

WHITEMARSH TOWNSHIP
BOARD OF SUPERVISORS
ANNUAL ORGANIZATIONAL MEETING
PUBLIC MEETING MINUTES

JANUARY 4, 2021

The Annual Organizational Meeting of the Whitemarsh Township Board of Supervisors was held on Tuesday, January 4, 2021 at 8:00 PM, in the Whitemarsh Township Building, 616 Germantown Pike, Lafayette Hill, PA.

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

Also Present: Richard L. Mellor, Jr., Township Manager.

PLEDGE OF ALLEGIANCE

SELECTION OF TEMPORARY POSITIONS

On a Motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote 5-0), Supervisor Drossner was appointed as the Temporary Chair for the Whitemarsh Township Board of Supervisors.

On a Motion by Supervisor Toll, seconded by Supervisor Nester (Vote 5-0), Richard L. Mellor, Jr. was appointed as the Temporary Secretary of Whitemarsh Township.

ELECTIONS OF BOARD CHAIR AND VICE-CHAIR

On a Motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote 5-0) Supervisor Laura Boyle Nester was elected Chair of the Board of Supervisors for Whitemarsh Township.

On a Motion Supervisor Toll seconded by Supervisor Drossner (Vote 5-0), Supervisor Fran McCusker was elected Vice-Chair of the Board of Supervisors for Whitemarsh Township.

ANNOUNCEMENTS

Supervisor McCusker announced:

The 4th Annual MLK Clothing Drive Fundraiser will be held in collaboration with the Colonial Neighborhood Council between January 13 and January 18 between the hours of 8AM and 2PM. Please place all donations in standard size trash bags. Donations are being collected at the Cedar Grove Barn. Tax receipts are available. The information is also available in the latest edition of *The Recreator*.

Reminder to all restaurant, deli, food truck or other food service business in the Township. Grant funding has been made available to all local businesses impacted by the pandemic. The deadline for grant support ends at noon on January 6, 2021. Additional information is available on the county's website: www.montcopa.org

Holiday trees and wreaths can be placed curbside on Wednesday's with normal yard waste. Please avoid leaving trees in the roadway where they may obstruct parking or traffic.

APPOINTMENTS

On a Motion by Supervisor Drossner, seconded by Supervisor McCusker (Vote 5-0), Richard L. Mellor, Jr. was appointed Township Manager and Secretary by approving his employment agreement with the Whitemarsh Township.

On a Motion by Supervisor McCusker, seconded by Supervisor Toll (Vote 5-0), Kevin S. Barron was appointed Finance Director and Treasurer of Whitemarsh Township.

On a motion by Supervisor McCusker, seconded by Supervisor Toll (Vote 5-0), Sean Halbom was appointed Assistant Secretary of Whitemarsh Township.

On a Motion by Supervisor McCusker, seconded by Supervisor Drossner (Vote 5-0), Christopher P. Ward was appointed Chief of Police of Whitemarsh Township.

On a Motion by Supervisor Manuele, seconded by Supervisor McCusker (Vote 5-0), Charles L. Guttenplan, AICP PP was appointed Zoning Officer of Whitemarsh Township.

On a Motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote 5-0), Sean P. Kilkenny of the Law Offices of Sean Kilkenny was appointed Solicitor for Whitemarsh Township.

Supervisor Drossner stated, for the record, that he does rent office space from Mr. Kilkenny in Norristown. He stated is not a conflict of interest under the PA State Ethics Act and not a violation of the Township Code. He stated he does not receive any financial benefit from the relationship. He stated he has a signed lease and pays market rate. He stated he is not receiving any special value.

Eli Glick (Whitefield Drive) stated he does not believe Mr. Kilkenny is an appropriate solicitor for Whitemarsh Township. He said he does not feel he represents the residents of Whitemarsh Township. He listed his reasons.

On a Motion by Supervisor Drossner, seconded by Supervisor McCusker (Vote 5-0), Krista Heinrich, PE of Gilmore Associates was appointed Engineer for Whitemarsh Township.

On a Motion by Supervisor McCusker, seconded by Supervisor Drossner (Vote 5-0), the following Nominees were appointed to serve on the Vacancy Board for 2020:

Shari Petrakis (Supervisor Boyle Nester's Nominee)
Ari Greis (Supervisor Drossner's Nominee)
Chris Solecki (Supervisor McCusker's Nominee)
Patrick Doran (Supervisor Manuele's Nominee)
Sara Erlbaum (Supervisor Toll's Nominee)

Various Board, Commission, and Committee Member Reappointments

On a Motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote 5-0), the Board of

Supervisors re-appointed the following individuals to the appropriate Boards and Commissions for the appropriate terms:

NAME	BOARD OR COMMISSION	TERM	TERM ENDING
William Kramer	Zoning Hearing Board	5 year	12/31/2025
Marc Weinstein	Zoning Hearing Board	5 year	12/31/2025
Aaron Kostyk	Planning Commission	4 Year	12/31/2024
Pat Doran	Planning Commission	4 Year	12/31/2024
Natalie Borkowski	Shade Tree Commission	5 year	12/31/2025
Patrice Turenne	Shade Tree Commission	5 year	12/31/2025
James Convey	Parks & Recreation Board	4 year	12/31/2024
Thomas Manley	Parks & Recreation Board	4 year	12/31/2024
Timothy Ferris	Whitemarsh Authority	5 year	12/31/2025
Alex DiGiacomo	Emergency Services Board	3 year	12/31/2023
Carol Proud	Emergency Services Board	3 year	12/31/2023
Deborah Shreero	Environmental Advisory Board	3 year	12/31/2023
Stephen Kaufman	Open Space Committee	3 year	12/31/2023
Hugh Moulton	Open Space Committee	3 year	12/31/2023
Sharon Harvey	MCAB	3 year	12/31/2023
Crystal Taylor	MCAB	3 year	12/31/2023

ANNOUNCEMENTS

Supervisor McCusker announced:

APPROVAL OF MINUTES

PUBLIC HEARINGS

1. Liquor License Transfer - 531 E. Germantown Pike/The Market at Lafayette Hill, Inc.

On a motion by Supervisor Drossner, seconded by Supervisor Toll (Vote (5-0) the Board of Supervisors opened the public hearing for Liquor License Transfer - 531 E. Germantown Pike/The Market at Lafayette Hill, Inc.

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:

John Walko, Solicitor

Anthony J. Beldecos, Attorney for the Applicant
Peter Liccio, Applicant

On a motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote 5-0) the Board of Supervisors closed the public hearing.

BOARD PUBLIC DISCUSSION ITEMS

ORDINANCES

RESOLUTIONS

1. Liquor License Transfer - 531 E. Germantown Pike/The Market at Lafayette Hill, Inc

On a motion by Supervisor Drossner, seconded by Supervisor Toll (Vote 5-0) the Board of Supervisors **Resolution #2021-01** granting Liquor License Transfer for 531 East Germantown Pike/The Market at Lafayette Hill, LLC

2. Annual Emergency Operation Plan Promulgation

On a motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote 5-0) the Board of Supervisors **Resolution #2021-02** approving the 2021 Annual Emergency Operation Plan Promulgation.

3. Establishing Board of Supervisor Meeting Schedule Format

On a Motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote 5-0), the Board of Supervisors adopted **Resolution #2021-03**, establishing the Board of Supervisor's Meeting schedule and format for 2021.

4. Establishing Travel and Business Expense Policy

On a Motion by Supervisor Toll, seconded by Supervisor McCusker (Vote 5-0), the Board of Supervisors adopted **Resolution #2021-04**, establishing the Township Travel and Business Expense Policy for 2021.

5. Establishing Holidays for Non-Uniformed, Non-Union Township Employees

On a Motion by Supervisor McCusker, seconded by Supervisor Drossner (Vote 5-0), the Board of Supervisors adopted **Resolution #2021-05**, establishing the Township Holiday's for Non-Uniformed, Non-Union Employees in 2021.

6. Joint Defense and Joint Privilege Agreement - Jointly Opposing Ambler Borough's Application for Approval of the Abandonment of Public Water Service with the Pennsylvania Public Utility Commission

Mr. Mellor explained there are approximately 250 residents in the eastern part of the township who are serviced by Ambler Water. Ambler Borough filed an application with the Pennsylvania Utility Commission ("PUC") to abandon its public water service, with Ambler's intent to subsequently turn over all water service operations to a newly created water authority. Ambler's water services are also

provided to certain portions of Upper Dublin, Lower Gwynedd and Whitpain Townships (collectively, "Townships").

John Walko, Solicitor, stated as a result of the shared concern that Ambler's intended authority would not properly represent the Townships' residents, each Township filed a Petition to Intervene in Ambler's application. All the townships appear unified in their desired outcomes from their Interventions. Namely, although all Townships are not opposed to a water authority being created, the Townships are demanding that proper representation for the Townships be on the authority board, and that Ambler not be provided with a majority vote on the board that would give Ambler control of the authority that is outside of PUC oversight. The solicitors of each township recommend that the Townships enter into the Joint Defense and Privilege Agreement ("Agreement") to better protect communications and coordinate responses and witnesses.

Sydelle Zove (Harts Ridge Road) asked what the underlying issue for the Joint Defense is. Mr. Walko explained in creating an authority Ambler would have majority control of the Authority Board and the municipalities are concerned that in the future the Authority Board could make changes to the detriment of the other Townships being served. He stated the Townships are not opposed to the concept just the make-up of the Board.

On a Motion by Supervisor Toll, seconded by Supervisor Manuele (Vote 5-0), the Board of Supervisors adopted **Resolution #2021-06** authorizing a Joint Defense and Joint Privilege Agreement opposing Ambler Borough's application for approval of the abandonment of public water service with the Pennsylvania Utility Commission

MOTIONS

1. Vehicle Donation - Police Vehicles to other Law Enforcement Agency

Chief Ward explained as part of the 2020 Police Department Budget and the Fleet Maintenance Plan for Whitmarsh Township the Police Department purchased a new police K9 vehicle and we are very close to placing that vehicle into service. As this vehicle is placed into service, we will retire an older Ford Crown Victoria, unmarked, K9 vehicle. This vehicle is older, with high mileage and has come to the end of its service life with our agency. As a K9 vehicle, this car is equipped with specialized K9 equipment, to include a K9 passenger insert in the rear of the vehicle.

In the past, Whitmarsh Township has received donated vehicles from other agencies, specifically K9 vehicles when we were new to K9 operations and, more recently, the County donated an unmarked vehicle to our Detective Division for investigative purposes. In every case, the vehicles were donated to our agency at no cost and handled under an intergovernmental transfer that allows municipality to transfer assets without fees or penalties. As the receiver of those vehicles, we were filling needs within our agency. As the donators of these vehicles now, we are filling the other agency's needs and repaying favors that were done for us.

Based on this information, he said he is requesting to transfer this K9 vehicle to the Montgomery County Sheriff's Department, as they need a K9 vehicle to support their K9 program. Though this vehicle has reached the end of its service life as a patrol vehicle with our agency, this vehicle is still serviceable for the needs of the Sheriff's Department.

On a Motion by Supervisor Manuele, seconded by Supervisor McCusker (Vote 5-0), the Board of Supervisors approved the vehicle donation of a police vehicle to another law enforcement agency.

2. Selection of Township Depositories

Mr. Mellor explained the depositories are TD Bank, Pennsylvania Local Government Trust, Pennsylvania Treasury INVEST Department, Santander Bank, Great Eastern Management, Inc, Wells Fargo Advisors and TruMark Financial.

On a Motion by Supervisor Toll, seconded by Supervisor McCusker (Vote 5-0), the Board of Supervisors approved the selection of Township Depositories for the deposit of Township funds in 2021.

3. Selection of Auditing Services

Mr. Mellor explained our previous auditor was Dresslin and Company. Mr. Dresslin retired and the company was bought by Barsz Gowie Amon & Fultz CPA.

On a Motion by Supervisor Drossner, seconded by Supervisor McCusker (Vote 5-0), the Board of Supervisors approved Barsz Gowie Amon & Fultz CPA to audit the Township Financial Statements for 2020.

4. Escrow Release #2 Final -Rockcorp, LLC/509-515 Bethlehem Pike

On a Motion by Supervisor Drossner, seconded by Supervisor McCusker (Vote 5-0), the Board of Supervisors authorized escrow release #2 for Rockcorp, LLC/509-515 Bethlehem Pike in the amount of \$14,986.50.

5. Escrow Release #2 -Conshohocken Construction/252 Roberts Avenue

On a Motion by Supervisor Toll, seconded by Supervisor Drossner (Vote 5-0), the Board of Supervisors authorized escrow release #2 for 252 Roberts Avenue, LLC in the amount of \$33,319.80.

PUBLIC COMMENT

Sydelle Zove (Harts Ridge Road) asked for an update on body cameras for the police. Chief Ward stated he and his staff have reached out to the body camera providers and he and his staff are working with them thru the acquisition and timeline. He stated he will report to the Board of Supervisors once he has a timeline and the financing.

BOARD MEMBER COMMENTS

Chair Nester thanked the team and the residents.

EXECUTIVE SESSION

Chair Nester announced the Board of Supervisors held an Executive Session prior to the meeting to discuss real estate and also on December 22, 2020 to discuss real estate.

ADJOURNMENT

On a Motion by Supervisor Toll, seconded by Supervisor McCusker the Board of Supervisors Annual Organizational Meeting for January 4, 2021 was adjourned at 9:15 PM.

Respectfully Submitted,

Richard L. Mellor, Jr.
Township Manager