

**Towamencin Township  
Board of Supervisors  
Monthly Meeting  
October 9, 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

**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 unable to attend in person but wish to view and hear the meeting remotely. Public comments submitted by 4:30 pm this afternoon will be read at the start of the meeting, followed by public comments from those present. Reminder: when prompted for questions, please come up to a microphone as Zoom does not pick up voices from the audience.
- The first budget work session was held October 2<sup>nd</sup>, remaining dates are October 16<sup>th</sup>, and 30<sup>th</sup>, and November 6<sup>th</sup>. These meetings will be held at 6:30 pm and take place at the Township's Meeting Hall. Meetings are being broadcast via Zoom for those unable to attend in person.
- Join us on October 19<sup>th</sup>, for a Movie in the Park and Pet Parade. The event kicks off at 6 pm. This is a free event. For more information visit our Facebook events page or website.
- Registration is open for our annual Turkey Trot. The Township's 5K at Fischer's Park is scheduled for Saturday, November 9 at 8 am. The registration link is available on our website, under Events, and on our Facebook events page.
- The Police Department will hold their annual Trunk or Treat event on Saturday, October 26, from 5-7 pm at North Penn High School's parking lot. This is a fun event for the entire family.

- National Drug Take Back Day will take place on Saturday, October 26, from 10 am – 2 pm, in the Township’s Police Department lobby. Turn in unneeded medications for safe disposal.

### **In-Person Public Comments**

Lisa Reiff, Executive Director for Dock Woods, spoke on behalf of Dock Woods residents, noting they have been greatly affected by the construction on Delp Drive. She shared the combination of the blasting and lack of rain, have created an abundance of dust and dirt impacting the residential properties. She understands the contractor has attempted to clean up, but it has not helped. She also referenced extremely loud drilling on their property. She emphasized most Dock Woods residents are against the contractor’s request to work outside normal work hours.

Resident George Rodriguez commented he is one of the impacted residents at Dock Woods, and asked the Board to consider if they would like to have similar work performed next to their home in the middle of the night. He compared it to the North Penn High School band performing at 3 am. He feels this special request is being made at the expense of the residents.

Resident Paul Bowen shared his disapproval with the proposed afterhours work by Dock Woods. He doesn’t think the Township should have ever approved this project. He believes it is an environmental catastrophe and a great risk and inconvenience to the neighboring senior citizens. He has spoken with residents with respiratory issues, who are anxious and affected by the construction. He asked Dock leadership to arrange a meeting to obtain more information on how this is going to impact the residents at Dock Woods, and what is the current timeline.

Resident John Hubbert expressed concern over the blasting work and schedule extensions. He referenced the horrific dust, and not enough cleanup of the debris by the Delp Drive contractor. He shared a picture to the Supervisors to support his complaint. He is against the afterhours work request. It was his understanding the building was not supposed to begin until a sound walls were installed. If that is the case, he hopes the Township enforces it.

Chairman Wilson commented this is on the agenda tonight but suggested that the Township Manager set up a meeting between the residents and contractor. Mr. Kraynik stated Mr. Brugger has had various conversations with the residents, contractor, and leadership of Delp. Mr. Kraynik asked Mr. Brugger to confirm there had not yet been a face-to-face meeting. Mr. Brugger confirmed there was not to date. Mr. Kraynik responded a meeting would be set up.

Resident Joe Silverman commented he attended the last Planning Commission meeting, referencing the PSDC Main Street proposal. He noted on Reiff Road, there are three lots marked as open space; PSDC has proposed parking on a portion of one of those lots. In his opinion, the plan has too much parking. His second concern was for Williamsburg Village residents, noting PSDC’s plan shows a road that runs through their development, which would create more traffic.

### **Approval of Minutes**

Supervisor Osei noted he had a revision but had not had an opportunity to return his revision to staff prior to the meeting. He asked that his comment under Additional Business be updated to read: He feels the Township should consider taking control of sections of Forty Foot Road with the future 309 Connector in mind.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved the September 25<sup>th</sup> meeting minutes, with the edit referenced by Supervisor Osei.

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**

**Conditional Use Hearing: Mattress Warehouse**

Philadelphia Suburban Development Corporation (PSDC) has submitted a Conditional Use application for amended signage for the Mattress Warehouse location along Forty Foot Road. On August 28, the Board approved advertising the Conditional Use Hearing. The applicant is present to review the details of the project and to answer any questions. The Township Solicitor noted the applicant requested a continuance to the next Board Meeting, which would be held sometime after the 7 pm start time. The applicant waived all applicable time periods set forth in the Pennsylvania Municipalities Planning Code.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the hearing continuance as presented.

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 Escrow Release: Mainland Golf Pavilion**

In accordance with the provisions of the Security Agreement, the Township Engineer has reviewed the developer's request for an improvements escrow release and confirms that items noted within the agreement have been satisfactorily completed by the project developer. Township staff recommends releasing 85% of the remaining improvement security escrow, totaling \$31,504.97. The Township will retain the 15% required for the 18-month maintenance period.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved releasing 85% of the total escrow.

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 Waiver Request for Permission to Work Outside of Ordinance Hours – Delp Drive Warehouse Project**

Conewago Enterprises, Inc. is requesting permission to work outside standard noise ordinance hours to complete work on the Delp Drive Warehouse Project. Conewago's subcontractor plan to perform eight critical concrete pours to reduce cracking, curling, blistering, shrinkage, delamination and premature drying of slab surfaces. Conewago has agreed to provide appropriate notification to all affected parties and is committed to minimizing any potential disruption and that all activities are conducted responsibly and in accordance with all regulations. The contractor has requested potentially 8 days (beginning October 11th) to complete the noted work starting at 2 am.

Andrew Sauers, Project Manager for Conewago Enterprises, presented details to support their request. He noted he understands the concerns expressed previously by Lisa Reiff and the residents at Dock Woods. He noted their schedule remains on track and there are many reasons they have made this request, most notably for safety reasons, expediency and weather variables. He stated not pouring during the requested time could alter their previously submitted schedule, adding this is standard operating procedure for concrete pouring.

Chairman Wilson commented he feels this is an ask that the Board should not grant, with everything going on at this site.

Supervisor Smith noted when this project began, the Board took great strides to protect the residents, and she appreciates Conewago laborers, but at the end of the day, the Board is accountable to their residents. She questioned the extension of time noted if this was not approved. She cited this is the cost of business when working so close to established residential communities. She stated, she is a hard no for the request.

Supervisor Warner noted there are reasons why Townships have noise ordinances. They protect the normal living process everyone wants and expects. She said she is also a no to the request.

Supervisor Snyder commented it is not her job to make their job easier; it is her job to enforce the Township ordinances and protect the residents. She is sorry if they encounter cost overruns, but that is not her concern.

Mr. Sauers commented he appreciates everyone's concerns, but emphasized this is standard practice and not fiction.

Supervisor Warner questioned current temperatures and the suggested pour times, noting she does not see how they relate.

Supervisor Osei asked Mr. Sauers to elaborate on his accounting of work schedule going from 8 days to 16-32 days. Mr. Sauers provided an example based on cutting pour times in half.

Resident Joe Silverman commented most concrete work is completed during the day, and feels it is foolhardy and unnecessary to bring people in at 2 am. At this time of the year, temperatures are good, and it is conducive to complete this work during the day.

Mr. Sauers noted placing concrete takes approximately 12-14 hours.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board denied the waiver request to work outside the ordinance hours for the Delp Drive project.

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

### **Old Business**

None

### **New Business**

#### **Butch Clemens Park Pickleball Court Concept Plan Presentation**

After various meetings between Township staff, the Township Engineer, the Open Space and Parks Advisory Committee and Clemens Food Group representatives, the Township Engineer prepared a concept plan for proposed pickleball courts at Butch Clemens Park. The plan includes six courts with a 32-space parking lot. Mary Stover presented the plan and addressed questions.

Supervisor Warner asked about proposed parking compared to the number of patrons, noting capacity. Ms. Stover confirmed there are 32 spaces, including two required handicapped spaces.

Supervisor Snyder noted there is already parking at this park, questioning the need for more. Ms. Stover responded she was asked to include parking with closer access to the proposed courts.

Supervisor Smith commented that if there is a pickleball game at the same time as another game, it could create a parking conflict. Therefore, they wanted to have another dedicated parking area.

Ms. Stover noted the total cost of the project is slightly over a million dollars. Chairman Wilson asked if a design proposal was available. Ms. Stover confirmed there was, indicating that cost estimate to be \$50,000-55,000. She added this project will require a NPDS permit.

Chairman Wilson stated the Township certainly does not have the funds in hand but asked if the Board wants to move forward with design plans so that if grant opportunities become available the Township is able to proceed.

Supervisor Smith shared that was OSPAC's rational and noted to obtain grant funds you must have plans to present, not just an idea.

Chairman Wilson asked if the documents could be prepared and available for budget preparation. The Township Manager commented that was the intent, but added without Clemens, the construction cannot happen. He has no reason to believe they won't cooperate, but they are still engaged in discussions.

Supervisor Osei commented at a previous meeting someone stated - give us a budget without pickleball, noting there are other engineering requests. Even with grant funding, he finds the estimated cost of \$1 million seems great. His question to OSPAC is what else can be done at that park and to have a more comprehensive idea. While not against pickleball, he feels the Township may be premature paying for engineering that could address other items in the budget.

Supervisor Smith asked Supervisor Osei to clarify his comments. Supervisor Osei reiterated he is not against pickleball, but the Township does not technically have permission from Clemens yet, emphasizing the project is expensive for only pickleball. Therefore, he would like to see other suggestions for the park.

Supervisor Smith clarified the point was not to develop the park, but rather bring pickleball to the Township, considering its popularity and Towamencin residents are traveling to other municipalities to play. Through Peter Simone's Comprehensive Plan presentation, it was referenced the Township has more older residents than younger and does not currently offer enough outdoor activities for this group. Pickleball was identified as a favored activity. She reiterated to obtain funding; the Township must present approved plans with application requests. These conversations have been going on for a long time, and she understands wanting to wait for Clemens approval, but stressed the project this will not be built until we have dedicated grant funds, and we cannot move forward on grants submissions without engineering.

Supervisor Osei responded grants require the Township provide funding matches. Supervisor Smith added not all grants require a match, and not one entity is going to give all the funds, and there are different elements which can have different grants applied to those individual elements.

Supervisor Warner commented she recently read an article which stated pickleball is the fastest growing sport in the country and feels there is a demand for the activity.

Supervisor Snyder commented she feels since all our neighboring communities have pickleball, Towamencin should consider adding things they don't have. We should be looking at regional recreation – see what's missing and determine if the Township can offer that. She stressed she is not anti-pickleball but wanted to think outside the box.

Supervisor Smith noted residents have not asked for anything other than pickleball. Supervisor Snyder stated understood and she wants to listen to the residents.

Supervisor Osei added he doesn't think it would be bad to have pickleball. He believes it would be used, but noted we don't have everything in this Township. There is no library or community center, that other communities have. He feels the real question is will we ever have or get the budget space in a near enough time that the engineering should be done next year, and he would like to talk that through during the budget workshops.

Chairman Wilson noted he is in favor of the project and location, which he believes is the main thing they are considering for input and feels the Board may be getting ahead of themselves at this point. Staff is just getting a quote on design and engineering, so the information is available for the budget next year. This conversation will continue in the budget work sessions. He feels the purpose was to get a consensus on the location, and believe they have that.

**Consider Proposal: Tree Planting Kriebel Road Trail**

The Open Space and Parks Advisory Committee’s identified locations to plant eighteen (18) native trees of varying species, along the Kriebel Road trail, east of Trumbauer Road. A proposal was obtained from David Brothers totaling \$13,642 to complete this work. The cost for this project will be offset by the PECO grant funds awarded to the Township in the amount of \$6,500, with the balance to be paid from 2024 budgeted funds. If approved, the trees would be planted this fall.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board approved the proposal for tree planting along the Kriebel Road Trail.

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: Traffic Engineer to Design Green Light-Go Grant Project**

Bowman Engineering has submitted a proposal for engineering services for traffic signal equipment upgrades at 10 intersections along Sumneytown Pike, Forty Foot Road and Bustard Road corridors as part of the Green Light-Go Grant Project awarded to the Township by PennDOT. The proposal outlines design and construction services for the project, with a total cost of \$20,500.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved the Proposal: Traffic Engineer to Design Green Light-Go Grant Project.

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: Fischer’s Park Bathroom Lighting**

During a recent Public Works Committee meeting, members discussed poor lighting in the Fischer’s Park bathrooms. The Public Works Director obtained a proposal from Borowski Home Improvements, Inc. to install lighting in the restrooms for a total cost of \$5,600.

On a motion by Supervisor Smith, seconded by Supervisor Snyder, the Board approved the lighting proposal.

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: Professional Services for Labor Negotiations & Possible Interest Arbitration**

In support of labor negotiations and possible interest arbitrations with the Police union, the Township has obtained a proposal from The Kapoor Company. If needed, Kapoor would assist with providing quantitative and analytical services with economic analysis, strategic support, comparability analysis of cash compensation, health care elements, and professional services relevant to the negotiation process. The proposal is for \$225 an hour for all personnel and reimbursement of all out-of-pocket expenses on an actual basis, and mileage billed monthly.

Chairman Wilson asked if there was a not to exceed limit. Mr. Kraynik clarified there wasn't, the proposal is an hourly rate. He hopes it will not be needed, but was lining it up should it be.

On a motion by Supervisor Osei, seconded by Supervisor Smith, the Board approved the proposal for professional services for Labor Negotiations and possible interest arbitration.

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: Municipal Police Pension Buy Back Actuarial Study**

During recent police contract negotiations, the Police requested the Township agree to provisions of Act 49 of 2024. Act 49 allows officers to buy back military service time. To determine the potential impact of adding the service purchase provision, a proposal has been obtained from Conrad Siegel, the Township's pension actuary, to conduct an actuarial study. The study cost is \$1,750, plus an additional \$500 if the Board adopts an amendment, for a total cost of \$2,250.

On a motion by Supervisor Smith, seconded by Supervisor Warner, the Board approved the proposal to conduct a Police Pension Buy Back Actuarial Study.

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 Authorization to Advertise New Municipal Waste Collection & Recycling Ordinance**

The Northern Montgomery County Recycling Commission is requiring it's 11 participating municipalities to adopt a new Municipal Waste Collection and Recycling Ordinance as well as amend and restate a new Intermunicipal Agreement. The major changes are:

- Change the distribution of the 904 Recycling Performance Grant funding from a pro rata share based on population to a new method of actual tonnage collected in each municipality.
- Hire a new Recycling Grant Coordinator

Chairman Wilson noted Supervisor Osei is the Board's representative for the Commission and asked if he had anything to add. Supervisor Osei added the intent to this agreement is to make sure



things are fair and ensure all haulers are performing their reporting requirements to guarantee the Township is getting the most out of the haulers.

Chairman Wilson asked Supervisor Osei if the recycling grant coordinator takes the place of the third party that runs the program or if it is in addition. Supervisor Osei responded he could not answer confidently. Mr. Kraynik shared his interpretation - they are replacing the current coordinator with a new one. Hough Associates will be the new vendor. They perform these services for many municipalities throughout the County.

On a motion by Supervisor Warner, seconded by Supervisor Smith, the Board authorized the advertising of a new Municipal Waste Collection and Recycling Ordinance.

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

**Fire Police Request – Christian Lutheran Church’s Trunk or Treat Event**

Christ Lutheran Church is requesting the assistance of the Towamencin Fire Company Fire Police for traffic direction on October 26<sup>th</sup> for their Trunk or Treat event. The assistance sought is to assist pedestrians crossing Mainland Road.

Supervisor Smith remarked she has no issue with this but asked if our fire police are available as this falls on the same night as the Township’s police departments trunk or treat event. Mr. Kraynik noted the fire company is aware.

On a motion by Supervisor Snyder, seconded by Supervisor Smith, the Board approved the Fire Police Request – Christian Lutheran Church’s Trunk or Treat Event.

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 commented on parking requirements. As a blanket policy, he feels the Township should not require more parking than desired for development.

There being no additional business, the meeting was adjourned at 7:59 pm.

Respectfully submitted,



Colleen Ehrle  
Director of Administration