

WORK SESSION

January 20, 2015

A work session of the Whitpain Township Board of Supervisors was held on Tuesday, January 20, 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 January 20, 2015 Supervisors' meeting. Chairman Frederick R. Conner was present 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 Mark A. Smith, Parks and Recreation Director Kurt W. Baker, Director of Code Enforcement Michael McAndrew, and Director of Finance John Nagel.

The Supervisors reviewed the agenda discussing tonight's Mission Moment, approval of the minutes of the January 5, 2015 Board of Supervisors' meeting and the November 2014 Treasurer's Report, authorization to advertise Ordinance No. 22-40, acceptance of a proposal from Cohen Law Group regarding cable franchise audits, release of funds for Centre Square Park, a pillar agreement for 733 Cathcart Road, authorization to utilize various vendors and services for 2015, authorization to advertise for the 2015 Road Resurfacing Program and the 2015 Root Control Program, and two public hearings scheduled for Ordinances No. 4-237 and No. 4-238.

After reviewing the agenda, Mr. Pronczak mentioned that staff received a few complaints regarding the sewer billing usage fee which was implemented last year. Mr. Pronczak continued the meeting by confirming that a grand opening for Centre Square Park is scheduled for Saturday, September 12, 2015. The trails surrounding the park are now open, but the fields cannot be used until the fall of 2015 since the grass needs additional time to stabilize.

Mr. Pronczak announced that Fire Marshal David Camarda is planning an Emergency Management Tabletop Exercise on Monday, March 9 at 6:00 p.m. The time was selected because members of Centre Square Fire Company typically hold their training sessions on Monday evening. Supervisors are encouraged to attend the exercise.

The final item discussed during the work session was the Papal visit to Philadelphia which will run from September 22 through September 27. Officials project that an additional 2-5 million people will be in Philadelphia because of the visit. The size and scope of this week-long event requires federal, state, and local resources. Whitpain's Police Department, along with other departments in the county, will be called upon to offer mutual support during the visit.

At 8:00 p.m., the Supervisors adjourned the work session and left to attend the public meeting. When the public meeting ended, Supervisors met in executive session to discuss personnel and legal matters.

David J. Mrochko
Whitpain Township Assistant Manager

#02-2015
January 20, 2015

The regular meeting of the Whitpain Township Board of Supervisors was held Tuesday, January 20, 2015 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chairman Frederick R. Conner, Jr., along with Supervisors Adam D. Zucker, Anthony F. Greco, 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 Mark A. Smith, Township Engineer James E. Blanch, P.E., Finance Director John B. Nagel, Code Enforcement Officer Michael E. McAndrew, Public Works Director Ronald J. Cione, Parks and Recreation Director Kurt W. Baker, a Court Reporter and Recording Secretary Virginia Papale were also present. Fire Marshal David M. Camarda was absent. There were approximately 30 members of the public at the meeting.

Following the Pledge of Allegiance the meeting was called to order at 8 p.m. by Chairman Conner who welcomed everyone to the second meeting of 2015.

As has become tradition, Mission Moments is held to recognize the Township and its organizations who are helping meet the Mission, Vision, Values focus. This evening we will address our Vision, and how we are going to live up to it with Whitpain 2035 – Four Villages Within a Community through our Comprehensive Plan. Chairman Conner asked Mr. Pronczak to explain the workings of a comprehensive plan. Mr. Pronczak explained that our Value of Stewardship is most closely related to our work on the Comprehensive Plan. Through stewardship, we value the natural, financial and human resources of the Township. As far as vision, Whitpain Township embraces its future as well as cherishes its heritage. Part of the process is to ensure public safety and enhance the quality of life for all citizens. The comprehensive plan is an official statement adopted by a local government agency which directs the physical development of the community. Our plan is a bit different than many, in that much of the Township is already built up. The proposed Plan allows us to review what we have and to learn from the development that has occurred and correct things that could have been done differently. Emphasis is currently on walkability and the need to deal with the existing traffic conditions. As part of the process there are four Town Hall meetings scheduled, the first of which is at 7 p.m. on February 4th at Montgomery County Community College. The second is February 25th at the Manor House at Prophecy Creek Park, the third at Arborcrest (the former Unisys property), and the fourth at Centre Square Fire Company. Mr. Pronczak recognized each member of the Comprehensive Plan Committee. Chairman Conner encourages community participation and feedback, which can be offered at these meetings open to the public.

A motion was made by Mr. Zucker, duly seconded by Mr. Greco to approve the minutes of the January 5, 2015 Board of Supervisors' meeting. Chairman Conner called for any discussion. There was none and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to approve the November 2014 Treasurer's Report. Chairman Conner said the year-end projections are looking good, although there are challenges with health care insurance. All in all, we have a balanced budget and look forward to no new taxes in the near future. He called for any other discussion. There was none and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mrs. Weber to authorize the Township Manager to advertise Ordinance No. 22-40, an Ordinance amending the Code of the Township of Whitpain, Chapter 71 (Building Construction), Part 6 (Property Maintenance Code), Section 71-33 (Adoption of International Property Maintenance Code) to repeal the existing Section 71-33 and replace it with a new Section 71-33 adopting the 2012 International Property Maintenance Code, and any subsequent amendment, revision, supplement, edition, update or successor to such Code, as the Property Maintenance Code for Whitpain Township; and further amending Chapter 71 (Building Construction), Part 6 (Property Maintenance Code), Section 71-34 (Revisions) to repeal the existing Section 71-34 and replace it with a new Section 71-34 to add insertions and replacements compatible with the 2012 International Property Maintenance Code and any successor Codes. Chairman Conner noted the changes to the sections of the ordinance are to clarify the year to which the code pertains. He called for any discussion. There was none and the motion carried.

A motion was made by Mrs. Weber, duly seconded by Mr. Greco to accept a proposal from Cohen Law Group of Pittsburgh, PA for a total of \$20,145 for legal services, specifically to conduct cable franchise audits of both Comcast and Verizon and to assist with cable franchise renewal negotiations with Comcast. Chairman Conner said the proposal was reviewed by the finance committee, and they agreed to renew with Cohen. As stewards of public rights-of-way, we are looking for the best value. Mrs. Weber clarified that the rentals received are from Verizon and Comcast, not from homeowners. There were no further comments and the motion carried.

A confirming motion was made by Mr. Greco, duly seconded by Mr. Wollman to release \$2,875,000 (Release #1) from the financial security posted for the Centre Square Park project (aka Cook Tract) to Walsh Construction Company. Chairman Conner asked Mr. Pronczak to summarize the development. Mr. Pronczak said we are very proud of what has been accomplished in three years. We have a great private/public partnership with the Township/WRA/Walsh. A \$4.5 million park was built at no cost to taxpayers, which includes seven fields, trails, parking and an elaborate stormwater management system. It meets the huge sports demands of WRA and WissLAX. The trails are now open, although the fields are not. A Grand Opening of the Park is scheduled for September 12. Today's release is part of the financial guarantee posted by Walsh for the completion of the improvements. There is a retainage being held for the completion of the punch list. Chairman Conner called for any questions or comments from the Board or the audience. There were none and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to authorize the Chairman and Secretary to sign a Pillar Agreement with John and Kelly Keane,

owners of 733 Cathcart Road. The agreement is to permit the installation of a brick pillar mailbox within the legal right-of-way of Cathcart Road, on the condition that the material will be removed if any future road widening, repair or excavation is necessary. Chairman Conner called for any discussion. There was none and the motion carried.

Chairman Conner announced that the next seven items are part of procurement at competitive prices.

A motion was made by Mr. Zucker, duly seconded by Mr. Wollman to piggyback NCPA (National Cooperative Purchasing Alliance) for the purchase of goods and services for the 2015 calendar year. Chairman Conner called for any discussion. There was none and the motion carried.

A motion was made by Mr. Zucker, duly seconded by Mrs. Weber to authorize Whitpain Township to piggyback the Montgomery County Consortium of Communities and/or any individual Consortium municipality for the purchase of materials and supplies they bid in 2015. This motion will allow the same communities to piggyback our bids in 2015. Chairman Conner called for any discussion. There was none and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mrs. Weber to authorize Whitpain Township to piggyback the PA General Services Contract Program (Costars) for 2015. This will include the purchase of highway materials, vehicles and supplies, as needed. Chairman Conner called for any discussion. There was none and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to piggyback the H-GAC (Houston-Galveston Area Council) for cooperative purchases for 2015. Chairman Conner called for any discussion. There was none and the motion carried.

A motion was made by Mr. Zucker, duly seconded by Mr. Greco to authorize Whitpain Township to dispose of Township personal property by public auction for the calendar year 2015, utilizing JJ Kane Auctioneers, Municibid, or Pennbid (the on-line auction service of the Commonwealth of Pennsylvania). This motion will also allow the Montgomery County Consortium of Communities and/or any individual Consortium municipality to piggyback our signed contract with either service. Chairman Conner called for any discussion. There was none and the motion carried.

A motion was made by Mr. Zucker, duly seconded by Mr. Wollman to authorize the Township Manager to advertise for the 2015 Road Resurfacing Program, including Novachip, Ralumac, Crack Sealing and Polypatch, for one year with two one-year extensions. Chairman Conner asked Mr. Pronczak for an overview. Mr. Pronczak said there are seven miles of roads scheduled for resurfacing this year, and as Mr. Cione concurred, depending on the severity of the winter and the bid prices, the amount of resurfacing may be adjusted. Chairman Conner pointed out that an aggressive schedule over the past couple of years helped us optimize the schedule, and we are well ahead of

neighboring municipalities in the process. There were no additional comments or questions and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to authorize the Township Manager to advertise for the 2015 Root Control Program for one year with the option to extend for two years in one-year increments. This motion will also allow the Montgomery County Consortium of Communities and/or any individual Consortium municipality to piggyback our bid in 2015. Chairman Conner asked Mr. Pronczak for a summary. Mr. Pronczak noted that we are very proud of the program. We have the lowest incidents of sewer backups, as per the Delaware Valley Insurance Trust, and are fortunate to have this program in place. Chairman Conner gave credit to the Public Works Department. There were no further comments or questions and the motion carried.

As advertised, a public hearing was held on Ordinance No. 4-237, an Ordinance amending Chapter 160 of the Code of the Township of Whitpain (also known as the Zoning Ordinance of Whitpain Township), for the purposes of defining a Community Shopping Center and providing for such use in the Community Shopping Center Overlay District by Conditional Use. Chairman Conner opened the hearing, which was conducted by Solicitor Garrity.

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

At the close of the hearing, Chairman Conner stated that this development has been quite a challenge. It has taken 30 years to arrive at this point. This development is consistent with the vision of the Township and the Fire Company in order to continue with services and emergency services. Through the development, the traffic burden at the intersection of Rts. 202 and 73 will be reduced. The plan is historically based and best practices driven. It is incumbent upon the stewards of the Townships to remain consistent with our heritage.

Mr. Zucker noted that everyone has worked hard, with many meetings and many reviews; it was not done quickly. This is an incredibly important section of the Township. The project will help alleviate the traffic issues, along with PennDOT improvements, along Rt. 202. It is a difficult, complex set of parcels and the development will certainly improve the quality of life in the Township. Mr. Greco commended Mr. McKenna for the project, which will be an upgrade for the Township. He added that he wants to see this become the best in the Township. Mrs. Weber said that early in her term in 2011, she made it clear to Mr. McKenna that the corner needed improvement. Through time, deliberation and dialogue, a special shopping area will be developed, bringing all parts together to make a special shopping area. Mrs. Weber thanked Mr. McKenna for his flexibility and commitment, and the residents for their patience. Mr. Wollman thanked and commended the residents bordering the shopping center for their vigilance. All meetings were cordial and professional, with good communication and collaboration. The center will be great when completed.

Upon motion by Mr. Greco, duly seconded by Mr. Wollman and unanimously approved, the Board adopted Ordinance No. 4-237.

As advertised, a public hearing was held on Ordinance No. 4-238, an Ordinance amending the Whitpain Township Zoning Map to identify the "Community Shopping Center Overlay District" as an overlay district in addition to the underlying zoning district which shall be applicable to certain properties in the Township in the vicinity of the intersection of DeKalb Pike and Skippack Pike, more particularly identified as Montgomery County Tax Parcel Nos.: 66-00-01780-00-8 (990 DeKalb Pike); 66-00-01777-00-2 (998 DeKalb Pike); 66-00-01774-00-5 (1010 DeKalb Pike); 66-00-01783-00-5 (978 DeKalb Pike); 66-00-01786-00-2 (956 DeKalb Pike); 66-00-01789-00-8 (938 DeKalb Pike); 66-00-01792-00-5 (1380 Skippack Pike); 66-00-01795-00-2 (910 DeKalb Pike); 66-00-06325-00-8 (1374 Skippack Pike); 66-00-06322-00-2 (1358 Skippack Pike); 66-00-06319-00-5 (1336 Skippack Pike); 66-00-06316-00-8 (1324 Skippack Pike); 66-00-01789-01-7 (DeKalb Pike); 66-00-06310-00-5 (1290 Skippack Pike); and 66-00-06313-00-2 (1298 Skippack Pike).

Chairman Conner opened the hearing and explained that this Ordinance rezones the listed parcels to be part of the new Community Shopping Center District. He turned the proceedings over to Solicitor Garrity.

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

Chairman Conner asked if there were any questions or comments regarding this hearing prior to its close. There were none and the hearing closed.

Upon motion by Mr. Greco, duly seconded by Mr. Zucker and unanimously approved, the Board adopted Ordinance No. 4-238.

Chairman Conner turned the meeting over the Vice-Chairman Zucker for public comment. Vice-Chairman Zucker asked if anyone wished to make a comment. Resident Shirley White of 660 Chatham Lane wished to discuss the sewer usage fee. Chairman Conner explained that the Board has reviewed the documentation submitted by Mrs. White, that there were four-to-five similar complaints and challenges and the Board and staff will review the current policy. Chairman Conner added that the Township is charged for the amount of wastewater through the sewer system. The excess usage charge in the amount of \$21.25 is for more than 20,000 gallons of usage and is intended to promote conservation. Mrs. White shared that her complaint about the sewer usage has been reviewed and the reduction was denied, to which Chairman Conner explained there is no appeals process. The administrative burden for staff to review usage is quite onerous. The Finance Committee will revisit the process and report back when the review is complete.

Vice-Chairman Zucker called for any other comments. Mr. Joseph Yelo of 117 Gleneagles Drive thanked the Board for its work on behalf of the residents with the new Community Center Shopping District. He asked about the property on the corner of Skippack Pike and DeKalb Pike where the Dunkin Donuts and Gulf Station are located. Chairman Conner explained that the Township is in legal action against the owner of the property related to the canopy. Mr. Pronczak added that there were several notices of violation issued to the property owner. A hearing in front of Judge Sobeck was held in November, with two deadlines imposed: one near the end of December, with permit applications required to be submitted and the second that all of the improvements be completed by the 24th of February. The December deadline was met. If the February deadline is not met, we will go before Judge Sobeck who will impose fines. We believe the owner will comply with making the improvements. There were no further questions or comments.

Vice-Chairman Zucker asked if the Board had any old or new business to discuss. No further discussion was held.

Chairman Conner noted the Board met in executive session prior to the public meeting and will return to the executive session to continue to discuss legal matters. Chairman Conner then announced there will be a presentation February 6 at the Manor House at Prophecy Creek Park which will introduce additional improvements that are planned for the Manor House property. Everyone is invited to attend. He added a reminder of the Comprehensive Plan Town Hall meeting February 4 at Montgomery County Community College. Information will be posted on our website.

There being no further business, Chairman Conner adjourned the meeting at 9:52 p.m.

Respectfully submitted,

Anthony F. Greco
Secretary