

WORK SESSION

January 19, 2016

A work session of the Whitpain Township Board of Supervisors was held on Tuesday, January 19, 2016 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 January 19, 2016 Supervisors' meeting. Chairman Adam D. Zucker was present with Supervisors Melissa M. Weber, Anthony F. Greco, Frederick R. Conner 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, Assistant Director of Public Works Thomas L. Farzetta, Police Chief Kenneth Lawson, Parks and Recreation Director Kurt W. Baker, Director of Code Enforcement Michael McAndrew, Director of Finance Christine M. Bauman, Fire Marshal David M. Camarda, and Police Lieutenant William Armstrong. Four members of the public were also present.

The Supervisors reviewed the agenda discussing Conditional Use Application #CU29-15, approval of the November Treasurer's Report, the minutes of the January 4th meeting, the Decision and Order of Conditional Use Applications #CU28-15 and #CU30-15, authorization to advertise Ordinance No. 346, Resolution Nos. 1104, 1105, 1106, 1107, 1108 and 1109, an agreement regarding sanitary sewage at 125 W. Township Line Road, release of escrow funds, authorization to advertise Ord. No. 347 and the January Zoning Hearing Board cases.

After reviewing the agenda, Mr. Zucker noted that discussion on the Board's 2016 committee assignments will be held at the next work session meeting on Tuesday, February 2.

After this announcement, Mr. Pronczak continued the meeting by updating the Board on a planned meeting to discuss the widening of section 61 N of Route 202. This section of Route 202 runs through Whitpain and was slated to be let in 2017; however, officials from PennDOT have signaled that this let date may be pushed back due to difficulties with stormwater management regulations. In addition to Township Supervisors and staff, attendees will also include: Secretary of Transportation Richards, Senator Leach, Representatives Harper and Daley, and variety of officials from PennDOT, the Pennsylvania Department of Environmental Protection, and Montgomery County. The Township believes that a collaborative approach to stormwater management issues will get the project back on schedule for a 2017 let date.

The next topic discussed was Whitpain Recreation Association's Opening Day Parade scheduled for April 9, 2016. Although an exact time has yet to be scheduled, Mr. Pronczak noted that the starting point for the parade has been moved to Centre Square Fire Company. Previously, the parade began at the Kohl's parking lot.

Mr. Pronczak continued the meeting by announcing that MCATO's spring convention will be held on February 26 and will begin later in the day than in previous years. Mrs. Weber, who serves as 2nd Vice President of MCATO, explained format changes to the convention. The convention will start later in the day this year and will feature a single keynote speaker or panel addressing one topic. The event will be held at Presidential Caterers in East Norriton.

Mr. Conner concluded the meeting by discussing the status of Centre Square Fire Company's (CSFC) plan to construct a new fire station. CSFC plans to break ground for the station in June. Receiving a grant from the state is becoming less likely given budget issues in Harrisburg, so the project will move forward assuming no funding is available from the state. Mr. Conner is meeting with CSFC's fundraising committee, and their goal is to raise \$1.0 million. If state funding becomes available, it will be sought; however, the project is progressing in the absence of this funding.

At 7:56 p.m., the Supervisors adjourned the work session and met in executive session to discuss litigation matters. At 8:05 p.m., the Supervisors adjourned the executive session and left to attend the public meeting. When the public meeting ended, Supervisors met in executive session once again beginning at 11:15 pm to discuss legal and personnel matters.


David J. Mrochko
Whitpain Township Assistant Manager

#02-2016
January 19, 2016

The regular meeting of the Whitpain Township Board of Supervisors was held Tuesday, January 19, 2016 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Adam D. Zucker, along with Supervisors Anthony F. Greco, Frederick R. Conner, Jr., Melissa M. 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, Township Engineer James E. Blanch, P.E., Finance Director Christine M. Bauman, Code Enforcement Officer Michael E. McAndrew, Public Works Director Ronald J. Cione, Fire Marshal David M. Camarda, Parks and Recreation Director Kurt W. Baker, Lt. William Armstrong and Recording Secretary Virginia Papale were also present. There were approximately 45 members of the public at the meeting.

Following the Pledge of Allegiance the meeting was called to order at 8 p.m. by Chairman Zucker, who welcomed everyone to the meeting.

Mission Moments was presented by Chairman Zucker, who recognized the brave men and women of the Centre Square Fire Department for their response to a house fire on Netherwood Drive at 1 a.m. Saturday morning. Conditions were not optimal, with temperatures in the upper 30's and a cold, driving rain. Because of the prompt response, combined with mutual aid from the Wissahickon and Norriton Fire Departments, and the Second Alarmers, the fire was brought under control at 1:22 a.m. The fire was contained to the living room and no one was hurt. All agencies were recognized for their service every day of the year. Their dedication to our community is to be admired.

Chairman Zucker also discussed the predicted weekend weather. Public Works crews were out pretreating the roadways last Tuesday in response to the predicted weather. The pretreatment paid off. In communities where pretreatment was not done, there was a thin layer of ice and a coating of snow, making driving conditions hazardous. We are now monitoring weather reports for the predicted snow this weekend. He asked that everyone be patient over the weekend, and that the driveway aprons not be cleared until the plows pass.

Chairman Zucker announced that on Thursday, February 4th from 6 to 8 p.m., Senator Daylin Leach will hold a Town Hall meeting in this public meeting room. All residents are welcome to attend and share thoughts and concerns with the Senator.

As advertised, a public hearing was opened on Conditional Use Application #CU29-15, an application by Outfront Media to place a billboard. Chairman Zucker said that it appears that a number of residents would like to speak, and asked that people limit their questions to three or four. He added that we would move from left to right with the questions. If there are unanswered questions at the end, people would be given an opportunity to ask additional questions.

A verbatim recording of the hearing was taken by a Court Reporter and will be made a part of these minutes.

Mr. Conner complimented the applicant's team for the completeness of the information presented, and he acknowledged the comments of the residents and neighbors during the hearing.

Upon motion by Mr. Conner, duly seconded by Mr. Greco and unanimously approved, the Board agreed to take the decision of Conditional Use Application #CU29-15 under advisement.

A motion was made by Mr. Wollman, duly seconded by Mr. Conner to approve the November 2015 Treasurer's Report. Chairman Zucker called for any discussion. There was none and the motion carried.

A motion was made by Mr. Conner, duly seconded by Mr. Greco to approve the minutes of the Board of Supervisors' meeting of January 4, 2016. Chairman Zucker called for any discussion. There was none and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mrs. Weber to approve the Decision and Order of Conditional Use Application #CU28-15 with Madison Development/Centre Square Commons. Chairman Zucker called for any discussion. There was none and the motion carried.

A motion was made by Mrs. Weber, duly seconded by Mr. Wollman to approve the Decision and Order of Conditional Use Application #CU30-15 with Korman/Welex. Chairman Zucker called for any discussion. There was none and the motion carried.

As advertised, a public hearing on Ordinance No. 346, an Ordinance amending the Code of the Township of Whitpain, to update the procedures by which juveniles are detained, transported and released to their parents or guardians by the Police Department for curfew violations. Chief Lawson explained that this update a small section of the ordinance regarding how juveniles are detained and transported. There was no further discussion.

A motion was made by Mrs. Weber, duly seconded by Mr. Greco to pass Ordinance No. 346. Chairman Zucker called for any discussion. Mr. Conner asked if the changes are consistent with and have been reviewed by other law enforcement agencies. Chief Lawson responded that our insurance carrier, Delaware Valley Insurance Trust, reviewed the ordinance and specifically addressed how juveniles are released. Every township has basically the same ordinance. There was no further discussion and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mrs. Weber to pass Resolution No. 1104, Warrantless Arrest Procedures. Chief Lawson explained that a local governing body must authorize by resolution that a warrantless arrest can be made for summary offenses so that a person can be taken into custody and not left at a scene where that person can cause harm to him/herself or others. Chairman Zucker asked if this was also recommended by DVIT. Chief Lawson confirmed that they did. Mr. Conner clarified that DVIT is the Delaware Valley Insurance Trust, our insurance carrier that frequently makes

risk assessments on our operations. We take their opinions seriously. There was no further discussion and the motion passed.

A motion was made by Mrs. Weber, duly seconded by Mr. Wollman to pass Resolution No. 1105 to approve Final Land Development Plans titled "Centre Square Commons", Sheets 1 of 38 through 38 of 38, prepared by Maser Consulting, P.A., plans last revised on November 30, 2015 and Hardscape Plans titled "Centre Square Commons", Sheets G001 to HS112 (14 sheets in total), prepared by Bernandon, plans last revised on November 30, 2015 in accordance with Section 509(b) of the PA Municipalities Planning Code conditioned upon execution of an Improvement Construction Agreement, posting of financial security, receipt of all necessary permits from the PA Department of Transportation and the PA Department of Environmental Protection, and resolution of items in the review letters from the Township Engineer dated August 17, 2015, November 6, 2015 and January 8, 2016. Chairman Zucker called for any discussion. Mr. Conner asked for a summary. Mr. Pronczak explained that the remaining issues require approvals by outside agencies. There are also requirements to post financial security and finalize the Improvement Construction Agreement, which are fairly standard conditions. Mr. Conner asked Mr. Garrity to confirm the legal status of the agreements. Mr. Garrity said it is complicated, and with the assistance of Township staff and the applicant, we were able to arrive at a resolution that is in the best interests of the Township and the applicant, and the best legal protection we can have given these unusual circumstances. Chairman Zucker called for any further discussion. There was none and the motion passed unanimously.

Action regarding Resolution #1106 was withdrawn and continued to the first meeting in February, February 2, 2016. Mr. Conner said there is additional information to be received and when it is we will move forward in a timely manner.

A motion was made by Mr. Conner, duly seconded by Mr. Greco to pass Resolution No. 1107, to approve Preliminary/Final Land Development plans titled "Centre Square Fire Company New Fire Station", Sheets 1 of 18 through 18 of 18, prepared by Chambers Associates, plans last revised on December 4, 2015 in accordance with Section 509(B) of the Pennsylvania Municipalities planning Code conditioned upon execution of an Improvement Construction Agreement, posting of financial security, receipt of all necessary permits from the PA Department of Transportation and the PA Department of Environmental Protection, and resolution of items in the review letters from the Township Engineer dated October 20, 2015 and December 18, 2015. Chairman Zucker called for any discussion. There was none and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to pass Resolution No. 1108, authorizing the Chairman to sign an Application for Traffic Signal Approval to be submitted to the PA Department of Transportation. The applications are required in order to install modifications to the existing traffic signal located at the intersection of DeKalb Pike and Skippack Pike, to the existing firehouse flasher at 1298 Skippack Pike and for a new traffic signal located at the intersection of DeKalb Pike and the WaWa/Centre Square Commons Shopping Center Driveway. Chairman Zucker confirmed that this covers the new signal that will be installed at WaWa on Rt. 202, so left turns can be made legally on to northbound Rt. 202. There was no additional discussion and the motion carried.

A motion was made by Mr. Conner, duly seconded by Mrs. Weber to pass Resolution No. 1109 authorizing an Intermunicipal Agreement with other Montgomery and Philadelphia County Municipalities and wastewater treatment plant operators to advance development of an alternative total maximum daily load for the Wissahickon Creek Watershed. Chairman Zucker called for any discussion. Mr. Pronczak explained that there are regulations for individual municipalities along the Wissahickon Creek, as there are for the treatment plant operators. It would be nearly impossible for the individual treatment plant operators to meet all of the requirements and regulations. This Resolution is an attempt to partner with other municipalities to develop alternatives to enable everyone to meet regulations. Mr. Conner said we are looking forward to working with the other communities within the Watershed to reduce the risks of non-compliance. He noted that Mr. Dennis Miranda of the Wissahickon Valley Watershed Association was in attendance earlier in the evening. He and the Watershed Association are behind this in order to bring everyone together to creating an alternative to the risks of non-compliance. There was no additional discussion and the motion passed unanimously.

A motion was made by Mr. Greco, duly seconded by Mrs. Weber to approve an agreement between Whitpain Township, East Norriton Township and Stanley and Adele Segal, owners of a property located at 125 W. Township Line Road regarding acceptance of sanitary sewage. Chairman Zucker called for any discussion. There was none and the motion carried.

A confirming motion was made by Mr. Greco, duly seconded by Mr. Conner to release \$59,324.79 (Release #5) from the escrow fund for Gable Estates Land Development located at 960 Morris Road, and to release \$42,117.89 (Release #1) from the escrow fund for 319 Maple Avenue subdivision located at 319 Maple Avenue. Chairman Zucker called for any discussion. There was none and the motion carried.

A motion was made by Mr. Conner, duly seconded by Mr. Wollman to authorize the Township Manager to advertise Ordinance No. 347, Norristown Road Parking Regulations. Mr. Pronczak explained that this matter was previously dealt with in front of Blue Bell Woods. This proposal will ban parking along Norristown Road in the areas where the roadway has been widened in front of Blue Bell Woods, Huntsman Lane and up to McClure Drive. The purpose is to promote proper sight distance in these area. Chairman Zucker

asked if there were any further comments. There was no additional discussion and the motion carried unanimously.

The Board took no action on the following Zoning Hearing Board cases scheduled to be heard January 21, 2016:

#2064-15 Nan and Ed Sweeney
#2065-15 Francis and Leah Daulerio

The following case is continued to February 18, 2016:

#2066-16 Jeffrey and Mary Kathleen Lee

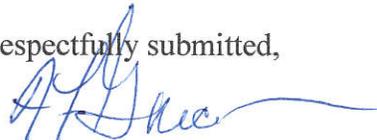
The Planning Commission reviewed these applications on January 12, 2016.

Chairman Zucker turned the meeting over the Vice-Chairman Weber for public comment. Vice-Chairman Weber asked if anyone had public comment. Maryann Barnshaw of 1349 Lee Road asked where she could find the information contained in the motion for the final land development approval for Centre Square Commons. Mr. Pronczak said all information is on the Township website. If Mrs. Barnshaw wants to see the detailed engineering plans, the entire set is available for view at the Township building. Because there have been many updates, Mrs. Barnshaw wants to be sure she is able to see the most current information. There was no additional public comment.

Vice-Chairman Weber noted there was an executive session prior to the public meeting and the Board will retire to executive session after the public meeting to discuss legal matters. Chairman Zucker thanked everyone for their attendance and patience.

Vice-Chairman Weber moved to adjourn the meeting at 11:15 p.m.

Respectfully submitted,



Anthony F. Greco
Secretary