

**Towamencin Township
Board of Supervisors
Work Session
November 8, 2023
7:00 PM**

Present:

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

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:

Chairman Wilson called the meeting to order at 7:01 PM and led the assemblage in the Pledge of Allegiance.

Opening Comments

- This Board meeting is provided live via Zoom for residents, who are unable to attend in person but wish to view and hear the meeting remotely. Public comments submitted by 4:30 pm on the day of the meeting will be read at the start of the meeting. For those physically present, public comment will be held at the beginning of the meeting.
- The Township's Veterans Committee will be holding a ceremony in observance of Veterans Day at the Tennis-Lukens Cemetery located off Allentown Road, at 11 am.
- The annual Turkey Trot 5K at Fischer's Park is scheduled for Saturday, November 11th at 8 am. In person sign-up will be available for \$45.
- Towamencin Township will be hosting our annual Holiday Lights Festival, Friday & Saturday, December 1st & 2nd from 4:30 to 8:30 pm, at Fischer's Park.
- Chairman Wilson reminded residents, who wish to make public comments or ask questions to come up and speak into the microphone for those watching on Zoom. He also reminded residents to sign-up for the Township's enews to keep informed of Township news and events.

New Police Chaplains Swearing-in: Jim and Cathy Stanley-Erickson

In 2022, the police department established a volunteer police chaplain program for the purpose of providing spiritual and emotional support for all members of the police department, their family members, and the public. This health and wellness program is non-denominational and provided by volunteer clergy and without financial compensation. Chief Troxel introduced Jim and Cathy Stanley-Erickson, who have been serving the congregation of Christ Covenant Church since 2010. They were married in 1998 and have one daughter. Jim enjoys reading, traveling and sports. While Cathy enjoys traveling, photography, animals and also sports. Jim and Cathy took their respective oaths to serve as chaplains. Chairman Wilson thanked them both and shared his appreciation for the department's program.

Chief Troxel reviewed upcoming events for the police department, notably their annual no-shave fundraiser and their Trivia with the Chief on Saturday, December 2, at the Mainland Grill.

Public Comments – Emailed submissions:

Resident Kofi Osei shared his inability to attend the meeting, directing his comment to Supervisor Marino on the status of the recent election, specifically how Supervisor Marino conducted his campaign and the associated affiliations/PACs who funded Mr. Marino's campaign mailings. He offered factual clarifications in response to these campaign mailers depicting Osei's purported stance on taxes/tax limits, and taxes to fund residential development, then questioned the lack of reference to Mr. Marino's generational decision that he seemed so proud of within the mailers.

In-Person Comments

Resident Jenn Foster stated back in June, she asked the Board about the process and expense to meter approximately 1/3 of Township residences that are not individually metered for water consumption. She noted PA American representatives were visiting these communities telling residents the Township would be footing the bill for meter installations. She emphasized the Board would need to advise residents how much extra they may need to budget for in 2024. Adding at the time, Chairman Wilson responded the Township had not yet reviewed PA American's reports for the affected communities and did not know how much the Township would cover, but that the subject would be reviewed at the budget workshops. She stressed the subject of metering has not been covered in the budget workshops and no communication has been relayed to the respective communities on the funding needs for metering to date. She criticized the Chairman's/Board's lack of action to date.

Resident Cheryl Portwood noted she learned from the minutes that the North Penn YMCA planned to hold a summer camp at Fischer's Park. She asked how much of the summer is covered by the camp? Is the camp broken up into sessions or daily? How long is the agreement? Are any fees being paid by the YMCA to the Township? Is camp limited to Towamencin residents? She added Fischer's is a great community asset and commended all who contribute to the park's success.

Chairman Wilson responded the timeframe was expected to be 10 weeks, and that the agreement has not been finalized. Additional programming details would be provided by the YMCA, but

clarified the Township would provide the space for the camp. The agreement was anticipated to be for a one-year term. The program discount would be for Towamencin residents, but the camp would be open to neighboring communities as well.

Resident Vanessa Gaynor reminded the Board of her request to broadcast/record the budget workshops so residents may review and be informed of the Township budget intentions and future spending. She noted this did not occur this year, and respectfully requested any additional resources be accounted for in the 2024 budget. She stated it is a very large part of the Boards job to make sure that tax dollars are used wisely.

Resident James Collins thanked everyone who came out to vote, adding it was a humbling experience to have his name on the ballot. He looks forward to respectfully becoming a co-worker, working alongside everyone. He referenced working together does not require everyone to like each other to move forward with common goals. He commended the Police Chief's efforts in advancing and promoting the chaplains program.

Resident Bruce Bailey is once again asking the Supervisors to reduce spending and shared his thoughts that the Board jumps with money too quickly. He recommended residents come to the meetings to keep the spotlight on the Supervisors. He noted sometimes you must spend money to save money, referencing the litigation. He then described limited lighting and parking at the Municipal Complex, asking the Board to consider reasonably priced lighting improvements within the Complex parking areas.

Chairman Wilson offered feedback to Jenn Foster, stating he was sick and tired of being slandered by her comments at these meetings. He noted his financial experience and accomplishments while serving on the Board at the Morgandale Condominium Association.

Resident Jenn Foster responded to Chairman Wilson stating in June, she was berated and belittled, when she questioned the funding process for unmetered communities. She added she was assured the Board would read the reports about metering, and this has not been discussed at any budget meetings, and claims it is now too late for consideration in the 2024 budget.

Chairman Wilson reiterated the need to stick to business and be respectful. He believes it is not too late to review the metering concern, feeling the matter will not close prior to the end of 2024. He also indicated that he believes the funding to cover costs associated with metering will come from the proceeds of the sale, but that a vote on the matter has not yet occurred.

Approval of Minutes

The minutes for the October 25th meeting were deferred.

Zoning, Subdivision and Land Development

Conditional Use Hearing - Chipotle/Mattress Warehouse (PSDC)

Philadelphia Suburban Development Corporation (PSDC) proposes to construct the referenced commercial use with a drive thru and free-standing signage at the corner of Allendale Road and Forty Foot Road. The applicant received conditional use approval for the uses on December 8, 2021, and the signage on July 13, 2022. Approvals have since expired and PSDC seeks renewal approval.

Township Solicitor Robert Iannozzi, Jr. presented the associated hearing exhibits. John B. Anderson, P.E. of Cornerstone Consulting, and Edward Hughes Esq., representing PSDC, reviewed the conditional use requests and related signage. A court reporter was present to make a complete and formal record of the hearing.

Resolution 23-22: Amend Resolution 15-06 Signage at the Marriott Hotel

An application was received to modify the existing free-standing and monument signs for the Courtyard at Marriott, located at Towamencin Avenue and Sumneytown Pike. Signs are updated every few years, to be more aesthetically pleasing. PSDC presented representations to accurately depict the proposed sign changes. Supervisors Marino and Smith noted they believe the signs are an improvement.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board approved Resolution 23-22, amending Resolution 15-06 “Signage at the Marriott Hotel.”

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

Consider Authorizing Advertising Zoning Map and ELO District Language

Philadelphia Suburban Development Corporation (PSDC) is proposing to amend the ELO Entertainment Lifestyle Overlay Zoning District. The proposal includes a zoning map revision and text amendment. The proposed map amendment includes revising the size of the “residential” section of the ELO District in order to permit commercial zoning along the frontage of Forty Foot Road. The text amendment proposes to revise setback regulations and adds height restrictions. PSDC’s representatives John B. Anderson, P.E. of Cornerstone Consulting, and Edward Hughes Esq., representing PSDC, presented background of the existing zoning map and text language and the allowable uses. He stressed additional uses beyond retail – restaurants and banks – are not currently permitted.

Mr. Anderson noted the proposal includes amending the map to push back the residential sector and making two text amendments which would establish a 75-foot building setback from the ultimate right-of-way on Forty Foot Road and limit the uses in that area to a maximum height of 20 feet, reduced from 25 feet.

Chairman Wilson asked what kind of buffering is planned between parking and the street. Mr. Anderson responded they would comply with the current Township ordinance and are not looking for any relief – street trees, low shrubs, and 10% landscaping with parking areas.

Supervisor Snyder questioned the need to add additional commercial space to a mostly vacant shopping center. Mr. Anderson advised they have signed leases/agreements for future pad sites within the shopping center. Supervisor Snyder emphasized the scrutiny the Board receives by the

vacancy status of the shopping center and is resistant to approve more property that will not be developed.

Supervisor Smith stated she recalled previous discussions that restaurants would be included along the Forty Foot Road perimeter, not residential development. Mr. Anderson indicated within previously presented exhibits, retail was depicted along Forty Foot Road. However, the existing ordinance language does not include restaurants and banking institutions.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board authorized advertising the proposed zoning map and ELO text language changes.

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

Old Business

None

New Business

2024 Budget Presentation

Finance Director Adam Szumski held meetings with department heads and main committee chairs to review their proposed budgets. In October and November, four budget work sessions were held where various Township Departments and committees presented their budget projections for the upcoming year. Mr. Szumski and Mr. Kraynik presented the proposed 2024 Budget resulting from the budget work sessions.

Mr. Kraynik outlined the timeline for the budget process and notable completed projects and operating achievements in 2023. Completed projects included the Kriebel Road Trail Phase I and II, stormwater repairs, installing the Drinnon Park walking path, and Fischer’s Park bocce courts. Operating achievements included staffing various, a roll out of an employee performance evaluation program, and finally implementing an improved cash management program to leverage high-interest rate environments.

Notable 2024 budget highlights include: no property tax increase, no borrowing proposed, and an increase in sewer rental fees. Capital Projects include Weikel Road improvements, roadway and ADA projects, building improvements, the Sidewalk Connectivity Plan, as well as Sewer and Park Capital. Mr. Szumski reviewed 2023 operating expenses, 2024 operating revenues, debt service schedule, 2024 capital projects, a breakdown of the average residential tax bill, including homestead exemption.

Mr. Kraynik emphasized the team effort that went into the budget process and thanked residents who attended the work sessions, Supervisors for their dedication, as well as, staff, committee members, and volunteers.

Resident Rebecca Curlett questioned if the debt slide was considering money from future sewer sale proceeds. Mr. Kraynik responded a future sewer system sale is not factored in.

Resident Jenn Foster asked if there has been any change to the millage breakdown in 2024. Mr. Szumski noted a few changes, since the last work session, the Fire Company requested that their full contribution match the milage and this budget does that. Mr. Szumski also indicated the EMS contribution will be moving from VMSC (general appropriations) to a dedicated millage as well.

Resident Bruce Bailey stated his request to reduce spending has not been heard.

Chairman Wilson asked Mr. Szumski to further clarify the debt slide. Mr. Szumski advised the Township has not had to borrow since 2021. Supervisor Snyder asked for confirmation that the slide does not represent a decline in loan payments but rather, a decline in the actual debit owed by the Township. Mr. Szumski confirmed that was correct.

Resident Cheryl Portwood asked for clarification on additional funds EMS and Fire will be receiving. She asked if the police department would receive additional assistance to maintain proper staffing. Mr. Kranik indicated all provisions in the collective bargaining agreement are provided for in the budget. However, no additional resources have been allocated for the police. She asked that the Board be cognizant of the police needs that allow for proper coverage and not stress the officers on duty.

Resident James Collins inquired about the parks portion of the budget, asking were the allotted funds for maintenance or improvements. Mr. Szumski confirmed it was for maintenance. Mr. Collins emphasized additional resources for the police department be considered with population growth and residential development.

Authorize Advertising to Adopt the 2024 Budget

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board authorized advertising the proposed 2024 Budget.

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

Chairman Wilson thanked Mr. Szumski and Mr. Kraynik and the staff involved in putting together the proposed budget.

Authorize Traffic Engineer to Prepare Preliminary Cost Estimates for Green-Light-Go-Grant Application

The Township Traffic Engineer Chad Dixson requested work authorization to prepare preliminary cost estimates for the Green-Light-Go Grant and future grant applications. The scope of the work

includes reviewing and updating as needed, signal inventory in the PennDOT traffic asset management system, preparing preliminary cost estimates for traffic signals and upgrades at the Sumneytown and Forty Foot Road corridors based on comments from staff. PennDOT will review the submission and provide comments. The grant application will be submitted in February.

On a motion by Supervisor Marino, seconded by Supervisor Warner, the Board authorized the Traffic Engineer to prepare preliminary cost estimates for future grant applications.

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

Resolution 23-23: Statewide Local Share Assessment Grant (Central Drive Storm Sewer)

At the September 27th meeting, multiple consultant proposals were approved to prepare grant submissions to the Statewide Local Share Assessment Grant, with a November 30th deadline. As part of the submission process a resolution is required outlining the grant funding amount and designating Township officials to execute all documents and agreements. This resolution is for the Central Drive Storm Sewer Project, where the Township is seeking funding for \$1,000,000, and will designate the Township Manager and Finance Director as the authorized officials to execute associated grant documents.

On a motion by Supervisor Marino, seconded by Supervisor Smith, the Board authorized Resolution 23-23 Statewide Local Share Assessment Grant (Central Drive Storm Sewer).

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

Resolution 23-24: Statewide Local Share Assessment Grant (Grist Mill Park Phase I Improvements)

The Township plans to submit a Statewide Local Share Assessment Grant application for Grist Mill Park, Phase 1 Improvements Project, seeking \$250,000. This resolution will designate the Township Manager and Finance Director as authorized officials to execute associated grant documents.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board authorized Resolution 23-24 Statewide Local Share Assessment Grant (Grist Mill Park Phase I Improvements).

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

Absent: N/A

Resolution 23-25: Sale of Police Vehicle to North Wales Borough

The North Wales Borough has expressed interest in purchasing a Towamencin Township vehicle scheduled for replacement this year, in the amount of \$5,000, the price of which has been determined reasonable by the Township. The vehicle is a 2017 Ford Explorer.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board authorized Resolution 23-25 Sale of Police Vehicle to North Wales Borough.

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

Consider Approving Tree & Maintenance Proposal

At the Board’s previous meeting, Rich Costlow, member of the Open Space and Parks Advisory Committee shared the Committee’s multi-year plan for planting 20 plus trees in 2023 with additional plantings in subsequent years. The vision is a trail of 100 trees, representing 11 tree species, all native to Pennsylvania. Proposals were submitted by three landscapers. The Committee’s recommendation is to proceed with the proposal submitted by David Brothers Landscape Services for \$16,694.00, which includes 22 native trees, installation, water bags, and a 1-year maintenance warranty.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board authorized approval of the recommendation by the Open Space and Park Advisory Committee to proceed with the David Brothers’ tree and maintenance proposal.

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

Common Interest Agreement Approval Confirmation/Re-affirmation

On June 8, 2023, the Township entered into a common interest agreement with Pennsylvania American Water Company and the Towamencin Municipal Authority. The agreement, among other things, makes privileged and exempt from access any record between the parties that extends any and all efforts associated with PUC approving or any litigation relative to the sewer sale. Both the Township and the Authority are pre-authorized to sign such an agreement. By way of the sewer sale, authorizing coordinates or resolution respectively, respective documents are authorized to make any needed actions or furtherance of it. In an effort to dispel certain concern that the agreement was signed without authorization, a motion is being sought to affirm such signing

authority and reaffirm the agreement is duly authorized and effective as of the agreement effective date.

Supervisor Snyder stated this action flies in the face of the Sunshine Act with the document being signed on June 8th, and we are now informing the public and the Board that it was signed.

Mr. Iannozzi clarified the Township adopted Ordinance 22-04 in May of 2023, it sets forth and was approved by majority of the Board. The ordinance references the authorization to take certain actions in furtherance of the sewer sale. It has been brought to our attention that there has been concerns that this agreement was executed without signing authorization. In an abundance of caution, this is being brought to the Board, curing any real or perceived Sunshine Law violations. Mr. Iannozzi continued while there was no Sunshine Law violation - but if there were for argument sake, this agreement will cure that. Supervisor Snyder stated she understands there is only 30-days to cure a Sunshine Law violation, and this is outside the objection period. She noted she was not arguing the law, but rather the spirit of the law, and that there is an appearance of hiding things from the public. Mr. Iannozzi clarified the purpose of the document is to secure privileged information, and that this is wholly consistent with the law, offering additional details regarding the Sunshine Law.

Supervisor Marino offered he was not sure why the Board was doing this. Mr. Iannozzi noted in recent days there have been various right-to-know requests received where the common interest agreement has become the basis of why certain records are exempt. Therefore, this is ratifying why these actions are being taken, to put everyone on notice that this agreement exists, is in place, and that specific items are exempt from access. Mr. Iannozzi further reiterated, this action is not needed, but it is being offered as a courtesy and to put all on notice.

On a motion by Supervisor Smith, seconded by Supervisor Marino, the Board authorized affirming the Common Interest Agreement and adding the document to the Township website.

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

There being no additional business, the meeting adjourned at 9:02 pm.

Respectfully submitted,



Colleen Ehrle
Director of Administration