

**Towamencin Township
Board of Supervisors
Monthly Meeting
July 26, 2023
7:00 PM**

Present:

H. Charles Wilson III, Chairman
Richard Marino, Vice Chairman
Laura Smith, Secretary
Joyce F. Snyder, Asst. Treasurer/Asst. Secretary

Staff:

David G. Kraynik, Township Manager
Robert J. Iannozzi, Jr., Esq., Township Solicitor
Mary Stover, Township Engineer
Niral Modi, IT Staff

Present Remotely:

Colleen Ehrle, Director of Administration

Absent:

Kristin Warner, Treasurer

Chairman Wilson called the meeting to order at 7:04 PM and led the assemblage in the Pledge of Allegiance.

Opening Comments

Chairman Wilson made the following announcements:

- The meeting is being held in person at the Township's Meeting Hall and also provided via Zoom for residents unable to attend in person. Public comments submitted by 4:30 pm on the meeting day would be read at the start of the meeting.
- On July 27th, High Noon will perform at Fischer's Park. The concert starts at 7 pm, with concessions starting at 6 pm featuring Scratch Kitchen. This event is free at Fischer's Park.
- The Board met in executive session prior to tonight's meeting to discuss personnel matters.

Public Comments - Emailed abbreviated submissions:

Resident Tina Gallagher thanked Township Manager David Kraynik for his quick response to emails, noting a landscaping concern at the Towamencin Shopping Center that was quickly addressed. She encouraged the Board to choose a consultant that will encourage resident involvement in the Comprehensive Plan update, particularly young and middle-aged residents as

it is their future She asked whose responsibility it is to communicate to non-residents that receive Towamencin sewer service about the proposed sale and how it will affect them?

Chairman Wilson responded that PA American Water will be in contact with the non-Towamencin residents via the PUC approval process.

In-Person Comments

Resident Kofi Osei noted he's received more questions than others on recent PUC hearing calls, then critiqued solving political problems with legal proceedings. He noted he is running for Supervisor on the Democratic ballot and condemned the actions of a few GOP elected officials with alleged ties to privatization efforts for utility companies.

Resident Dan Littlely referenced a recent swim meet that created a parking concern, with vehicles spilling onto Woodlawn Drive with no emergency access. He emphasized no-parking signs should be added to this road for swim meets, then cautioned residents on the ensuing heat wave.

Resident Don Litman cited corruption in the Township noting he was unable to be appointed to a volunteer Committee. He stated the Township promotes hate via the sewer sale, then described a personal Code Enforcement violation.

Resident Joe Silverman addressed the Supervisors that he would respect them if they changed their mind on the sewer sale, as the elected officials of Newbury Township, York County, recently did. He emphasized the saying, "you will be remembered by the rules that you break," referring to the Home Rule Charter.

Resident David Daikeler commented he would love the Supervisors to share their reasoning behind their decision to sell the sewer system, then asked what else are residents to think besides corruption.

Resident James Collins expressed a misunderstanding about the sewer sale opposition and that residents are not truly against the sewer sale, but that they are blindly following Kofi Osei. He stressed those opposed have formed their own opinions and their own conclusions. He emphasized policy arguments should be separated from simple political differences.

Resident Joe Silverman questioned the decision to sell does not make sense citing measures to take in addressing infrastructure upgrades - hire consultant, make improvements raise rates if needed, noting the Township can get lower-rate loans.

Resident Don Litman noted the sewer sale is an important local issue, being a governmental function. He noted as a public utility, the sewer authority enjoys governmental immunity, and advocated to maintain the system for the immunity.

Resident David Daikeler hoped that the Supervisors would articulate their reasons why they choose to sell the sewer system.

Approval of Minutes

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the June 28, 2023 minutes.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Zoning, Subdivision and Land Development

Consider Amending Resolution 22-31 Land Development Waiver 2748 Kriebel Road Minor Subdivision

Last November, the Board approved a minor subdivision for the referenced address via Resolution 22-31. It is situated at 2748 Kriebel Road, consisting of two lots on 25.918 acres. Lot 1 consists of two acres, containing two existing dwellings. Lot 2 consists of 23.92 acres and will continue to be used solely for agricultural use. The approval included a condition that the applicant obtain a Sewage Facilities Planning Approval from the PA DEP. With no construction plans on either lot or in connection with the subdivision, the subdivision qualifies for a waiver of the Sewage Facilities Planning. The applicant has requested that Resolution 22-31 be amended with paragraph 1 to read as follows:

The applicant shall complete and submit to the Pennsylvania Department of Environmental Protection a Request for Planning Waiver and Non-Building Declaration for the proposed subdivision, and the subdivision plan and deeds of subdivision shall include the Non-Building Declaration required under Section A.2 of the Planning Waiver.

Timothy Duffy, Esq. and James Major, P.E., the applicant's representatives were present to answer questions.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved amending Resolution 22-31 and to send the request to the Planning Commission for their approval of the planning waiver.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Consider Escrow & Bonds Release Request: 2001 Gehman Road Site Improvements (Former Amazon Distribution Center)

In accordance with the Land Development and Construction Escrow Agreement and the Addendum to the Waiver of Land Development, the Township Engineer has reviewed the developer's request for a reduction in the amount of financial security posted for the project's public/site improvements and prepared Certificate of Completion #1 in the amount of \$848,189.65 for the associated Escrow Status Report Update. In addition, the applicant provided a performance bond in the amount of \$677,134.50 for the construction of off-site roadway improvements, which were satisfactorily completed and maintenance security in the amount of \$95,175.00 was provided to the Township. It is recommended that the original performance bond

in the amount of \$677,134.50 be released. The applicant also provided a \$100,000 cash escrow for the projected cost of the obtained right-of-way acquisition required for the roadway improvements. It is further recommended that the funds remaining in this escrow be released.

On a motion by Supervisor Marino, seconded by Supervisor Smith, the Board approved the Certificate of Completion #1 with a corresponding escrow release for \$848,189.65, approved the release of the original performance bond in the amount of \$677,134.50, along with the remaining cash escrow funds for the completed right-of-way acquisition.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Consider Escrow Release for Improvements: 1361 Sunneytown Pike (Kessler Dental)

In accordance with the provisions of the Land Development and Construction Escrow Agreement, the Township Engineer has reviewed the developer's request for a reduction in the amount of financial security posted for the associated project's public/site improvements and confirmed that items noted within the current reduction request have been satisfactorily completed by the project developer. The Township Engineer prepared a Certificate of Completion #1 in the amount of \$66,393.00 for associated Escrow Status Report Update and recommends approving the escrow release to the developer.

On a motion by Supervisor Marino, seconded by Supervisor Snyder, the Board approved Certificate of Completion #1 and the corresponding escrow release for \$66,393.00.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Authorize Advertisement: Amendment to Towamencin Village Design Manual

At our April 12, 2023 meeting, the Board authorized staff to draft an ordinance amendment to include the noted updates for the Village Overlay District Manual. The proposed updates are for site amenity requirements for lighting and bench specifications within the Village Overlay District. Lighting standards now require LED fixtures and may include additional fixture choices depending on the fixture's location. In addition, the standard bench outlined in the manual is no longer available, a comparable model has been cited. The Planning Commission has recommended the proposed amendments.

On a motion by Supervisor Snyder, seconded by Supervisor Marino, the Board authorized the advertisement for the Amendment to Towamencin Village Design Manual.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A

Abstaining: N/A
Absent: Kristin Warner

Authorize Advertisement: Ordinance Amendment Backyard Chickens

Chairman Wilson noted the item was not ready for action, and made a motion to table the item, with a second by Supervisor Snyder.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Supervisor Smith added the amendment is getting there, but still needed more work.

Consider Consultant Selection - Comprehensive Plan Update

The Board authorized a request for proposals for an update to the Township's Comprehensive Plan at the Board's March 22 meeting. The RFP was sent to 10 consultants experienced in preparing municipal comprehensive plans. On April 21, two submissions were received - CHPlanning (\$130,000) and Simone Collins (\$140,000). The Planning Commission reviewed the proposals at their meeting on June 5 meeting. At the Board's direction, both consultants made presentations at the July 10th Planning Commission Meeting. The Planning Commission recommended the Board consider selecting Simone Collins's proposal based on their presentation and familiarity with previous work produced for Towamencin Township.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board accepted Simone Collins' proposal to update the Township's Comprehensive Plan.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Old Business

None

New Business

Warrant List

The July warrant list was presented for approval. Chairman Wilson noted the top expenses for the Township as reflected in the July warrant list.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the warrant list in the amount of \$2,197,709.98.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Public Works Committee Report

The Public Works Committee meets monthly to review projects and identify deficiencies related to Township infrastructure, properties, and equipment. The Committee met on July 20th. Supervisor Marino provided the Committee's report with the following topics reviewed:

- Kriebel Road/Orchard Lane/Eagle & Valley View Way Storm Sewer Project Update
- Weikel Road Drainage /Pedestrian Walkway Update
- Central Drive Storm Sewer Repair Project Update
- Bocce Courts Update
- 2023 Road Paving Project Update
- 2023 ADA Ramp Replacement Project Update
- Old Forty/Rittenhouse Roads Intersection - Update
- Kerr Road Analysis Update
- Forty Foot Road Pedestrian Bridge – Remediation Work Update
- Towamencin Swimming Pool Repairs Update
- Salt Storage & Equipment Storage for Public Works Department Update
- Green Lane Park Soccer Field – CKS provided proposal for grading plans
- Drinnon Park Improvements – resident meeting being coordinated
- Welsh/Orvilla Intersection Project Update
- Route 309 Connector/Sumneytown Pike Improvements Update
- SR 1058 HT4 Improvements along SR63 Update
- Forty Foot Road/Newbury Way/PSDC Traffic Signal – grant extension till November 2024
- Traffic Signal at Allentown Road & Derstine/Fretz Roads - McMahan performed analysis.
- Fischer's Park – CKS submitted proposal to provide scope of work and concept plan for proposed improvements
- Electric Vehicle Charging Stations – Planning Commission reviewed draft ordinance amendment, staff will provide updates based on July 10 meeting discussion.
- Grant Opportunities - staff, consultants to continue seeking potential grant opportunities.
- MS4 Permit Requirements Update
- Comprehensive Plan Proposal Update
- TYA Projects
- Long Term Storm Sewer Maintenance Plan – CKS to evaluate scope of work required at Grist Mill area for 2024 budget planning

Finance Committee Report

The Township Finance Committee meets monthly to monitor economic indicators and the pulse of the Township's revenues and expenditures. The Committee also addresses various requests

and concerns that may arise. The Committee met on July 19. Supervisor Wilson read the report, with the following discussion items:

- Towamencin Volunteer Fire Company (TVFC) - Fire Company President Dave Kriebel visited the committee to discuss the current events with the company and potential future needs.
- Township 2023 June Financial Review
- 2023 Audit Update
- OPEB Trust
- Allocation of Sewer Sale Proceeds
- Capital Funding Update
- Ambulance 2023 Allocation and 2024 Budgeting
- Natural Gas Supply Options
- Public Works Radiant Heater Replacement - The Public Works garage has several aging radiant heaters that have begun to fail. Public Works sought a proposal to replace 2 heater units in the mechanic's bay at a quoted price of \$14,880. Replacement of other units will likely be included as a 2024 capital budget request. The Committee recommended approving the heater replacement proposal agenda item.
- The Committee discussed draft valuation results of the Township's two pension plans which were favorable despite 2022 market losses.

Review Engineering Services Proposals - Green Lane Soccer Field

The Board authorized staff to seek bids for engineering services required to prepare design plans, construction specifications, regulatory agency permits applications, bidding documents and provide bid administration services for a soccer field at Green Lane Park. The purpose of this project is to develop the existing unimproved portion of Green Lane Park, west of the driveway and parking area into a soccer field for use by Township residents. Township staff received three proposals for these services for the Board' review and consideration:

- CKS Engineers for \$25,500
- Wynn Associates, Inc. for \$37,500
- Gilmore & Associates, Inc. for \$42,000

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved the CKS Engineers' proposal for \$25,500.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Consider Engineering Proposal - Fischer's Park Site Design

The Township Engineer submitted a proposal for services to obtain survey information and to prepare concept plans for improvements to the park including: parking expansion, construction of four, with option of eight pickleball courts and a new pavilion. The proposal amount for these engineering services is \$6,500.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved the Fischer's Park Site Design proposal for engineering services.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Consider Engineering Proposal - Emergency Generator Municipal Complex

The Township is planning to upgrade the current generator for the Municipal Complex in 2024. The current generator is not large enough to run the complex's GEO Thermal HVAC system. In the event of a power outage, it will not only affect daily operations but has the potential to impact the emergency response operations of the police department. The Township's Facility Maintenance Coordinator received a proposal from John E. Schade, PE for services associated with the preparation of electrical plans, design/development documentation, and bidding specifications for the future upgrade in the amount of \$19,700.

On a motion by Supervisor Smith, seconded by Supervisor Mario, the Board approved the proposal for engineering services.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Authorize Public Works Radiant Heater Replacement

The Public Works Facility has two radiant heaters that need to be replaced. The Public Works Director received a proposal from IT Landes for labor and materials to remove the existing fixtures and install the new heaters in the amount of \$14,880.00.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved the IT Landes proposal to replace the two radiant heaters.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A

Abstaining: N/A
Absent: Kristin Warner

2023 Heating Oil Bid Agreement - Wilson of Wallingford, Inc.

The Montgomery County Consortium sought a bid for heating oil suppliers. One bid was received by Wilson of Wallingford, Inc. in the amount of \$2.661 per gallon. All documents have been reviewed and are in order. The contract was awarded at Upper Gwynedd Township’s Board of Commissioners’ Meeting on July 18, 2023. Each participating municipality is responsible for fully executing their own contract.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved the heating oil agreement.

Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Volunteer Committee Appointments

Residents have submitted applications expressing their interest to serve on Township volunteer committees. The Board may consider volunteer committee appointment requests at this time.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board appointed Rebecca Curlett to the Special Events Committee with a term ending December 31, 2024.


Voting Yes: H. Charles Wilson, III, Richard Marino, Laura Smith, Joyce F. Snyder
Voting No: N/A
Abstaining: N/A
Absent: Kristin Warner

Additional Business

Supervisor Snyder made a motion for staff to prepare an ordinance to terminate the Township’s Asset Purchase Agreement with PA American Water. With no second, the motion failed.

There being no additional business, the meeting adjourned at 8:02 pm.

Respectfully submitted,



Colleen Ehrle
Director of Administration