

**Towamencin Township
Board of Supervisors
Monthly Meeting
September 23, 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 asked Mr. Ford to step down to the front of the dais. Chairman Littley and the Board of Supervisors welcomed Janet Ford, Mr. Ford's wife and his daughters, Katy and Caroline as well as Mr. Ford's father to the meeting.

- 5 Chairman Littley called the meeting to order at 7:32 p.m. and led the assemblage in the Pledge of Allegiance. Everyone faced the North Penn High School ROTC Color Guard and said the Pledge of Allegiance.

- 10 The brass quartet from the Montgomery County Concert Band played a compilation of patriotic songs in honor of Mr. Ford's retirement.

- 15 Chairman Littley noted that Mr. Ford is retiring from the U.S. Navy this weekend after serving thirty years in the active and reserve Naval Forces. He noted that this is quite a Life Event accomplishment and read to the audience Mr. Ford's military history as well as his accomplishments. He thanked Mrs. Ford for her patience and dedication over the thirty years as it is not always easy for the families given the long and repetitive deployments and time away during anniversaries, birthdays, and holidays. Mrs. Ford was presented with a dozen red roses and Katy and Caroline were presented with corsages.

- 20 Chairman Littley thanked the Montgomery County Concert Band and the North Penn High School ROTC Color Guard for their contribution this evening. He also thanked those members of the Township Staff who were in attendance.

Mr. Ford then used his Navy sword, which his father had presented to him when Mr. Ford Sr. retired from the U.S. Navy, to cut the cake.

After a brief recess, the meeting resumed at 7:55 p.m.

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Opening Comments

Chairman Littley announced the Board held an executive session prior to the meeting to discuss personnel and possible litigation issues.

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Chairman Littley noted that October is Fire Safety month. He noted that the Towamencin Volunteer Fire Company will be holding an Open House on October 1st at 6:30 p.m.

Chairman Littley stated that the Township will hold a “Kid’s Pumpkin Fest” at Fischer’s Park on October 2 from 6 to 8 p.m. He encouraged everyone to bring the children out and paint a pump while supplies last.

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Approval of Minutes – September 9, 2009

On motion of Dr. Hollenbeck, seconded by Mr. Sinz, the Board approved the minutes of September 9, 2009 as written.

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

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Voting No: N/A

Abstaining: N/A

Absent: N/A

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

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Chairman Littley opened the Hearing and turned the floor over to the Township Solicitor. A court Reporter was present and a detailed transcript of the Hearing will be on file at the Township Office.

The hearing was concluded and the Township Solicitor advised that the Board would render its decision at a later meeting.

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Regency Centers (Walgreens): Request for Reconsideration of Escrow Requirements

Chairman Littley stated that Regency Centers, the developer for the new “Walgreens” facility on Forty Foot Road, has requested that the Township consider the “Boorse House Plaza” as the required public art and that the bike trail escrow not be required to be posted until Regency develops the second phase of the site.

Brian Donley was present to represent Regency Centers.

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In response to a question from Dr. Hollenbeck, Mr. Donley advised that they would use cedar for the wood.

5 On motion of Mr. Sinz, seconded by Mr. Gottschall, the Board approved the request of Regency Centers to consider the Boorse Plaza as the Public Art requirement and to authorize the Staff to prepare a resolution that would allow the trail escrow be placed as a requirement of Phase II.

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

15 **PSDC Town Square Phase IIA and IIC – Consider Amendment Preliminary Plan Resolution**

Chairman Littley noted that 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.”*

25 Mr. Ford read the proposed language submitted by PSDC.

Mr. John Gottschall expressed that he did not find the language acceptable.

30 Mr. Littley asked the Township Solicitor if he participated in the redrafting. Mr. Dooley advised that he was not invited to discuss the proposed language with PSDC’s lawyer.

The Board had no consensus to act on the proposal until the Township Solicitor and applicant’s lawyer work to a rewording as directed at the last meeting.

35 **Zoning Hearing Board Application 2009-09: Scott & Janine Burnett – 1803 Robin Drive**

Chairman Littley noted the applicant is seeking relief of side yard setbacks, for an addition that was added to the existing home.

40 It was the consensus of the Board not to send the Township Solicitor to the Zoning Hearing Board to oppose the application.

Warrant List

45 On motion of Mr. Wilson, seconded by Mr. Sinz, the Board approved the payment of bills as presented in the amount of \$875,281.

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

Voting No: N/A

Abstaining: N/A

5 **Absent:** N/A

Authorization to Bid: Street Light Maintenance

10 Chairman Littley stated that this bid is for the outsourcing of maintenance and repair of the 178 streetlights throughout the Township.

Mr. John Gottschall asked if this was a one or three year contract.

Mr. Ford advised that it was a three year contract.

15 Mr. Wilson asked how the Township would handle the contract if it was awarded the LED grant.

Mr. Ford noted that the Public Works Director will insert language to incorporate this possibility.

20 On motion of Dr. Hollenbeck, seconded by Mr. Gottschall, the Board authorized the advertisement of bids.

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

25 **Voting No:** N/A

Abstaining: N/A

Absent: N/A

Block Party – Street Closing Permit: Donna Place

30 Chairman Littley stated that the residents of Donna Place have submitted a request to close off vehicle access to the cul-de-sac for a neighborhood block party on October 3, 2009 from 5:00 pm to 9:00 pm.

35 On motion of Mr. Sinz, seconded by Mr. Gottschall, the Board authorized the closing of Donna Place for a block party on October 3, 2009.

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

Resolution 09-39: Authorization to Agreement with Property Room.Com

45 Chairman Littley noted that the Chief of Police has researched the use of an internet based auction program called “*Property Room.com*” to dispense of items taken into police custody that

are either abandoned or cannot be returned to the owner. The company is used by several municipalities in Southeastern Pennsylvania, such as Lower Merion Township.

5 For a nominal fee, the company auctions unclaimed property and the Township would receive the payment. This approach would reduce the staff work involved in disposing of unclaimed property, and it would keep the property/evidence room cleaned out and up to date.

10 The Township Solicitor has reviewed the proposal and with the exception of one item, (*disposition of property not sold valued over \$1,000.00*) has advised that it is within the Township Code and applicable law. In order to proceed with this program, the Board is requested to consider approval of a resolution authorizing the entering into an agreement with “*Property Room.com*” to dispose of unclaimed property in the custody of the Police Department. The resolution also states that property valued at over \$1,000.00 not sold at auction will not be disposed by “*Property Room.com*,” but would be returned to the Police Department.

15 On motion of Dr. Hollenbeck, seconded by Mr. Sinz, the Board adopted Resolution 09-39 authorizing the Agreement with Property Room.Com.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

25 **Lower Salford Township Request for Fire Police Assistance**

30 Chairman Littlely noted that Lower Salford Township is requesting assistance of Fire Police for Traffic Control and pedestrian safety during their annual Halloween event that is to be held on October 24, 2009.

On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board authorized the Request of Lower Salford for Fire Police assistance.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

40 **Resolution 09-40: Declaration of Intent to Reimburse Park Capital Fund for Construction of Fischer’s Park Pervious Parking**

45 Chairman Littlely stated the Township has been awarded a \$281,964 grant through the American Recovery and Reinvestment Act (“ARRA”) of 2009 to construct a 35,910 square foot pervious parking lot at Fischer’s Park. The Township intends to pay project costs, on an interim basis, using its Park Capital Fund until the proceeds of the “ARRA” funds are received through

PENNVEST. Federal regulations require that the Township officially confirm that it will reimburse its Park Capital Fund for project costs incurred with the proceeds of the ARRA funds received through PENNVEST up to the maximum principal amount of \$281,964.00.

5 On motion of Mr. Wilson, seconded by Dr. Hollenbeck, the Board adopted Resolution 09-40 authorizing the reimbursement of the Park Capital Fund for the construction of the Fischer's Park Pervious Parking Lot.

10 **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

15 **Bid Award: Fischer's Park Pervious Parking Lot Addition**

20 Chairman Littley noted that the Township was notified in mid-July that it had been awarded a \$281,964 grant through the American Recovery and Reinvestment Act of 2009 to construct a 35,910 square foot pervious parking lot with an infiltration bed and bio-retention basins at Fischer's Park to reduce the runoff of suspended solids, nitrates and phosphorous into Towamencin Creek. Thirteen bids for the project were received. Based on review by the Township Engineer and Administration, Staff is recommending that the Board award the bid to "R.J Sell Excavating, Inc." at a cost of \$233,247.75.

25 On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board awarded the Fischer's Park Pervious Parking Lot addition to RJ Sell Excavating, Inc. in the amount of \$233,247.75.

30 **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

Rittenhouse Road Closure – October 1, 2009 – Fire Prevention Week

35 Chairman Littley stated that the Towamencin Volunteer Fire Company is seeking the Board's approval to close a section of Rittenhouse Road from Bustard Road to Candlewood Way on October 1, 2009 from 6:00 pm to 9:00 pm for activities and information sessions associated with National Fire Prevention Week.

40 On motion of Dr. Hollenbeck, seconded by Mr. Sinz, the Board authorized the closure of Rittenhouse Road on October 1, 2009 for fire prevention activities.

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

Secretary Omnibus Certificate for PennVEST

5 Mr. Ford explained that this is a document required by PennVEST for the grant associated with the pervious parking lot project at Fischer’s Park. The certificate, that is to be signed by the Board Secretary, confirms that there have been no changes or amendments to the Township’s organizational documents since the grant was approved. Further, that the list of the Township’s
10 elected officials is accurate.

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board authorized the execution of the Secretary Omni Certificate for PennVEST.

15 **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 **Funding Recipient Omnibus Certificate for PennVEST**

Mr. Ford explained that this is another document required by PennVEST for the grant associated with the pervious parking lot project at Fischer’s Park. The certificate, that is to be signed by all
25 Board members, confirms that the Township will comply with the requirements of the Steel Products Procurement Act, that there has been no material change in the financial condition of the Township since the grant application was submitted, and that the Township was not under the jurisdiction of the Pennsylvania Public Utility Commission.

30 On motion of Mr. Wilson, seconded by Mr. Sinz, the Board authorized the execution of the Secretary Omni Certificate for PennVEST.

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

Additional Business

40 Nick Teti of Waterford Crossing thanked the Township for the quick response to the concerns of the traffic on Troxel Road at the PennDOT construction project.

45 Dr. Hollenbeck announced that the Township had received an award from Philadelphia Horticultural Society for Grist Mill Park.

There being no additional business, the meeting adjourned at 8:52 p.m.

Respectfully submitted,

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Robert A. Ford
Township Manager

10 RAF/sl

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