

**Board of Supervisors/Elected Auditors
Minutes**

June 16, 2015

A special meeting of the Whitpain Township Board of Supervisors and elected Board of Auditors was held on Tuesday, June 16, 2015 at the Manor House at Prophecy Creek Park, 205 Skippack Pike, Broad Axe, Pennsylvania. The meeting was called to order at 6:30 p.m.

Present were Board members Frederick R. Conner, Jr., Adam D. Zucker, Anthony F. Greco, Melissa M. Weber, and Kenneth F. Wollman, Elected Auditors Karen Guerra and Matthew McGuire, Township Manager Roman M. Pronczak, P.E., Assistant Township Manager David J. Mrochko, Finance Director Christine M. Bauman, Assistant Finance Director Kellen Jarrett, and one member of the public. Also in attendance was Edward Furman of Maille, LLP.

Mr. Furman presented the 2014 Comprehensive Annual Financial Report and reviewed the annual audit.

The meeting was adjourned at 7:20 p.m.



Roman M. Pronczak, P.E.
Township Manager

#11-2015
June 16, 2015

The regular meeting of the Whitpain Township Board of Supervisors was held at 8 p.m. Tuesday, June 16, 2015 at the Manor House at Prophecy Creek Park, 205 Skippack Pike, Broad Axe, PA. Chairman Frederick R. Conner, Jr., along with Supervisors Adam D. Zucker, 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, Code Enforcement Officer Michael E. McAndrew, Public Works Director Ronald J. Cione, Finance Director Christine M. Bauman, Township Engineer James E. Blanch, P.E., Parks and Recreation Director Kurt W. Baker, Fire Marshal David M. Camarda, Code Enforcement Secretary Jessica Mendoza, a Court Reporter and Recording Secretary Virginia Papale were also present. There were approximately 200 people at the meeting.

Following the Pledge of Allegiance, Chairman Conner welcomed everyone to the eleventh meeting of the year. He announced that there would be no discussion this evening related to the Meadowlands property due to information received in the hour prior to the beginning of the meeting. Should the subject be revisited, notice will be publicized in advance. Those who were in attendance to hear the agenda items related to Meadowlands were given the opportunity to leave.

A highlight of tonight's meeting is the announcement of two promotions within the Police Department. Chairman Conner turned the meeting over to Chief Kenneth Lawson. Chief Lawson commented that with his promotion earlier in the year, other promotions were required. Through a rigorous testing process, two of the finest officers were chosen. Sgt. Armstrong started with the Department in 1988. Through the years he has continued with his education and achieved many certifications. He certainly deserves the promotion to Lieutenant. Officer Jon Bleuit is a 20-year veteran of the Department, and is involved in all aspects of police work, and also has quite a few certifications. He is here this evening supported by his wife Jackie and his Mom as he is promoted to Sergeant. Lieutenant Armstrong and Sergeant Bleuit were presented with their new badges.

Mrs. Weber presented the customary Mission Moment, which focuses on finance this evening. As financial stewards, the Finance Committee and staff work tirelessly to maintain the Mission, Vision, Values Statement, highlighting "stewardship." This evening at a joint meeting with the elected Auditors was held at 6:30 p.m., Ed Furman of Maille, LLP presented the Comprehensive Annual Financial Report (CAFR) to the Board and the public. The Township's Aaa Bond rating is a testament to the cooperation, hard work and strong efforts by all to maintain the strongest rating possible.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to approve the minutes of the Board of Supervisors' meeting of May 20, 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 approve the promotion of Sgt. William Armstrong to the position of Lieutenant, and the promotion of Patrolman Bleuit to Sergeant. Chairman Conner called for any discussion. There was none and the motion carried unanimously.

A motion was made by Mr. Greco, duly seconded by Mrs. Weber to approve the May 2015 Voucher List in the amount of \$472,897.22, check sequence #54994 through #55216. Chairman Conner called for any discussion. There was none and the motion carried.

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

The next two agenda items related to Meadowlands Country Club were not discussed. As mentioned earlier, the Board received an unexpected communication this evening. The Board is not comfortable in moving forward at this point. This subject might be revisited if a mutually beneficial proposal is offered, but at present there will be no additional discussion.

A motion was made by Mr. Zucker, duly seconded by Mr. Greco to pass Resolution No. 1091 granting preliminary and final subdivision approval of 1902 Yost Road in accordance with plans prepared by Chambers Associates dated January 11, 2015, last revised June 10, 2015, consisting of three (3) sheets, subject to the resolution of all items contained in the review letter of the Township Engineer dated February 20, 2015 as well as those items specifically set forth in more detail in the Resolution. Chairman Conner asked the applicant's Engineer, Joseph Hanna of Chambers Associates, to give a brief summary. Mr. Hanna explained that the application was submitted in February of this year, and has been reviewed by the Township and the County Planning Commissions. The Montgomery County Planning Commission recommended approval. The Township Planning Commission reviewed it a couple of months back, and the recommendations made by the Planning Commission and the Planning Committee were incorporated into the current plan. This approval is only for the subdivision of the lots. After the subdivision is approved, building permits and grading permits, along with stormwater management plans, will be submitted. This plan is compliant with zoning and engineering requirements. Chairman Conner called for any discussion. Mr. Zucker asked Mr. Pronczak if the plan complies with zoning and is a by-right application. Mr. Pronczak confirmed the statements. The Engineering Department reviewed the application with the applicant's engineer, and details were provided to alleviate concerns. When the lots are sold, the exact location of the driveways and impervious areas could be modified. Mrs. Weber asked why this application is before the Board this evening. Mr. Pronczak explained that every land development/subdivision application requires review by the County and Township Planning Commissions, which has been done. The application is now before the Board for approval. Mr. Wollman questioned the risk to the Township if this does not pass, since the criteria has been met. Mr. Garrity explained that the application must be granted if all specifics are met, unless there is a violation of statute. In the absence of a reason for denial, the application must be granted. Mr. Pronczak summarized that the

two meetings before the Township Planning Commission were well attended. Comments from the Commission and neighbors were considered and the plan, as presented, incorporates those considerations. Chairman Conner asked for public comment.

Mr. George McCool of 1418 Cortez Road questioned the submission of the plans dated June 10, 2015, one day after the Planning Commission met. Mr. Pronczak clarified that there is no lot line or area change to these plans, only the building envelope is slightly different. Mr. McCool responded that he and the neighbors do not believe the plan is an applicable use of the statute with regard to an irregular shaped lot. He and the neighbors are also quite concerned about stormwater matters. The area is always wet, and they would like to know what will happen with stormwater remediation. Mr. Pronczak explained that when the building permits are submitted, the final stormwater management design will also be included. Mr. Hanna explained there is no stormwater requirement for Lot #1 due to the reduced impervious coverage. Improvements to Lot #3 will produce no additional runoff. Mr. McCool asked that the staging of materials for the lots be confined to the lots and not the street. Mr. Pronczak said the Police Department would not allow materials to be stored on the roadway.

Ms. Joan Shal of 1410 Cortez Road offered that the comprehensive plan is the official statement of the Township which directs the physical development of a community. This proposed three-lot subdivision is in contrast to the comprehensive plan, and she strongly objects to the approval of this plan. Chairman Conner responded that the intent of the comprehensive plan influences ordinances and interpretations of same. He asked for additional comments from the public. There were none from the public, from the applicant's Engineer or from the Township Engineer. Chairman Conner asked for any comments from the Board.

Mr. Zucker asked if the character of the neighborhood is addressed by the zoning designation. Mr. Garrity responded that the character is irrelevant if the zoning permits these lots; there is no violation of the zoning ordinance. Mr. Zucker asked if stormwater management is addressed with each individual lot in a subdivision. Mr. Pronczak responded that a stormwater management plan is submitted with each building permit application, and would require the approval of the Township Engineer. Mr. Zucker asked if all of the homes in the surrounding community have required stormwater management plans. Mr. Pronczak explained that the surrounding community was built prior to current stormwater management requirements. Any changes to a property, such as an addition, would require a stormwater plan. Chairman Conner asked for any additional questions or comments.

Mr. Joseph Hannum, a 40-year resident and the adjacent property owner is concerned about future runoff. He asked who will properly manage the water flow. Mr. Zucker advised Mr. Hannum to contact Roman or Jim, and the Township will ensure the stormwater management program in place is acceptable. Through his personal experience, Mr. Zucker explained that Roman and Jim will do their ultimate to make sure stormwater is properly managed. Mr. Hannum said he is the recipient of a 40-ft. drop from the adjacent property, and he believes actual stormwater calculations are important. Chairman Conner asked the

Solicitor what recourse the residents have when the Township is bound by law to approve this by-right application. Mr. Garrity explained that the residents can appeal the approval. If the problem doesn't surface until years later, they have the right to go after the property owner causing the problem.

With the motion on the floor and seconded, Chairman Conner asked for any further comments. There being none the motion carried.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to pass Resolution No. 1089, requesting a Flood Mitigation grant from the Commonwealth of Pennsylvania, Department of Community and Economic Development, for stream bank restoration and stabilization along the portion of the Wissahickon Creek that traverses through Cedarbrook Country Club. Chairman Conner asked Mr. Pronczak to summarize this detail. Mr. Pronczak said the banks of the Wissahickon Creek that run through Cedarbrook Country Club, when restored, will reduce current flooding problems, and the sediment carried into the creek from the eroded banks will be reduced, therefore increasing the quality of the water. Chairman Conner added that the grant of \$400,000, if approved, will be the culmination of ongoing discussions with Cedarbrook Country Club, and will bring us in compliance with the Federal Clean Water Act and count as credit toward the MS4/TMDL compliance measures. This is another example of a successful public/private partnership. Mr. Zucker brought up that at the last meeting during discussions regarding Meadowbrook Country Club, a Cedarbrook member was concerned about the use of public funds for private operations. Should this move forward, Mr. Zucker asked for a clarification that this is not the case. Mr. Pronczak responded that Cedarbrook Country Club will receive the state funds, and we will contribute a 15% match. Chairman Conner called for additional questions or comments. There were none and the motion carried.

As advertised, Chairman Conner opened the public hearing on CU#28-15, an application to create a Shopping Center Overlay District at the corner of Routes 202 and 73.

A verbatim record of the proceedings was taken by a Court Stenographer, and will be attached to and made part of these minutes.

A motion was made by Mr. Wollman, duly seconded by Mr. Greco to approve the Conditional Use subject to the conditions to be set forth in more detail in the written decision of the Board of Supervisors. Chairman Conner asked for any questions or comments. There were none and the motion carried unanimously.

Chairman Conner noted that the matter of the next agenda item has been favorably reviewed by the Township Planning Commission, as well as the Board of Supervisors. The last conceptual presentation offered tremendous detail, which might not be necessary this evening.

As advertised, Mr. Garrity opened the public hearing on Ordinance No. 4-241 for the purpose of defining a Corporate Residential Suite and providing for such use in the R-E Research and Engineering Zoning District by conditional use. He explained the zoning text amendment is required to permit a long-stay facility at the property to be developed. He asked Mr. Rob Lewis, representing the applicant Korman Communities, to give a brief overview. Mr. Lewis noted this is a text amendment that would add permitted use by conditional use. Over the past year they have been discussing how to redevelop the Welex site as a long-term stay facility. The clients would be corporate and those in transition. Mr. Garrity asked Mr. Lewis if this type of facility is described in section one of the ordinance, and asked him to ensure this type of facility would not be popping up all over the Township. Mr. Lewis said there are numerous qualifications for corporate suites development, including the maximum number of units and a minimum property of ten acres. While this would be a permitted use in any instance of the R-E District, a minimum of ten acres would be needed to qualify. There are no undeveloped tracts in the Township that meet this requirement. Mr. Garrity asked if the Board had any questions for Mr. Lewis. There were none. He asked if any member of the public had any questions. There were none. Mr. Lewis thanked everyone for their time and assistance. Mr. Garrity closed the hearing.

Chairman Conner thanked Mr. Lewis and his team for their efforts. Upon motion by Mr. Zucker, duly seconded by Mr. Greco and unanimously approved, Ordinance No. 4-241 was enacted by the Board.

A motion was made by Mr. Wollman, duly seconded by Mr. Greco to authorize the Township Manager to advertise for bids for parking lot lighting at the Centre Square Park complex. Chairman Conner mentioned that this was already approved when presented to the neighbors and is not a new item. The parking lot lighting is for the safety of those who use the park and he called for any additional discussion. There was none and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mr. Zucker to approve the Collective Bargaining Agreement between Whitpain Township and the Whitpain Township Police Department effective January 1, 2013 through December 31, 2016. Chairman Conner called for any discussion. He mentioned this agreement is the result of arbitration, as required. There were no further comments or questions and the motion carried.

A motion was made by Mr. Greco, duly seconded by Mr. Wollman to grant a waiver from the requirement of preparing a land development plan to CVS Pharmacy for the installation of a revised ADA parking and accessibility layout at the 929 DeKalb Pike location. Chairman Conner called for any discussion. There was none and the motion carried.

A confirming motion was made by Mr. Zucker, duly seconded by Mr. Greco to release \$121,305.70 (Release #2) from the escrow fund for the 137 Stenton Avenue Subdivision (formerly known as Oak Lane Estates subdivision/land development) located at

137 Stenton Avenue. Chairman Conner called for any discussion. He mentioned that this is a rather large tract of open space that has been subdivided and is being developed. There was no further discussion and the motion carried.

A confirming motion was made by Mr. Greco, duly seconded by Mr. Wollman to release \$81,688.50 (Release #2) from the escrow fund for the Township Line Condominiums subdivision/land development located at 579-587 Township Line Road. 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 adopt Resolution No. 1090 authorizing Whitpain Township to submit a grant application to the PA Department of Transportation for the Automatic Red Light Enforcement (ARLE) Transportation Enhancement Grant Program for the installation of a traffic signal located at the Morris Road entrance to Montgomery County Community College. 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 sell the following surplus equipment through Municibid: AAMCo Brake Lathe-Model 4000; Kelly-Creswell Airless pump type paint machine (line striper); Coats direct-drive 1025 solid state tire machine; Rim Clamp 5050AX tire machine; Alitec CG40 stump grinder attachment for skid steer; 15' long Hurst Tag-Along trailer registered for 18,000 lbs. electric brakes; access panels; two truck boxes; two 9' long truck boxes; two 55-gallon drum cradles; hose reel; hydraulic tank; hydraulic pump; Cross Body truck box. Chairman Conner called for any discussion. There was none and the motion carried.

The Board took no action on the following Zoning Hearing Board cases scheduled to be heard June 18, 2015, and reviewed by the Planning Commission on June 9th:

#2044-15	Oliver Snowden and 711 Cathcart, LLC
#2045-15	Edward J. Scott
#2046-15	Norman and Valerie Barlow
#3047-15	Luigi Colella, LLC

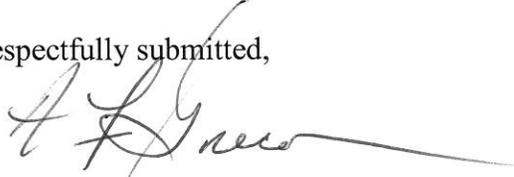
The Board affirmed its opposition to the following case:

#2040-15	Gianni Calabretta
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Chairman Conner then turned the meeting over to Vice-Chairman Zucker who asked for public comment. There was none. Vice-Chairman Zucker noted that the Board met in executive session to discuss legal matters prior to the public meeting and there will be no further discussions.

There being no further business, Vice-Chairman Zucker thanked the remaining audience for its participation and moved to adjourn the meeting at 10:26 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "A. Greco", with a long horizontal flourish extending to the right.

Anthony F. Greco
Secretary

/v