

**WHITEMARSH TOWNSHIP BOARD OF SUPERVISORS  
PUBLIC MEETING MINUTES  
March 10, 2016**

A Regular Monthly Meeting of the Whitemarsh Township Board of Supervisors was called to order on Thursday March 10, 2016 at 7:00PM in the Whitemarsh Township Building, 616 Germantown Pike Lafayette Hill, Pennsylvania.

**Supervisors Present:** Amy Grossman, Chair; Melissa S. Sterling, Vice-Chair; Laura Boyle Nester; and James A. Totten

**Also present:** Richard L. Mellor, Jr., Township Manager; Sean P. Kilkenny, Esquire, Township Solicitor; Charles L. Guttenplan, AICP and James C. Sullivan, P.E., Township Engineer.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS**

Supervisor Sterling announced:

**PHOTO CONTEST**

Whitemarsh Township is once again launching a photo contest for residents to submit their favorite photo of Whitemarsh Township. Categories for photos are the following: Architecture, Culture, People, Landscape, and Nature. Winning photos will be used on the Township website, newsletter and social media pages AND awarded gift cards for local businesses. Deadline is Wednesday, March 23. Please visit the Township website for more information.

**AQUA PA CONSTRUCTION**

Aqua Pennsylvania (Aqua) will replace the existing water mains on the following streets in Whitemarsh Township, Montgomery County. The project is scheduled to begin the week of March 14, 2016 with completion expected in May.

- Barren Hill Road between Harts Lane and Ridge Pike (weekdays 7 am - 3:30 pm)
- Cherrydale Drive between Harts Lane and the cul-de-sac (weekdays 9 am and 3 pm)

**CEDAR GROVE ROAD CLOSURE**

Cedar Grove Road is scheduled to be closed on March 17th for approximately 2 weeks. This will be a FULL CLOSURE OF ALL VEHICLES. The location of the work is in the area of 201 Cedar Grove Road. Please visit the Township Roads page for more information.

**HOPE LODGE**

Hope Lodge Charter Day is scheduled for Sunday, March 13, 2016 from 12 – 4 PM. This is a free event.

## **Board of Supervisor Vacancy Interviews**

Chair Grossman Stated this evening the Supervisors will be interviewing for the supervisor vacancy. She explained as of the resignation of Mr. Hart the Board of Supervisors has 30 days to fill the vacancy. She stated they will call the candidates to the podium, from a list provided by the Township Manager. She explained the Board has rescheduled the second March meeting to Tuesday, March 29, 2016 at 7:00PM where the Board will consider an appointment to fill the vacancy. She asked the candidates to come up and introduce themselves, provide the Board with some background information and let the Board know why they are interested in becoming a Township Supervisor. The following residents submitted their interest and spoke to the Board:

Richard Frey (absent)  
 Fran McCusker  
 Russell Bland  
 Terry Ferris  
 Jack Williams  
 Michael Drossner  
 Heather Palmer  
 Steven Sherbert

## **PUBLIC HEARINGS**

None

## **APPROVAL OF MINUTES**

### **1. February 25, 2016**

On a motion by Supervisor Sterling, seconded by Supervisor Totten (Vote 4-0) the Board of Supervisors approved the February 25, 2016 meeting minutes.

## **BOARD PUBLIC DISCUSSION ITEMS**

### **1. SLD #07-08; Germantown Academy/340 Morris Road; Phase 2A of the Master Plan - Conditional Final Plan**

Mike Ruffo, project manager for Germantown Academy, explained the phased project master plan that Germantown Academy developed in 2007. He stated Germantown Academy is now planning the construction of a synthetic turf athletic field and a 13,730 square foot addition to the existing field house. Modifications and additions to existing driveway and parking facilities are also included which will result in 18 additional parking spaces. He said originally there were 38 new parking spaces planned however to avoid disturbance to a 40-inch heritage tree there is a modification to the parking area to the 18 spaces mentioned; their tree disturbance and replacements were reviewed and approved by the Shade Tree.

Mr. Guttenplan said none of the currently proposed parking spaces are required by the Zoning Ordinance; therefore there is no issue with the reduction in number.

## Resolutions

### 1. **SLD #07-08; Germantown Academy/340 Morris Road; Phase 2A of the Master Plan - Conditional Final Plan**

On a motion by Supervisor Sterling, second by Supervisor Totten (Vote 4-0) the Board of Supervisors adopted **Resolution #2016-09** granting conditional Final Plan approval for SLD#07-08; Germantown Academy/340 Morris Road for Phase 2A of the master plan providing for an addition to the fieldhouse, a new turf field and 18 new parking spaces.

## ACTION ITEMS

### Ordinances

#### 1. **Ordinance to Purchase Real Estate - Joshua Hill, Inc./Joshua Road**

Mr. Mellor explained the ordinance authorizes the purchase of real estate as well as the use of Open Space funds to acquire the property known as Joshua Hill. This 11.63 acre parcel is located on Joshua Road between National Label and Andorra Woods. He said by way of background, the Township entered into a settlement agreement for the property in 2007. As a result of the property being located in the LIM — Limited Industrial Zoning District, the agreement provided a plan to permit 36 single-family attached dwelling units which would be marketed as age-targeted for 55 and over. Due to environmental issues at the site and as part of the agreement, the owner was required and has obtained the necessary Pennsylvania Department of Environmental Protection Act 2 clearances for the property. Additionally, this parcel is near the 50 acres of Kline Park dedicated by National Label as well as the 7.5 acres of open space being dedicated to the Township as part of The Oaks at Lafayette Hill townhouse development. If you include the 23-acre Gambone Tract and 25-acre Cedar Grove Park the Township will control a total of approximately 117 acres of open space in this area of Whitemarsh, if this parcel is purchased.

Mr. Mellor explained the Township recently commissioned an appraisal of the property to determine the fair market value. Based on the appraisal, an offer of \$2,000,000.00 was made to the property owner for the fee simple acquisition of the property. This offer was accepted with the request that settlement occur no later than April 1, 2016.

Chair Grossman stated this is a very exciting opportunity for the Township. Supervisor Sterling thanked Staff for their work and agreed it is a great opportunity for preserving open space. Supervisor Nester asked Mr. Mellor to explain about the environmental issues.

Mr. Mellor explained part of the settlement agreement imposes the owner to remediate the environmental issues on the property under the Pennsylvania Department of Environmental Protection Act 2. He stated the owner has done the work and obtained clearance from the PaDEP.

On a motion by Supervisor Sterling, second by Supervisor Nester (Vote 4-0) the Board of Supervisors adopted **Ordinance #964** authorizing the purchase of real property within the Township related to the purchase of the parcel known as Joshua Hill, Inc. on Joshua Road in the amount of \$2,000,000.00 using funds in accordance with the Open Space Lands Act, Act 153.

## 2. Ordinance Amendment - Reserved Handicap Parking

Mr. Mellor explained there was a technical mistake made when the Board approved the handicapped parking previously. He said the original ordinance had the measured direction of the sign was incorrectly listed as “westerly” and should read “easterly”.

On a motion by Supervisor Sterling, second by Supervisor Nester (Vote 4-0) the Board of Supervisors adopted **Ordinance #965** amending the Whitemarsh Township Code Chapter 111, “Vehicles and Traffic”, Article III, “Parking Regulations” to provide Reserved Parking in the vicinity of 916 East Hector Street.

## 3. Ordinance Amendment - No Parking – Germantown Pike adjacent Marple Lane

Mr. Mellor explained the police have recently received complaints from residents who work at Weichert Real Estate, 41 Germantown Pike, in regards to parking along Germantown Pike. The complainant states that the parking on the north side of Germantown Pike makes it difficult to safely pull out of their parking lot. Using a sight line triangle, members of the Traffic Safety Unit found that vehicles pulling out of the lot did in fact have an obstructed sight line looking easterly. The following changes should address the sight line issue: Hedges on the property of 43 Germantown Pike be trimmed and a "No Parking from Here to Corner" on the north side of Germantown Pike 145' easterly from Marple. He stated when the Board authorized the advertisement of the ordinance they had some questions regarding the sign. He said as a result the police department Traffic Safety Unit went out and talked to the affected residents to make sure they were aware, supportive or if they had any concerns. He said all of the property owners contacted understand this and supportive of this.

Bill Reid, 47 Germantown Pike, asked questions about who was contacted and the exact location of the no parking area.

On a motion by Supervisor Sterling, second by Supervisor Totten (Vote 4-0) the Board of Supervisors adopted **Ordinance #966** amending the Whitemarsh Township Code Chapter 111, “Vehicles and Traffic”, Article III, “Parking Regulations” to provide a ‘No Parking Here to Corner’ sign on Germantown Pike at the intersection of Marple Lane.

## Resolutions (continued)

### 2. ICMA-RC Non-uniformed (401) Retirement Plan Restatement - Governmental Money Purchase Plan & Trust Document

Mr. Mellor explained the Township has been notified by our plan administrator ICMA RC that we are required to execute a new plan adoption for the 401 non-uniformed retirement plan by April 30, 2016. The restated Governmental Money Purchase Plan & Trust Document does not change any components of the current plan but is required in order to meet the IRS regulatory six-year review schedule. All full-time non-uniform Township employees participate in this retirement plan.

On a motion by Supervisor Sterling, second by Supervisor Nester (Vote 4-0) the Board of Supervisors adopted **Resolution # 2016-10** approving the ICMA-RC non-uniformed 401 retirement plan restatement for the Government Money Purchase and Trust Document in accordance with IRS Code requirements.

### 3. **DCNR Grant Resolution - Miles Park Improvements to Drainage, Access and Playing Conditions**

Mr. Mellor explained the Township with the assistance of our Township Engineer is in the process of completing a Department of Conservation and Natural Resources (DCNR) Community Conservation and Partnerships (C2P2) grant application for Miles Park. The purpose of the grant is to improve the drainage, access and playing conditions at the park. The area of work would be primarily on the upper fields adjacent to Joshua Road. Mr. Sullivan and his firm have prepared concept plans and cost estimates for the project as this grant requires a 50% match. Mr. Sullivan gave an overview of the project and the grant application.

Mr. Mellor stated the Planning Commission recommended the work and signed a letter of support. Additionally, Tom Blomstrom, Director of Parks & Recreation has been in contact with the athletic associations who use the fields in order to obtain letters of support. He said that has been going very well.

Supervisor Nester asked when the Township would hear about the grant. Mr. Sullivan explained the applications are due April 26, 2016 and the funding is supposed to be announced sometime in the summer.

Chair Grossman said this is something the residents have needed for a long time. She said she is very happy that special needs residents are being taken into consideration. She stated there is a meeting on Monday at the library to discuss social and recreational activities available and ideas for other activities for exceptional people.

Russell Bland, Woodbine Way, asked how construction would impact Miles Park Day Camp. Mr. Mellor said the construction will be carefully scheduled. He said the township is very aware of the usage of the park. He said with careful coordination the interruption to activities will hopefully be minimal.

On a motion by Supervisor Totten, second by Supervisor Sterling (Vote 4-0) the Board of Supervisors adopted **Resolution #2016-11** authorizing the submission of a DCNR C2P2 grant application for Miles Park improvements related to drainage, access and playing conditions as well as authorizing the Township Manager to execute the grant agreement on the Township's behalf.

#### **Motions**

##### 1. **Deed of Dedication - Toll Brothers/The Oaks at Lafayette Hill/Cedar Grove Road**

Mr. Mellor explained this is an administrative action needed to record the deeds of dedication for the Toll Brothers project at The Oaks at Lafayette Hill.

On a motion by Supervisor Sterling, second by Supervisor Totten (Vote 4-0) the Board of Supervisors authorized the deed of dedication for the Toll Brothers/The Oaks at Lafayette Hill, Cedar Grove Road land development.

##### 2. **Second Grant Amendment - Andorra Creek Streambank Project**

Mr. Mellor explained the first extension was until June of 2016, but the Township only recently opened bids for the project. He stated it is hoped the project can be completed this summer.

On a motion by Supervisor Sterling, second by Supervisor Nester (Vote 4-0) the Board of Supervisors approved the second DCED grant amendment for the Andorra Creek Streambank Project providing an extension until June 30, 2017 to complete the grant project.

### **AMEND AGENDA**

On a motion by Supervisor Sterling, second by Supervisor Nester (Vote 4-0) the Board of Supervisors amended the agenda to add action items.

#### **3. Solicitor to attend the Zoning Hearing Board meeting on behalf of the Township**

On a motion by Supervisor Sterling, second by Supervisor Nester (Vote 4-0) the Board of Supervisors authorized the Solicitor to attend the Zoning Hearing Board meeting on behalf of the Township related to the appeal of the Zoning Officer's determination for ZHB #2016-08; K. Hovnanian/4006 Butler Pike.

#### **4. Certificate of Appropriateness – 105 Black Walnut Lane**

On a motion by Supervisor Sterling, second by Supervisor Totten (Vote 4-0) the Board of Supervisors approved the Certificate of Appropriateness to permit the installation of fence at 105 Black Walnut Lane.

### **PUBLIC COMMENT PERIOD**

Russell Bland, Woodbine Way, spoke about property issues with a neighbor and asked if the Township could get involved. Mr. Kilkenny asked Mr. Bland to email his concerns to the Township Manager.

### **BOARD MEMBER COMMENTS**

Supervisor Sterling thanked the candidates who came to the meeting for the interviews.

### **ANNOUNCE EXECUTIVE SESSION**

Chair Grossman announced the Board of Supervisors had an Executive Session scheduled before this evening's public meeting where they discussed real estate, litigation and personnel.

### **ADJOURNMENT**

On a Motion by Supervisor, seconded by Supervisor the meeting was adjourned at 8:10 PM.

Respectfully submitted,

Richard L. Mellor, Jr.  
Township Manager

March 10, 2016