

**Towamencin Township
Board of Supervisors
Work Session Meeting
January 11, 2012**

Present:

Daniel M. Littley, Chairman
H. Charles Wilson, III, Vice Chairman
James P. Sinz, Secretary
Robert N. Rau, Treasurer
David J. Mosesso, Asst. Treasurer / Secretary

Staff:

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

Chairman Littley called the meeting to order at 7:31 pm and led the assemblage in the Pledge of Allegiance.

5 Chairman Littley announced the Board held an executive meeting prior to this evening's meeting to discuss personnel, real estate and potential legal issues.

Public Comments

10 Donna Kelly and Stacie Henning, 1484 Welsh Road expressed concern about their property being zoned MRC. They noted the property was previously zoned business and now is zoned residential.

15 Chairman Littley advised that the Board was reviewing the issue and will have a response to them by Monday.

Approval of Minutes

December 28, 2011

20 On motion of Mr. Wilson, seconded by Mr. Sinz, the Board approved the minutes of December 28, 2011 as written.

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

Voting No: N/A

25 **Abstaining:** Robert Rau, David Mosesso

Absent: N/A

January 3, 2012

5 On motion of Mr. Rau, seconded by Mr. Mosesso, the Board approved the minutes of January 3, 2012 as written.

Voting Yes: Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso

Voting No: N/A

10 **Abstaining:** N/A

Absent: N/A

Public Hearing: Zoning Amendment – R5 Townhouse Parking Requirements

15 Mr. Littley stated W.B. Homes, Inc., the developer for the proposed “Thorndale” carriage homes off Allentown Road, has submitted a request that the Board consider amending the Zoning Code section that regulates the R-5 Townhouse Dwelling use parking requirements. The amendment would eliminate the minimum bay area for garage parking spaces for Townhouse Dwellings that have basements.

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Chairman Littley asked Solicitor Dooley to open the hearing.

A court reporter was present to make a transcript of the meeting that will be kept on file in the Township Office.

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The hearing was closed.

Mr. Dooley advised the Board that they had several choices:

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1. Adopt as advertised.
2. Re-advertise the Ordinance with specific dimensions of the garage.
3. Do nothing.

35 On motion of Mr. Mosesso, seconded by Mr. Wilson, the Board directed the staff to prepare and re-advertise the Ordinance for adopted at the Board’s January 25, 2012 meeting.

Voting Yes: Daniel M. Littley, James P. Sinz, H. Charles Wilson, David Mosesso

Voting No: Robert Rau

Abstaining: N/A

40 **Absent:** N/A

Cheswold Final Escrow and Dedication of Improvements

45 Chairman Littley noted in September, the Board approved W.B. Homes request to complete the remaining public improvements within Cheswold Estates during the fall, dedicate the public improvements to Towamencin Township, and begin the 18 month maintenance period. Of the

eighteen lots that are part of this subdivision, there are three lots that have not yet been sold and developed. The public improvements have since been completed and approved by the Township Engineer.

5 Mr. Rau asked about the four items specified in T&M Associates' memo dated December 21, 2011 and why they could not be addressed prior to the escrow release.

Mr. Leis explained that one of the issues regarded the removal of a dead tree and the placement of a survey monument. The other issues would not be needed until the other lots are built.

10 Chris Canavan, W.B. Homes, advised that the weather has been a problem in removing the tree.

Voting Yes: Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso

Voting No: N/A

15 **Abstaining:** N/A

Absent: N/A

Zoning Hearing Board Application 2011-4: 1418 Cheswold Drive - (Michael Cardamone)

20 Chairman Littley stated the applicant is seeking variances for a 5-foot high fence located within the ultimate right-of-way of Sumneytown Pike and that exceeds the three-foot height maximum for a fence within a front yard.

Mr. Rau commented that he does not think a fence should be allowed in the right-of-way.

25 Mr. Sinz commented that he has a problem with restrictions in the ultimate right-of-way that the property owner could agree to take it down if the ultimate right-of-way is taken.

30 Mr. Wilson asked if the back of the lot was considered as being a front yard because it backs up to Sumneytown Pike.

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

35 **Resolution 12-05: Emergency Management Plan**

Chairman Littley noted PA Title 35 states that each municipality shall prepare maintain and keep current a disaster emergency management plan for the prevention and minimization of injury and damage caused by disaster, prompt and effective response to disaster and disaster emergency relief and recovery in consonance with the Pennsylvania Emergency Management Plan. The Township Fire Marshal and Emergency Management Coordinator has prepared an update to the Township's Plan and Staff recommends that it be approved by the Board so that it can be provided to the County.

45 Mr. Mosesso advised that he has reviewed the plan as a new Board member.

On motion of Mr. Sinz, seconded by Mr. Wilson, the Board adopted Resolution 12-05 acknowledging the Township's Emergency Management Plan.

5 **Voting Yes:** Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso
Voting No: N/A
Abstaining: N/A
Absent: N/A

10 **Resolution 12-06: Sewer Capital Fund Transfer**

Chairman Littley stated certain funds of the Township incur temporary indebtedness in anticipation of the receipt of taxes and other current revenue. Rather than incur the costs of a Tax Anticipation Note from a bank, the Sewer Capital Fund has funds available to lend temporarily to the General, Fire, Park and Recreation and Debt Services Funds as needed in the short term. Staff recommends that a short term loan not to exceed \$1,100,000 from the Sewer Capital Fund be made in anticipation of taxes and other revenue. The loan shall bear interest at the weekly variable rate computed on the basis of a 365-day year, and paid monthly to the Sewer Capital Fund. The principal portion of the loan shall be repaid no later than December 31, 2012.

Mr. Rau asked if a fixed rate would be easier for staff to work with.

Mr. Ford stated that the Finance Director had been using a variable rate and advised that there was no complication using that approach.

On motion of Mr. Wilson, seconded by Mr. Mosesso, the Board adopted Resolution 12-06 authorizing a transfer from the Sewer Capital Fund.

30 **Voting Yes:** Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso
Voting No: N/A
Abstaining: N/A
Absent: N/A

35 **Contract for Reimbursement of Township Expenses – PA Turnpike**

Chairman Littley noted this letter agreement would allow the Township to invoice the Pennsylvania Turnpike for costs incurred to review engineering documents and stormwater management plans associated with the Turnpike-widening project.

Mr. Rau suggested that the Township write in that the reimbursement includes staff time as well not just engineering costs.

On motion of Mr. Sinz, seconded by Mr. Rau, the Board authorized the administration to enter into a contract with the Pennsylvania Turnpike Commission for reimbursement of costs.

Voting Yes: Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso
Voting No: N/A
Abstaining: N/A
Absent: N/A

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Mailbox Replacement Policy

Chairman Littley noted from time to time, a mailbox will be damaged by the Township's plow. It has been the Township's policy that should a mailbox / post be damaged; the owner must report the damage to the Township within one week from the date of the snowstorm to be eligible for reimbursement. Although PennDOT will not reimburse for mailboxes damaged on the State Roads that they plow, the Township reimburses property owners up to a maximum of \$100 per incident on Township-owned streets. Snow that is thrown from plows can damage mailboxes if they are not properly prepared and secured. Mailbox damage due to snow and not hit directly by the plow or truck is the homeowner's responsibility.

Chairman Littley thinks the policy should remain the same and only reimburse if the plow actually hits the mailbox.

Mr. Rau thinks the time limit is more than fair and would prefer less time.

Mr. Mosesso stated he thought \$100 was not enough for the reimbursement.

On motion of Mr. Sinz, seconded by Mr. Mosesso, the Board voted to keep the policy as is with reimbursement of up to \$100 only if the mailbox is physical damaged by a plow or snow truck and not by the weight of heavy snow.

Voting Yes: Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso
Voting No: N/A
Abstaining: N/A
Absent: N/A

Appointments to Committees

Chairman Littley stated as a result of an appeal in the Township's newsletter for volunteers to serve on various Township committees and commissions, several residents stepped forward expressing a desire and commitment to serve our community. Consequently, the Board would like to consider a number of appointments.

On motion of Mr. Sinz, seconded by Mr. Wilson, the following individuals were appointed:

Bill Dingman as Township Sewer Operator;
Eric Gable to the Planning Commission for a term to expire December 31, 2012;
Bryan Charnock to the Zoning Hearing Board for a term to expire December 31, 2012.

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Voting Yes: Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso

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

5 Mr. Mosesso commented that he hoped the Board would establish a policy for training new volunteers.

2012 Home Run Derby

10 Chairman Littley stated the "Home Run Derby" will be held at 10:00 am Saturday June 9th down at Fischer's Park. The annual competition run by the Towamencin Fire Company and the Phillies is open to all boys and girls ages 8-15. Winning Hitters (three in each division) advance to the next level and are eligible for competing at Citizens Bank Park. Registration takes place the day of the event. It is recommended that the Board waive the rental fee for this use of the
15 fields by the Towamencin Volunteer Fire Company for this community event.

Chairman Littley commented that he and Mr. Sinz went to the Derby last year and it was a great event.

20 On motion of Mr. Sinz, seconded by Mr. Rau, the Board waived the rental fee for the Towamencin Volunteer Fire Company for their 2012 Home Run Derby.

Voting Yes: Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso
Voting No: N/A
25 **Abstaining:** N/A
Absent: N/A

Additional Business

30 Contract for preparation for Act 111 arbitration preparation

Chairman Littley announced that the Township had received a proposal from "Public Financial Management" ("PFM") to assist the Township in preparing for the Act 111 Police Contract Arbitration scheduled for February 14th. The Township and Police started the bargaining process
35 last May for the current four year contract that expired 31 DEC 2011.

On motion of Mr. Rau, seconded by Mr. Wilson, the Board accepted the proposal from PFM.

Voting Yes: Daniel M. Littley, James P. Sinz, H. Charles Wilson, Robert Rau, David Mosesso
40 **Voting No:** N/A
Abstaining: N/A
Absent: N/A

45

On-site Sewer Inspections

5 Mr. Mosesso commented that the Township has an ordinance that requires on-site sewer systems to be inspected every three years and pumped every five years.

He would recommend that the pumping and inspections be on the same cycle.

10 Mr. Ford responded that he had briefly spoken with the Township Sewer Engineer, Bill Dingman, but would like to get more information.

Mr. Rau noted he recalled when he was previously on the Board, DEP was directing that all properties in the Township be hooked up to public sewer. The Township responded to DEP's direction by proposing a Bucks County on-site inspection program and that was approved by DEP.

15 There being no further business, the meeting adjourned at 8:45 pm.

20 Respectfully submitted,

Robert A. Ford
25 Township Manager

RAF/sl

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