

**Towamencin Township  
Board of Supervisors  
Monthly Meeting  
February 28, 2024  
7:00 PM**

**Present:**

H. Charles Wilson III, Chairman  
Laura Smith, Vice Chair  
Joyce F. Snyder, Secretary  
Kristin Warner, Treasurer  
Kofi Osei, Asst. Treasurer/Asst. Secretary

**Staff:**

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

**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.
- A reminder to residents to come up to a microphone, when prompted for questions, as Zoom does not pick up voices from the audience.
- 2024 Sewer bills have been issued and County/Township taxes will arrive in the next few days. If you do not receive them by March 7<sup>th</sup>, please contact the Township.
- Tax bill reminders: the Township tax rate remains at 5.689 mills, the 2024 Montgomery County tax rate increased from 4.237 mills to 4.788 mills. The Township maintained the \$50,000 homestead exemption in the 2024 budget, this is the fifth largest municipal homestead exemption in the state.

- Partial payments are not accepted for tax payments, the 2% discount period ends April 30<sup>th</sup>, 10% penalty is assessed against unpaid taxes after June 30<sup>th</sup>.
- Sewer bills were mailed earlier this month. The annual rental rate increased from \$450 to \$590. The increase was to cover increasing operating expenses and to begin raising funds for the 8-year capital plan. Sewer bills are due by June 30<sup>th</sup>, partial payments are accepted, and a 10% penalty will be assessed after June 30<sup>th</sup>.

**Public Comments** – Emailed submissions:

Resident Suzie McCartin expressed her unhappiness with the sewer bill increase, noting for years the bill was only \$375, then an increase last year to \$450, and now a disgraceful \$590. She contends the increase is for a dilapidated sewer system that the Township failed to maintain. She believes there is utter incompetence all around and that the Township should be ashamed.

Resident Victoria Rafferty stated she was shocked by the sewer bill increase, and feels it is outrageous. She is one person with one toilet, and asked why she should have to pay this amount, when her water consumption is less than \$60 a year. She questioned why one person with one toilet vs a family with 5 and 4 toilets are paying the same amount. She inquired why the cost is not commensurate with actual water use.

Resident Lorena Fields commented the PUC is starting to realize that privatization of municipal sewer systems is not in the best interest of Pennsylvania rate payers, citing the PUC's recent ruling denying PAWC from acquiring the Borough of Brentwood's wastewater system. She said it is time to realize that the contract the Supervisors have entered is not as binding as they would like residents to believe. Instead of wasting money on defending a sale, she questioned, why not spend the money on the blight of Forty Foot Road. She feels the Township should attempt to attract businesses. She recommended the Township stop counting on a big windfall and start planning on how to use our money in a wise manner.

Resident Kenneth Stout asked why the Township supervisors would entertain spending township funds for a sign at the turnpike interchange - referencing a previous comment that an infusion of money was needed to pay the Township debt. He feels the Township should not be spending funds on unnecessary items until its debt is paid off.

Resident Mary Jean Moroz asked will the Board of Supervisors please stop wasting the township resident's money to defend this sale considering the PUC recent ruling to deny a PAWC acquisition. She stated changing your mind after new facts are presented is not a sign of weakness, rather it is a sign of intelligence.

**In-Person Comments**

Resident Jen Foster read an excerpt from the recent Brentwood PUC decision. At this point, she is 100% convinced the PUC is going to deny PA American's application for Towamencin, yet money continues to be wasted on the effort. She once again called on the Board to terminate the sewer sale.

Resident Bruce Bailey read the Home Rule Charter and believes 3 of the Supervisors do not understand it. He referenced section 6.04, and his understanding that it prohibits selling the

sewer system. He concluded that the citizens are fighting the Board over it and asked the Board to stop the sale.

Resident Joe Silverman focused his comment on wasteful spending, referencing items from the preliminary and final town center plans. He asked that money not be wasted on such things and use the money for things that are needed, such as bridge repairs.

Resident Tina Gallagher agreed with Mr. Silverman. She moved to Towamencin for the schools and her children received excellent educations. She feels decisions have been made that are not moving this Township forward, such as the sewer sale. She said past mistakes should be reviewed so that new decisions don't repeat past mistakes. She echoed the wasteful spending sentiment. She asked the Board to make smart changes.

Resident Gisela Koch questioned why the Board keeps asking for evaluations and spending money on ideas that are not going to happen. She urged them to stop spending money on things that are not important.

Resident Lori Morrissey commented she is thrilled PSDC is present tonight. She is skeptical because she has listened to this for the last 10 years. She feels there is a long-sorted history with this developer and questioned why they are able to own every piece of vacant land in the Township but is very disappointed in this developer and asked the Board to hold them responsible for what they promise and deliver. She asked the developer to provide the residents with places to go and things to do.

Resident Andrew Dolan took issue with a farmer being permitted to farm the Armeth property purchased in 1996. He felt there are liability issues because the current farmer does not post signs. He asked if there is a current agreement with this farmer, and that the property be transitioned back for public use.

Resident Bruce Bailey questioned the sense of placing an entrance sign at the turnpike exchange; he feels it is just another means of wasteful spending.

### **Approval of Minutes**

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the February 14<sup>th</sup> meeting minutes.

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

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

#### **Public Hearing: Zoning Map Amendment NPSD Institutional (IN) Zoning District**

Last November, representatives from the North Penn School District reviewed their intentions for major renovations to the high school with an associated consideration for a Zoning Map amendment. They explained the need for a zoning map amendment existed due to the current conditions of the high school property exceeding the maximum impervious surface limits within

the existing zoning districts R-125 and R-175 independent of future renovations, but that the proposed renovations would add additional impervious surface to current conditions. Township Solicitor Iannozzi presented the associated exhibits and conducted the hearing. Alexander Glassman, Esq., Dr. Todd Bauer NPSD Superintendent, Barry Stingle, Engineer presented on behalf of the school district. A court reporter was present to make a complete and formal record of the hearing.

**Consider Adoption: Ordinance 24-02 - Zoning Map Amendment NPSD Institutional (IN) Zoning District**

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved adopting Ordinance 24-02 - Zoning Map Amendment NPSD Institutional (IN) Zoning District, as presented in the proceeding public hearing.

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

**Towamencin Shopping Center Update**

The Philadelphia Suburban Development Corporation (“PSDC”) acquired the Towamencin Village Shopping Center, located on Allentown and Forty Foot Roads, starting in 2015. The Township has been working with PSDC to facilitate the renovation and revitalization of the site. Mark Nicoletti, PSDC President, provided an update on plans and progress for the development of the shopping center, including announcing anticipated tenants Whole Foods and a Target, located between the shopping center and the SKF building.

Residents questioned if contracts were signed with Target and Whole Foods. Mr. Nicoletti explained a lease was signed with Whole Foods, but is contingent on Target’s commitment. The developer has received a letter of intent from Target, that includes conditions.

Resident Bruce Bailey asked if development access would be needed from Reinhart Road. Mr. Nicoletti replied it would not, but shared his family donated \$850,000 to the Towamencin Community as a match for the widening of Forty Foot Road.

Resident Jenn Foster asked Mr. Nicoletti to explain the development relationship between Whole Foods and Target again. Mr. Nicoletti reiterated the status on each, explaining there are a few conditions to work through to arrive at a Target lease. Ms. Foster asked for an expected timeline, emphasizing the stalled development at the shopping center, including the Chipotle restaurant, and the general lack of development of PSDC owned property in Towamencin. She asked what steps are being taken to meet Target’s conditions. He referenced the land development process and co-tenancy requirements to meet.

Resident Gisela Koch asked will it take another 3 to 4 years to get permits for the referenced development. Mr. Nicoletti replied it could and that residents could come sit with him at the

Montgomery County Conservancy office or ask PennDOT why they take so much time to approve permits.

A concern was raised that a new Whole Foods would not fit the existing footprint of the former Genuardi's, as it appears too small. Mr. Nicoletti confirmed it would fit within the footprint.

Chairman Wilson asked if Mr. Nicoletti could share any information about the pad sites along Forty Foot Road. Mr. Nicoletti responded that land approval for a Panara restaurant and AT&T store should be available over the next few months, with construction immediately following. He continued that PSDC is involved in negotiations with a national bank and a First Watch restaurant for sites in front of the SKF building. He then added the SKF company would be vacating the building in April, emphasizing the reduced demand for office space.

Resident Gisela Koch suggested adding a community center and asked about adding a good restaurant to the center. Mr. Nicoletti stated they need to get an anchor store in place first.

Supervisor Osei referenced the Target and the impervious surface expectations, asked if there was an opportunity not to pave more than necessary considering the impending SKF vacancy. Mr. Nicoletti stated it is too soon for him to speculate on parking requirements. He then referenced a possible future property acquisition that PSDC would donate to the Township's future Veterans Park.

### **PSDC Main Street Concept**

Mr. Nicoletti provided background and an update on PSDC's property acquisition and plans for future development of its property located within the perimeter of Sumneytown Pike, Reiff Road and Forty Foot Road, and within the perimeter of Bustard Road and the PA Turnpike interchange, that would include added apartments and retail close to existing office space.

Resident Tina Gallagher stated she feels the amount of property PSDC owns is affecting the lives of all that live in Towamencin and there is a lot of concern over the development of various properties in the Township.

Resident Lori Morrissey expressed concerns over how long it is going to take to develop. She feels it looks bad across the Township with the vacant properties.

Resident Jenn Foster stated she feels that empty properties need to be made to look more presentable, as an example she referenced those coming off the turnpike exchange. She also asked if PSDC could begin filling properties that they already own, opposed to purchasing more and then them be left vacant. She feels this is deeply concerning.

Resident Joe Silverman commented that PSDC does a good job maintaining the properties around the turnpike exchange, and asked Mr. Nicoletti to confirm what office buildings were purchased around Bustard Road.

Tina Gallagher asked if there was anything impeding adding new retailers from moving in. Mr. Nicoletti noted fundamentals are different for businesses, but that having an anchor is important to filling surrounding space.

**Public Hearing: Electric Vehicle Charging Stations Ordinance**

The Township’s Planning Commission reviewed several iterations and was in favor of the current draft ordinance for electric vehicle charging stations. At the Board’s January 10 meeting, the Supervisors authorized its advertising for future adoption consideration. The draft ordinance has also been reviewed by the County Planning Commission and Township Solicitor. The language was developed based on examples from Whitemarsh Township, Phoenixville Borough, and Warrington Township.

Solicitor Iannozi presented the associated exhibits and conducted the hearing. Will Brugger, Director of Planning, Zoning and Code Enforcement, reviewed the proposed ordinance and responded to proposed questions. A court reporter was present to make a complete and formal record of the hearing.

**Consider Adoption: Ordinance 24-03 - Electric Vehicle Charging Stations**

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved adopting Ordinance 24-03 – Electric Vehicle Charging Stations as presented in the proceeding public hearing.

Supervisor Osei noted he is for the ordinance, but not for mandating parking requirements.

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

**Old Business**

None

**New Business**

**Warrant List**

The February Warrant list in the amount of \$1,563,387.37 was presented for approval. On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved the warrant list in the amount of \$1,563,387.37.

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

Absent: N/A

### **Public Works Report**

The Public Works Committee meets monthly to scope projects and identify efficiencies related to Township infrastructure, properties, and equipment. The Committee met February 15<sup>th</sup>. Supervisor Smith provided the Committee's report summarizing the following topics:

- Weikel Road Project
- Central Drive Storm Sewer Repairs
- Bocce Courts at Fischer's Park
- 2024 Road Paving & ADA Ramp Project
- Landscape Signage at the Turnpike Interchange
- Repairs to Pedestrian Bridge over Forty Foot Road
- Green Lane Park Soccer Fields
- Welsh/Orvilla Road Intersection Improvement Project
- Forty Foot Road/Newbury Way/PSDC Traffic Signal
- Township Building Driveway Lighting
- Parking, Pickleball & Pavilion at Fischer's Park
- Electric Vehicle Charging Stations
- Grant Opportunities
  - PennDOT Green Light-Go
  - Community Conservation Partnership Program (parks and stormwater)
  - COVID-19 ARPA Capital Projects Fund/Multi-purpose Community Facilities Program
- Comprehensive Plan
- MS4 Permit Requirements
- Long Term Storm Sewer Maintenance Plan
- Old Forty Foot Road/Rittenhouse Road PennDOT Safety Improvements
- Township Pool – 2024 Season
- Request for Streetlights at Detweiler Road, Quarry Road and Forty Foot Road
- Route 309 Connector/Sumneytown Pike Improvements
- Old Forty Foot Road / Rittenhouse Road Bridge Flooding

### **Finance Committee Report**

The Township Finance Committee meets monthly to monitor economic indicators and the pulse of the Township's revenues and expenditures. They also address various requests and concerns that may arise. The Committee met on February 21<sup>st</sup>. Supervisor Warner provided the Committee's report summarizing the following topics:

- Comprehensive Plan
- Township 2023 Audit and Year-End
- 2024 January Financials
- Long-Range Financial Forecasting
- Delp Drive Land Development Escrow Account

- 2024 Sewer and Tax bills
- StandGuard Aquatics 2024 Swim Season Meeting

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved two transfers - \$100,000 from the General Fund to the General Reserve Fund, and \$450,000 from the General Fund to the Capital Equipment Fund.

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

On a motion by Supervisor Smith, seconded by Supervisor Osei, the Board approved assigning \$120,300 of the General Fund balance to the Comprehensive Plan Project in the 2023 audit.

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

**Consider Proposal – Prepare OSPAC Meeting Materials for Proposed Kriebel Road Trail Connector**

The Township's Open Space and Parks Advisory Committee has invited residents of the Brookside Farm development to their March meeting to discuss possibly adding a connector trail from Spring Valley Road to the Township's Kriebel Road Trail, completed last spring. The multi-use trail runs from Valley View Way to Trumbauer Road. To assist in the presentation with the residents, Joe Meehan, Open Space and Parks Committee Chair, requested consultant Peter Simone attend the meeting with prepared renderings to help visualize what a future connection may look like. Mr. Simone submitted a proposal for his firm to produce the noted meeting materials and to attend this meeting for a cost of \$930.00.

On a motion by Supervisor Warner, seconded by Supervisor Smtih, the Board approved the Proposal to Prepare OSPAC Meeting materials for Proposed Kriebel Road Trail Connector

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

Chairman Wilson asked Joe Meehan about connecting the County trail ending at Valley Forge and Morris Roads, into our trail to eventually connect to Evansburg State Park and will this be a part of this. Mr. Meehan replied no, that this is a smaller trail. However, the trail referenced is on the connectivity plan; the one proposed would be the first one.



**Consider Proposal Grant Preparation Services: COVID-19 ARPA Capital Projects Fund (Multi-Purpose Community Facilities Program)**

At the request of staff, the Township Engineer submitted a proposal to prepare a grant application for various improvements to the municipal complex for a fee of \$4,000. The Township intends to apply for the COVID-19 ARPA Capital Projects Fund Multi-Purpose Community Facilities Program, with a submission date of April 20, 2024, and maximum award amount of \$2,000,000, with no match requirement. Eligible projects include improvements to municipal buildings that are open to the public and can enable work, education and health monitoring when needed. The preliminary list of proposed improvements to the municipal complex include:

- An emergency generator
- HVAC improvements for the police building
- Lighting along the entrance drive & walkway to the complex for pedestrian safety
- Replacement of a retaining wall and stairs that accesses the municipal building from the rear parking area
- Restoration of two wagons to be displayed onsite for historic reference.

Preparation of the application will include project descriptions, community impact and sustainability, a detailed project budget, and information regarding project management.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board authorized the Grant Preparation Services: COVID-19 ARPA Capital Projects Fund (Multi-Purpose Community Facilities Program).

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

**Consider Proposal – Add Streetlights at Detwiler/Quarry and Forty Foot Roads**

The intersection at Detwiler/Quarry and Forty Foot Roads remains an outlier by its lack of appropriate lighting along Forty Foot Road, in an area that has regular pedestrian traffic. Township staff requested a proposal to add streetlights to the intersection of Detwiler/Quarry Roads and Forty Foot Road. The price to install (2) streetlight fixtures, with 145W LED Luminaires w/photocells to existing utility poles is approximately \$6,446, \$3,223 for each.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board authorized the proposal to Add Streetlights at Detwiler/Quarry and Forty Foot Roads.

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

Supervisor Wilson asked Township Manager David Kraynik if the site was reviewed by the contractor. Mr. Kraynik confirmed it was, and Mr. Dixon, Township Traffic Engineer confirmed he had also reviewed and approved the proposal.

### **Consider Establishing a Township Flag Policy**

A request was made by Supervisor Snyder for the Township to consider raising a pride flag for the month of June. The Solicitor suggested a Township Flag Policy be considered and discussed.

Supervisor Snyder asked Mr. Iannozzi how long it would take to review what neighboring municipalities are doing. Mr. Iannozzi said he could perform the necessary comparison and have it available for the next meeting. Supervisor Snyder noted a review of neighboring municipal policies was the best manner to proceed and proposed postponing a motion till the Board had an opportunity to review that information.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board authorized the Solicitor to perform a review and defer this item to the next agenda.

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

### **Additional Business**

Supervisor Snyder cautioned residents to watch for trees down on Keeler Road resulting from a windstorm that took place during the meeting.

Supervisor Snyder then motioned to authorize staff to draft a letter to remove the Township from the APA with PA American.

Supervisor Osei noted a few public comments referenced the PUC denying one of PA American Water's sales, emphasizing the legislature now has a magnifying glass on them. He continued, he is not a gambling man, but would bet the Towamencin sale will not go through. He referenced the large 2024 sewer rate increase, stating \$25 of the increase was to push the sale through. He recommended terminating the sale to avoid bigger rate hikes. Mr. Osei added that he continues to have debates with neighbors as to whether the three Supervisors - who support the sale - are dumb or corrupt and is not arguing for the corrupt side. He added this is an opportunity for them to change his mind.

Supervisor Snyder responded she does not feel anyone is corrupt or stupid, that the Supervisors have a right to their beliefs, but feel their decision will be an albatross around their necks. She added the pending sale will continue adding time to each meeting, and she would prefer moving on with the Township's governing. She noted terminating the sale would save time and angst, and encouraged the Supervisors to reconsider and move on.

Chairman Wilson responded that the sewer rate increase was independent of the sale. Supervisor Osei disagreed. Mr. Wilson continued that this process is not as simple as walking away and did not feel that the motion offered was the way to address it.

Supervisor Smith commented she took exception with Supervisor Osei calling names and condemned his remarks noting they were wildly inappropriate as a member of the Board.

Supervisor Warner commented to let the process play out in the PUC.

Supervisor Snyder's motion did not carry with a 2:3 vote.

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

There being no additional business, the meeting was adjourned at 9:25 pm.

Respectfully submitted,



Colleen Ehrle  
Director of Administration