

**Towamencin Township  
Board of Supervisors  
Monthly Meeting  
October 25, 2023  
7:00 PM**

**Present:**

H. Charles Wilson III, Chairman  
Richard Marino, Vice Chairman  
Laura Smith, Secretary  
Kristin Warner, Treasurer

**Staff:**

David G. Kraynik, Township Manager  
Robert J. Iannozzi, Jr., Esq., Township Solicitor  
Mary Stover, Township Engineer  
Clayton Reed, IT Director  
Timothy Troxel, Chief of Police

**Present Remotely:**

Colleen Ehrle, Director of Administration

**Absent:**

Joyce F. Snyder, Asst. Treasurer/Asst. Secretary

Chairman Wilson called the meeting to order at 7:01 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.
- Towamencin Police Department and VMSC are hosting their 3rd annual Trunk or Treat this Saturday, October 28th, from 5-7 pm, at North Penn High School's parking lot.
- Tuesday, October 31, 2023, has been designated as a Records Management Day. On this date, the Administration Building will be closed to the public to allow staff to organize and compile outdated documents for destruction and disposal in accordance with State Law. Please keep this in mind if you have in-person business to conduct.
- The next Budget Work Session has been rescheduled to November 8, at 5 pm, prior to the scheduled Board of Supervisors Meeting. This meeting will be open to the public and will take place at the Township's Meeting Hall. There will be no Budget Work Session on November 1, 2023.

- Registration is open for our annual Turkey Trot. The Township's 5K at Fischer's Park is scheduled for Saturday, November 11 at 8 am.
- A reminder for residents - come up to a microphone when prompted for questions, during the course of the agenda. Zoom does not pick up voices from the audience.

### **Emailed Public Comments**

Resident Paul Andrews condemned the use of the Township's fall newsletter to include the Chairman's update on the sewer sale, referred to as propaganda and paid for by the taxpayers. Within the newsletter article he references a statement that sewer rates are going up, likely to be twice as much in 8 years, but fails to mention how much residents will pay if the system is sold to PA American Water, where the average household bill will triple, exceeding \$2000 a decade from now. He further references the timing of Rich and Chuck's awareness of potential rate increases and negotiations going on between NextEra and PA American Water via records produced through right to know requests. He questioned, "why are you continuing to hide the cost to residents, and only extolling the virtues of the projects you'll do with the windfall?"

Resident Vanessa Gaynor shared her comments related to the May letter to the editor (LTE) submitted to local newspapers by four Supervisors, Wilson, Marino, Smith, and Warner. She shared information she received through right to know requests emphasizing the timing (ahead of the May primary) and the draft process where the taxpayer funded sewer sale special counsel was used to write it. She noted after final edits were made, Rich Marino sent the LTE to 3 newspapers, stating, quote "we would appreciate having this letter published prior to the Primary next week." She emphasized that it was clear the 4 board members viewed the LTE as a tool to impact the May vote on the home rule charter and noted residents have a right to be informed of the actions of our elected officials.

Resident Drew Daubert directed his comment to Supervisor Marino. It would be nice of you to publicly share the emails you sent knowing the household rate increase if the sewer sale goes through. He questioned Supervisor's Marino's desires to continue with the sale with this information. He further questioned Mr. Marino's fitness for office, noting he does not seem to listen to the voice of the people.

Resident Val Skripek shared a conversation between her and a contractor, who lives in Limerick Township. The worker commented on her Stop the Sewer Sale sign sharing that Limerick's system was sold to Aqua, which he and his fellow neighbors deeply regret. His rates have tripled in the last two years and there is no limit in sight. He implored that she continue fighting. Please do not be blinded by false promises of pickleball courts which a tiny majority will use. This sale is simply a tax on everyone, well not exactly everyone, those on private well and septic are exempt while those least able to afford the multiple increases will pay the price.

Resident Mike Miller shared his disappointment when the Township Supervisors voted to sell the sewer system, despite overwhelming public outcry against the sale, and two elections. My disappointment has now evolved into frustration because we now know, in private, Supervisor Marino was concerned our sewer rates will reach in excess of \$2,000 per year if the system is sold to PA American Water. However, this is not the same information that was being communicated to the public. In fact, we were told selling the sewer system will be good for our

budget, which is not true. All we ask for is transparency and honesty. It appears that was too much to ask for from our township supervisors.

### **In-Person Comments**

Resident Jenn Foster recited text from a January 25, 2023 email by Supervisor Marino acknowledging rate projections with significant increases if PA American was the buyer of the sewer system. She asked Supervisor Marino, “Why have you been lying to your neighbors?” and declared November 7<sup>th</sup> cannot come soon enough, advocating Kofi Osei for Township Supervisor.

Resident Kofi Osei, candidate for Township Supervisor, commented since there are no debates for small races, he would respond to recent opposition campaign mailers. He did not advocate for a 50,000 Towamencin population, but rather hypothesized a scenario. He noted taxes and higher fees, at the cost of service, are preferred over selling the sewer system. He referenced outsiders influencing policy decisions in Towamencin, specifically Special Counsel Liz Havey Preate. He further cited examples of potential electioneering violations by supporters of his opponent Supervisor Marino.

Resident Tina Gallagher thanked residents who contributed to the Garden of Health food drive, reminding them the box is still available for donations in the Administration Building. She then condemned the negative politics taking over Towamencin, especially an opposition mailer on Supervisor candidate Kofi Osei.

Resident Gisela Koch referenced the vacant commercial properties about the Township and developer Mark Nicoletti, the primary owner of many of them. She questioned his seat on the Economic Development Committee being a non-resident and asked what is he developing?

Resident Donald Litman questioned the Board’s overall knowledge of the Township Code and described a weaponization of the Zoning Code with criminal action by the Township. He then referenced mega-republicans are infiltrating the Township.

Resident David Daikeler noted there’s some remaining markers left from the recent paving work, and the end of the road  $\frac{3}{4}$ ” to an inch height difference between the new pavement and old pavement, that he felt would be torn apart by the first plowing effort. He transitioned to the sewer sale, describing the Supervisors’ behavior as talking at residents rather than listening to them over this process. He urged the Board to take a second look and listen to the citizens.

Resident Joe Silverman read excerpts from the lawsuit against the Township Supervisors emphasizing – no public benefit regarding the sale of a sewer system to a private entity because the system is already providing and is capable of providing the same similar benefits without the added increase that will occur as a result of the acquisition; only monetary benefits would result from the sale; the system has been well maintained ... the plant is in good condition. Section 153 - the Home Rule Charter was enacted to protect public assets and keep public assets in the public hands. He critiqued the pricing estimates cited for various park improvements suggesting the Township do additional research when making such expenditures rather than trusting one source, consultant Simone Collins.

Resident James Collins took umbrage with the recent opposition campaign mailer for Kofi Osei citing Osei is bringing Philadelphia politics to Towamencin. He stated Philadelphia politics is already here. He continued in Philadelphia politics, what will happen is we elect a group of

people to represent us, when those group of people don't listen to us and do whatever they want, and then when election time comes, they rely on the idea that people will reelect them based on the fact that they have already been in office. He suggested the Towamencin community be better than Philadelphia politics and focus on the issues and policies they want to move forward.

Jenn Foster referenced political signs at Firehouse Park that need to be removed.

Kofi Osei stated he would be out of town for the next budget workshop but understood the Township would likely propose a 0% tax increase. He suggested a 2% increase for stormwater repairs and Firehouse maintenance, stressing not having a small tax increase would be bad and may lead to a bigger increase next year.

Donald Litman stated the Zoning Code bans construction of apartment complexes and the Township code has no vehicle code section, considering it a crime to park cars not attached to the ground, regulating them as buildings. He stated it contributes to significant distrust and the Township's ability to competently administer the Code. He added the zoning code is being used as a tool to keep some neighborhoods unaffordable to many by pricing people out.

Resident James Collins clarified his previous statement, emphasizing he is not calling Supervisor Marino a racist, stressing residents treat each other with civility. At the end of the election, no matter what the results are, he hopes residents will go back to looking at each other as neighbors.

Resident David Daikeler commented he loved hearing people stand up against the ridiculous mailers, asking were you hoping to throw out an accusation with no one questioning it.

Resident Joe Silverman referenced a conversation about a recessed manhole cover along Forty Foot Road with Dave Hillmantel, Public Works Director, who told him it was not his responsibility and that it would be fixed when the road is repaved. Mr. Silverman found the response ridiculous, believing the Township must have some sort of riser or extension that can be placed on top of the manhole to address the issue.

### **Approval of Minutes**

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the September 13, 2023 minutes.

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

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the October 11, 2023 minutes.

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

### **Zoning, Subdivision and Land Development**

**Time Extension Request - Conditional Use of 1600 Delp Drive Land Development**

The Board of Supervisors originally approved Verus' Conditional Use Application for the project (relating to steep slope disturbance) on March 10, 2022, followed by obtaining conditional Preliminary/Final Land Development approval on April 27, 2022. In May 2022, Verus sold the subject property and project to High Street. At its September 28, 2022 meeting, the Board granted a six-month extension of that deadline, thereby extending the conditional use approval to April 27, 2023. On April 26, 2023, the Board extended the deadline by an additional six months, to October 27, 2023. In order to allow the applicant the necessary time to finalize its land development plans and obtain building permits for the project, the applicant requests the Board of Supervisors extend the October 27, 2023 deadline by an additional six months, until April 27, 2024.

Dan Rowley Esq., representing the applicant from Saul Ewing LLP, provided a status update, emphasizing the applicant is in the final stages of land development and therefore requested a 3-month extension to January 23, 2024, instead of the 6-month request.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the Conditional Use time extension until January 23, 2024.

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

**Pillar Agreement - Sign at 1361 Sunneytown Pike (Kessler Dental)**

Kessler Dental received a Waiver of Land Development in 2022. The installation of a new driveway required the relocation of a sign. The new freestanding sign will be located within the Township right-of-way. This agreement acknowledges the proposed permitted non-conforming location. The previous sign had received a variance in 1994 for a similar size and location.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved the Pillar Agreement for Kessler Dental.

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

**Old Business**

None

**New Business**

**Comprehensive Plan Update Kick-Off**

The Board accepted Simone Collins' proposal to update the Township's Comprehensive Plan at their July 26, 2023 meeting. Peter Simone, the Township's Planning Consultant, introduced the Comprehensive Plan process and staff dedicated to the project. He cited his firm's 30 years experience working in Towamencin and municipal experience elsewhere. Mr. Simone outlined the components of the plan and coordination involved with existing plans and bordering municipalities. He described the project's scope, timeline and next steps. Public participation was strongly encouraged through the process.

### **Sidewalk & Trail Connectivity Plan: Final Draft Review**

At the Board's May 10th meeting, Emma Haley of Simone Collins provided an update on the connectivity study and draft report. The report included extensive inventory and analysis of existing conditions with various maps and mapping tools, along with recommendations, priorities, and potential funding sources for future implementation. The final report was received by the Township in late September. Peter Simone reviewed the plan's survey results, analyzed the final report and improvement plans, noting there was great community participation throughout the year-long process. Mr. Simone reviewed the targeted locations included in the current PennDOT Transportation Set Aside grant application to improve connectivity.

### **Warrant List**

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

On a motion by Supervisor Marino, seconded by Supervisor Smith, the Board approved the warrant list in the amount of \$1,188,686.64.

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

### **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 October 19th. 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
- Landscape Signage at ROW of Turnpike Interchange at Kulpsville
- Kerr Road Analysis Update
- Forty Foot Road Pedestrian Bridge Remediation Work Update

- Towamencin Swimming Pool Update
- Green Lane Park Soccer Field Update
- Drinnon Park Improvements
- 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 Update
- Fischer's Park Improvement Plan
- Electric Vehicle Charging Stations – Proposed Ordinance Amendment
- Grant Opportunities – PennDOT Green Light Go Grant application
- MS4 Permit Requirements Update
- TYA Projects
- Long Term Storm Sewer Maintenance Plan

### **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 arise. The Committee met on October 18<sup>th</sup>. Supervisor Warner read the report, noting the following discussion items.

- Township 2023 September Financial Review
- OPEB Trust
- Draft 2024 -2029 Capital Budget Review
- 2024 Budget Updates
- Insurance Rates Update
- Sewer Sale Professional Fee Update

### **Open Space & Parks Advisory Committee Tree Planting Request**

The Open Space & Parks Advisory Committee has been working on a multi-year plan that includes planting 20 plus trees in 2023, with additional plantings in subsequent years. A trail of a hundred trees in total, representing 11 tree species, all native to Pennsylvania, is the vision. Each species would be identified and mapped to create an educational opportunity. Committee member Rich Costlow presented the Committee's plan and request outlining the intent of the plan, partners involved, recommended trees, proposed locations, maintenance and proposed sites for future trees. The Committee has requested a \$25,000 budget be used to fund Phase 1 of this plan with 22 trees with maintenance and an extended warranty.

Chairman Wilson recommended the Committee considers the trail that runs from Bustard Road, down along the PA Turnpike as a future site. Supervisor Warner suggested incorporating memorial trees as part of the funding and referenced an owner on Bustard Road who grows Chestnut trees for a local reference. Joe Meehan, Chairman of the Open Space and Parks Advisory Committee, emphasized the Committee planned to have the trees planted over the next few weeks if approved by the Board.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved Phase 1 of the Open Space & Parks Advisory Committee's tree planting plan.

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

Resident Jenn Foster questioned if the funding for the tree planting was budgeted for 2023. Township Manager David Kraynik responded that fund were budgeted for 2023 and 2024 for tree planting.

**Resolution 23-21: Authorizing Application to the 2023 PECO Green Region Open Space Program**

Municipalities can receive grants of up to \$10,000 as part of PECO's Green Region Open Space program, administered by Natural Lands. Township staff plan to apply to the 2023 PECO Green Region Open Space Program seeking \$10,000 in funding to help fund the installation of native trees to provide canopy along the Kriebel Road Trail. The authorization of an application resolution is required as part of the submission process.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved Resolution 23-21, Authorizing Application to the 2023 PECO Green Region Open Space Program.

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

There being no additional business, the meeting adjourned at 8:50 pm.

Respectfully submitted,



Colleen Ehrle  
Director of Administration