

**Towamencin Township
Board of Supervisors
Monthly Meeting
December 30, 2009
7:30 pm**

Present:

Daniel M. Littley, Jr., 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

Absent:

Dr. Thomas Hollenbeck, Vice Chairman

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

5 Chairman Littley announced that contrary to what was reported in “The Reporter” the Board would not be discussing or making any decision on the proposal by W.B Homes that was discussed at the Board’s December 9th meeting.

10 Chairman Littley announced that the Board would be recognizing two young men from Towamencin Township who have achieved the rank of Eagle in the Boy Scouts of America; Tyler Frisch and Kevin Gottschall.

Supervisor Gottschall read and presented commendations to each of the Eagle Scouts.

15 Chairman Littley noted the Board met in executive session to discuss legal and real estate issues.

Chairman Littley stated the Township received numerous positive comments about the great job the Public Works’ crew did during the snow storm last week.

20 Chairman Littley reminded the residents that sidewalks must be cleared of snow within twenty-four hours after a snow storm, also, not to plow snow from the driveway into the street.

Chairman Littley stated the Board will hold their Reorganization Meeting on Monday, January 4th at 7 p.m.

Chairman Littley stated the Township received two awards from PSATS for the Township newsletter, website and cable TV. Chairman Littley noted the great work Sharon Luma has done on these various media, as well as IT Manager, Clayton Reed.

5

Public Comment

Joe Silverman, Reiff Road, commented on the 2010 Budget suggesting that the Township should have anticipated economic downturns and built a stronger reserve in past years. Also that the Township should focus on infrastructure maintenance instead of park and recreation plans.

10

Approval of Minutes – December 9, 2009

On motion of Mr. Sinz, seconded by Mr. Gottschall, the Board approved the minutes of December 9, 2009 as written.

15

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

Voting No: N/A

Abstaining: N/A

Absent: Dr. Thomas Hollenbeck

20

Public Hearing: Sign Ordinance Amendment

Chairman Littley stated the Board had 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. The Planning Commission at their October 5, 2009 meeting reviewed the proposed ordinance and is recommending the Board of Supervisors adopt the ordinance.

25

A court Recorder was present and made a detailed record of the hearing that will be maintained at the Township.

30

The hearing was closed.

Ordinance 09-09: Sign Ordinance Amendment

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board adopted Ordinance 09-09 amending the sign ordinance.

35

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

Voting No: N/A

Abstaining: N/A

Absent: Dr. Thomas Hollenbeck

40

45

Public Hearing: Traffic Signal Specification Ordinance Amendment

5 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 was last revised in the late 1990's. The Township Traffic Engineer has reviewed the specifications, and has submitted a revised Ordinance for consideration.

10 A court Recorder was present and made a detailed record of the hearing that will be maintained at the Township.

The hearing was closed.

Ordinance 09-10: Traffic Signal Specification Ordinance Amendment

15 On motion of Mr. Sinz, seconded by Mr. Wilson, the Board adopted Ordinance 09-10 amending the traffic signal ordinance.

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

Resolution 09-48: Magic Shine Car Wash

25 Chairman Littley stated this plan is for a proposed land development of an existing car wash located at 1045 Allentown Road. The applicant received conditional use approval at the Board's October 23, 2009 meeting to expand the existing car wash use by the addition of car detailing bays.

30 Chairman Littley noted the Planning Commission recommended the Board of Supervisors approve land development application #773 Magic Shine Car Wash as well as the waiver and conditions on the Sign and Fence Easement Agreement.

35 On motion of Mr. Wilson, seconded by Mr. Sinz, the Board adopted Resolution 09-48 granting preliminary plan approval for the Magic Shine Car Wash.

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

Resolution 09-49: PSDC - Towamencin Town Square Stage II, Section B

45 Chairman Littley stated the project is located at the intersection of Sumneytown Pike and Towamencin Avenue. It is for a proposed Office/Retail Building. The Planning Commission

is recommending the Board of Supervisors approve the land development application for Town Square Stage II-B, subject to and conditioned upon compliance with the items as outlined in the staff and Township Engineers review letters.

5 On motion of Mr. Sinz, seconded by Mr. Gottschall, the Board adopted Resolution 09-49 granting preliminary plan approval for the PSDC Towamencin Town Square Stage II-B.

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

Voting No: N/A

10 **Abstaining:** N/A

Absent: Dr. Thomas Hollenbeck

Resolution 09-50: PSDC - Towamencin Town Square Stage II, Section C

15 Chairman Littley stated the project is located at the intersection of Forty Foot Road and Towamencin Avenue. It is for a proposed 3-story 41,850 sq. ft. Retail/Office Building. Chairman Littley noted the Planning Commission is recommending the Board of Supervisors approve the land development application for Town Square Stage II-C, subject to and conditioned upon compliance with the item as outlined in the Staff and Township Engineer's review letters.

20

On motion of Mr. Wilson, seconded by Mr. Gottschall, the Board adopted Resolution 09-50 granting preliminary plan approval for the PSDC Towamencin Town Square Stage II-C.

25 **Voting Yes:** Daniel M. Littley, James P. Sinz, H. Charles Wilson, John V. Gottschall

Voting No: N/A

Abstaining: N/A

Absent: Dr. Thomas Hollenbeck

30 **Zoning Hearing Board 09-15: Metro PCS, 1210 Snyder Road**

Chairman Littley stated the applicant is seeking relief to add six antennas on a 10' extension of the existing tower and placement of equipment cabinets at base of existing tower located at 1210 Snyder Road.

35

After a brief discussion, it was the consensus of the Board not to send the Solicitor to the Zoning Hearing Board meeting to oppose the application.

Request for Waiver of Land Development – Ray's Pizza

40

Chairman Littley noted Ray's Pizza, located on Valley Forge Road has submitted a request to the Board of Supervisors to waive the requirement of a submission of a formal land development application for a proposed concrete pad and replacement concrete steps.

45 On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board directed the Staff to meet with the applicant to get more details and return to the Board at a later date.

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

Voting No: N/A

Abstaining: N/A

5 **Absent:** Dr. Thomas Hollenbeck

North Montco Technical Career Center – Consideration of Preliminary Plan Resolution

10 Chairman Littley stated the applicant is proposing a 7,986 sq. ft. addition to an existing facility located at 1265 Sunneytown Pike.

15 Chairman Littley noted the Planning Commission is recommending the Board of Supervisors approve this land development application, and that the requested waivers be approved with deferrals requiring establishment of an escrow.

Lauren Chesney, Esquire, representing the applicant, summarized the requested waivers as noted in CMX’s review letter dated December 21, 2009.

20 Supervisor Wilson questioned the traffic impact. The applicant opined that there would be no additional traffic.

25 Supervisor Sinz asked if the addition would generate any additional uses. The applicant replied it would not.

Supervisor Gottschall asked the other Board members whether the Township would require an escrow for deferrals of sidewalks and trails.

30 On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board directed the Staff to prepare a resolution for a future meeting to include the requested waivers, but that the approved deferrals for curbing, sidewalks and trails be escrowed. Also, the Board noted should the applicant come before the Board for future land development, that the waivers would not be granted.

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

35 **Voting No:** N/A

Abstaining: N/A

Absent: Dr. Thomas Hollenbeck

Warrant List

40 On motion of Mr. Wilson, seconded by Mr. Sinz, the Board authorized the payment of bills as presented in the amount of \$377,717.68.

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

45 **Voting No:** N/A

Abstaining: N/A

Absent: Dr. Thomas Hollenbeck

Resolution 09-51: 2010 Budget

5 Chairman Littley noted highlights from the 2010 Budget include a millage rate increase of 1.5 for real estate taxes, retention of the Homestead Exemption of \$59,000, no increase in sewer rates, salaries frozen at the 2009 level for non-uniformed employees, and a 10% reduction of the Township work force.

10 The proposed Budget began as a draft developed by staff, which was then presented to the Board of Supervisors on October 15, 2009 and discussed during three budget workshops held October 21, November 10, and November 18. During these public work sessions the Board and staff reviewed each category of the budget and made appropriate adjustments, resulting in the Proposed Budget that was presented and released for a 20-day public review and comment
15 period at the Board’s December 9, 2009 meeting.

Supervisor Gottschall commented that it was a very difficult budget and the Township had to lay people off. However, it is critical that the Township maintain ability to provide safety and services.

20 On motion of Mr. Sinz, seconded by Mr. Gottschall, the Board adopted Resolution 09-51 establishing the 2010 Budget.

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

Resolution 09-52: Tax Levy

30 Chairman Littley stated this action establishes the millage rates for 2010 to satisfy the requirements of the budget.

35	General Purposes:	2.511
	Debt Service:	0.807
	Fire:	0.070
	Park:	<u>0.420</u>
40	Total:	3.808

On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board adopted Resolution 09-52 establishing the 2010 Tax Levy.

Voting Yes: Daniel M. Littley, James P. Sinz, John V. Gottschall
45 **Voting No:** H. Charles Wilson
Abstaining: N/A

Absent: Dr. Thomas Hollenbeck

Resolution 09-53: Homestead Exemption

5 Chairman Littley stated this establishes the Homestead Exemption at \$59,000.00. In 2000, the
County implemented the Homestead Exemption Program to give a tax break to certain property
owners. In order to participate, the property must be the primary residence of the property
owner. Commercial properties and rental properties do not qualify. Once a property is
participating, it will remain in the program unless its status changes (i.e. sold or rented). A new
10 buyer is required to register with the County in order to participate.

As part of its budget process, The Township annually determines the amount of exemption.
Those participating homeowners will receive an exemption on the township portion of their tax
bill only.

15 On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board adopted Resolution 09-53
establishing the 2010 Homestead Exemption.

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

Resolution 09-54: Farmstead Exemption

25 Chairman Littley stated the farmstead exclusion is a similar method of targeting real property tax
relief to farmers. It allows real property tax relief to farmers on the taxes they pay on farm
buildings (other than the farm house, which receives tax breaks through the homestead
exclusion), as long as at least one farm owner lives on that farm. This is in addition to other
30 existing real property tax relief programs aimed at farms, such as Act 319 (often referred to as
"Clean and Green"), which reduces the assessed value of farmland.

By law, if homestead exclusion is offered in a taxing jurisdiction, the farmstead exclusion must
also be offered. The farmstead exclusion rate is set by the governing body, and cannot exceed the
35 amount of the homestead exclusion.

This establishes the Farmstead Exemption at \$59,000.00.

40 On motion of Mr. Sinz, seconded by Mr. Wilson, the Board adopted Resolution 09-54
establishing the Farmstead Exemption.

Supervisor Gottschall commented that he was pleased the Township kept the exemption at
\$59,000.

45 **Voting Yes:** Daniel M. Littley, James P. Sinz, John V. John Gottschall, H. Charles Wilson
Voting No: N/A

Abstaining: N/A
Absent: Dr. Thomas Hollenbeck

5

Resolution 09-55: Sewer Rental Fee

10 Chairman Littley noted sewer rental rates will remain the same as in 2009. This establishes the Sewer Rental Fee for 2010 at \$325 Base and \$375 with garbage disposal.

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board adopted Resolution 09-55 establishing the sewer rental rate for 2010.

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

20 **Resolution 09-56: North Valley View Way Street Light District**

25 Chairman Littley stated this area is located near the intersection of Valley Forge Road and Morris Road. He noted this is the Township's only established Street Light District. Property owners within this area are assessed annually to fund the operation and maintenance of the six streetlights in this development.

The amount assessed to each property is \$25.00 annually.

30 On motion of Mr. Gottschall, seconded by Mr. Sinz, the board adopted Resolution 09-56 setting the street light district rate for North Valley View Way.

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

State Fire Commissioner's Office Certification Recognition

40 Chairman Littley stated this is an application seeking recognition of the achievement of professional certification by Township's Fire Marshal's Office. The purpose of this program is to identify and recognize emergency service personnel whose accomplishments in training and education meets or exceeds nationally recognized standards.

45 On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board authorized the administration to file the proper paperwork to the State Fire Commissioner's Office for certification recognition.

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

Voting No: N/A

Abstaining: N/A

5 **Absent:** Dr. Thomas Hollenbeck

Bid Award: Street Light Bid

10 Chairman Littley explained Bids were sought for the maintenance of the streetlights within the Township.

The specifications requested bids for “Annual Maintenance” and “hourly rates” for both one-year and three-year contract options.

15 Most repairs for our streetlights involve extinguished lamps that are covered by the annual maintenance contract. In cases where damage is caused to a light or a pole by a motor vehicle (and a Police report is available), the Township charges the cost of the repairs to the vehicle operator.

20 Based on the performance exhibited during the five years, combined with the submission of the lowest-cost bid, we recommend that the contract for street light maintenance be awarded to “Precision Electric Signal.”

25 Staff recommends the contract be awarded for a three (3) year period.

On motion of Mr. Sinz, seconded by Mr. Wilson, the Board awarded the street light bid to Precision Electric for a term of three years.

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

30 **Voting No:** N/A

Abstaining: N/A

Absent: Dr. Thomas Hollenbeck

Ratification of Personnel Severance Agreements

35 Chairman Littley stated that due to current economic conditions, three full-time positions have been eliminated for the upcoming years, several seasonal positions have not been budgeted for the summer, and one vacant police patrol officer position will not be re-filled in 2010. The Township provided severance agreements prepared by labor counsel that ranged from two weeks
40 to 3 weeks salary plus continuation of health insurance coverage. The agreements have been executed by the respective employees and Township Manager.

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board ratified the agreements associated with the elimination of the three full-time positions.

45 **Voting Yes:** Daniel M. Littley, James P. Sinz, John V. John Gottschall, H. Charles Wilson

Voting No: N/A
Abstaining: N/A
Absent: Dr. Thomas Hollenbeck

5 There being no further business, the meeting adjourned at 8:37 p.m.

Respectfully submitted,

10
Robert A. Ford
Township Manager

15