

**WHITEMARSH TOWNSHIP BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES**

JUNE 11, 2020

The Regular Monthly Meeting of the Whitemarsh Township Board of Supervisors was held on Thursday, June 11, 2020 at 6:00 PM, a virtual ZOOM meeting, due to COVID-19 pandemic.

Supervisors Present: Laura Boyle Nester, Chair; Fran McCusker, Vice-Chair; Michael Drossner; Vincent Manuele and Jacy Toll.

Also Present: Richard L. Mellor, Jr., Township Manager; Sean Kilkenny, Township Solicitor; James Hersh, P.E. Township Engineer and Charles L. Guttenplan, AICP

PLEDGE OF ALLEGIANCE

Moment of Silence for George Floyd

Chair Nest called for a moment of silence for George Floyd who was killed by a police officer on May 25. She stated the Board of Supervisors along with the community and the Police Department will be working together to define mechanisms to communicate with each other to address concerns and issues. The intention is to establish a structure to move forward together.

Update from Whitemarsh Chief of Police, Christopher P. Ward

Chief Ward stated the Board of Supervisors has asked me to speak this evening in response to the emails and inquiries that the Board, The Township Manager and I have been receiving over the last couple of weeks in reference to the Policies and Procedures of the Whitemarsh Township Police Department as they pertain to some of the issues that have arisen out of the death of George Floyd while in police custody in Minneapolis. Minnesota. He stated he wants to let everyone know that he has have written this information down and will be reading this information in an attempt to address as many of the concerns as possible. Please understand that this is a first step in sharing information with the public and I personally look forward to meeting with residents and groups to have more personal conversations. As I have mentioned to those that I have spoken with or corresponded with, COVID-19 has made face to face meetings difficult thus far, but, hopefully, COVID-19 will continue to recede and face to face meetings can occur more easily.

First, I want to point out that the Whitemarsh Township Police Department is one of 120 accredited police departments in the State of Pennsylvania. There are 1,117 police agencies in Pennsylvania. Our police department was first accredited in July of 2008 and we are currently in the process of completing our fourth re-accreditation, which should be completed by the middle of this month. The accreditation is granted by the Pennsylvania Chiefs of Police Association. "Accreditation is the progressive and time-proven way of helping institutions evaluate and improve their overall performance. The cornerstone of this strategy lies in the promulgation of standards containing a clear statement of professional objectives." The Pennsylvania Chiefs of Police, through the Pennsylvania Law Enforcement Accreditation Commission, are constantly evaluating and updating police policies and procedures to make sure that agencies are utilizing the best police practices possible. These policies and procedures are always evolving and improving, which helps each accredited agency evolve and improve.

Many people have asked about Body-worn Cameras. The Whitemarsh Township Police Department does not have Body-worn cameras. Until 2017, the Pennsylvania Wiretap Act was in conflict with police officers wearing Body-worn cameras, but that was amended under ACT 22 of 2017. In 2018 the Pennsylvania District Attorneys Association issued guidance on the best practices for implementing and utilizing Body-worn cameras. The Whitemarsh Police Department does use In-car cameras or “dash- cams” in all of our vehicles that are used for patrol. The In-car camera systems are all manufactured by WatchGuard. WatchGuard also has the ability to provide Body-cameras that would operate on the same IT platform as the In-car cameras. Some of our neighboring police departments have recently purchased and deployed WatchGuard Body-cameras. We have researched pricing for WatchGuard’s latest and most reliable Body-cameras and we are receiving invaluable feedback from those other local police agencies on their successes and failures with these cameras. It should be noted that the cost to outfit our entire 36-man department would be in excess of \$70,000.00.

People have asked if we have a Use of Force Policy. Yes, General Order 1.3.1 Use of Force addresses the Use of Force. This policy requires the review of every Use of Force occurrence. That review is performed by senior officers and improper Uses of Force are subject to Disciplinary Review. Cases where the Use of Force is well outside the normal range, assistance can be obtain from the Montgomery County District Attorney’s Office through the Montgomery County Detective Bureau and all cases where Deadly Force is utilized by a member of the Whitemarsh Township Police Department are investigated by the D.A.’s Office.

General Order 1.8.3 Bias Based Policing- the purpose of this procedure is to unequivocally state that profiling racial and ethnic status or gender or sexual orientation or any combination of these is totally unacceptable, and provide guidelines to officers to prevent such occurrences while protecting officers when they act within the dictates of the law and policy from unwarranted accusations. Any person may file a complaint with the department if they feel they have been stopped or searched based on racial, ethnic, sexual orientation or gender- based profiling, and no person shall be discouraged, intimidated or coerced from filing such complaint, or discriminated against because they filed such a complaint.

General Order 2.3.1 Complaint Review Police/ Internal Affairs guides us on investigating all reports of police misconduct, including improper Use of Force, profiling or discrimination. Our procedures dictate that we accept and investigate all complaints against police officers, even those filed anonymously. More serious and complicated complaints against the police can be investigated with the assistance of the District Attorney’s Office.

There were also questions about Mental Health. Some were concerned with dealing with people who are experiencing a mental health crisis and others were concerned with Police Officers’ mental health. General Order 2.7.8 Mental Illness addresses dealing with individuals who may be experiencing mental health issues. The Whitemarsh Police Department is fortunate to receive guidance and assistance form Montgomery County Emergency Services in this area. Emergency Services provides the most up to date information and practices to all Montgomery County police officers, they provide training and they respond to assist us with mental health intervention when necessary. Our local partner for assistance, guidance and training for Mental Health issues is Brooke Glen Behavioral Health, which is located in the Fort Washington

section of the township. They will also provide us with updates on the care of person's in need of mental health assistance and they provide training in our station for our officers.

As for Mental Health issues with our police officers. Every police officer receives a psychological evaluation as a condition of his or her employment. From there, our Insurance provider, Delaware Valley Trust, provides training and support for our personal mental health. Monthly newsletters provide insight and ideas, to include early warning signs for mental health issues, to include stress and anxiety. Most recently, we received information on dealing with Critical Incidents, like those that have arisen out of the recent civil unrest. The Delaware Valley Trust also provides anonymous services to officers and their families who are experiencing mental health issues. All employees of the township are provided contact cards with information on how to access these anonymous services. Supervisors may re-issue these cards to employees that are showing signs of need. Finally, if needed, police supervisors have the right and responsibility to remove an officer from duty if they feel that the officer is experiencing a mental health crisis. Voluntary or non-voluntary evaluation will then occur.

There were questions about De-Escalation Training. Yes, all police officers in Whitmarsh Township have received De-Escalation Training. Even though de-escalation training has been around for a few years, this discipline is rapidly evolving and becoming more refined and available. In an attempt to keep our officers up to date on this training we have sent officers to training to become Trainers in this discipline. Their training was provided by the Commonwealth of Pennsylvania, Institute for Law Enforcement Education.

Policies and Procedures of a police department are a living and breathing entity. Policies and Procedures change constantly as the world around us changes and newer and better best practices are discovered and created. The events of the last few weeks with the George Floyd protests, not to mention the events of the last few months with the COVID-19 Pandemic, are going to lead to changes in policing and changes to our Policies and Procedures. As we always do, the Whitmarsh Township Police Department will look to the organizations that lead the way in police reform and new or improved policies and practices. These organizations include the International Association of Chiefs of Police, the Pennsylvania Chiefs of Police Association and the Police Chiefs of Montgomery County Association. All of these organizations work with stakeholders internationally, nationally and locally to develop the very best guidelines and principals for today's police officers.

On a local level, the Whitmarsh Township Police Department runs two programs that give our residents access and insight into the police department. Our Cop Camp program is specifically designed for 10 and 11 year-olds to introduce them to police work let them see inside the police department and experience some of the jobs and tasks that the local police perform. This one week summer camp also allows our Cop Campers to meet the members of the department. Unfortunately, COVID-19 has caused us to cancel this year's Cop Camp. For adults, we have the Citizens Police Academy. This is a ten night program that we run in the Fall. Academy members meet one night a week for ten weeks and they get to see the inner workings of the police department and meet every member of our agency. This interactive educational program gives attendees the opportunity to see how we work and some of the tools that we use to perform our job, while affording them the opportunity to interact with our officers and ask questions about the Whitmarsh Township Police Department and policing in general. I highly encourage any

member of the community who is interested to sign-up for this year's Citizens Police Academy. Information is available on the township website or you can contact Sgt. Brian Mack or myself at the police department.

As I stated at the beginning of my statement, "this is the first step" in sharing information with the community. The Board of Supervisors, the Township Manager and I look forward to future meeting, conversations and interactions with the community on these topics. As COVID-19 passes it will be easier to have these interactions in some form in-person.

In closing, I want to thank the Board of Supervisors for allowing me this opportunity to address the public during their meeting. The Board of Supervisors of Whitemarsh Township not only supports the police department and encourages our constant growth and education as police officers, they expect for us to strive to be the best police department that we can be. The Board of Supervisors and the residents of Whitemarsh Township have the right to expect that and we, the officers of the Whitemarsh Township Police Department, have a duty to deliver services that reflect that.

Please remember that we are not perfect as a police department. We are always looking to improve. We are always open for conversation and education and I look forward to hearing from and meeting with many of you to discuss issues in the near future.

Chair Nester spoke about the Human Relations Commission that was formed in 2011, that was put in place to address discrimination specifically related to employment and housing. She asked the Township Manager to look into the HRC as an opportunity to use it as a stepping stone and a mechanism to move the township forward.

Hugo

Chair Nester spoke of the passing of K9 Hugo. Hugo was retired and living with his handlers family enjoying life. Hugo was born January 2008, he started his service to Whitemarsh Township in August of 2009 and he retired in December of 2017. The Board of Supervisors offered Officer Sweeney, Hugo's handler and Officer Sweeney's family their sincerest sympathies.

Proclamation for 2020 Graduates

Chair Nester said the Board of Supervisors wanted to acknowledge and congratulate the students who graduated in these unprecedented times. As such they adopted this following proclamation:

WHITEMARSH TOWNSHIP PROCLAMATION

WHEREAS, the graduating Class of 2020 is living in extraordinary and unprecedented times as they conclude their studies virtually, instead of in the classroom, surrounded by classmates, friends, and teachers; and

WHEREAS, due to many challenges of the coronavirus pandemic, the members of the graduating classes are in the unenviable position of being unable to walk with their classmates to receive their diplomas and other much-deserved recognitions; and

WHEREAS, the 2020 graduates of the public and private grade schools, high schools, colleges and universities attended by Whitemarsh Township residents are to be praised for their diligence in accomplishing their objectives while facing numerous challenges; and

WHEREAS, the Board of Supervisors of Whitemarsh Township sincerely recognizes this wonderful time of life for the many graduates who go forward like none before them.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Whitemarsh Township congratulates the Class of 2020 and wishes all graduates a most successful future.

RESOLVED this 11th of June 2020.

WHITEMARSH TOWNSHIP BOARD OF SUPERVISORS

Chair Nester asked Mr. Mellor for his announcement. Mr. Mellor congratulated Sean Halbom, Assistant Manager and his wife Lauren on the birth of their son Liam.

ANNOUNCEMENTS

Supervisor McCusker announced:

4th of July Parade Cancelled

The leadership of the Whitemarsh Township 4th of July Parade Committee made the difficult decision to recommend cancelling the 2020 Parade. They have been closely and carefully monitoring the situation and those of surrounding communities in the region that hold special events in the summer and the 4th of July holiday. The overwhelming majorities of those Townships and Boroughs have chosen to cancel or are recommending the events be cancelled. In addition, the health and safety of our residents, participants, sponsors, vendors, entertainers, volunteers, and staff was a priority in making this decision. The Parks and Recreation Department is planning a Virtual 4th of July Celebration with links to parades, fireworks, crafts, etc. for the community to enjoy that will be sent out via the Department's social media Eblast and Facebook.

Basketball Courts Opened for Free Play

Upon entering Yellow Phase the Parks and Recreation Department opened the basketball courts in Whitemarsh Township Parks for free play (non-organized) on Tuesday, June 9th in compliance with CDC and Health Department guidelines.

Playground and Rental of Pavilion Update

The Playgrounds and Public Restrooms will remain closed until the Green Phase in accordance with the Governor's Plan and CDC guidelines for health and compliance.

Summer Camps

The Parks and Recreation Department is very happy to announce that we will be holding Summer Camps at Miles Park and the Cedar Grove Barn this summer with modifications to be in compliance with the regulations. In order to meet these requirements and provide the highest degree of safety for the participants and staff, the opening of Summer Camps will begin on Monday, July 6th.

In addition, as we enter the Green Phase, the Parks and Recreation Department is currently taking reservations for our one-week specialty camps scheduled for July and August. These camps include: Theatre Horizon Camp, Sports Camps for Basketball, Lacrosse, Soccer, Flag Football, Track and Field, Cheerleading, and Baseball, Cooking Camp, and Service and Yoga Camp. In addition, we will be offering Engineering for Kids in a Virtual Format with topics that include Jr. Engineering Camp, Scratch Programming: Space Pioneers, Apprentice Computer Aided Design, and Scratch Game Design. These programs will follow COVID-19 CDC and Pennsylvania Department of Health Guidelines.

The Township Administration Building and Koontz Park are open to the public in a limited manner during the Governor's yellow phase. The hours are Monday – Friday 9AM to 1PM or by appointment. Visitors are required to wear a mask and practice social distancing when entering the buildings.

The contractors working at the intersection improvements at Joshua Road and Stenton Avenue will move the detour to the other side of Joshua Road along the Philadelphia Cricket Club on June 15th. This section of road will be closed for approximately 6 weeks.

PUBLIC HEARINGS

None

APPROVAL OF MINUTES

1. May 14, 2020

On a motion by Supervisor Drossner, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors approved the May 14, 2020 meeting minutes.

BOARD PUBLIC DISCUSSION ITEMS

1. Township Finance Month Ending May 31, 2020

Nathan Crittendon, Director of Finance stated as a proactive response to the economic effects of the COVID pandemic, the Township began monitoring the tax revenues, being the primary revenue stream, in a similar fashion as is done during the budgeting process. Provided below is an explanatory summary of the findings, as well as a copy of the Township's financial standing for both the end of April and current year to date standing. Overall the Township realizes substantial tax collection revenues: In the interest of maximizing the fluidity of cash flow, the Finance department remained open during pandemic closure, with

the approval of the Township Manager. This discussion resulted in the Township achieving 84% of its budgeted goal by the end of April and 90% of its budgeted goal year to date. To date, over 3.5 million dollars in collections have been processed, exceeding the prior year's collections by 6%. As of the meeting we received an additional \$40k+ from real estate transfers and purchases, as well as another \$260k+ from Berkheimer. Mr. Crittendon stated with the Federal Reserve lowering rates, home buying and refinancing interest have spiked, benefiting the Township in two significant areas. The first is seen in the higher delinquent collections, as homeowners need to be current on their taxes in order to refinance or sell. The second number is the interim tax, which generates as a result of new home purchases. This number ties into the real estate transfer tax. All three areas are experiencing continued windfalls throughout the pandemic period. (Current months transfer tax amounts are not received until the following month. However, home sales have sustained in the Township as confirmed by the Recorder of Deeds office.) Earned income tax is still on par with prior years collections in local service tax, and both earned income tax revenue lines, while business taxes (BPT) experienced significant losses in May. BPT collection shortfalls represent 84%, or \$1.45 million, of the Act 511 shortfall. However, with the state changing our status to yellow business privilege collections are expected to fall in line by quarters end. He said working with department heads they were able to keep expenditures down. He thanked each of the department heads they helped out. In addition the township permits are at an all time high.

ORDINANCES

None

RESOLUTIONS

1. WalkWorks Grant Resolution - Washington Street Feasibility Study Matching the TCDI Grant

Mr. Guttenplan stated the resolution is required for a 'WalkWorks' grant application that the Township would like to apply for, as a match for the 'Transportation and Community Development Initiative' (TCDI) grant the township applied for previously for the proposed study entitled, 'A Multi-modal Connections Study of Washington Street and the Riverfront of Spring Mill Station'. That grant application was for \$100,000, of which we are being awarded \$80,000. The WalkWorks grant application would be for \$20,000. If the township is able to obtain this grant, we would then have grant funding at our original target level of \$100,000. The estimated total study cost is \$125,000.

He explained WalkWorks grants are administered through the Pennsylvania Department of Health in conjunction with the University of Pittsburgh Graduate School of Public Health Center for Public Health Practice. They fund 'Active Transportation Plans' which aim to establish new or improved pedestrian, bicycle and transit transportation systems - activity-friendly routes - that are combined with land use and environmental design, thereby increasing connectivity to everyday destinations. Gilmore & Associates is assisting with the preparation of the grant application and has successfully obtained them in the past; they believe that the proposed plan is a good fit for the WalkWorks criteria.

He stated the study would be aimed at recommending improvements necessary to resolve a number of circulation issues, including dead-end Lee Street and dead-end Washington Street. The study

will also address: outdated pedestrian crossings for the Schuylkill River Trail; confusing access to the SEPTA Spring Mill train station; conflicts between vehicular, bicycle, and pedestrian traffic in general; better access to the river; and the overburdened parking in the area. It will also look at specific potential land uses for underutilized parcels of land which could help promote new economic development.

Sydelle Zove (Harts Ridge Road) asked if the two study areas align and if the application ties in with the other study. Mr. Guttenplan stated the study area includes the lower end of the PECO Right of Way to coordinate with the trail study.

Sydelle Zove asked of the timing with the three grants. Mr. Mellor explained it is four grants. He explained the timing is they are all studied independently and there is connectivity between the grants.

Sydelle Zove hope public will have a voice in feasibility. She also spoke about the development at 901 Washington Street. Mr. Mellor explained each grants have a requirement of public participation. It was stated that the Board of Supervisors will be making the decisions regarding 901 Washington Street.

On a motion by Supervisor Toll, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors adopted **Resolution #2020-14** authorizing the submission of a WalkWorks Grant Application for the Study of Washington Street and the Riverfront of Spring Mill Station

2. Amending Non-uniformed Retirement Plan - Permit Loans from the ICMA RC Defined Contribution Plan

Mr. Crittendon stated at the direction of the Township, the Finance Department began the process of assessing the retirement plan structure for its ability to comply with the intentions of the Coronavirus Aid Relief and Economic Security Act, (CARES Act) passed on March 27, 2020. After reviewing the plan documents with the ICMA plan manager, it is determined the plan does not support the intentions of the CARES Act, as it is a Money Purchase Plan (MPP), which, in turn, is structured as a pension plan. In order to support the intentions of the CARES Act, the Township would have to introduce, by way of the Board of Supervisors, a temporary modification to allow employees to take a loan against retirement funds. It is the recommendation of this office, the documents presented to the Board of Supervisors this evening be ratified to allow employees experiencing financial difficulties due to the effects of the COVID-19 pandemic to attain some assistance by way of their retirement savings through December 31, 2020.

Supervisor Drossner asked if there is a limit to what they can take. Mr. Crittendon explained employees can take no more than ½ of their 401(a). This protects their retirement and there is a structured repayment plan. Supervisor Drossner stated he is glad the Township is able to hep out employees with financial struggles at this time.

On a motion by Supervisor Toll, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors adopted **Resolution #2020-15** amending the Non-uniformed Retirement Plan with ICMA RC to permit employees to take loans from their Defined Contribution Plan through December 31, 2020

MOTIONS

1. Ordinance Advertisement to Purchase Real Property under Act 153 - The Highlands/7001 Sheaff Lane

Mr. Mellor explained the advertisement an ordinance to purchase real property in accordance with the Whitemarsh Township Home Rule Charter for a 27.82 acre Conservation Easement at The Highlands Mansion located at 7001 Sheaff Lane.

He stated the Township has been working with the Highlands Historical Society and Representative Mary Jo Daley to preserve the 44 acre historic property since the Pennsylvania Historical and Museum Commission (PHMC) has included the property on their list to divest. As a result, the Highland Historical Society (HHS) approached the Township with a plan that would allow the State to sell the property to the HHS for \$1 and then the Township would enter into an Agreement of Sale with HHS. The Township would purchase a Conservation Easement from HHS to preserve the 27.82 acres of open space in the amount of \$3.01 million dollars. The funds would come from the Township's Open Space Earned Income Tax (EIT) fund and be used by HHS to improve and maintain the historic late 18th century Georgian mansion and two-acre formal garden. He further explained the State Legislature would have to ultimately approve the deal presented above and Rep. Daley has agreed to introduce legislation with the support of PHMC and the Pennsylvania Department of General Service (DGS) which is the Department that oversees real estate transactions for the Commonwealth. As of now, the Township is working with Rep. Daley on proposed language for the Bill that would protect the investment of the Township's purchase of the Conservation Easement should the property revert back to the State at any time in the future. We will be able to move forward with the adoption of the Ordinance. The Township Open Space Committee has recommended and supports this transaction and the use of Open Space EIT funds for the purchase of the Conservation Easement. He said the Township appreciates the support of the Highlands Historical Society in their commitment to oversee the preservation of The Highlands.

Supervisor Drossner stated it is a great idea to protect a large amount of acreage in the Township.

Eli Glick (Whitefield Drive) asked will control the site and he has concerns regarding the use of the property. Chair Nester stated she also has concerns. Supervisor Manuele stated the documents are clear there is not a third party on that property and the Township who will decide what will happen on the property. There was a discussion on the property use.

Edmond Shinn (Open Space Committee) stated he is on the board of the Highlands Historical Society. He explained one of the Board of Supervisors members will sit on the Highlands Historical Society Board to provide continuity for communication.

Dave Sanders (Township Solicitor) explained the ordinance is not drafted at this time. He explained there will be a public hearing and it will be advertised as well, before approval.

On a motion by Supervisor Drossner, seconded by Supervisor Manuele (Vote 5-0) the Board of Supervisors authorized the Ordinance advertisement to purchase real property under Act 153 to allow a 27.82 acre Conservation Easement at The Highlands Mansion located at 7001 Sheaff Lane in the amount of

three million ten thousand dollars (\$3,010,000.00)

2. Notice of Intent to Award Public Bid - Germantown Pike Pedestrian Crossing

Mr. Hersh explained the bids submitted to the Township and publicly opened on May 14, 2020 for have been reviewed with the following results: Premier Concrete, Inc. \$128,900.50; Road-Con, Inc. \$129,534.10; Marino Corporation \$135,413.90; Ocean Construction \$141,624.32; Wyoming Electric and Signal \$211,226.95.

Mr. Hersh stated based on the attached bid evaluation that is summarized above, Premier Concrete, Inc. is the lowest responsive bidder for the Total Bid for this project. It is therefore recommended that the Board of Supervisors authorize the Township Engineer's office to issue a Notice of Intent to Award to Premier Concrete, Inc. for the Total Bid cost of \$128,900.50. Final awarding of the contract is contingent upon a successful outcome to the required Responsible Contractor Determination that will be performed by our office. This project, together with a separate signal improvements project at Colonial & Flourtown Roads, will be partially funded by a Multimodal Transportation Fund (MTF) grant in the amount of \$250,000.00 which will help offset the cost of construction. Chair Nester stated the neighbors on Colony Lane and Mayflower Road are eager to have this happen.

Sydelle Zove asked about the project at Flourtown Road and Colonial Drive, she asked if that was part of the crosswalk. Mr. Hersh explained it is separate but it does share grant funding with this project.

On a motion by Supervisor McCusker, seconded by Supervisor Toll (Vote 5-0) the Board of Supervisors authorized the Notice of Intent to Award the Public Bid to Premier Concrete, Inc. in the amount of \$128,900.50 for the Germantown Pike Pedestrian Crossing.

3. Ordinance Advertisement - Amend Chapter 103 "Streets and Sidewalks" to Protect Pavement Surfaces

Mr. Hersh explained the ordinance amendment would codify a five-year moratorium for any new pavement cuts on any roads recently paved or restored in Whitmarsh Township. Pavement cuts alter and degrade pavement surfaces adjacent to the cut. Pavement cuts should be limited, in order to help preserve pavement integrity, rideability and appearance of new street surfaces. In the event of an emergency, it will occasionally be necessary to cut into a street that has been paved within the past five years. This ordinance amendment will establish the basis and process for determining the level of repair and replacement for utility cuts on recently paved streets.

On a motion by Supervisor Manuele, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors authorized the Ordinance advertisement to amend Chapter 103 'Streets and Sidewalks' to protect pavement surfaces.

4. Escrow Release No. 1; 252 Roberts Avenue, LLC

On a motion by Supervisor Toll, seconded by Supervisor Manuele (Vote 5-0) the Board of Supervisors authorized escrow release #1 for 252 Roberts Avenue, LLC in the amount of \$16,062.30.

5. Escrow Release No. 4; Whitemarsh Knolls, LLC/Germantown Pike

Mr. Hersh stated his office is in constant contact with the developer and residents in the area. Supervisor McCusker stated the project has not been easy on the neighbors. He explained for today the neighbors are satisfied, they are not happy and he hopes to meet with neighbors soon.

Eli Glick spoke about the trees on the property. He believes there are violations of the Shade Tree Ordinance on the property. Mr. Hersh stated the arborist has been out to the site since construction started and he stated he has been informed the tree protection fencing has been installed. Supervisor Drossner asked Supervisor McCusker if this is an issue with the residents. Supervisor McCusker stated it has not been raised by the residents. Supervisor Drossner asked what the repercussions of violations. There was a discussion about repercussions. Chair Nester asked that the arborist go on site and write up a report for the Board. Supervisor Manuele asked that he make periodic inspections.

On a motion by Supervisor Drossner, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors authorized escrow release #4 for Whitemarsh Knolls, LLC/Germantown Pike in the amount of \$96,294.77.

6. May 2020 Expenditures and Payroll and Pension Plan Paid Costs

On a motion by Supervisor Toll seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors approved expenditures totaling \$1,604,305.05; and payroll totaling \$899,586.96 and pension paid costs totaling \$8,872.94 for May 2020.

AMEND AGENDA

On a motion by Supervisor Drossner, seconded by Supervisor Toll (Vote 5-0) the Board of Supervisors amended the agenda.

6. Hold Harmless Agreement – 135 Stenton Avenue

Mr. Guttenplan explained the Hold Harmless Agreement is for a proposed 3-foot tall fence in the ultimate right-of-way of Stenton Avenue. Since this proposal does not impact an intersection, the Township Engineer's office was asked to conduct a site visit to determine if there would be any sight distance issues with the property's driveway or for the neighbor's driveway. The conclusions of that site visit conducted on June 9th is there are no sight distance issues and the Engineer recommends approval of the Hold Harmless Agreement.

On a motion by Supervisor Manuele, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors approved a Hold Harmless Agreement for a fence in the ultimate right-of-way at 135 Stenton Avenue.

7. Certificate of Appropriateness – 6 Marple Lane

Mr. Guttenplan explained the Certificate of Appropriateness is for a driveway extension at 6 Marple Lane in Plymouth Meeting. The extension would be approximately 70 feet long and would extend the driveway from its current terminus near the front of the house, to a shed approximately 25' to 30' to the rear of the house. This property has been the recipient of other Certificates of Appropriateness in the last couple of years for a substantial addition and extensive renovations. HARB saw no issues with the proposal and passed a unanimous motion recommending approval of a Certificate of Appropriateness for the driveway extension as proposed.

On a motion by Supervisor Toll, seconded by Supervisor Drossner (Vote 5-0) the Board of Supervisors approved the Certificate of Appropriateness for the installation of a driveway extension 6 Marple Lane.

8. Certificate of Appropriateness – 6 Catherine Lane

Mr. Guttenplan explained the Certificate of Appropriateness is for a raised deck in the rear yard of 6 Catherine Lane (Maple Hill Development). This will not be seen from the street. It is 41' x 19' and approximately half of it will be covered with an A-frame roof. The deck surface will be 'Trex' composite material. The Homeowners' Association has approved this project. HARB passed a unanimous motion recommending approval of a Certificate of Appropriateness for the deck as proposed, conditioned upon the applicant sending material specifications to staff for approval and for staff to determine that the deck does not conflict with the Historic District Design Guidelines. Staff found no issues after review of material specifications sent after the meeting; staff also sees no conflict with the Guidelines since this is not visible from the street and this is a non-historic property within the District.

Sydelle Zove asked if the location of the historic one room school house provides a role for the homeowners association to enforce proper maintenance. There was a discussion about the school house and the Homeowners Association. Mr. Guttenplan stated he believes it is the homeowner who will take care of it, but he does not have the development agreement in front of him.

On a motion by Supervisor Drossner, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors approved the Certificate of Appropriateness for the installation of a covered deck at 6 Catherine Lane.

PUBLIC COMMENT PERIOD

John Brandt (resident) spoke about establish accountability and transparency for police department in the future. He spoke about the Coffee with a Cop program and asked to consider doing it again. He asked about a town meeting with citizens to talk about the police issues. Chair Nester stated they are always looking at ways to work together. Chief Ward said his department is open to anything with the Board of Supervisors and the public as the township moves forward, after Covid 19. Supervisor Manuele stated the township and the Board is committed to ensure to root out racism with meaningful oversight.

Sydelle Zove asked the Chief if it is necessary to have one camera per officer. The Chief explained recharging, making sure the shifts are covered and the reasoning behind the decision.

Eli Glick stated he believe he should be a reflection of the community. There was a discussion about the ethnic background of the police department and stated there should be diversity in the department. Supervisor Drossner stated he agreed with Mr. Glick and stated the Board has had the conversation with the Chief. Chief Ward stated in hiring and the department has made a lot of efforts to diversify the department. He explained the hiring process. John Brandt spoke about the demographic of the township. Lou Ann Merkle spoke about a group she is part of on Facebook and the events that are being planned around the area for these issues. Supervisor McCusker had a few residents from the area asked if the police have cultural diversity training and asked if there will be changes in policy and training. Chief Ward agreed they do from different sources. Supervisor McCusker asked if there is any type of mental debriefing for the police. Chief Ward stated Delaware Valley Trusts immediately provide any support the department needs. He explained the officers can contact them to get help also. He explained on a professional level there is an Incident Cism Team on any serious incident that occurs, they are brought in to talk with the officers.

Chair Nester stated she asked Sean Kilkenny, Montgomery County Sheriff to join the meeting. Sheriff Kilkenny stated the Sheriff's department has a great working relationship with the Whitemarsh Police Department. He re-iterated the hiring issues in law enforcement. He spoke about his experience in going through the Montgomery County Police Academy. He spoke about the diversity training he provided to the members of the Sheriff Department.

BOARD MEMBER COMMENTS

Supervisor McCusker asked if the Township is having any Juneteenth Celebration.

EXECUTIVE SESSION

Chair Nester announced the Board of Supervisors held an Executive Session on prior to the meeting to discuss litigation.

ADJOURNMENT

On a Motion by Supervisor McCusker, seconded by Supervisor Drossner the meeting for June 11, 2020 was adjourned at 8:30 PM.

Respectfully Submitted,

Richard L. Mellor, Jr.
Township Manager