

#06-2021
March 16, 2021

The regular meeting of the Whitpain Township Board of Supervisors was held virtually beginning at 6 p.m. on Tuesday, March 16, 2021. Supervisors Michele Minnick, Kimberly J. Koch, Frederick R. Conner, Jr., and Jeffrey Campolongo were in attendance, along with Township Manager Roman M. Pronczak, P.E., Assistant Township Manager David J. Mrochko, Township Solicitors Michael P. Clarke, Esq. and Alex M. Glassman, Esq., Police Chief Kenneth Lawson, Director of IT Nicole M. Leininger, Fire Marshal and Emergency Management Coordinator David M. Camarda, Code Enforcement Officer Michael E. McAndrew, Public Works Director Thomas Farzetta, Finance Director Christine M. Bauman, HR Director Kathleen Yackin, Township Engineer James E. Blanch, P.E., Parks and Recreation Director Kurt W. Baker, and Recording Secretary Virginia Papale. Supervisor Joyce M. Keller was absent. There were approximately 30 remote attendees.

After the Pledge of Allegiance, Chair Minnick announced that the Board met in executive session this evening prior to the meeting to discuss matters of potential litigation. The first portion of tonight's meeting covers promotions and recognitions of police officers. The pandemic has made it tough to congregate and properly recognize and celebrate outstanding accomplishments of staff and community members. Tonight, we are able to do this with the help of Chief Lawson and IT Director Nicole Leininger. Our police department spends countless hours in training and modern police practices and tonight honors that. She then turned the meeting over to IT Director Nicole Leininger who explained that this evening the meeting will be in a hybrid format with virtual and in-person attendance while following social distancing guidelines during a presentation by Chief Lawson.

Chief Lawson thanked Chair Minnick and began by noting three officers have been promoted to the rank of Sergeant and one who was named SWAT¹ Officer of the Year. A sergeant is a front-line supervisor who leads a squad or division making crucial decisions during stressful times when things matter most. The position is one of the most important in any police department and while difficult, it is also most rewarding. The sergeant is the officer-in-charge at any given time, making important decisions that can be the difference between life and death. The actions of the sergeant reflect on the department and the community. The process to becoming a sergeant is difficult, and includes a written test, evaluations that are made each year, and also an oral board test.

The three officers being promoted tonight are exceptional, most experienced officers, and good leaders. First to be recognized is Sgt. Fran Rippert who is present with his family. His background includes 10 years in the United States Marine Corps, and he is also a combat veteran who served overseas. He received his Bachelor of Science degree at Temple University in criminal justice. Sgt. Rippert came to us from the Montgomery County Sheriff's Department in 2007. He is a range instructor, a SWAT team member, a training officer, active shooting instructor and has more than two years in a special detective division with Montgomery County. He most recently earned his master's degree in criminal justice.

¹A term for a law enforcement unit that uses specialized weapons and tactics.

His wife Beth and children participated in the pinning. Sgt. Rippert thanked the Chief and the Board and said he will do his best to continue to protect Whitpain.

Sgt. Thomas Wittig is also a Temple graduate. Prior to working in Whitpain, Sgt. Wittig worked in the mental health field counseling adolescents. Hired in 1999 he attended the PA Police Academy where he was a top performer. He served nine years as a patrol officer, and 13 years in the detective division. He also served as a SWAT officer for many years and has been part of the County drug taskforce. His new role is Detective Sergeant. He has received many commendations, being instrumental in bringing justice in the horrible home invasion case and he was also involved in the arrest of the serial robber case for robberies of 25+ banks in Whitpain, throughout the County and in the state of Delaware. He is an outstanding individual, a great asset to the police department. His wife Teresa and children participated in the pinning. Det. Sgt. Wittig said he has known the Chief for 21 years, and he thanked him for all he has done for his family. He also thanked Roman and Dave and all the employees on each side of the building who are great to work with. When he started, Chief Lawson was the street sergeant, and told him at the end of a conversation that Whitpain is a really good place to work. After 21 years, Det. Sgt. Wittig said it is a fantastic place to work. He again thanked everyone. Chief Lawson agreed – it is the best place to work.

Sgt. Jonathan Gallagher is a Penn State graduate and a graduate of the Montgomery County Police Academy where he excelled. He came to Whitpain in 2013 from the Pottstown Police Department where he served eight years, with six as a narcotics detective and a SWAT operator. He is a firearms instructor, field trainer, a lethal weapons instructor and SWAT officer. He has received three lifesaving commendations for gallantry and is working on his master's degree. His wife Emily and children participated in the pinning. Sgt. Gallagher said he appreciates all that Whitpain has done for him and he is happy to continue his career in Whitpain as Sergeant.

Continuing, Chief Lawson explained that the SWAT team is a group of exceptional officers who are highly trained, skilled and well-equipped to respond to any threat or incident to ensure the protection and safety of the public. In Montgomery County the SWAT teams are broken down by regions – East, Central and West. Lower Merion, Abington and Norristown have their own SWAT teams. Whitpain Township is part of the Central team, which is the largest with 58 members covering 25 municipalities. It takes dedicated, committed officers to become a member of this team. We have four officers dedicated to SWAT in Whitpain – each squad has a SWAT officer. The Central team started in Whitpain, with Lt. Rosko leading the effort in the early 1990s with two other officers in the County. It was Lt. Rosko who charged everyone to “raise the bar” and go above and beyond to be the best they can be. He passed away in 2003, and the SWAT team named an award after him called “Raise the Bar.”

Officer Shaun Beitler has been named SWAT Officer of the Year by the Central team. He “raised the bar” in 2020, responding to every call for service when requested, attended every training, bringing back ideas to the team in an effort to improve training and

technology. He is well-respected among team members and is an example to team members with less experience. Shaun is a leader for the SWAT team and for our police department. He is our self-defense teacher and range instructor. Shaun is the officer you want on your side when things go bad. He has received awards, including one for saving the life of a woman who tried to jump off the Rt. 202 turnpike overpass. More recently there was an incident of someone who was having an emotional breakdown, and Shaun came up with the tactics to solve the problem. He was also involved in the event in East Norriton at the bowling alley where there was one fatality. In watching Shaun's body-worn camera footage, Chief Lawson saw how well he reacted to the situation. We are all proud of Shaun for this recognition, and to have the plaque hanging in Whitpain Township again. His wife Christie and his children participated in the pinning. Officer Beitler thanked his wife Christie for holding down the fort at home when things get crazy. He thanked Chief Lawson and Lt. Fenerty for allowing him to be a member of the SWAT team, and he thanked the team leaders for selecting him as SWAT Officer of the Year. With his name on the plaque with previous recipients, he is humbled and honored to be selected to receive this award.

On behalf of the Board of Supervisors, Chair Minnick thanked Chief Lawson and congratulated each officer for truly outstanding work in keeping us all safe, also including the families for their efforts. Supervisor Conner added that one of the benefits of a long term in government is seeing the progress in the careers of staff, especially the officers. They are Whitpain's finest, the best of the best. It is humbling to see them live their service, the way they take care of this Township and the way their families take care of them. He offered congratulations to all. Vice-Chair Koch extended her own gratitude for taking fantastic care of Whitpain Township. We are lucky and honored to have each of them here, as well as their families. Supervisor Campolongo noted he has had the chance to interact with them and extended a sincere thanks to each and every one. He was pleased to see them bring their families to share in the honors. This department is what police work should look like. Chief Lawson thanked the Board and the Emergency Services Committee, along with Roman and Dave, for their approval of the training, education and overall support. Chair Minnick thanked the Chief and Nicole for making this hybrid/virtual segment possible.

A motion was made by Supervisor Conner, duly seconded by Vice-Chair Koch to approve the Consent Agenda as follows:

- a. Minutes of the Board of Supervisors' meetings of February 16 and March 2, 2021.
- b. February Voucher List totaling \$588,546.32, check sequence #72394 through #72621.
- c. January Treasurer's Report.
- d. Resolution Nos. 1433 through 1436, Declarations of Emergency for March.

- e. Resolution No. 1437 proclaiming April 22, 2021 as Arbor/Earth Day in Whitpain Township.
- f. Resolution No. 1438 recognizing April 2021 as PA Safe Digging Month.
- g. Resolution No. 1439 extending an Intermunicipal Agreement to December 31, 2022 to continue the Development of an Alternative TMDL Plan for the Wissahickon Creek Watershed in accordance with Ordinance No. 369.
- h. Resolution No. 1440 extending the term of Resolution No. 1357 for outdoor dining.
- i. Resolution No. 1441 authorizing the Township Manager to execute all documents and agreements with PA DEP.
- j. Grant a two-year extension of land development waiver to Fly Advanced, LLC/Wings Field for approval to maintain a modular building to house its flight school through July 16, 2023.
- k. Authorize the Township Solicitor to draft an ordinance to allow limited projections or intrusions for decks or patios into the perimeter setback in the R-3 Zoning District.
- l. Approve The Hartford Group Benefits as the vendor for life and disability benefits for employees and to authorize the Township Manager to execute a Services Agreement and other required documents and to take any additional steps necessary to use The Hartford Group Benefits for such services.
- m. Authorize the Chair and Secretary to sign on behalf of the Township a Pillar Agreement between Michael P. Tremoglie and Celeste C. Mruk, owners of the parcel located at 406 Dundee Drive, and Whitpain Township. This agreement will permit the installation of cobblestones within the ultimate right-of-way located along Dundee Drive on the condition that the cobblestones will be removed if any future road widening, repair or excavation is necessary.
- n. Sign a Maintenance Agreement between Whitpain Township and Whitpain Recreation Association (WRA) for the maintenance of the property and park improvements at Centre Square Park located on Yost Road and DeKalb Pike, being tax parcel numbers 66-00-01564-00-8 and 66-00-08515-00-5.
- o. Tax assessment appeal stipulation for parcel number 66-00-00181-61-7 (631 Broadmoor Drive); said settlement will result in the Township providing a refund of approximately \$205.32.

Chair Minnick called for any questions or comments from the Board. Supervisor Conner asked about the maintenance agreement with WRA and Mr. Pronczak explained that the

original agreement was never formally executed. Chair Minnick called for public comment. There was none. With no additional comments from the Board or the public, Chair Minnick called a roll-call vote: Vice-Chair Koch, aye; Supervisor Conner, aye; Supervisor Campolongo, aye and Chair Minnick also voted in favor. The motion carried.

A motion was made by Supervisor Conner, duly seconded by Supervisor Campolongo to send the Township Solicitor to appear on behalf of the Township before the Zoning Hearing Board on Thursday, March 18, 2021 in opposition to the following application:

NO. 2274-21 – MOO PROPERTIES, LLC requests an amendment of Whippain Township Zoning Hearing Board Decision No. 1761-07, section G, with respect to its property located at 1533 Skippack Pike, Blue Bell, PA in the Township's R-1/R-2 Residential District. Applicant's requested relief, if granted, will permit the Applicant to install a driveway through the berm along Whitney Drive which will decrease the continuous visual barrier between the subject property and Whitney Drive that the prior zoning decision obligated Applicant to maintain.

Chair Minnick called for any discussion. Supervisor Conner made his motion based on the lack of specificity of the plan presented to the Planning Commission, and that the applicant was not present at the Planning Commission meeting to answer any question. Supervisor Campolongo added that he is not comfortable with the plan as submitted based on the notes and review by the Planning Commission, especially regarding the berm; we need more information. Chair Minnick called for public comment. There was none. Chair Minnick then called a roll-call vote to send the Solicitor to represent the Township in opposition of the current plan: Supervisor Conner, aye; Vice-Chair Koch, aye; Supervisor Campolongo, aye and Chair Minnick also voted in favor. The motion carried.

The Board took no action on the following Zoning Hearing Board cases scheduled for March 18, 2021:

NO. 2271-21 – RICHARD A. SUTANTO AND PUIYAN LAM request variances from Article VII, Section 160-34 relating to Side Yards for One Family Detached Dwellings and Article XXVII, Section 160-203 relating to Residential Projections into Side Yards with respect to the residence located on their property at 1566 Muhlenburg Dr., Blue Bell, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 20' by 28' first floor addition which will reduce the side yard set-back to 24' 9" when the Ordinance requires a minimum of 25 feet and will reduce the aggregate side yard width to 49' 9" when the Ordinance requires a minimum of 60 feet.

NO. 2272-21 – JOSEPH AND THERESA DOWD request variances from Article VII, Section 160-32 relating to Front Yards and Article XXIX, Section 160-225.B relating to Extension of Non-Conforming Use with respect to the residence located on their property at 701 W. Butler Ave., Blue Bell, PA in the Township's R-2

Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 3'9" by 18' 4½" first floor addition and a 15'8" by 18' 4½" second floor addition onto their residence which will decrease the front yard depth to less than 50 feet when the Ordinance prohibits same and will allow the expansion of an existing non-conforming use above the first floor level which exceeds the yard setbacks in the R-2 zoning district when the Ordinance prohibits same.

NO. 2273-21 – JOHN A. AND TIFFANY L. BATTLES request a variance from Article XII, Section 160-32 relating to Front Yards and a special exception pursuant to Article XII, Section 160-33 relating to Front Yards on Corner with respect to the residence located at 1566 Thayer Dr., Blue Bell, PA in the Township's R-2 Residential District. Applicants' requested relief, if granted, will allow Applicants to construct a 24' by 28' two car attached garage that will decrease the depth of the front yard to less than 50 feet when the Ordinance permits same only by the grant of a special exception by the Zoning Hearing Board.


Chair Minnick turned the meeting over the Vice-Chair Koch for the public comment portion of the meeting. Vice-Chair Koch then called for public comment. There were no comments from the public, and the meeting was returned to Chair Minnick.

Prior to asking for Board comment, Chair Minnick thanked the staff, her colleagues and members of boards and commissions for all of the kind messages of condolence she received. The heartfelt sentiments meant a lot.

She then asked if the Board had any old or new business to discuss. Vice-Chair Koch said she recently learned that information on our website can be translated into a multitude of languages, noting it is a fantastic service. She also made note of several Township employees who are bi-lingual and thanked staff for the support they give to the residents. Supervisor Campolongo thanked the newly honored Sergeants, the Chief and Officer Beitler for their service, as well as other first responders who responded to the fire call at Normandy Farm. With mutual aid from other departments, the fire was quickly brought under control with no injuries, and they rescued the bride's dress. He thanked Chief Miller and the Centre Square Fire Company.

With no further comments, a motion was made by Vice-Chair Koch, seconded by Supervisor Campolongo to adjourn the meeting at 6:47 p.m.

Respectfully submitted,


Frederick R. Conner, Jr., Secretary