

**Towamencin Township
Board of Supervisors
Monthly Meeting
May 22, 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
Brian Cicak, Township Engineer
Niral Modi, IT Director
Timothy Troxel, Chief of Police

Chairman Wilson called the meeting to order at 7:11 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.
- Towamencin's annual Electronics Recycling Event will be held on Saturday, June 8th from 9 am - 12 noon. The event will be held at the North Penn High School parking lot at 1340 Vally Forge Road. Residents must pre-register for this event by accessing the Township's website for more information and a registration link.
- Our first Classic Car Show will be held Saturday, June 29, 9 am – 12 pm, at Fischer's Park.
- Reminder: when prompted for questions, please come up to a microphone as Zoom does not pick up voices from the audience.
- StandGuard Aquatics will open the Township pool this Saturday, May 25th. Please come out and enjoy the pool.

Public Comments: In-Person Comments

Chairman Wilson asked how many people were in attendance for a Pross Road update. He announced that the Solicitor will provide an update prior to moving on to other public comments.

Solicitor Iannozzi noted that this afternoon the Township Zoning Officer forwarded an email update which stated during the information gathering process it was learned that the property owner/operator of the Sober Living home is working on obtaining Recovery House licensure with the Commonwealth's Department of Drug and Alcohol Programs in accord with the drug and alcohol recovery law. With that law, complaints can be made by any individual and directed to the Commonwealth's Department. The update also provided the proper contact information for complaints; and noted complaints or inquiries can be made anonymously. The Department can conduct investigations, inspections and refer to other agencies or law enforcement agencies if needed. At the conclusion of any investigation, a summary will be provided to the individual who made the complaint. The Code inspector is in the process of preparing for a safety inspection of the sober living home, which will be conducted in early July with a focus on sleeping arrangements and fire safety. The Solicitor and Special Council are preparing for the next steps to move the matter forward and anticipate taking those steps by month's end.

Resident Anthony Zanolli commented on the sober living house, and asked how this business can operate without the proper license and inspections in place. He stated this owner/operator rather than ask for permission, decided to ask for forgiveness and is currently operating with upward of 10 people living there. He asked the Township to provide a comment on operating without proper licensure.

Solicitor Iannozzi clarified that the resident inquiries are a significant part of this process and an opportunity to educate, stating in Pennsylvania you do not need licensure to operate a recovery house. In 2017 certain regulations were put in place, allowing individuals to receive funding. He reminded everyone that we need be mindful of the Fair Housing Act, because the people living here are considered a protected class. The Township is honing in on what reasonable accommodations they are entitled to in accordance with the zoning code, namely the family aspect of the code, and what deviations are occurring. The Township must ascertain, given the federal law, how to provide reasonable accommodations without adversely impacting the surrounding area.

Resident Shannon Main thanked staff for their assistance in the initial run of the petition process under the Home Rule Charter. She offered feedback from their recent petition process, noting it garnered significant bi-partisan support, adding everything was submitted timely, and confirmed additional signatures were obtained. However, after witnessing aggression and bullying via posts made on social media, from a sitting school board director, a few of the circulators/petitioners wanted to remain confidential in the process. Prior to submitting the petitions, she contacted the Township Manager to confirm if the names included would be made public, and it was confirmed under the RTK law that the names could be released. She further commented that given some individuals in the Township have been requesting information about residents via RTK, it was decided that a couple hundred signatures would be withheld from the process. She asked the Board to consider the hundreds of signatures withheld and urged them to adopt an

ordinance to ensure the Township remains non-discriminatory in its decisions and actions, noting it is essential to maintain a fair and inclusive community.

Resident Joe Silverman shared while driving down Detweiler Road, near Wambold Road, there are two manhole covers that are loose, he asked that the Township look at them. He also noted on Forty Foot Road there is a depressed manhole that needs to be addressed, it is unsafe.

Chairman Wilson asked for clarification on the location of the Forty Foot Road manhole.

Supervisor Smith asked that Mr. Silverman call the Township immediately when these sorts of things are noticed, instead of waiting for a public meeting, so the issue is addressed expediently. The Township Manager stated he would go out and check the manhole depressions and agreed with Supervisor Smith's suggestion to call sooner.

Approval of Minutes

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved the May 8th 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

PSDC Update – Towamencin Village Shopping Center

John Peruto, of Philadelphia Suburban Development Corporation ("PSDC") provided a development update on the Towamencin Village Shopping Center, located at Allentown and Forty Foot Roads. Mr. Peruto noted Chipotle construction is moving along and is expected to wrap up this summer, engineers are currently working on a new design for better pedestrian walkability and are wrapping up plans for the proposed Target and Whole Foods. Those plans should be submitted to the Township for review next month. PSDC's goal is to complete zoning in the fall, land development by next summer, and construction beginning after that.

He also offered a brief update on the proposed "Main Street" development, sharing they are on a fast track to submit updated zoning this summer and are working to address items outlined in the Township's review letter.

Supervisor Osei commented that PSDC President Mark Nicoletti said he would be at all Planning Commission meetings, and as board liaison, he reported Mr. Nicoletti has not been attending. He asked when he would be present. Mr. Peruto stated he would relay the message.

Supervisor Warner noted she is a big fan of mom-and-pop businesses, and asked if PSDC reaches out to these business owners. Mr. Peruto confirmed PSDC frequently receives calls from these small businesses, and stressed the large undertaking and commitment required from them. Therefore, these owners often make their decision after seeing what larger anchor stores come

first. Supervisor Warner said she was making a request to see more of those stores once the larger stores are confirmed. Mr. Peruto acknowledged the request.

Consider Time Extension Request for PSDC’s Conditional Use Approval

This is a request for an extension of the expiration date for the Conditional Use Approval for signage in accordance with Section 153-1004(B)(3). The current CU approval for signage expires on June 13, 2024. PSDC requested the Board grant an additional six (6) months to obtain any necessary sign permits in connection with the Conditional Use Approval, thereby extending the expiration date to December 13, 2024. The Conditional Use Order allowed the following:

Two pylon entrance signs were permitted to be modified to allow for: (a) reducing the sign size from 128.91 square feet to 126 square feet; (b) reducing the associated digital display from 45.94 square feet to 18.5 square feet; and (c) relocating the Allentown Road pylon entrance sign to the southeastern side from the northeastern side at a revised elevation of 287 square feet from 296 square feet; and (d) relocating the Forty Foot Road pylon entrance sign further from the Forty Foot Road ultimate right-of-way. Ed Hughes, Esq. was present on behalf of PSDC to answer questions.

Supervisor Snyder asked Mr. Hughes to pass along that the Board would like to stop granting extensions and would like to see movement.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the Time Extension Request for PSDC’s Conditional Use Approval.

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

Resolutions 24-14 & 24-15: Preliminary & Final Land Development Subdivision Plan (625, 645, & 675 Reinert Road)

The proposed subdivision consists of four (4) existing parcels located on the easterly side of Reinert Road near the intersection with Cardinal Way in the "R-175 - Residential" Zoning District. The applicant is proposing to subdivide parcel 53-00-07200-00-1 and add the resulting parcels to the three existing residential properties with frontage on Reinert Road. The total number of parcels will be reduced from four to three, because of the subdivision.

On a motion by Supervisor Osei, seconded by Supervisor Smith, the Board approved Resolutions 24-14 and 24-15: Preliminary & Final Land Development Subdivision Plan (625, 645 and 675 Reinert Road).

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

Comprehensive Plan Progress Update – Market & Real Estate Analysis

Todd Poole of 4ward Planning, reviewed the findings of the market, real estate, financial, and fiscal analysis in support of the Township's Comprehensive Plan update. 4ward Planning is working in collaboration with Simone Collins Landscape Architecture, the consultant updating the Comprehensive Plan. Market and real estate analysis findings from this report identify near-term, market-supportable residential and commercial land uses that could be prospectively captured within the Township over the next five years, as well as potential redevelopment sites. Peter Simone of Simone Collins was also present to answer questions.

Supervisor Snyder offered that it sounds like new business won't come until we get more residents and vice versa. Mr. Poole clarified that you could get new and interesting businesses, but those will likely cannibalize what is already present.

Chairman Wilson commented the Township has had trouble attracting businesses compared to surrounding municipalities. He asked how the Township attracts that environment, so residents do not have to travel a significant distance to enjoy those businesses. Mr. Pool responded site locators suggest that Towamencin is a known quantity, but business owners question if they build, will they hit a per square foot dollar mark, and also compare what else exists in the area.

Supervisor Osei commented when reviewing Facebook groups, he sees people are suspicious of land use economists and planners, so he wanted to defend residential density. He feels Towamencin is a bedroom suburb, where people work elsewhere. He referenced infrastructure and population data, noting there is a strong argument that the Township is underdeveloped and feels there is a significant opportunity to build, improve and be more creative, and for thinking beyond one property owner.

Chairman Wilson noted he would like to see Seipt and Walton tracts remain open space, which is passive and active. He asked Mr. Poole if they plan to speak with developers who do business in Towamencin, feeling there is a market for 55+ living. Mr. Poole confirmed they are and will continue speaking with the developers. He further explained past and present ecology; stressing the need for diversity in people to influence the types of businesses that enter the community.

Supervisor Snyder noted she is not interested in age restricted housing, but rather housing that people of all ages can afford to live on their own. She would like to see a mixture of more affordable housing options. She suggested looking at ways to attract developers that are not luxury builders. She added there are a lot of empty buildings in the Township that she feels could be converted to apartments. Peter Simone added specific zoning guidelines could be drafted that dictate what is permitted, stressing zoning must be supportive of what you want to see happen in the Township.

Supervisor Osei commented he does not like the idea of mandating low-income or inclusive living. Other cities, such as Philadelphia, have done it and it has not necessarily worked out. He feels just allowing people to build may be the primary thing to do.

Supervisor Smith referenced tiny houses, noting you don't see a lot of that in this area, and asked what impact that might create. Mr. Poole confirmed to allow that a certain code would be

required for 400 square feet or smaller. He suggested a better way may be to consider ADUs (Accessory Dwelling Units), a benefit could be to allow an addition to an established parcel/single family dwelling, which creates affordable housing and provides homeowners with additional income. Peter Simone agreed and mentioned that option also does not change the look of your community. Supervisor Smith agreed that sounds like creative housing.

Old Business - None

New Business

Police Department Citizens Police Academy Presentation

The Citizens Police Academy (CPA) would be a 6-week program, running one night per week, as a 2-hour session from 6 pm - 8 pm. Sergeant Wood has volunteered to be the Academy Coordinator. Each of the 6 sessions will cover a different topic of instruction for the participants. The topics will explain basic police operations and give attendees information and insight into our police department operations. With each topic, officers from different disciplines will assist with the instruction: as an example, detectives for criminal investigations. The goal of this program is to provide members of the community with a better understanding of our police department, while increasing communication and collaboration between the police department and community. Towamencin’s Police Department intends on making the CPA a pre-requisite for members of the community to become department volunteers, who would help with community events and non-enforcement activities. A graduation ceremony will be held following the last week of class.

Chief Troxel provided an overview of the program. Chairman Wilson asked how many people are expected. Chief Troxel said the goal is to begin with 15 participants, see how it goes, and decide if they should expand the program.

Supervisor Smith offered that she knows a great deal of people that have graduated from Montgomery Township’s program and had nothing but great things to say. She feels it will be a success. Chief Troxel confirmed they have spoken with other police departments for details on their programs to help guide and ensure our program is successful.

Supervisor Warner commented that she thinks this is a great idea.

Warrant List

The May Warrant list in the amount of \$1,532,745.01 was presented for approval. On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the warrant list in the amount of \$1,532,745.01.

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 May 16th. Supervisor Smith provided the Committee's report summarizing the following topics:

- Weikel Road Project
- Central Drive Storm Sewer Repairs
- 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
- Walking Path at Fischer's Park
- Grant Opportunities
- Comprehensive Plan
- MS4 Permit Requirements
- Township Pool – 2024 Season
- 2 Streetlights at Detweiler, Quarry & Forty Foot Roads
- Butch Clemens Park Pickleball Courts Concept Plan
- Streetlights at Susan Drive and Keeler Road
- Stop Sign Requests: Green Lane Road and Liberty Bell Drive
- 309 Connector Project
- 1540 Kriebel Road – Culvert Replacement Project
- CDL-A License Public Works Staff

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 May 15th. Supervisor Warner provided the Committee's report summarizing the following topics:

- April 2024 Financials
- Township 2023 Audit
- Long-Range Financial Forecasting
- Capital Budget Update
- Quarterly Billing for Sewer Fees & Online payment platform
- StandGuard Aquatics Call

Consider Authorization to Award Contract: 2024 Concrete Replacement Projects (Ramps, Curbs, Sidewalk)

This contract is for the annual ramp, curbs and sidewalk upgrades and replacement program. The Board authorized advertising the bid release and specifications for this project on March 22nd, with bids due May 3rd. The curb ramps scheduled this year will be for roads scheduled for paving in

2025. There are 41 ramp locations included as part of this project. The bid specifications included an add/alternate for the placement of two handicap ramps and an extension of sidewalk at the intersection of Rittenhouse and Old Forty Foot Roads.

After the Township Engineer's review of bids submissions and the low bidder's qualifications, the project award recommendation is to Lawrence Site Contractors, of Gilbertsville, at the base bid of \$346,097.00. The Board also reviewed the add/alternate; also recommended to Lawrence Site Contractors, for an additional \$21,160.00, for a total cost of \$367,257.00.

On a motion by Supervisor Warner, seconded by Supervisor Snyder, the Board awarded the 2024 Concrete Replacement contract to Lawrence Site Contractors in the amount of \$367,257.

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 Skippack Creek Interceptor Replacement Project Phase 1 – Change Order #1

This change order covers the installation of additional piping, eccentric fittings, gaskets, and fasteners to install sanitary sewer piping between manhole 512 and 513 and re-establishing sanitary sewer service to 525 Fretz Road. The total costs noted by the contractor, Wexcon, Inc., prior to the change order request were \$394,270. The change order represents an increase of \$42,070.60 to the contract price. The Township Sewer Engineer recommends approval of this Change Order #1.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board authorized Skippack Creek Interceptor Replacement Project Phase I - Change Order #1, in the amount of \$42,070.60.

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

Resolution 24-16: Authorize Submission of Watershed Restoration & Protection Program Grant Application

At their January 10th meeting, the Board approved a proposal for engineering services for the Township Engineer to prepare design plans, construction specifications, regulatory agency permits applications, bidding documents, and bid administration services for a future MS4 project to convert two stormwater basins in the Grist Mill Neighborhood to "dry extended detention basins," a best management practice (BMP). The project is being performed as part of a Multi-Municipal Pollution Reduction Plan to address the water quality within the Skippack Creek watershed which is impaired for both nutrients and sediment. The Watershed Restoration and Protection Program (WRPP) is a potential funding opportunity and the Board authorized grant preparation services by the Township Engineer at the February 14th meeting. The estimated project cost is \$269,304.00

including a required \$40,396.00 Township match and the funding request of \$228,908.00. A resolution formalizing the submission and match requirements is required.

On a motion by Supervisor Osei, seconded by Supervisor Smith, the Board approved Resolutions 24-16: Authorize Submission of Watershed Restoration & Protection Program Grant Application.

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 – Grant Preparation Services DCED Grant Application Kriebel Road Trail (Phase 3)

Township staff requested a proposal for services from Gilmore & Associates to complete a submission for grant funding via DCED’s Greenways, Trails, and Recreation Program. The grant funding would be used to continue extending the Kriebel Road Trail advancing toward Fischer’s Park for approximately 1800 feet. The grant application is due May 31st. The project cost estimate is \$280,923, including the funding request of \$238,785 and required match of \$42,138. The proposal for services is \$1,500. The requested funds will be used to complete the design and construction of the multi-use trail and pedestrian crossings. The project will improve the overall pedestrian connectivity of the Township and provide additional opportunities for residents and visitors to exercise and promote healthier lifestyles.

On a motion by Supervisor Warner, seconded by Supervisor Snyder, the Board approved preparing the Grant proposal for Kriebel Road Trail – Phase 3.

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

Resolution 24-17: DCED Grant Application Kriebel Road Trail (Phase 3)

Towamencin Township requests a Greenways, Trails, and Recreation Program (GTRP) grant of \$238,785 from the Commonwealth Financing Authority to be used for the Kriebel Road Fischer Park Trail – Phase 3 Project. A resolution formalizing the submission is required as part of the application.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board authorized Resolution 24-17, DCED Grant Application Kriebel Road Trail (Phase 3).

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

Supervisor Osei commented on connectivity and the closure of the Kriebel Road side of Fischer's Park. He feels since there is a grant request the Township should close a portion of Kriebel Road to show DCED that the Township is being proactive. Chairman Wilson remarked that the grant would most likely need to be re-written to include his suggestion, and asked Supervisor Osei if he would like to do that. Supervisor Osei confirmed he was fine with the grant as is.

Consider New Farming License Agreement (Fischer's Park)

The Township has allowed Township farmers to cultivate Township owned open space for several years. These arrangements benefit the Township by not having to expend funds or man-hours to maintain the open space. There has been concern about the existing farming use for the parcel adjacent to Fischer's Park - between Kriebel and Springer Roads - as the open space borders residential properties. The Township Solicitor has reviewed the existing farming license agreement and has made some modifications to this agreement affecting Township farmer Drew Bechtel. The updated agreement provides additional provisions including: a revised description of farming use and limitations (grass/hay only), no herbicide or pesticide use, updated insurance requirements and indemnification language for the Township. Mr. Bechtel has reviewed the agreement.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved the New Farming License Agreement (Fischer's Park).

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 OSPAC Tree Planting Plan Recommendation

At their last meeting, the Open Space and Parks Advisory Committee agreed to a tree planting plan with species that were suggested along the new Kriebel Road Trail - behind the residences along Spring Valley Road - to fill in bare spots in the wooded areas between the trail and the nearby residences. The trees would be planted along the south side of the trail, just east of the new pedestrian bridge. The number and species are as follows based on an estimate from David Brothers:

- 6 Norway Spruce 5-6' at \$480 = \$2880,
- 3 American Holly 4-5' at \$598 = \$1794,
- 6 Leatherleaf Viburnum 4-5' at \$290 = \$1740.

The total cost is \$6,414 and will be offset by funds the Township will be awarded as a recipient of PECO's Green Region grant award for \$6,500, as part of the Township's 2023 grant submission.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the OSPAC Tree Planting Plan Recommendation.

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 Osei motioned to authorize staff to prepare an ordinance to terminate the sewer sale APA.

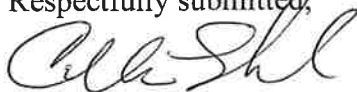
Supervisor Osei continued it has been two years since the Township voted to sell the sewer system but the PUC proceedings have yet to begin. He is of the opinion that the utility companies and the Township Special Counsel are not knowledgeable about the regulations, and he will continue his complaints about the Township Solicitor, adding the Township website states that NextEra could sue if an attempt to end the contract occurs. Although it is not his preference, the Township does not have a current contract with NextEra and no attempt to sue has been made. He shared that he had lunch with a NextEra representative a few years back, where they asked what they could do to endear Towamencin residents to them, his response was leave and they did. He stated that certain residents believe his goal is to use the sewer sale as a scheme to gain power, he said that is not the case, noting that strategy only works if the majority of the Board continue to push the sale. He offered a few examples of how that scenario does not hold up. He continued to make comments about specific individuals. Lastly, he asked that the sewer sale end, so that he could get out of politics as he is not political and would like to get his life back.

On a motion by Supervisor Osei, seconded by Supervisor Snyder, the motion failed by a 3:2 vote.

Voting Yes: Joyce F. 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 8:52 pm.

Respectfully submitted,



Colleen Ehrle
Director of Administration