

**Towamencin Township
Board of Supervisors
May 26, 2010 Monthly Meeting
Rescheduled
June 2, 2010
7:00 pm**

Present:

Daniel M. Littley, Jr., Chairman
H. Charles Wilson, III
James P. Sinz
John V. Gottschall
Patricia Younce - Appointed

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 7:00 and led the assemblage in the Pledge of Allegiance.

Appointment of Supervisor

5 Chairman Littley stated that in accordance with the Pennsylvania 2nd Class Township Code, if any person elected to any office fails to serve in the office or if a vacancy occurs in the office by death, resignation, removal from the township or otherwise, the Board of Supervisors may appoint a successor who is an elector of the township and has resided in that township continuously for at least one year prior to their appointment. The successor so appointed shall
10 hold the office until the first Monday in January after the first municipal election which occurs more than sixty days after the vacancy occurs, at which election an eligible person shall be elected for the unexpired term.

Chairman Littley noted that the next “Municipal Election” is in 2011, so the person appointed will serve until December 31, 2011. The position will be on the ballot for the Primary and
15 General elections in 2011 and will be for the remaining period of Doctor Hollenbeck’s term which expires on December 31, 2013.

Mr. Gottschall made a motion to nominate Patricia Younce, seconded by Mr. Wilson.

20 Mr. Sinz made a motion to nominate Joseph Vavra. This motion was not seconded.

The Board voted to appoint Patricia Younce to fill the vacant position on the Board.

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

Voting No: N/A

5 **Abstaining:** N/A

Absent: N/A

John Dooley, Township Solicitor and Notary Public, provided the Oath of Office to Mrs. Younce.

10

Mrs. Younce was seated as Supervisor.

On motion of Mr. Sinz, seconded by Mr. Wilson, the Board nominated Mr. John Gottschall as Vice Chairman.

15

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

Voting No: N/A

Abstaining: N/A

20 **Absent:** N/A

Opening Comments

Chairman Littley noted the Board held an executive session prior to the meeting to discuss personnel issues, real estate matters, and issues of potential litigation.

25

Chairman Littley stated the Board of Supervisors conducted a Township-wide “Road Tour” on Friday May 21, 2010 with members of Township Staff to inspect parks and various Township properties, as well as sites proposed for or currently under development.

30

Chairman Littley announced the Board of Supervisors meeting scheduled for June 9, 2010 has been cancelled. The next meeting of the Board of Supervisors will be Wednesday June 23, 2010 starting at 7:30 pm.

35

Chairman Littley noted the Annual Home Run Derby will be held on this Saturday, June 5th at Fischer’s Park. This event is run by the Towamencin Volunteer Fire Company.

Approval of Minutes – May 12, 2010

40

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board approved the minutes of May 12, 2010 as written.

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

Voting No: N/A

45 **Abstaining:** Patricia Younce

Absent: N/A

Zoning Hearing Board Decision: New Cingular Wireless Tower – 2130 Kulp Road

5 Chairman Littley noted the applicant was granted relief by the Zoning Hearing Board on May 6, 2010 to build a silo with a height of 119.6’ and to allow a cellular antenna to be erected on the silo. In accordance with the Pennsylvania Municipalities Planning Code, any appeals must be filed with the Court of Common Pleas within thirty (30) days of the decision.

10 On motion of Mr. Sinz, seconded by Mr. Wilson, the Board directed the Township Solicitor to file an appeal with the Court of Common Pleas.

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

Stormwater Maintenance Agreement – Walgreens

20 Chairman Littley noted this is the Stormwater Maintenance Agreement prepared in accordance with §132-26 of the Towamencin Township Subdivision / Land Development Code for the Walgreens Land Development recently constructed on Forty Foot Road. A Stormwater Maintenance Agreement is a formal contract between the Township and a property owner designed to guarantee that specific maintenance functions are performed in exchange for permission to develop that property. The Township benefits from these agreements in that
25 responsibility for regular maintenance of the stormwater controls is placed upon the property owner.

30 On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board authorized the execution of the Stormwater Maintenance Agreement with Walgreens.

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

Deed of Dedication – Allentown Road from the North Penn Water Authority to Towamencin (Thorndale)

40 Chairman Littley stated W. B. Homes is proposing a new stormwater culvert under Allentown Road in conjunction with the Thorndale Land Development. As part of the stormwater management plan, a new head wall and end wall must be constructed outside of the existing PennDOT right-of-way. North Penn Water Authority is offering the grounds that contain the end wall to the Township so that the Township can convey it to PennDOT. PennDOT cannot accept
45 right of way from any entity except governments unless it is part of a formal subdivision.

Mr. Gottschall asked the Township Engineer, Russ Benner if the length of the culvert is wide enough to provide any widening of the Road.

5 Mr. Benner replied that it is sufficient for any widening associated with Thorndale and future growth.

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board accepted dedication of land from the North Penn Water Authority to Towamencin Township.

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

Voting No: N/A

Abstaining: N/A

Absent: N/A

15

Payment of Bills

On motion of Mr. Wilson, seconded by Mr. Sinz, the Board approved payment of bills as presented in the amount o \$213,175.

20

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

Voting No: N/A

Abstaining: N/A

25

Absent: N/A

Fire Police Request – Lansdale Borough

30 Chairman Littley stated that Lansdale Borough has requested the assistance of the Towamencin Fire Police for traffic and pedestrian control during the Fairmount Fire Company Car Show scheduled for Saturday June 19, 2010.

On motion of Mr. Gottschall, seconded by Mr. Sinz, the board approved the request of Lansdale Borough for Fire Police assistance.

35

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

Voting No: N/A

Abstaining: N/A

40

Absent: N/A

Amendment to Fischer’s Park Parking Lot Contract - Engineering

45 Chairman Littley stated CMX Engineering, the project engineer for the Fischer’s Park Parking Lot project, has ceased business operations. The Township needs an engineer to perform the construction inspection and contract administration services necessary to complete the project.

5 The PennVEST approved budget for CMX's engineering services was \$40,000, including
\$20,000 for construction inspection and administration. These funds have been fully disbursed.
Under the CMX agreement for engineering services, the construction inspection and contract
administration fee was based on an estimated construction time of two months or 60 calendar
10 days. Chairman Littley noted that the project construction began in October of 2009 and
continued through January of 2010 until weather conditions forced a work stoppage. Work
resumed in April of 2010. T&M Associates has submitted a proposal in the amount of
\$3,109.00 to provide the remaining services. The selection of T&M would keep in place the
principal engineer and construction inspection staff that was employed by CMX. There is
15 currently an unobligated grant fund balance of \$11,724.57 which includes a pending change
order request to decrease the construction contract amount by \$6,008.32.

On motion of Mr. Gottschall, seconded by Mr. Sinz, the Board approved the proposal of T&M
Associates in the amount of \$3,109.00 for the remaining service in conjunction with the
15 Fischer's Park Parking Lot project.

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

There being no additional business, the meeting adjourned at 7:16 p.m.

25 Respectfully submitted,

Robert A. Ford
30 Township Manager

RAF/sl

35