

## WORK SESSION

July 18, 2017

A work session of the Whitpain Township Board of Supervisors was held on Tuesday, July 18, 2017 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 July 18, 2017 Supervisors' meeting. Board Chair Melissa M. Weber was present with Supervisors Kenneth F. Wollman, Anthony F. Greco, Adam D. Zucker, and Frederick R. Conner. Also present were Township Solicitor Frank R. Bartle, Esq., Township Manager Roman M. Pronczak, P.E., Township Engineer James E. Blanch, P.E., Assistant Township Manager David J. Mrochko, Police Chief Kenneth Lawson, Director of Finance Christine M. Bauman, Director of Code Enforcement Michael McAndrew, Fire Marshal David M. Camarda, Director of Public Works Ronald J. Cione, and Parks and Recreation Director Kurt W. Baker. Three members of the public were also present.

The Supervisors reviewed the agenda discussing the Mission Moment, Ordinances #4-245 and #359, a presentation on the Township Pollution Reduction Plan, approval of the Consent Agenda including the minutes of the June 20, 2017 Board meeting, the June Voucher List, the May Treasurer's Report, contract services for a fire sprinkler system, Memorandum of Understand and Lease Agreement with WRA for the building at Centre Square Park, a guarantee loan agreement with WRA and Tompkins VIST Bank, a waiver request for Einstein Medical Center, authorization to advertise for bids, engineering services for a proposed sound wall along Railroad Avenue, Resolutions #1180 and #1181, a contract for the W. Mt. Pleasant Avenue Streetscape Project, authorization to evaluate the impact of the Emerald Ash Borer and the July Zoning Hearing Board cases.

After reviewing the agenda for the public meeting, the Supervisors discussed a listing of upcoming events, including:

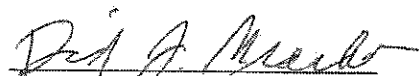
- Concert – Wissahickon Pops – July 18 – 7:00 p.m.
- Concert – Digital Getdown – July 27 – 7:00 p.m.
- Big Rig Round-Up – Wentz Run Park – July 28 from 5:00 to 7:30 p.m.
- Movie – Lego Batman – August 1 – Dusk
- Boys & Girls Club Interim Facility Open House – Maple Avenue August 15 – 5:30 p.m. to 7:00 p.m.
- Concert – Amish Outlaws – August 10 – 7:00 p.m.
- Vintage Motorcycle Daze – Wentz Run Park – August 12 – 10:00 a.m. to 3:00 p.m.
- Drive-In Movie Beauty and the Beast – September 18 – Dusk
- WRA Soccer Opening Day Parade – September 9 – Yost Road
- Boys & Girls Club Grand Opening – September 18 – 2:30 p.m.
- Community Festival – September 23 – starts at 11:00 a.m. and fireworks begin at 8:00 p.m. (one hour earlier this year)

After reviewing the listing of upcoming events, Supervisors met in executive session at 7:53 p.m. to discuss matters of potential litigation. When the executive session ended at 8:00 p.m., Supervisors left for the public meeting. When the public meeting ended, Supervisors resumed the work session meeting at 9:55 p.m. and discussed the 2018 budget calendar. Mr. Pronczak reviewed the proposed budget calendar and noted that a half-day budget work session was added to the schedule for the afternoon of October 24. Mr. Pronczak asked the Supervisors to review the proposed calendar and confirm availability for the days listed.

The next topic discussed was the naming of the driveway that will enter Centre Square Commons through Centre Square Fire Company's property. This driveway needs to be named in the near future as part of PennDOT's permit process. A number of names for the driveway were suggested, but no final decisions were made. Discussions on the topic will continue in the future.

The last topic at the work session meeting was the 202 Widening Project. As part of the project PennDOT will create a sound wall on the easterly side of 202 from Jolly Road to a point 350 yards to the south. As part of a federal procedure, PennDOT polled neighbors in the area to ensure they wanted a sound wall in their neighborhood. Although the Township has no control over the wall, PennDOT will allow the Township to select the finish on the 202 side of the wall. Mr. Pronczak recommended that a field stone look be selected as the finished option. Supervisors agreed with this recommendation. Mr. Pronczak then offered a brief update on a recent coordination meeting between PennDOT, Wissahickon School District, St. Helena's School, Centre Square Fire Company, and the Township. This meeting, which focused on school bus stops during the 202 Widening Process, was well attended and successful.

When discussion on this topic ended at 10:25 p.m., Supervisors met in executive session to discuss a legal matter.



David J. Mrochko  
Whitpain Township Assistant Manager

#12-2017  
July 18, 2017

The regular meeting of the Whitpain Township Board of Supervisors was held Tuesday, July 18, 2017 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Chair Melissa Murphy Weber, along with Supervisors Kenneth F. Wollman, Anthony F. Greco, Frederick R. Conner, Jr. and Adam D. Zucker were present. Township Manager Roman M. Pronczak, P.E., Solicitor Frank R. Bartle, Esq., Assistant Township Manager David J. Mrochko, Police Chief Kenneth Lawson, Township Engineer James E. Blanch, P.E., Code Enforcement Officer Michael E. McAndrew, Fire Marshal David M. Camarda, Parks and Recreation Director Kurt W. Baker, Finance Director Christine M. Bauman, Public Works Director Ronald J. Cione, a Court Reporter and Recording Secretary Virginia Papale were also present. There were 11 members of the public at the meeting.

Following the Pledge of Allegiance the meeting was called to order at 8:03 p.m. by Chair Weber who welcomed those in attendance.

We begin each meeting with a Mission Moment, and tonight's centers on Values. This year, thanks to Messrs. Zucker and Conner, we held the first Business Breakfast. Business owners met with the Board and staff and an exchange of information and good ideas flowed. One business has been in the Township for 25 years, and it is a fine family organization – The Carney Group. It was founded in 1992 by Nanette and John Carney, and has earned a reputation of one of Greater Philadelphia's premier recruiting and staffing firms. Chair Weber read a Proclamation and presented it to the Carney Family – John, Nanette and two of their seven children, Mike and Suzy. Mrs. Carney expressed gratitude and noted how pleased they are to have been in Whitpain Township for 25 years. Mr. Carney congratulated current and past Boards for their vision, and shared that early on, they had to give explicit directions for prospects to find them. Now, everyone knows Blue Bell. It is good to be in Whitpain.

As advertised, a public hearing was held on Ordinance No. 4-245, an Ordinance amending the Township's Zoning Ordinance by amending (1) Article IX, Section 160-119 [C-Commercial Districts/Use Regulations] to permit as a permitted use in the C-Commercial Districts the dispensing of medical marijuana by dispensary as defined by the Medical Marijuana Act; and (2) Article XXII, Section 160-142 [I-Limited Industrial Districts/Use Regulations] to permit as a permitted use in the I-Limited Industrial Districts the growing and processing of medical marijuana by a grower/processor as defined by the Medical Marijuana Act.

A Court Reporter was present to record these proceedings and the transcript of the hearing will be made a part of these minutes.

A motion was made by Mr. Wollman, duly seconded by Mr. Zucker to enact Ordinance No. 4-245. Chair Weber called for any discussion. There was none and the motion carried.

As advertised, the Board considered enactment of Ordinance No. 359, an Ordinance amending the Township's Code, Chapter 142 (Vehicles and Traffic) Article IV (Stopping, Standing and Parking) Section 142-37 (Special Purpose Parking Zones) to establish three new special purpose parking zones located at 338 W. Maple Avenue, 450 Railroad Avenue and across from 337 W. Maple Avenue in front of 336 W. Maple Avenue.

Mr. Pronczak gave a brief summary of the proposed Ordinance for handicapped parking in the West Ambler area of the Township.

A motion was made by Mr. Greco, duly seconded by Mr. Conner to enact Ordinance No. 359. Chair Weber called for any discussion. There was none and the motion carried.

Chair Weber introduced Township Engineer Jim Blanch who gave a presentation regarding the Township's Pollution Reduction Plan (PRP). Mr. Blanch explained the environmental analysis, along with the primary watersheds involved. He additionally highlighted the areas of responsibility, the determination of pollutants, possible funding sources, and a timeline of implementation. We are required by DEP regulations to reduce pollutants over a five-year timeline. Full compliance will be achieved by 2023. As part of public education, the Township gave a presentation on July 13th, after which there is a 45-day public comment period (through August 24<sup>th</sup>). Any comments/questions received during this period will become part of the PRP package to be submitted to DEP. This will be done by September 16, 2017. We should then receive the new permit by March 16, 2018 upon review of the PRP plan and MS4 Permit renewal application. Once approval is received, we can proceed with proposed solutions. Mr. Pronczak complimented Mr. Blanch and his entire department on this well thought out presentation of practical solutions by meeting DEP requirements. Mr. Conner added that Whitpain is clearly in the lead over other municipalities of taking proactive action with creative compliance.

A motion was made by Mr. Zucker, duly seconded by Mr. Greco to approve the Consent Agenda as follows:

- a. minutes of the June 20, 2017 Board of Supervisors' meeting.
- b. the June 2017 Voucher List in the amount of \$651,937.38, check sequence #61360 through #61596.
- c. the May 2017 Treasurer's Report.
- d. award the contract for engineering and design services for a fire sprinkler system for the Township Administration Building and the Police Building to Schiller and Hersh Associates, Inc. of Blue Bell, PA in the amount of \$19,880, per their contract dated February 21, 2017.

- e. approve a Memorandum of Understanding and Lease Agreement between Whitpain Township and the Whitpain Recreation Association (WRA) regarding the building use at Centre Square Park, subject to the review and approval of the Township Solicitor.
- f. authorize the Township to enter into an agreement in a form satisfactory to the Township Solicitor to guarantee repayment of the Whitpain Recreation Association (WRA) loan from Tompkins VIST Bank in the event of WRA default, and to enter into an agreement in a form satisfactory to the Township Solicitor with the WRA and/or Tompkins VIST Bank to acquire and complete the WRA Building Project in the event of WRA default.
- g. grant a waiver to Einstein Medical Center Montgomery for the installation of two accessory enclosures located adjacent to each other; one for a medical air compressor & vacuum pump and the other for an emergency generator. The property is located at 676 DeKalb Pike. The waiver from land development is conditioned upon the review and approval of the site plan by the Township Engineer.
- h. authorize the Township Manager to advertise bids for the Village of Oxford Pedestrian Trail Project.
- i. authorize McMahon Associates to proceed with engineering services related to an Engineering Feasibility Analysis for a proposed sound wall along Railroad Avenue in accordance with their proposal dated June 15, 2017 at a cost not to exceed \$23,500 (Tasks #1, #2, #3 and #4). The proposal will include a field investigation, investigation of SEPTA design specifications, noise study and preliminary sound wall layout/feasibility analysis.
- j. pass Resolution No. 1180 authorizing the Chair and Secretary to sign the necessary forms to transfer fee simple ownership of required rights-of-way for a portion of land on DeKalb Pike (formerly part of TMP #66-00-01777-00-2) from Whitpain Township to the Commonwealth of Pennsylvania.
- k. pass Resolution No. 1181 authorizing Whitpain Township to execute and submit the Green Light-Go Grant Agreement to the PA Department of Transportation for upgrades to the Skippack Pike and Penllyn-Blue Bell Pike Traffic Signal.
- l. award the contract for the W. Mt. Pleasant Avenue Streetscape Project to Albert G. Cipolloni, Jr. & Sons, Inc. of Morton, PA in the low bid amount of \$131,761. This award is contingent upon the review of the bid documents by the Township Engineer and the Township Solicitor.

- m. authorize the Morris Arboretum Community Forestry Outreach to proceed with services to evaluate the impact of the Emerald Ash Borer in the Township, per their proposal dated July 17, 2017 in the amount of \$3,745.

Chair Weber called for any discussion. Mr. Conner asked Mr. Pronczak to summarize the agreements with WRA. Mr. Pronczak noted that there are several documents related to the WRA building to be constructed at Centre Square Park, one being a long-term lease. The Township will be responsible for major repairs. The documents spell out the terms of maintenance, construction and the lease. Mr. Conner added that the agreements are similar to others with whom we are involved in public/private partnerships such as Second Alarmers. There was no further discussion and the motion carried.

The Board of Supervisors did not take any action on the following Zoning Hearing Board cases scheduled to be heard July 20, 2017:

No. 2122-17 Meridian Bank  
No. 2123-17 Nancy Quinn  
No. 2124-17 Mindelle & Ira Pierce  
No. 2125-17 Regency Blue Bell, LP  
No. 2126-17 Jeff & Carly McMahon

On the following case, Mr. Conner noted that the Board has had considerable discussions regarding this application. It has been before the Zoning Hearing Board and reviewed by the Board of Supervisors for several months. Upon motion by Mr. Conner, seconded by Mr. Greco and unanimously passed, the Board voted to have the Solicitor represent the Township in a land use appeal of deemed use approval:

No. 2118-17 Bill/Lowe

Chair Weber turned the meeting over to Vice-Chair Wollman who asked if there was any public comment. Dana Hasness, representing Senator Leach, noted several events that their office is hosting within the district. She also remarked that Senator Leach was a prime sponsor of the Medical Marijuana Act that was highlighted in the Ordinance passed this evening.

Resident Mark Stephenson of Maple Hill Drive addressed the Board with his thoughts regarding political speech and Township regulations of limitations during community events. His wife is running for Tax Collector. He asked the Board to suspend the regulations of the ordinance regarding political sponsorship opportunities. A lengthy discussion was held among Mr. Stephenson, the members of the Board and Solicitor Bartle, regarding free speech, a sacred right under the Constitution. Generally speaking, freedom of speech has to be content neutral. With a sponsorship, the Township would be taking dollars to help put on an event. Chair Weber explained that sponsorship is different. We as a Township encourage residents to support sponsors, but we cannot endorse a political agenda. If the Township permits a political candidate sponsorship, it can be seen as directly/indirectly endorsing a

candidate, and that is where a reasonable restriction is permitted. Candidates are permitted to have tables at public events, although sponsorship is another matter.

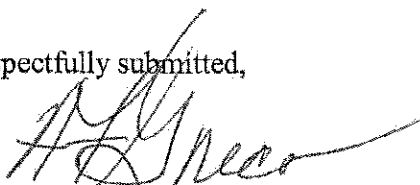
A suggestion was made by Mr. Conner that the Policy and Operations Committee take this matter under advisement, and make a recommendation to the Board as a whole expeditiously. Vice-Chair Wollman accepted the recommendation on behalf of the Board.

There were no additional comments and the meeting returned to Chair Weber.

Chair Weber noted that the Board met in executive session briefly prior to the public meeting to discuss a matter of potential litigation, and will resume to complete its work session, followed by a return to executive session to discuss a matter of potential litigation.

There was no additional discussion by the Board. Upon motion by Mr. Zucker and seconded by Mr. Greco, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,



Anthony F. Greco  
Secretary