

WHITEMARSH TOWNSHIP BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES
June 9, 2016

A Regular Monthly Meeting of the Whitemarsh Township Board of Supervisors was called to order on Thursday June 9, 2016 at 6:40PM in the Whitemarsh Township Building, 616 Germantown Pike Lafayette Hill, Pennsylvania.

Supervisors Present: Amy Grossman, Chair; Missy Sterling, Vice Chair; Michael Drossner; 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:

PGA Senior Championship will take place at the Philadelphia Cricket Club on Valley Green Road from June 9, 2016 through Sunday June 12, 2016, expect higher than normal traffic in the area of Joshua Road to Militia Hill Road, Stenton Avenue from Joshua Road to Mill Road and Cricket Road from Stenton Avenue to Bethlehem Pike.

Flourtown Road from Joshua Road to Butler Pike will be closed starting Tuesday, June 14, 2016 until early August 2016 for removal and replacement of the existing low-clearance railroad bridge that spans over Flourtown Road in Plymouth Meeting. The road closures and detours will be active 24 hours/day, 7 days/week. Local residents along Flourtown Road and residential roads off Flourtown Road will still have access.

Chair Grossman announced the Board of Supervisors would be interviewing for Labor Counsel. She stated Whitemarsh Township recently put out Requests for Quotations and Qualifications to firms for providing Labor Counsel to the Township. The following attorneys made their presentation to the Board:

Patrick Harvey and John McLaughlin from Ballard Spahr, LLP
Joseph C. Rudolf, Erin Galbally and Ethan Dennis from Clark Hill, LLC
George Voegele from Cozen O’Conner
Thomas Hearn from Obermayer Rebmann Maxwell & Hoppel, LLP

PUBLIC HEARINGS

1. Conditional Use #03-16 - Tiffany/429 S. Bethlehem Pike – Bakery and Restaurant at the old Fort Washington SEPTA Station

On a motion by Supervisor Totten, second by Supervisor Sterling (Vote 5-0) the Board of Supervisors opened a public hearing to consider Conditional Use #03-16 - Tiffany/429 S. Bethlehem Pike – Bakery and Restaurant at the old Fort Washington SEPTA Station.

A court reporter was present, and the notes of testimony are available for review at the Township Building.

The following individuals presented information/testimony/comments/questions at the Public Hearing:

Sean P. Kilkenny, Solicitor
 Charles L. Guttenplan, AICP
 Joseph C. Kuhls, attorney for the applicant
 Bradford Tiffany, applicant
 Lorraine Moore, neighbor of the applicant

On a motion by Supervisor Sterling, second by Supervisor Totten (Vote 5-0) the Board of Supervisors closed the public hearing.

Motions

1. Conditional Use #03-16 - Tiffany/429 S. Bethlehem Pike – Bakery and Restaurant at the old Fort Washington SEPTA Station

On a motion by Supervisor Sterling, second by Supervisor Nester (Vote 5-0) the Board of Supervisors approved Conditional Use application #03-16 for Tiffany/429 South Bethlehem Pike for a bakery and restaurant use at the old Fort Washington SEPTA rail station.

2. Riverfront Plan - Amendment to the 2003 Comprehensive Plan

On a motion by Supervisor Nester, second by Supervisor Sterling (Vote 5-0) the Board of Supervisors opened a public hearing to consider Riverfront Plan - Amendment to the 2003 Comprehensive Plan.

The following individuals presented information/testimony/comments/questions at the Public Hearing:

Sean P. Kilkenny, Township Solicitor presented exhibits into the record. Charles L. Guttenplan, AICP, Director of Planning and Zoning, gave a brief explanation of the plan and the amendment to the 2003 Comprehensive Plan. He explained the plan is an overall vision. He said the Whitemarsh Planning Commission made their recommendation for the Board of Supervisors to adopt the plan.

Kent Baird, Carter VanDyke Associates who were the lead consultant working on the plan. Mr. Baird made a small presentation of the Riverfront Plan.

Mr. Guttenplan told the Board that not only is this being done as a Joint Plan with Conshohocken Borough, it is being done under a Transportation and Community Development Initiative Grant (TCID Grant) which was secured through the Delaware Valley Regional Planning Commission and the grant was for \$48,000.

There was a discussion regarding the facts that some of the ideas in the plan, trails and parking in the area.

On a motion by Supervisor Sterling, second by Supervisor Totten (Vote 5-0) the Board of Supervisors closed the public hearing.

Resolutions

1. Riverfront Plan Adoption - Amendment to the 2003 Comprehensive Plan

On a motion by Supervisor Drossner, second by Supervisor Nester (Vote 5-0) the Board of Supervisors adopted **Resolution #2016-18** adopting the Riverfront Plan as an amendment to the Whitmarsh Township Comprehensive Plan of 2003.

APPROVAL OF MINUTES

1. May 26, 2016

On a motion by Supervisor Sterling, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors approved the May 26, 2016 meeting minutes.

BOARD PUBLIC DISCUSSION ITEMS

ACTION ITEMS

Ordinances

None

Resolutions

Motions (continued)

2. Intergovernmental Agreement Ordinance Advertisement

Mr. Mellor explained the Intergovernmental Agreement (IGA) between the 16 municipalities in the Wissahickon Creek Watershed. Due to the rigid standards set forth by EPA and DEP, the municipalities have decided to partner and develop an alternative plan to address the TMDL issues within the watershed. Montgomery County Planning Commission solicited a Request for Information (RFI) in order to obtain proposals and cost estimates for the alternate TMDL study. The Pennsylvania Environmental Council (PEC) has obtained a \$1.2 million dollar grant from the William Penn Foundation to help the municipalities offset the cost of the study provided we work together. Approximately \$250,000 of the remaining cost would be split up amount the municipalities (\$6,250) as their share in project. The municipalities have been asked to act on the IGA by the end of June 2016.

On a motion by Supervisor Sterling, second by Supervisor Totten (Vote 5-0) the Board of Supervisors authorized the advertisement of an Intergovernmental Agreement ordinance with the 16 municipalities in the Wissahickon Creek Watershed for the development of an alternate TMDL plan to address the requirements set forth by the Environmental Protection Agency (EPA).

3. Waiver of Damage Rights - 2 Village Way; Fence in the Ultimate Right-of-Way

Mr. Guttenplan explained the Waiver of Damage Right is for a fence in the ultimate right-of-way of Butler Pike and of Village Way. The fence is being installed for safety concerns and to help block the parking lot of the anticipated CVS across Butler Pike in Plymouth Township. This case is also going to the Zoning Hearing Board for fence height; the applicants are proposing a taller than permitted fence in the front yard on Butler Pike.

Mr. Guttenplan stated the Traffic Safety Unit of the Police Department conducted a site visit to review sight distance issues. They found that the fence, at the setback proposed and with an angled section at the intersection, to be acceptable and would not block views to the left as a vehicle is exiting Village Way onto Butler Pike.

On a motion by Supervisor Nester, second by Supervisor Sterling (Vote 5-0) the Board of Supervisors approved a waiver of damage rights for a fence in the ultimate right-of-way at 2 Village Way.

4. 2016 Road Paving Program - Authorize Bid Approval

Mr. Sullivan stated his department reviewed the bids submitted to the Township and publicly opened on June 7, 2016 and based on the bid evaluation Glasgow, 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 Glasgow, Inc. for the Total Bid cost of \$728,501.15. Final awarding of the contract is contingent upon a successful outcome to the required Responsible Contractor Determination that will be performed the Engineer's office.

The roads included in the 2016 Road Paving Program are:

Roberts Avenue, Summit Avenue, Emerson Drive, Christie Circle, Hellman Road, Stevenson Circle, Franklin Way, Farmar Lane, Fairfield Drive, Brooke Lane (1/2 of which is a lone overlay, the other half is a full construction), Rebel Road (between Edmonds Road and Mathers Mill Road), Mathers Mill Road, Quarry Lane and Joshua Road access street.

On a motion by Supervisor Sterling, second by Supervisor Totten (Vote 5-0) the Board of Supervisors authorized the Township Manager to finalize the 2016 road paving bid upon the Township Engineer's confirmation of the Responsible Contractor Determination.

5. Escrow Release No. 1; AIM Academy; 1200 River Road

On a motion by Supervisor Totten, second by Supervisor Drossner (Vote 5-0) the Board of Supervisors authorized escrow release #1 for AIM Academy/1200 River Road in the amount of \$473,353.45.

6. Escrow Release No. 1; Whitemarsh Hotel Associates (Holiday Inn); 432 Pennsylvania Avenue

On a motion by Supervisor Totten, second by Supervisor Drossner (Vote 5-0) the Board of Supervisors authorized escrow release #1 for Whitemarsh Hotel Associates/432 Pennsylvania Avenue in the amount of \$488,306.12.

7. Escrow Release No. 16; Reserve at Creekside; Stenton Avenue

On a motion by Supervisor Nester, second by Supervisor Totten (Vote 5-0) the Board of Supervisors authorized escrow release #16 for Reserve at Creekside, Stenton Avenue in the amount of \$59,834.43.

AMEND AGENDA

On a motion by Supervisor Sterling, second by Supervisor Nester (Vote 5-0) the Board of Supervisors amended the agenda.

Resolutions (continued)

2. Commonwealth Financing Authority Grant for Miles Park Improvements

Mr. Mellor explained the Township with the assistance of the Township Engineer is in the process of completing a Greenways, Trails, and Recreation Program (GTRP) grant of \$250,000 from the Commonwealth Financing Authority to be used for Improvements to 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. The Board previously approved a grant to the DCNR for the same project and for the same amount. By applying for both grants we are taking advantage of both opportunities in an effort to fully fund this project.

On a motion by Supervisor Drossner, second by Supervisor Sterling (Vote 5-0) the Board of Supervisors adopted **Resolution #2016-19** authorizing the submission of a Greenways, Trails, and Recreation Program (GTRP) grant of \$250,000 from the Commonwealth Financing Authority 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.

PUBLIC COMMENT PERIOD

Morris Feinman (Whitemarsh Woods) spoke about the issue of making a left-turn off of Arbor Boulevard onto Germantown Pike. There was a discussion regarding the length of the no parking in the area on the east bound side of Germantown Pike at Arbor Drive.

BOARD MEMBER COMMENTS

Chair Grossman extended her congratulations to all the graduates of Plymouth Whitemarsh High School.

ANNOUNCE EXECUTIVE SESSION

Chair Grossman announced the Board of Supervisors did not hold an Executive Session before the public meeting.

ADJOURNMENT

On a motion by Supervisor Sterling, seconded by Supervisor Totten, the meeting was adjourned at 8:15 PM.

Respectfully submitted,

Richard L. Mellor, Jr.
Township Manager

June 9, 2016