

**Towamencin Township
Board of Supervisors
Monthly Meeting
March 20, 2024
7:00 PM**

Present:

H. Charles Wilson III, Chairman
Laura Smith, Vice Chair
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

Absent:

Joyce F. Snyder, Secretary

Chairman Wilson called the meeting to order at 7:00 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.
- Staff from the Montgomery County-Norristown Public Library will return on Wednesday, March 27th at 11:00 AM to provide their next story time for preschoolers in the Meeting Hall. Stay tuned for monthly programming by visiting our website and Facebook page.
- Jigsaw Jamboree – Join us for a night of competition and fun at our first puzzle event. Register your team of 2-4 people. Prizes will be awarded to the team that assembles a 500-piece puzzle first. Registration for this event is now open, and the cost to attend is \$30 per group. Please visit our website for more details.
- A reminder to residents – when prompted for questions - to come up to a microphone. Zoom does not pick up voices from the audience.

Public Comments

Emailed Submissions:

Resident Rich Kahney commented he was shocked by Supervisor Osei's comments at the end of the last Board meeting, calling other Supervisors dumb or corrupt in regard to their positions on the sewer sale. He felt his comments were immature and not becoming of a board member and that he owes the Board and Towamencin residents an apology. He commended Supervisors Snyder and Smith for letting Supervisor Osei know he was out of line.

Resident Tina Gallagher commented the sewer sale continues to be harmful to the community due to the money spent and will be spent to defend the sale. She stated it is a misuse of taxpayer funds with the Supervisors forever committing residents, who utilize public sewer, to pay higher rates for sewer. She added the comment submitted to the PUC by the Township inaccurately stated that rates will be affordable and that residents were given input. She believes the PUC knows the current valuation system used is unfair to PA residents. She added the Township should be on the side of residents, not American Water or the PUC. She thanked Supervisors Osei and Snyder for standing with residents.

Resident Paul Andrews offered feedback on Towamencin's comment submitted to the PUC in response to the proposed Tentative Supplemental Implementation Order that would make changes to the criteria they use to evaluate Section 1329 sale applications. He notes it has become apparent to the PUC and lawmakers that fair-market value sales result in large payments to municipalities, while residents get gigantic increases to their water and sewer bills. He referenced comments made by residents at the last meeting about the recent sewer bill increase and imagined how angry residents will be when they receive bills post-sale. He felt at the last meeting, Chairman Wilson acknowledged how much residents would be charged. He said the Supervisors completely whitewashed the debate and resident objections before and after the vote to sell, by stating "After extensive considerations and discussions with Township leadership, staff, and citizens, the Township decided to pursue the sale of the System." Residents objected to the sale so much that they passed a Home Rule Charter forbidding the sale. He feels continuing to push this sale is divisive and costly in many ways.

In response to Mr. Andrews' comment, Supervisor Osei asked if a vote was taken to lobby the PUC on their rule making process. Solicitor Robert Iannozzi responded the comment was offered by the Township's special counsel in response to the Township's PUC application/proceeding, noting its relevance, as changes to the PUC's process could alter the proceedings.

In-Person Comments

Resident Martin Cohen commented that the Board of Supervisors is not following the law as the Home Rule Charter prohibits the sale of the sewer system. He asserted the asset purchase agreement is not a contract until approved by the PUC. He took issue with funds continuing to be spent to defend the sale, and that it is not in the best interest of residents.

Resident Joe Silverman commented on agenda item 8.2 relating to municipal building roof replacements. He questioned if the Meeting Hall and Administration buildings were included in this item. He questioned the frequency of replacing these roofs and offered his recommendation on what materials should be used.

Resident Patrick Kolis proposed a process improvement for yard waste and recycling. He would like to see Towamencin offer similar services to what Bethlehem Township provides to their residents, who have a comprehensive program for yard waste that benefits the municipality and

residents. It was suggested that the EAC could review his suggestion. Chairman Wilson commented the Northern Montgomery County Recycling Commission may have other resources for residents to dispose of their yard waste.

Resident Gisela Koch suggested with the pending roof replacement that it could be sold to a roofing company and then it could be leased back for three times the amount.

Resident Joanne Andrews commented she was aware of a non-resident who received a 2024 sewer bill without the rate increase. She requested that a review of non-resident bills be conducted to ensure all sewer bills are being issued for the same amount.

Chairman Wilson responded the Township is aware of the issue, and that rate increases for non-residents have to be filed and approved through the PUC.

Approval of Minutes

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the February 28th meeting minutes.

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

Zoning, Subdivision and Land Development

ZHB-2024-01 – 1486 W. Main Street

The applicant is appealing a Township notice of violation and is seeking variances and a special exception from the Zoning Hearing Board. The applicant seeks the following zoning relief with respect to the Property:

- A variance from the provisions of Section 153-408.A and 153-418.A of the Township's Zoning Code to permit the use of the property for (a) the rental of a freestanding garage and an attached garage and storage area to the single-family home for commercial use, and (b) the storage of a boat and trailer on the property;
- a special exception pursuant to Section 153-418.A(S) of the Code to permit the use and rental of a designated in-law suite attached to the single-family home on the property as an accessory apartment (A-1); or, in the alternative, a variance from the provisions of Section 153-408.A and 153-418.A of the Zoning Code to permit a Residential Conversion (A-10) on the property.

The Solicitor has reached out to the applicant's counsel to further discuss this matter and streamline the process, which will determine how the Township should proceed. If a resolution cannot be reached, the Solicitor is prepared to oppose the application and uphold the Township's notice of violation. The Supervisors agreed this was the best course of action.

Old Business - None

New Business

Upcoming Events Calendar Review

Katie Cleary, the Township's Special Events Coordinator, provided an overview of the 2024 Township events schedule, offering plans and progress to date. She reminded everyone that the Committee's mission is to provide the community with quality, affordable and inclusive events for all. The upcoming calendar includes:

- Jigsaw Jamboree – Friday, April 5 at 7 pm
- Towamencin Day – Saturday, May 11 from 12- 4 pm
- Summer Concerts Series – Thursday nights June 20, June 27, July 11, July 18, August 1
- Car Show – Saturday, June 29 at 9 am
- Summer Movie in the Park - Friday August 16 at 6:30 pm
- Tavern Night (partner with Morgan Log House) - Saturday, September 21, 6-9 pm
- Fall Movie in the Park/Pet Parade – Saturday, October 5 at 6 pm
- Turkey Trot – Saturday, November 9 at 9 am
- Holiday Lights – Friday & Saturday nights, December 6 & 7

Ms. Cleary reviewed the Township's Community Partnership Program, explaining how these sponsorship and advertising opportunities support events programming.

Consider Authorization to Award Contract: Municipal Building Roof Replacement Project

The Township budgeted funds for exterior building projects at the Municipal Complex including renovations to the Administration and Meeting Hall Building, and the interconnecting breezeway between the buildings. The scope of work included roof replacements, removal and replacement of the existing wood siding, replacement of decorative barn doors, repair/replace existing fascia and miscellaneous roofing improvements at the noted buildings. This project also includes two alternate/add-on items:

- Removal of existing asphalt shingles and appurtenances, and the installation of a new fiberglass shingle roofing system including miscellaneous building improvements at the Towamencin Township Meeting Hall and Breezeway/Interconnecting Hall.
- Alternate/Add-On No. 2: Includes the replacement of existing shiplap siding with Fiber Cement panels and boards at the Township Meeting Hall.

Based on the Engineers' review of the bids submitted and the low bidder's qualifications and commitment, the Township Engineer recommends the Township award the contract to Hulton Contracting, Inc. of Line Lexington, PA for the base bid, plus alternate/add-on 1 and 2 for the total bid price of \$91,163.70.

Supervisor Osei commented he was voting in favor but confused why the building is not being sold to a roofing expert, as the Township should get out of the roofing business and focus on core Township functions.

Supervisor Warner asked if metal roofs were investigated before. Township Engineer Mary Stover responded not for these roofs, noting the additional cost may be an issue and they could be noisy.

On a motion by Supervisor Smith, seconded by Supervisor Osei, the Board approved awarding the contract for the Municipal Building Roof Replacement Project.

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

Consider Authorization to Award Contract: 2024 Road Paving Program

Bids have been received for the Township’s annual repaving program. This year, 8 roads are scheduled for milling and paving to be scheduled during summer months. The budgeted amount for 2024 paving and ADA ramps is 875,000 in Liquid Fuel Funds and General Capital Funds. The bid opening was March 15 with 14 submissions ranging from \$799,621.90 to \$1,201,575.70, with Delaware Valley Paving of Phoenixville as the low bidder.

During their submission review, the Township Engineer noted Delaware Valley Paving’s unit prices for concrete work were considerably lower than preliminary estimates. A Delaware Valley Paving representative acknowledged the concrete unit price should have been \$40 higher and requested their bid be withdrawn due to the error. The bid submission for the second lowest bidder, Allan Myers, was then reviewed and verified. After reviewing the submissions, accounting for the error and withdraw, the Township Engineer recommends the contract be awarded to Allan Myers for the bid price of \$809,296.85.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved awarding the contract for the 2024 Road Paving Project.

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

Consider Approval of YMCA Fischer’s Park Camp Agreement

Last fall, Bob Gallagher, Chief Executive Officer, of the North Penn YMCA, presented the YMCA’s request to use Fischer’s Park as a location for a summer camp. The Township Solicitor prepared a lease between the Township and the North Penn YMCA allowing the use of Fischer’s Park for the YMCA’s summer camp between June 17 and August 16, 2024. Chairman Wilson noted no rent will be paid under this agreement. However, Towamencin residents will be offered a 25% discount if they join the camp and a complimentary YMCA yearly membership.

Resident Lisa Patriarca took issue with no rent being charged in the agreement and stated maybe she will start a camp at Fischer’s Park and go under contract with the Township. She emphasized the Township will have increased maintenance needs resulting from the extra park facilities use.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved the YMCA Fischer's Park Camp Agreement.

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

Consider Approval of Public Works Radiant Heater Replacement Quote

The Public Works Facility has two radiant heaters that require replacement. The Public Works Director received a proposal from IT Landes, for Phase I. Phase I will cover the main garage bay and includes labor and materials to remove existing fixtures and install the new heaters and thermostats. The amount of the proposal is \$16,390.00. Pricing is subject to change with any additional work requests, alternate equipment, or material requests.

On a motion by Supervisor Smith, seconded by Supervisor Osei, the Board approved the Public Works radiant heater replacement quote.

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

Additional Business

Supervisor Osei offered comments regarding zoning and development with the Comprehensive Plan Update underway. He shared his views on the character of the Township and its census classification as urban not rural, and that his views on development vary depending on the location within the Township.

Supervisor Osei transitioned to the sewer sale, using a game controller as a prop. He referenced specific gaming techniques, acknowledging he pressed a few buttons at the last meeting with his comments, but noted his comment produced a response from the Supervisors for the first time publicly on the subject. The lesson he learned was to continue making comments. He added he has not been respected by the other 3 Supervisors, citing various examples. He recommended the Board send a letter of termination for the sale agreement, and then shift efforts by not talking about the sewer sale.

There being no additional business, the meeting was adjourned at 7:49 pm.

Respectfully submitted,



Colleen Ehrle
Director of Administration