

**Towamencin Township  
Board of Supervisors  
Work Session  
July 8, 2020  
7:30 PM**

**Present:**

H. Charles Wilson III, Chairman  
Laura Smith, Vice Chairman  
Daniel M. Littley, Jr., Treasurer  
Richard Marino, Secretary  
Daniel Bell, Asst. Treasurer/Asst. Secretary

**Staff:**

Robert A. Ford, Township Manager  
Jack Dooley, Esq., Township Solicitor  
Tom Zarko, Township Engineer  
Niral Modi, IT Staff  
Paul T. Dickinson, Chief of Police

**Present Remotely:**

Colleen Ehrle, Assistant to Township Manager

**Absent:**

Brooke Neve, Finance Director/Assistant Township Manager

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

**Opening Comments**

Chairman Wilson made the following announcements:

- Due to the COVID-19 Emergency, the meeting is being held via Zoom video communications. The public was invited to participate remotely and e-mail questions to [info@towamencin.org](mailto:info@towamencin.org) prior to the meeting.
- The start of the Township's summer concert series has been delayed due to the COVID emergency and at the request of scheduled bands. The first concert will now be held on Thursday, July 30<sup>th</sup>. Residents are encouraged to continue to check the Township website in case it becomes necessary to again postpone these community events.
  - July 30<sup>th</sup> Class of '84 Concert
  - August 6<sup>th</sup> Don't Call Me Francis Concert
  - August 13<sup>th</sup> Movie in the Park Toy Story 4
  - August 20<sup>th</sup> Lolly and Yoyo Concert
  - August 27<sup>th</sup> Shot of Southern Concert

**Public Comments**

None

**Approval of Minutes: June 24, 2020**

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approved the June 24, 2020.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell

Voting No: N/A

Abstaining: N/A

Absent: N/A

**Zoning, Subdivision and Land Development**

**Zoning Code Text Amendment – Fences in Easements**

The Zoning Ordinance currently prohibits fences in easements in one section of the code, while another section allows placement of items within easements with prior permission of the easement owner. Staff has prepared a code amendment to address this divergent language. For Township easements, if the Township were to allow placement of a fence in an easement, the Township would require a waiver of damages be recorded for the property.

On a motion by Supervisor Bell, seconded by Supervisor Littley, the Board authorized forwarding the draft amendment to the Township and County Planning Commissions for their review.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell

Voting No: N/A

Abstaining: N/A

Absent: N/A

**Franklin Storage Preliminary / Final Land Development**

This land development plan proposes the consolidation of six parcels in to a single 2.2 acre lot for the development of a 102,720 sq. ft. self storage building. The site is located on Franklin Street, adjacent to Bustard Road, and is within a C-Commercial zoning district, as well as, the Village Overlay District. Before presenting the plans, Christen G. Pionzio, Esq., who represents the applicant, expressed her condolences on the passing of former Supervisor Jim Sinz.

Ms. Pionzio presented an overview of the development plan, highlighting several aerial views and renderings of the proposed site and building. Ms. Pionzio summarized the applicant’s waiver requests as depicted in Eustace Engineers’ July 8<sup>th</sup> letter, with assistance from Matthew Witters, Eustace Engineers project manager. The majority of the waivers were acceptable to Township

staff with the exception of the following waiver to provide a pedestrian path from the proposed sidewalk along Franklin Street and Bustard Road to the entrance. The applicant noted the proposed self-storage facility does not anticipate pedestrian customers and feels encouraging access by passersby creates security issues.

*§153-505.C/§136-A111.C – Pedestrian paths shall be provided from the parking areas to the entrances of buildings and adjacent street sidewalks.*

Township Engineer Tom Zarko noted Township staff opposes this waiver, underlining the basis for the sidewalk interconnection - residents living at the nearby apartments may wish to walk to the storage building to grab or drop-off items. Ms. Pionzio and Jonathon Manly, principal for the applicant, expressed the logistics – that this proposed site is unique in that it does not lend itself to pedestrian activity with no adjacent retailers, etc. Mr. Manly shared his experience in operating storage units and the process to access the building for unloading/loading items. Mr. Manly repeated the need to limit the liability at the site by waiving the pedestrian path.

Supervisor Smith expressed her point of view as a storage unit user, finding it unlikely that someone would walk down the street to drop off/pick up items from their unit. Chairman Wilson stated the storage facility was proposed to appeal to the local apartment complex. After a brief discussion, the consensus of the Board was to approve this waiver.

The remaining waivers were reviewed, as well as, two zoning issues with respect to preserving mature trees and a tree protection area depicted in the CKS June 1, 2020 review letter. Mr. Zarko noted the applicant has indicated they will comply with all comments from the various consultant review letters.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board authorized staff to prepare resolutions for Preliminary/Final Plan Approval to be placed on a subsequent agenda.

Voting Yes: Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell  
Voting No: H. Charles Wilson, III  
Abstaining: N/A  
Absent: N/A

Chairman Wilson wished the applicant luck on their project and thanked them for their cooperation in working with the Board through the process, accommodating some of the building design and lighting features consistent with the Village Overlay District.

### **Old Business**

#### **TYA Request - Butch Clemens Multi-Purpose Field Use Flat Fee**

At the Board's March 11th meeting, the Board of Supervisors approved Towamencin Youth Association's request to use the Butch Clemens General Purpose Field for their soccer program during 2020. The Board approved the request, but modified the Saturday schedule from 8:45 am to 1 pm. The issue on what fee to charge was not addressed at this meeting and needs to be clarified. TYA had offered to pay \$1,500 for the 9-month period. The field use is an additional use to TYA's field use agreement with the Township.

<b>2019 Use</b>	<b>Approved 2020 Request</b>
June through November	March 5 through November
Monday, Tuesday, Wednesday and Thursday 5:45pm to dark	Monday, Tuesday, Wednesday and Thursday 5:45pm to dark
Saturday 8:45am to dark	Saturday 8:45am to 1 pm

It should be noted that due to the COVID Emergency, TYA was unable to use the fields until June 26<sup>th</sup>. Additionally, Grist Mill soccer fields 1 and 2, which are included in the current TYA Field Use Agreement, have just undergone significant re-seeding maintenance and are not available to TYA this year. This makes the general purpose field use even more significant to the soccer program. Chairman Wilson noted that TYA recently proposed the use fee be waived entirely, due to the reduced timeframe from the original request.

Supervisor Smith commented it was the right thing to do in spite of the associated pandemic restrictions. Supervisor Bell agreed that the Township should support TYA by waiving this fee. Chairman Wilson noted he would like to tie the TYA field use agreement to this fee waiver request - by waiving this use fee, the annual fee associated with the Township’s field use agreement with TYA would remain intact with no proration. Chairman Wilson emphasized that while the fields have not been in use by TYA, the Township has been providing regular field maintenance, incurring expenses to do so, not knowing when local restrictions would be lifted.

Supervisor Marino emphasized that two Grist Mill fields are not in play this soccer season. Supervisor Bell asked for some clarification regarding the maintenance costs for this year. Township Manager Robert Ford responded that the field maintenance provided this year is comparable to previous years; there has not been a reduction in maintenance. Supervisor Marino noted the financial hit to TYA with purchases made, i.e. uniforms etc. that have not been fully funded, and he could not prevent TYA representatives from asking for some relief from the annual agreement in the future.

On a motion by Supervisor Smith, seconded by Supervisor Littley, the Board approved TYA’s request to waive the fee to use the Butch Clemens Park general purpose field through November.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell  
Voting No: N/A  
Abstaining: N/A  
Absent: N/A

**New Business**

**Public Works Committee**

The Public Works Committee meets on a monthly basis to scope projects and identify efficiencies related to Township infrastructure, properties, and equipment. The Committee met remotely on June 23rd. Supervisor Marino provided an update.

Rittenhouse Road Culvert Replacement Project Update – The road was reopened in a one-way capacity on Tuesday, July 7<sup>th</sup>. The Township will be performing a traffic study to determine if permanent restrictions are warranted.

Central Drive Storm Drainage Improvement Project – During the initial flushing, it was revealed that a significant amount of debris was present within a number of the storm sewer lines. The amount of sediment is far in excess of what would normally be present with this type of flushing/televising work. The Township Engineer will negotiate a price for removing the excess debris with the video contractor. After the debris is removed, the contractor will re-televiser the effected runs at no additional cost to the Township.

The evaluation of the inlets within the storm sewer system was completed. It was noted that 10 inlets required significant repair work and 21 inlets would require minor repairs. The Public Works Director noted this work could be performed by his department in the winter months.

Curb Repair Notifications - Township staff prepared the residential curb replacement notices in advance of the 2021 Paving Contract. The estimated cost of the residential curb replacements was \$300,000. The notices will include the specific quantity of curbing to be replaced. The Committee decided that property owners would also receive notice of any defective sidewalk, but replacement would not be mandatory at this time. The notices will be mailed within the next few weeks.

2020 ADA Ramp Replacement Work - The 2020 ADA ramp replacement work would be performed in conjunction with the 2021 road paving program. Bidding documents were released, with bids due July 16<sup>th</sup>. Mr. Zarko added there has been a lot of activity and he anticipates several bid submissions. The project is expected to be awarded at the Board's July 22<sup>nd</sup> meeting.

Green Phase Bathroom Facilities - As Montgomery County moved into the Green Phase, restroom facilities at various Township parks would be reopened. Several outstanding punch list items needed to be addressed at the Green Lane and Grist Mill Park bathrooms before opening. Mr. Zarko noted the contractor addressed the majority of the punch list.

Roadway Maintenance Program – Mr. Zarko noted he was still waiting on feedback from Doylestown Township on the road maintenance software they use. Mr. Hillmantel distributed a copy of the current road inventory schedule.

Forty Foot Road Widening Project - The preconstruction meeting took place and it is anticipated that work should begin shortly. However, the location of proposed utility poles needed to be modified prior, which will impact some existing trees along the Dock Woods property.

Township Pool – The pool was opened on Saturday, June 27 by StandGuard Aquatics, who is operating in compliance with CDC guidelines. Mr. Ford noted there were some leaks reported and a tile replacement made. Mr. Ford added Towamencin's pool was one of the few pools open in the area. Supervisor Smith added that StandGuard has had to restrict entry after reaching their max capacity. Supervisor Marino stated he was happy the pool was open for the community.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board accepted the Public Works Committee report.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell

Voting No: N/A

Abstaining: N/A  
Absent: N/A

**Township Discrimination Policy**

In June, the U.S. Supreme Court issued a decision in *Bostock v. Clayton County, Georgia* affirming that employment discrimination on the basis of sexual orientation or gender identity violates Title VII of the Civil Rights Act of 1964. The Township Solicitor has prepared and recommended an amendment to the Township's Non-Uniformed Employee Personnel Manual to make clear the Township's recognition and compliance with the law.

On a motion by Supervisor Littley, seconded by Supervisor Smith, the Board approval of the proposed amendment to the Township's Personnel Policy Manual.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell  
Voting No: N/A  
Abstaining: N/A  
Absent: N/A

**Resolution 20-32: Designating Depositories for Township Funds**

In accordance with §708 of the Pennsylvania 2nd Class Township Code, the Board of Supervisors shall designate by resolution a depository or depositories for township funds. The designation is valid for a period of one year or until another depository or other depositories are designated by similar action of the Board of Supervisors. This resolution removes former Supervisor Jim Sinz as a signatory to the accounts.

On a motion by Supervisor Littley, seconded by Supervisor Bell, the Board approved Resolution 20-32, Designate Depositories for Township Funds.

Voting Yes: H. Charles Wilson, III, Laura Smith, Daniel M. Littley, Jr., Richard Marino, Daniel Bell  
Voting No: N/A  
Abstaining: N/A  
Absent: N/A

There being no additional business, the meeting adjourned at 8:29 pm.

Respectfully submitted,



Colleen Ehrle  
Assistant to Township Manager