

## WORK SESSION

December 1, 2015

A work session of the Whitpain Township Board of Supervisors was held on Tuesday, December 1, 2015 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA at 7:30 p.m. for the purpose of reviewing the agenda of the December 1, 2015 Supervisors' meeting. Chairman Frederick R. Conner was present along with Supervisors Adam D. Zucker, Anthony F. Greco, Melissa M. Weber, and Kenneth F. Wollman. Also present were Township Solicitor James J. Garrity, Esq., Township Manager Roman M. Pronczak, Township Engineer James E. Blanch, P.E., Assistant Township Manager David J. Mrochko, Director of Public Works Ronald J. Cione, Police Chief Kenneth Lawson, Parks and Recreation Director Kurt W. Baker, Director of Finance Christine M. Bauman, and Fire Marshal David M. Camarda. Two members of the public were present.

The Supervisors reviewed the agenda discussing adoption of the 2016 Budget, passing Resolutions #1102 and #1103, approval of the November 17<sup>th</sup> minutes of the Board meeting, approval of the November Voucher List and the October Treasurer's Report, authorization to file electronic forms with DCED, the contract award for the Muffin Monster Grinder, authorization to advertise Ordinance No. 345 (stormwater), and Ordinance No. 346 (curfew), approval of change orders for the North Wales Road and Skippack Pike road improvement project, authorization to proceed with traffic signal construction services at North Wales Road and Skippack Pike, setting the meeting dates for the Board of Supervisors' meetings in January 2016, and a review of the December Zoning Hearing Board cases.

After the agenda review, Mr. Conner asked Mr. Pronczak to deliver updates on PennDOT's planned expansion of US 202 and on the status of Wissahickon Park. In his update on the US 202 expansion, Mr. Pronczak informed Supervisors that PennDOT has indicated there will be a one-year delay in the start of this project. A letter has been sent to PennDOT by Mr. Conner signaling that this delay is unacceptable. Representative Harper's office is contacting PennDOT and Township staff members are in discussions with PennDOT in hopes of returning the project's start date to 2017.

Shifting discussion to Wissahickon Park, Mr. Pronczak noted that the Environmental Protection Agency (EPA) is wrapping-up the removal phase at the park. The next step in EPA's progression is the remedial phase. However, it is likely that work done during the removal phase will be all that is necessary before the park is returned to the township. Rob Fox, an attorney with Manko, Gold, Katcher, and Fox has been retained by the Township regarding this matter. Mr. Fox has been asked to create a memo outlining what the Township must do to reopen the park as either passive or active open space.

Mr. Pronczak continued the meeting by outlining the following list of Board and Commission members whose appointment will expire at the end of the year. The list includes:

- Board of Appeals – Bill Lutz
- Park & Open Space – Pat Foley & Charles (Peck) Christine
- Planning Commission – Brad Tate & Rick Shorin
- ENPWJSA – Roman Pronczak
- Shade Tree Commission – David Kopp
- Zoning Hearing Board – Kathryn Schilling
- Wissahickon Valley Public Library – Paul Troy & Doug Leard

Mr. Pronczak mentioned that the Board does not need to take action on reappointments this evening, but should begin to consider reappointments in the coming weeks.

The meeting continued with discussion on the need for the December 15 Board of Supervisors' Meeting. There is no pressing business that must appear on the agenda and Supervisors can elect to cancel the meeting if they see fit. Supervisors did not object to this suggestion.

When discussion of this topic concluded, the work session meeting ended at 7:49 p.m. and Supervisors met in executive session to discuss legal and personnel matters. When the executive session ended at 8:00 p.m., the Supervisors left for the public meeting. When the public meeting adjourned, Supervisors met once again in executive session starting at 8:45 p.m.



David J. Mrochko  
Whitpain Township Assistant Manager

**#20-2015**  
**December 1, 2015**

The regular meeting of the Whitpain Township Board of Supervisors was held at 8 p.m. Tuesday, December 1, 2015 at 960 Wentz Road, Blue Bell, PA. Chairman Frederick R. Conner, Jr. and Vice-Chairman Adam D. Zucker, along with Supervisors Anthony F. Greco, Melissa Murphy Weber and Kenneth F. Wollman were present. Township Manager Roman M. Pronczak, P.E., Assistant Township Manager, David J. Mrochko, Solicitor James J. Garrity, Esq., Police Chief Kenneth Lawson, Public Works Director Ronald J. Cione, Finance Director Christine M. Bauman, Engineer James E. Blanch, P.E., Fire Marshal David M. Camarda, Parks and Recreation Director Kurt W. Baker, and Recording Secretaries Virginia Papale and Patricia Strus were also present. Code Enforcement Officer Michael E. McAndrew was absent. There were eleven members of the public at the meeting.

Salute to the Flag.

**Announcements**

*The Supervisors held Budget Work Sessions on Tuesday, October 20, 2015 at 8 p.m., Tuesday, October 27, 2015, Thursday, November 5, 2015 and Thursday November 12, 2015 at 8:30 a.m. in Meeting Room "A" of the Township Building. The sessions were open to the public.*

*As publicized, the 2016 Annual Budget is available for public inspection. The Board will receive comments from the public, with plans to adopt the Annual Budget this evening.*

Mission Moment was presented by Chairman Conner. Chairman Conner said it was more of a Mission Accomplished, in terms of our budget process. Whitpain Government is ran efficiently, responsible and creatively, providing essential services that build value and enhance the quality of life to protect the health, safety and rights for all those that live and work in Whitpain Township. When it comes to accomplishing that mission, we are able to do so with a balanced budget. A balanced budget with no tax increase now or in the immediate future. We have a five year budget model and continue to refine it as we move forward.

Chairman Conner then called on the Township Manager Roman Pronczak to present a summary of all the work that has been accomplished in the past year. Mr. Pronczak gave a brief overview of all the accomplishments in the past year before giving a summary on the budget.

Motion was made Mr. Zucker, duly seconded by Mr. Greco to approve Resolution No. 1101, adopting the year 2016 Annual Budget as follows:

ANNUAL BUDGET  
2016 APPROPRIATIONS

General Fund	\$ 13,691,359
Fire Tax Fund	774,267
Fire Hydrant Fund	62,000
Manor House	162,989
Sewer Operating Fund	3,090,833
Fee in Lieu of Stormwater Mgt. Fund	45,000
Traffic Improvement Fund	400,000
Debt Service Fund	1,526,664
Capital Reserve Fund	7,304,068
Open Space Fund	1,165,500
Fire Capital	180,000
Stormwater Outfall Fund	20,500
Highway Aid Fund	524,000
Sewer Fund-Capital Improvements	<u>525,224</u>
Total	\$ 29,472,404

Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Greco, duly seconded by Mr. Wollman to pass Resolution No. 1102, fixing the real property tax rate for the year 2016 as follows:

For General Purposes <sup>1</sup> :	2.02 mills on each dollar of assessed valuation.
For Debt Purposes:	0.73 mills on each dollar of assessed valuation.
For Fire Protection:	0.40 mills on each dollar of assessed valuation.
For Fire Hydrant Tax <sup>2</sup> :	0.05 mills on each dollar of assessed valuation (where applicable)
Total:	3.20 mills

<sup>1</sup>The Real Estate tax rates are expressed in mills, which equate to \$1/\$1,000 of assessed valuation.

<sup>2</sup>Fire Hydrant Tax is assessed, as appropriate, depending on property proximity to fire hydrants.  
Approximately 95% of residential properties are charged this portion of the real estate tax millage.

Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mrs. Weber, duly seconded by Mr. Greco to approve the minutes of the Board of Supervisors' meeting of November 17, 2015, and the minutes from the November 12<sup>th</sup> Budget Work Session. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Greco, duly seconded by Mr. Wollman to approve the November 2015 Voucher List in the amount of \$527,396.10, check sequence #56516 through #56758. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Zucker, duly seconded by Mr. Greco to approve the October Treasurer's Report. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Greco, duly seconded by Mrs. Weber to pass Resolution No. 1103, updating the Township's fee schedule. Chairman Conner asked the Township Manager to briefly summarize the changes in the fee schedule. Then Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Zucker, duly seconded by Mrs. Weber to authorize Christine M. Bauman, Finance Director and Virginia Papale, Secretary to file electronic forms to the Department of Community and Economic Development (DCED), required annually, on behalf of the Township. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Wollman, duly seconded by Mr. Greco to award the contract for the Muffin Monster In-Channel Grinder to JWC Environmental, LLC of Costa Mesa, CA in the low bid amount of \$35,864.00. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Greco, duly seconded by Mr. Zucker to authorize the advertisement of proposed Ordinance No. 345, an ordinance amending Chapter 125 of the Code of Whitpain Township, also known as the Stormwater Management Code of Whitpain Township to create a new Part 1 entitled "Stormwater Management Ordinance for Watersheds in Whitpain Township Other Than the Wissahickon Creek Watershed" which new Part 1 shall consist of existing articles I through XI of Chapter 125; and further amending Chapter 125 (Stormwater Management) to create a new part 2 entitled "Wissahickon Creek Stormwater Management Ordinance" setting forth general provisions; definitions; stormwater management site plan requirements; stormwater management requirements; inspection requirements; fees; expenses; maintenance responsibilities; prohibitions; enforcement; and penalties related to the portion of the Wissahickon Creek Watershed in Whitpain Township. Chairman Conner asked the

Township Engineer to give a brief summary. Mr. Blanch stated the ordinance is a result of a County initiated Act167 study that was ultimately approved by PA DEP in July of 2015. He then stated what the requirements are and that the hearing for the Ordinance is scheduled for January 4, 2016. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Greco, duly seconded by Mr. Zucker to authorize the Township Manager to advertise Ordinance No. 346, an Ordinance amending the Code of the Township of Whitpain, Chapter 78 (Curfew), Section 78-5 (Violations and Penalties), to repeal and replace Subsection "A" with a new Subsection "A" to update the procedures by which juveniles are detained, transported and released to their parents or guardians by the Police Department for curfew violations. Chairman Conner asked Chief Lawson for a summary on the reason for amending the ordinance. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Zucker, duly seconded by Mrs. Weber to approve Change Orders #6 and #7 for the North Wales Road and Skippack Pike Roadway Improvements Project revising the completion date and the final total contract amount from \$460,978.20 to \$470,605.20. Change Order #6 provides a time extension for an additional period of 21 days with a revised completion date of December 31, 2015. Change Order #7 provides for the furnishing and installation of a single face concrete barrier wall per the revised plans dated November 18, 2015. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mrs. Weber, duly seconded by Mr. Greco to authorize Armour & Sons Electric, Inc. to proceed with traffic signal construction services related to the North Wales Road and Skippack Pike Roadway Improvements Project in accordance with their proposal dated November 16<sup>th</sup>, 2015 at a cost of \$11,158.59. The scope of services includes the relocation of a 25 ft. mast arm and the installation of a new traffic signal foundation. Chairman Conner called for any further discussion. There was none and the motion carried.

Motion was made by Mr. Greco, duly seconded by Mrs. Weber to advertise The Board of Supervisors' meetings for the month of January 2016 at 8 p.m. are as follows:

- A) Reorganization Meeting, Monday January 4, 2016
- B) Seconded Meeting, Tuesday, January 19, 2016

The meetings will be held at the Township Administration Building. Due to the budget being passed tonight, the December 15, 2015 meeting is cancelled unless needed. Chairman Conner called for any further discussion. There was none and the motion carried.

Mrs. Weber invited the Attorney Bernadette Kearney to give the Board of Supervisors a summary regarding the requested changes made to the application 2054-15. Ms. Kearney explained that her clients who own a dental laboratory basically do work for the dentists, examples given were building crowns and bridges etc. She further stated her clients would have no patients coming to site. They do have approximately four employees on location. The property has 12 parking spots, ten for employees and two for upstairs' residents. She also stated her clients would have Fed Ex deliveries two to three days a week. At this time Mrs. Weber expressed her concern with the traffic on Belfry Drive and the blind spot that is created exiting Belfry Drive on to Skippack Pike. Mrs. Weber stated the Board of Supervisors are going to encourage the Planning Commission to consider designating a portion of Belfry Drive to be No Parking, on the north side of the street.

The Board of Supervisors took no action on the following cases scheduled to be heard December 17<sup>th</sup>. The Planning Commission will review them at its meeting December 8<sup>th</sup>.

**NO. 2054-15: RHODA G. ROSENFELD** requests a variance and/or modification of conditions from Condition 4 of the Whitpain Township ZHB Decision #192-71; or alternatively, a variance from Article VII, Section 160-30 regarding Use Regulations in the R-2 Residential District to permit a dental laboratory use. Additionally, applicant requests variance from Article XXXI, Section 160-241 relating to expiration of variance to permit applicant to obtain a building permit or use and occupancy permit within one year of the grant of variance for property located at 890 Belfry Drive – 1635 Skippack Pike in the Township's R-2 Residence Districts.

**NO. 2060-15: AMOS HEARD & JEANNIE STEFANSKI HEARD** request variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article VI, Section 160-38 relating to placement of accessory structures; and (2) Article XXVIII, Section 160-202 relating to projections into front yards. Applicant proposes to allow a 12 feet by 24 feet shed within the front yard along Wagon Road on the property located at the corner of West Skippack Pike and Wagon Road, 1077 West Skippack Pike, in the Township's R-2 Residential District. Applicant's requested variance relief, if granted, will allow the shed within the front yard along Wagon Road where the Ordinance permits accessory structures in the rear yard only and prohibits projections into the front yard.

**NO. 2061-15: TIMOTHY & AURORA HUGHES** request variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article XII, Section 160-62 relating to location of accessory structures; and (2) Article XXVIII, Section 160-203 relating to projections into side yards. Applicant proposes to allow a 946 square feet 3 car detached garage within the side yard of the property located at 500 Lewis Lane in the Township's R-5 Agricultural/Rural Residence District. Applicant's requested variance relief, if granted, will allow the garage within the side yard of the property with a side yard setback of 115.5 feet and a rear yard setback in excess of 580 feet where the Ordinance permits accessory structures in the rear yard only and prohibits projections into the side yard.

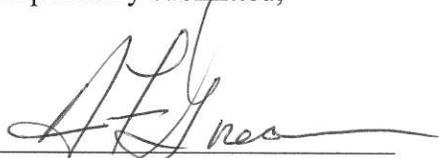
**NO. 2062-15: BENJAMIN & LISA MURPHY** request variance relief from the Whitpain Township Zoning Ordinance, as amended, as follows: (1) Article VII, Section 160-38 relating to the location of accessory structures; and (2) Article XXVIII, Section 160-203 relating to projections into side yards. Applicant proposes to allow a 550 square feet detached garage within the side yard of the property located at 70 Norristown Road in the Township's R-2 Residence District. Applicant's requested variance relief, if granted, will allow the garage within the side yard of the property with a 23 feet setback where the Ordinance permits accessory structures in the rear yard only and prohibits projections into the side yard.

**NO. 2063-15: AARON & JESSICA HOEKMAN** requests variance relief from Article XXVIII, Section 160-204.D of the Whitpain Township Zoning Ordinance, as amended, relating to location of accessory buildings. Applicant proposes to replace an existing deck with a new 388 square feet deck with roof in the rear yard of the house on the property located at 257 Battleson Road in the Township's R-1 Residence District. Applicants requested variance relief, if granted, will allow the proposed deck to be located within 4 feet 11 7/8 inches of an existing accessory building (pool) where a minimum separation of 10 feet is required under the Ordinance.

Chairman Conner turned the meeting over to Vice-Chairman Zucker who asked for public comments. Charles Boruchowitz introduced himself from Senator Leach office. Mr. Boruchowitz stated he will be attending the meetings on behalf of Senator Leach to assist the Township and residents when needed. The Board of Supervisors thanked him and welcomed him and his staff to the Township.

Vice-Chairman Zucker asked if there were any comments from the Board. Vice Chairman Zucker announced there was an executive session prior to the meeting and they will return to the executive session to discuss legal and personnel issues. Vice Chairman Zucker wished everyone a Happy Holiday. With no further comments the meeting was adjourned at 8:35p.m.

Respectfully submitted,



Secretary *ANTHONY F. GRECO*

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