

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

**JULY 13, 2023**

The Regular Monthly Meeting of the Whitemarsh Township Board of Supervisors was held on Thursday, July 13, 2023 at 7:00 PM, in the Whitemarsh Township Building, 616 Germantown Pike, Lafayette Hill, PA.

Supervisors Present: Fran McCusker, Chair; Jacy Toll, Vice-Chair; Vincent Manuele; Laura Boyle Nester and Patrice Turenne

Also Present: Richard L. Mellor, Jr., Township Manager; Dave Sander, Township Solicitor; Krista Heinrich, P.E. Township Engineer and Charles L. Guttenplan, AICP

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS**

Supervisor Toll announced:

Another successful 4th of July Parade occurred last week! Hundreds of people came out to celebrate our Independence! Thanks to all the staff and volunteers that made the event so special.

Church Road will be closed on Saturday, July 15, 2023 from 9:00 am to 12 Noon for Aqua to perform required repairs.

Aqua will be replacing a water main on Joshua Road between Ridge Pike and Cedar Grove Lane starting Wednesday, July 19, 2023. Closures are scheduled for 9:00 AM to 3:00 PM through September.

On Wednesday, July 19, 2023 at Miles Park, our "Movies in the Park" series continues with the production of "Space Jam". Streetside BBQ and Conshohocken Brewing will be available for sale. All movies begin at dusk.

State Representative Mary Jo Daley will have constituent office hours at the Township Building on the Third Wednesday of every month starting Wednesday, July 19, 2023 from 10:00 am to 12 Noon.

State Representative Mary Jo Daley will host a "Meet Your Rep" Event on Tuesday, July 25, 2023 from 9:30 am to 10:30 am at the Township Building.

**PROCLAMATION FOR JULY AS PARKS AND RECREATION MONTH**

Supervisor Nester spoke about recognizing the Parks and Recreation Department in Whitemarsh Township. She spoke about the award-winning Parks and Recreation Department and how awesome the department is. She gave huge thanks to Tom Blomstrom, Director of Parks and Recreation and his whole team. Supervisor Nester read the Proclamation declaring July as the Parks and Recreation Month.

Chair McCusker expressed his gratitude to the Director Tom Blomstrom and his staff for the amazing job they do for the community and the great 4th of July parade .

## **PUBLIC HEARINGS**

None

## **APPROVAL OF MINUTES**

### **1. June 8, 2023**

On a motion by Supervisor Turenne, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors adopted the meeting minutes from June 8, 2023.

## **BOARD PUBLIC DISCUSSION**

### **1. 2022 Financial Audit - Zelenkofske Axelrod LLC**

Kevin Barron, Director of Finance, introduced the auditors from Zelenkofske Axelrod LLC. He explained it is the Townships second year with the company. He introduced Deborah Bacon and Matthew Beinhauer to present the audit. Ms. Bacon stated everything went smoothly with the audit. She stated everything was provided to them in a timely manner. She explained the auditor's responsibilities and the Township's responsibilities. Mr. Beinhauer explained the results of the audit and the key financial data for 2022. He thanked Kevin Barron and his staff for the smooth process they had this year.

Supervisor Manuele questioned the difference between the single audit for federal funding that will take place next year and the audit that just occurred. Mr. Beinhauer explained it would be exclusively over the art money, to determine what is allowable and review those for compliance. Supervisor Manuele asked for his observations on the Township's internal controls. Mr. Beinhauer stated they didn't find anything out of the ordinary, that everything is run like a tight ship. Chair McCusker congratulated the staff and the leadership. Mr. Barron stated that working with the auditors and his staff they were able to get the audit done two months sooner than last year's presentation in September. He thanked the auditors for their help.

## **CONSIDER ACTION ITEMS**

### **Ordinances**

#### **1. Ordinance Amendment - Single Use Plastic Bag Ban**

Mr. Mellor stated the Board of Supervisors requested the Environmental Advisory Board (EAB) address the issue created by the use and disposal of single-use plastic bags. He stated the EAB worked for the past approximate 12-months with other local municipalities in drafting an ordinance and polling the affected businesses in the community. They concluded that the dependence on disposable single-use plastics in our community has a cumulative negative impact on health, wildlife, and the environment. The extraction and transportation of oil and gas, the production of plastics from these products, and the disposal of plastics all contribute significantly to air, water, and land pollution, and climate change. While many plastics can be recycled, single-use plastic bags are not recycled because specific machinery is rare, it is not cost effective, and the quality of the recycled material is poor. Plastic bags end up as litter, burned, causing pollution, or landfilled where they can take up to 500 years to decay and leech into the soil. The average use-time of a single-use plastic bag is 11-12 minutes. Whitmarsh Township through the EAB is part of the Montgomery County Single-Use Plastics Coalition, a group of over 14 townships that, through their environmental boards, are all working on or have passed single-use plastic bag bans. The purpose of the coalition of townships is to create a regional ban with similar objectives and ordinances. He stated Whitmarsh Township is proposing an ordinance that matches those of our neighbors and includes the following points: bans single-use plastic bags and non-recycled

content paper bags; allows reusable bags meeting specified criteria and paper bags with a minimum of 40% post-consumer recycled content; a minimum fee of \$0.15 must be charged for each bag given to customers. This fee is retained by the business and noted on the receipt; plastic straws and utensils will be provided only upon request by the customer; some types of bags are exempt including bags used for produce, meat, fish, poultry, pre-prepared foods, baked goods, dry cleaning, newspapers, and trash bags and live animals (ie crickets) and signage will be required to be posted to educate consumers.

Mr. Mellor said Deb Shreero, the Chair of the Environmental Advisory Board has been tremendously supportive in driving this. He explained after the Board adopts this ordinance it will take effect 90 days from the date of adoption. He stated the EAB deserves a lot of kudos for the work and effort they put into this to get it to this point. Ms. Shreero thanked everyone making this an easy/fairly painless process. The Supervisors thanked Ms. Shreero and the EAB for their due diligence.

On a motion by Supervisor Turenne, seconded by Supervisor Toll (Vote 5-0) the Board of Supervisors adopted **Ordinance #1029** to promote the use of reusable bags, prohibit the use of single-use plastic bags by retail establishments, and establish a charge for the provision of certain types of bags at point of sale.

On a motion by Supervisor Turenne, seconded by Supervisor Manuele (Vote 5-0) the Board of Supervisors approved adding “and similar language” to the ordinance.

## Resolutions

### 1. **2022 Montgomery County Hazard Mitigation Plan**

Mr. Mellor explained the 2022 Hazardous Mitigation Plan which is an all-hazards plan that has been adopted by both PEMA & FEMA. The purpose of each Municipality adopting this plan is to be eligible for hazard mitigation grants and funding. The plan is reviewed and updated every 5 years. The 2017 version is attached to the current Emergency Operations Plan.

On a motion by Supervisor Toll, seconded by Supervisor Turenne (Vote 5-0) the Board of Supervisors adopted **Resolution #2023-18** adopting the 2022 Montgomery County Hazard Mitigation Plan.

## MOTIONS

### 1. **2022 Financial Statements**

Mr. Barron explained this is just a procedure after the auditors present the audit and the Board now accepts the audit/Financial Statements.

On a motion by Supervisor Manuele, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors accepted the 2022 Financial Statement for Whitemarsh Township.

### 2. **Ordinance Advertisement - Fireworks Ordinance Advertisement**

Mr. Mellor explained the following fireworks ordinance changes were voted by Emergency Services Board at their June meeting: have fireworks permits submitted 45 days in advance and approved 30 days in advance; increasing the standby fee from \$300.00 to \$500.00; defining holidays as the following: July 3 and 4; December 31 and January 1<sup>st</sup>; Memorial Day; Labor Day; Thanksgiving; Christmas - With the standby fee being \$2,500 per event for these 8 holidays.

On a motion by Supervisor Toll, seconded by Supervisor Manuele (Vote 5-0) the Board of Supervisors authorized the advertisement of amendments to Chapter 52 Fireworks Ordinance.

### **3. Collective Bargaining Agreement 2023-2027 - Public Works Employees of Whitemarsh Township**

Mr. Mellor explained the highlighted terms agreed upon as part of the new 2023-2027 Collective Bargaining Agreement between Whitemarsh Township and the Public Works Association. He explained the contract period is for 5 years; the clothing allowance increased to \$500.00; salary increases- 2023-2024: 3.25%; 2025-2026: 3.5%; 2027 – 3.75%; an increased wage with CDL Class A; a 2-tier wage increase for employees hired after 2016; Healthcare a new HSA plan will begin in 2024 with employees paying a premium contribution of 3% in 2025, 4% in 2026 and 5% in 2027; Comp Time will be capped at 80 hours earned in a calendar year; short-term disability benefit – removed the cap of \$500.00 and bereavement benefit now includes grandparents and spouse’s grandparents. Mr. Mellor thanked the Public Works Employees bargaining team of Dan Conicello, Gary Hill and Kirk Levonian who worked hard on getting this to their membership and an agreement.

On a motion by Supervisor Toll, seconded by Supervisor Turenne (Vote 5-0) the Board of Supervisors approved the Collective Bargaining Agreement between Whitemarsh Township and the Whitemarsh Township Public Works Association for the years 2023-2027.

### **4. Certificates of Appropriateness**

#### **107 Germantown Pike – Window Replacement**

Mr. Guttenplan explained the property owner is proposing to replace all of the windows on the main building (historic stucco farmhouse) on this property. Window sizes aren't being altered and windows conform with historic guidelines. HARB had no issues with the proposal and passed a motion recommending that the Board approve a Certificate of Appropriateness for this project.

On a motion by Supervisor Manuele, seconded by Supervisor Turenne (Vote 5-0) the Board of Supervisors approved the Certificate of Appropriateness for window replacement at 107 Germantown Pike.

#### **47 Hunter Road – Fence Replacement**

Mr. Guttenplan explained The property owner is proposing to replace a fence installed around the rear and side yards of this home that was originally installed when the house was built 36 years ago. Portions of the fence are visible from the road (from the front corners of the home to the side yards) and therefore a Certificate of Appropriateness is required. HARB had no issues with the proposal and passed a motion recommending that the Board approve a Certificate of Appropriateness for this project.

On a motion by Supervisor Turenne, seconded by Supervisor Toll (Vote 5-0) the Board of Supervisors approve the Certificate of Appropriateness for fence replacement at 47 Hunter Road.

### **5. Real Estate Tax Appeal Order and Settlement - 432 Pennsylvania Avenue**

On a motion by Supervisor Toll, seconded by Supervisor Manuele (Vote 5-0) the Board of Supervisors authorized the Order and Settlement Stipulation between 551 East 10th Avenue v. MONTCO Board of Assessment Appeals resulting in the increase assessment for 2023 requiring a payment of \$435.37 to the Township for real estate taxes.

### **6. Real Estate Tax Appeal Order and Settlement - 500,506,510,512 Pennsylvania Avenue/BMW**

On a motion by Supervisor Manuele, seconded by Supervisor Turenne (Vote 5-0) the Board of Supervisors authorized the Order and Settlement Stipulation between 432 Pennsylvania Avenue v. MONTCO Board of Assessment Appeals resulting in the decrease assessment in 2022-2023 requiring a refund of \$5,900.38 in Township real estate taxes.

**7. Escrow Release #5 - River Place/901 Washington Street**

On a motion by Supervisor Toll, seconded by Supervisor Manuele (Vote 5-0) the Board of Supervisors authorized the escrow release #5 for River Place/901 Washington Street in the amount of \$214,735.05.

**4. June 2023 Expenditures and Payroll and Pension Plan Paid Costs**

On a motion by Supervisor Turenne, seconded by Supervisor Nester (Vote 5-0) the Board of Supervisors approved expenditures totaling \$1,348,861.64; and payroll totaling \$650,468.32; and pension paid costs totaling \$4,030.76 for June 2023.

**PUBLIC COMMENT PERIOD**

None.

**BOARD MEMBER COMMENTS**

None

**EXECUTIVE SESSION**

Chair McCusker announced the Board of Supervisors held an Executive Session prior to the meeting to discuss real estate and personnel.

**ADJOURNMENT**

On a Motion by Supervisor Toll, seconded by Supervisor Turenne the meeting for July 13, 2023 was adjourned at 7:40 PM.

Respectfully Submitted,

Richard L. Mellor, Jr.  
Township Manager