lot 2 is proposed to consist of 23.92 acres which would include the remaining farmed area of the property.

James W. Major, P.E. and Timothy Duffy, Esq, representing the applicant, reviewed the waivers outlined in the October 6 waiver request letter.

Township Engineer Mary Stover and Robert J. Iannozzi, Jr., Esq., Township Solicitor asked for clarification and reviewed the phrasing of the deferred improvements in the letter relating to road widening, driveways and curbing with respect to a future developer's financial responsibility when developing lot 2. Mr. Iannozzi suggested including clarifying notes on the record plans to note the

shift in obligation with respect to the noted deferrals. The applicant's representatives were agreeable to the suggestions.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board authorized staff to prepare an approval resolution including consultant comments, noted waivers and deferrals.

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

### **Old Business**

None

### **New Business**

#### **Resolution 22-30: Act 57 of 2022 - Property Tax Penalty Waiver**

The Commonwealth of Pennsylvania's General Assembly amended the Local Tax Collection Law in Act 2022-57 ("Act") requiring local tax collectors waive additional charges for real estate taxes for tax years 2023 and later provided that the taxpayer meets certain conditions. The Act requires municipalities to adopt a resolution or ordinance requiring their tax collector to waive additional charges for real estate taxes under certain circumstances beginning in 2023. By resolution, the Board hereby requires the Township's Tax Collector to waive additional charges for real estate taxes following the transfer of real property where such notice was not received.

The Tax Collector shall waive additional charges for real estate taxes in the then current tax year, if the taxpayer does all the following: 1) provides a waiver request of Additional Charges to the Tax Collector in possession of the claim within twelve 12 months of a Qualifying Event; 2) attests that a notice was not received, and 3) provides the Tax Collector in possession of the claim with specified documentation.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved Resolution 22-30, Act 57 of 2022, Property Tax Penalty Waiver.

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

#### **Employment Search Proposal - Director of Community Development & Code Enforcement**

The candidate selected to fill the role of Director of Community Development & Code Enforcement communicated they were withdrawing from the employment offer on October 4, with a pending start date of October 17. We received a proposal from Wiesner Consulting dated October 6, 2022, to conduct the candidate search to fill this position for \$10,500.

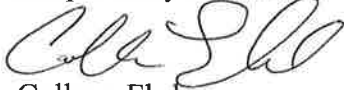
On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the employment search proposal by Wiesner Consulting for \$10,500.

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

Supervisor Smith played a rendition of Happy Birthday on her cell phone to celebrate Township IT employee Niral Modi's birthday, who was providing the Zoom operations at the meeting. The Board wished Niral a happy birthday; thanking him for working on his birthday.

There being no additional business, the meeting adjourned at 7:55 pm.

Respectfully submitted,



Colleen Ehrle

Manager of Administration, Communication & Human Resources