

**Towamencin Township
Board of Supervisors
Monthly Meeting
October 28, 2009
7:30 p.m.**

Present:

Daniel M. Littley, Chairman
Dr. Thomas Hollenbeck, Vice Chairman
H. Charles Wilson, III
James P. Sinz
John V. Gottschall

Staff:

Robert A. Ford, Township Manager
John T. Dooley, Esquire, Township Solicitor
Russell Benner, P.E., Township Engineer
Joseph Leis, Director of Community Planning
P. Tim Dickinson, Chief of Police

Chairman Littley called the meeting to order at 7:30 p.m. and led the assemblage in the Pledge of Allegiance.

5 Chairman Littley announced the Board held an executive session prior to the meeting to discuss matters pertaining to personnel and potential legal issues.

Chairman Littley stated the next Budget Work Session will be held on November 10th at 7:00 p.m.

10 Chairman Littley announced that the Township's Annual Turkey Trot will be held on Saturday, November 21st at Fischer's Park. He noted that the top male and female runners will win a free turkey and medals will be awarded to the top three runners in each age category. Mr. Littley stated that runners could register on-line, at the township building, or the day of race. Registration starts at 9:00 am with the race kicking off at 10:00 am.

15 Mr. Joe Silverman, 1325 Reiff Road, noted that Reiff Road was recently paved and it really "passed the test" with the recent rain storms. Mr. Silverman thanked Dave Hillmantel, Bill Coughenour and the Public Works Crew.

Report of Investigation – Towamencin Volunteer Fire Company

20 Township Solicitor, John Dooley summarized the detailed investigation of the claims made by Mr. Greg Martin concerning alleged intoxication of a Volunteer Firefighter while on a call. The conclusion of the investigation was that there was an incident in January 2009 when a firefighter reported intoxicated and that the issue was handled immediately on the scene by the officers and Chief in accordance with the
25 Fire Company's regulations. The allegations made by Mr. Martin were determined to be unwarranted.

Following the conclusion of the Township Solicitor's summary, Chairman Littley read a prepared statement in support of the professionalism of the Towamencin Volunteer Fire Company. Additionally, he noted that the newspapers must report responsibly and not misquote the elected officials.

Approval of Minutes – October 10, 2009

On motion of Mr. Sinz, seconded by Mr. Wilson, the Board approved the minutes of October 10, 2009 as written.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

Voting No: N/A

Abstaining: N/A

Absent: N/A

Conditional Use Decision: Magic Shine Car Wash – 1045 Allentown Road

Chairman Littley noted that the applicant is seeking relief from the Zoning Code by seeking Conditional Use approval from Section 153-413 to expand the existing car wash use by the addition of car detailing bays. He noted a public hearing was held on this application at the Board's September 23rd meeting.

Mr. Dooley summarized the Board's decision.

On motion of Mr. Sinz, seconded by Dr. Hollenbeck, the Board approved the conditional use application of Magic Shine Car Wash.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

Voting No: N/A

Abstaining: N/A

Absent: N/A

Authorization to Advertise Village Sign Ordinance Amendment

Chairman Littley stated the Board requested staff to review the sign ordinance as it relates to the Village Overlay District and other areas within the Township. A proposed amendment has been prepared that includes various definition changes and dimensional restrictions. Per the Pennsylvania Municipalities Planning Code, the Board of Supervisors may set the time and place of a public hearing at which to consider a proposed amendment to the Zoning Code.

On motion of Dr. Hollenbeck, seconded by Mr. John Gottschall, the Board authorized the administration to advertise the Ordinance for consideration.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

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

5 **Authorization to Advertise Ordinance Amendment – Traffic Signal Specifications**

Chairman Littley noted the Board recently completed its upgrade to the Traffic Signals throughout the Township. Staff noted the Traffic Signal Specifications as outlined in §136 of the Township Code were last revised in the late 1990s. The Township Traffic Consultant has reviewed the specifications and has submitted the attached for consideration. Staff is recommending to the Board that they be adopted.

On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board authorized the administration to advertise the amendment to the Traffic Signal Ordinance.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall
Voting No: N/A
Abstaining: N/A
Absent: N/A

20 **Authorization to Advertise Ordinance Amendment – Change of Occupancy Inspections**

Chairman Littley stated the Township Administrative Code, §59-3, requires that an inspection be conducted and a certificate be issued for a change in occupancy of residential dwelling units. Staff is recommending that we inspect the property but in a more limited capacity.

Mr. Gottschall asked what the difference between the existing and proposed Ordinance is.

Dr. Hollenbeck asked about how the issue of a finished basement being constructed before or after the Ordinance was changed requiring emergency egress.

Mr. Leis addressed both questions.

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board authorized the administration to advertise the amendment to the Ordinance to change the occupancy inspection regulations.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall
Voting No: N/A
Abstaining: N/A
Absent: N/A

Authorization to Prepare Agreement – 105 Lakeview Drive

Chairman Littley noted the owner of the property has submitted a permit for a swimming pool and fence. The location of the fence will be within the sanitary sewer easement. After reviewing the files it

was also discovered there is an existing patio within that easement. The applicant is asking the Board of Supervisors for permission to allow the patio to remain and permit the fence.

5 On motion of Dr. Hollenbeck, seconded by Mr. Sinz, the Board authorized the administration to prepare an agreement with the residents of 105 Lakeview Drive to allow the existing patio and placement of a fence in the existing sanitary sewer easement.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

10 **Voting No:** N/A

Abstaining: N/A

Absent: N/A

Resolution 09-42: PSDC Town Square Phase II – Amendment to Resolution

15 Chairman Littley noted the applicant has requested to appear before the Board to request amending the conditions in the resolutions that granted Preliminary Plan approval to PSDC Town Square Stage II-A and II-C specifying that *“If in the future the Township determines that additional through lanes are required on Towamencin Avenue the developer shall provide off-street parking equal to the number lost from the removal of on-street parking and pay for any improvements on Towamencin Avenue including the removal of any concrete islands.”*

20 Mr. Marc Davis, Esquire, acknowledged the Board and advised that his client Mr. Mark Nicoletti would like to speak to the Board.

25 Mr. Nicoletti commented that it was always his intention to work cooperatively with the Township and that he hoped the Board found how PSDC resolved the issue of parking to be satisfactory.

30 Mr. Davis used a Power Point slide of the development showing how they resolved the Board’s concern on parking.

Mr. Gottschall thanked the applicant for their cooperation.

35 On motion of Mr. Sinz, seconded by Mr. Wilson, the Board adopted Resolution 09-42 amending the Towamencin Town Square Stage II-A original application.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

40 **Voting No:** N/A

Abstaining: N/A

Absent: N/A

45

Sumneytown Pike Left Hand Turning Lane

Chairman Littley stated that at the October 14th meeting, the Board directed Staff to research the process and associated costs of extending the left turn lane at the intersection of Sumneytown Pike and Troxel Foot Road.

Mr. Leis summarized the results of his discussion with the Township Traffic Engineer, Matt Johnston.

It was the consensus of the Board to table this issue and bring it back before the Board next summer.

Warrant List

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board approved the payment of bills as presented in the amount of \$414,437.92.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

Voting No: N/A

Abstaining: N/A

Absent: N/A

Resolution 09-43: Towamencin Township Infrastructure Authority Warrant List

On motion of Mr. Sinz, seconded by Dr. Hollenbeck, the Board adopted Resolution 090-43 approving the payment of bills as presented for the Infrastructure Authority.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

Voting No: N/A

Abstaining: N/A

Absent: N/A

Resolution 09-44: Sale of Certain Items

Chairman Littley noted that per §1504 of the Pennsylvania 2nd Class Code, no personal property of the Township may be sold or disposed of without approval of the Board of Supervisors. Personal property with an estimated value \$1,000 or more must be sold through bid or auction after due notice through an advertisement in a newspaper of general circulation.

On motion of Dr. Hollenbeck, seconded by Mr. Sinz, the Board adopted Resolution 09-44 authorizing the sale of certain items at auction.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

Voting No: N/A

Abstaining: N/A

Absent: N/A

Resolution 09-45: Disposal of Property

5 Chairman Littley noted that per §1504 of the Pennsylvania 2nd Class Code, no personal property of the Township may be sold or disposed of without approval of the Board of Supervisors. Personal property with an estimated value of less than \$1,000 may be sold without further action following approval by the Board.

10 On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board adopted Resolution 09-45 authorizing the disposal of property.

Voting Yes: Daniel M. Littley, Dr. Thomas Hollenbeck, James P. Sinz, H. Charles Wilson, John V. Gottschall

15 **Voting No:** N/A

Abstaining: N/A

Absent: N/A

Personnel Manual Update Discussion

20 Chairman Littley stated the Administration has been working on a re-draft of the 1989 Personnel Policy Manual (as last amended 1997) for the “Non-Uniformed” employees of Towamencin Township. These amendments were crafted with the assistance of Juan Lacomba of the Strategic Plan Committee who was a professional Human Resources manager in the private sector before retirement, and various
25 Department Heads. Before sending the draft to legal counsel for review, the Administration is seeking comments from the Board.

Mr. Wilson noted that the Finance Committee looked at this a number of times and recommends it be sent to the Labor Counsel.

30 The Board directed the administration to send the document to the Labor Counsel for review and then bring it back to the Board for discussion.

Additional Business

35 Mr. Gottschall asked Chief Dickinson about accidents at Old Forty Foot Road. The Chief advised that they will continue to work with PennDOT.

There being no further business, the meeting adjourned at 8:20 p.m.

40 Respectfully submitted,

Robert A. Ford
Township Manager

45 RAF/sl