

WORK SESSION
November 17, 2009

A Work Session of the Whitpain Township Board of Supervisors was held on Tuesday, November 17, 2009 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA at 7:30 PM for the purpose of reviewing the agenda of the November 17, 2009 Supervisors' Meeting. Chairman Joseph J. Palmer was present with Supervisors Anthony F. Greco, and Adam D. Zucker. Solicitor James J. Garrity, Township Manager Phyllis C. Lieberman, Assistant Township Manager/Township Engineer Roman M. Pronczak, Director of Finance John Marcarelli, Police Chief Mark Smith, Director of Public Works Ronald J. Cione, Director of Code Enforcement Michael E. McAndrew, Fire Marshal David M. Camarda, and Director of Parks and Recreation Kurt W. Baker were also present. Three members of the public were present. Supervisors William L. McKernan III and Brian W. Young were absent.

The Supervisors reviewed the agenda discussing the announcement of the proposed 2010 Annual Budget, its advertisement, its being available to the public since November 6, 2009, public comment at the meeting that evening and on December 1, 2009, the plan to adopt it at the December 15, 2009 Supervisors' Meeting, and Budget Work Sessions held on November and November that were open to the public, approval of the minutes of the October 27, 2009 Budget Work Session, the October 29, 2009 Budget Work Session, the November 4, 2009 Supervisors' Meeting, and the November 6, 2009 Budget Work Session, the scheduling of Supervisors' Meetings for the month of December 2009, approval of the Treasurer's Report for the month of October 2009, a motion to authorize signing agreements with Stewart Business Systems/Xerox for 60 month leases and maintenance of four office copy machines, a confirming motion to have the Solicitor continue to represent the Township on Assessment Appeals as those appeals are taken to higher levels, and several Zoning Hearing Board applications.

The Supervisors then discussed a legal matter.

Mr. Cione then discussed contracting with Hough Associates for collection of data and reporting of recycling in the Township. This company has stated that it can increase the monies we received from the State in recycling grants substantially and they will only be paid a portion of the money received over what we are receiving presently. After some discussion the Supervisors agreed to try them and directed staff to work with Mr. Garrity on the contract.

The Supervisors then left for the public meeting.

The Work Session was reconvened at 8:15 PM.

Mr. Pronczak explained that John Chambers had dedicated right of way along 202 for the widening project and now that the plans are finalized, that right of way will not be needed. Mr. Chambers would like to have it vacated, so that he can move his sign closer

to the road. After some discussion, the Supervisors said that they would rather not vacate it, but would give him permission to move his sign.

Mr. Marcarelli then gave the Supervisors an update on the County EIT Collection Committee where he is representing Whitpain. He said that they had met to organize, have selected officers and are beginning the process of selecting a temporary Solicitor until a permanent one can be appointed.

Mr. Baker then reported on a meeting that the President of WRA and he had had with an outside soccer organization that wants to build a soccer facility in the Township. They are interested in the Cook and St. Helena's Tracts owned by the Township. WRA has specific information that they have requested before anything can move forward or before they bring any proposal to the Township, but they wanted the Supervisors to know that they had been approached.

The Supervisors then discussed a personnel matter.

At approximately 8:55 PM the Work Session was adjourned

Phyllis C. Lieberman
Whitpain Township Manager

#20-2009

The regular meeting of the Whitpain Township Board of Supervisors was held Tuesday, November 17, 2009 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Supervisors Joseph J. Palmer, Anthony F. Greco, and Adam D. Zucker were present. Township Manager, Phyllis C. Lieberman, Township Engineer/Assistant Township Manager Roman M. Pronczak, Township Solicitor James J. Garrity, Finance Director John Marcarelli, Police Chief Mark A. Smith, Fire Marshal David M. Camarda, Park and Recreation Director Kurt W. Baker, Code Enforcement Officer Michael E. McAndrew, Public Works Director Ronald J. Cione and Recording Secretary Michele Alifano were also present.

Following the Pledge of Allegiance, Chairman Palmer called the meeting to order.

Chairman Palmer announced that on the morning of November 17, 2009, Whitpain Township was advised by the Montgomery County District Attorney's Office and the Whitpain Township Police that Mr. William L. McKernan, III was taken into custody pursuant to a criminal complaint and a warrant for his arrest. Chairman Palmer stated that the information received indicated that Mr. McKernan was arraigned before the Honorable John Murray and released on bail. Mr. McKernan alleges several counts involving the misappropriation of funds from one of the corporate clients from his accounting firm.

Chairman Palmer noted that although Mr. McKernan was and is the Treasurer of Whitpain Township, that position does not involve any day to day access to Township funds, nor the availability to independently sign Township checks. He emphasized that the Township has its own Finance Director and is independently audited on an annual basis. He stated that the Township is confident that the Township Treasurer would not have the opportunity to misappropriate taxpayer funds, due to the security systems already in place. In order to take the utmost precaution, the Township will immediately conduct an internal audit of its accounts to confirm that opinion.

Chairman Palmer stated that in reference to the specific charges filed against Mr. McKernan, the Township will not have any further public or private comment, since the matter is now entirely within the jurisdiction of the Pennsylvania Court System. He stated that the Township has faith in our justice system to determine the guilt or innocence of Mr. McKernan with regard to these charges.

On motion made by Mr. Greco, duly seconded by Mr. Zucker, and unanimously passed, the Whitpain Township Board of Supervisors' accepted the resignation of Mr. William F. McKernan, III, which was tendered earlier in the day of November 17, 2009. Mr. Fred Conner, who was elected to a seat on the Board of Supervisors in the

November, 2009 election, has agreed to be sworn in as Supervisor, effective November 30, 2009.

Chairman Palmer noted the proposed 2010 Annual Budget was announced at the November 4, 2008 meeting, with the Budget being advertised and made available for public inspection on November 6, 2009. Chairman Palmer noted the proposed real estate taxes for the 2010 Annual Budget as follows:

	<u>2010</u>	<u>2009</u>	<u>Increase/(Decrease)</u>
General Fund	2.	1.35	0.71
Debt Service	0.80	0.60	0.20
Fire Protection	0.30	0.30	0.00
Fire	<u>0.05</u>	<u>0.05</u>	<u>0.00</u>
Total	3.21	2.30	0.91

Real Estate tax rates are expressed in mills, which equate to \$1/\$1,000 of assessed valuation.

Hydrant Tax is assessed, as appropriate, depending on property proximity to fire hydrants.

Approximately 95% of residential properties are charged this portion of the real estate tax millage.

Chairman Palmer called for any comments or questions on the proposed 2010 Budget. There were none. He then advised that the Supervisors will receive public comment at the Board of Supervisors' meeting which will be held on December 1, 2009, and that the Supervisors plan to adopt the budget at the meeting that will be held on December 15, 2009.

Chairman Palmer announced that the Supervisors held Budget Work Sessions on Friday, November 6, 2009, and Tuesday, November 17, 2009 at 9AM, in Meeting Room B of the Whitpain Township Building. These sessions were open to the public.

A motion was made by Mr. Zucker, duly seconded by Mr. Greco to approve the minutes of the October 27, 2009 Budget Work Session, the October 29, 2009 Budget Work Session, the November 4, 2009 Board of Supervisors' Meeting, and the November 6, 2009 Budget Work Session. Chairman Palmer called for any discussion regarding this item. There being none, the motion unanimously passed.

Chairman Palmer announced the dates for the upcoming regular Board of Supervisors' meetings in the month of December which are scheduled for Tuesday, December 1, 2009 and Tuesday, December 15, 2009 at 8:00 p.m.

A motion was made by Mr. Greco, duly seconded by Mr. Zucker to approve the Treasurer's Report for the month of October, 2009. Chairman Palmer called for any discussion regarding this item. There being none, the motion unanimously passed.

A motion was made by Mr. Zucker, duly seconded by Mr. Greco to authorize signing agreements with Stewart Business Systems/Xerox for a 60 month lease and maintenance of four office copy machines. Chairman Palmer called for any discussion regarding this item. There being none, the motion unanimously passed.

A confirming motion was made by Mr. Greco, duly seconded by Mr. Zucker to have the Solicitor continue to represent the Township on Assessment Appeals as these appeals are taken to higher levels. Chairman Palmer called for any discussion regarding this item. There being none, the motion unanimously passed.

The Board of Supervisors took no action regarding the following applications to the Zoning Hearing Board:

NO: 1846-09: Application filed by Clearwire USC, LLC as tenant of the property located at 945 Jolly Road for the following relief at the subject property:

1. A variance from the terms of Article XVIII, Section 160-111 to allow the establishment of a telecommunications facility including 3 microwave dish antennae at a height of 164' and 1 microwave panel antenna at a height of 160' to be attached to the existing 157' PECO transmission tower at the subject property.
2. A variance from the terms of Article XXVIII, Sections 160-201.A. & B. to allow the establishment of a telecommunications facility as a principal use including 3 microwave dish antennae and 1 microwave panel antenna to be attached to the existing PECO transmission tower increasing the maximum permitted height from 50' to 164'

The zoning classification of the subject property is "R-E" Research and Engineering District.

The Planning Commission voted 6-0 to recommend that the Zoning Hearing Board approve the application with the condition that all equipment will be removed within six months of the time of the lease termination.

NO: 1847-09: Application filed by Paul & Valentina Sznoluch as owners of the property located at 902 Surrey Drive, Blue Bell, PA, 19422 for variances from the terms of Article V, Section 160-21 and Article XXVIII, Section 160-204.D to allow a second floor addition over the existing detached garage reducing the minimum required rear yard setback from 22' to 10' for a detached accessory structure over 10' high at the subject property. The zoning classification of the subject property is "R-1" Residence District.

The Planning Commission voted 6-0 to remain neutral on the subject application.

NO: 1848-09: Application filed by Mark T. Roberts & Dolores M. Mihalich as owners of the property located at 1557 Sullivan Drive, Blue Bell, Penna., 19422 for a variance from the terms of Article VII, Section 160-30 to allow the use of the home as a hobby woodworking shop instead of a single family dwelling at the subject property. The zoning classification of the subject property is "R-2" Residence District.

The Planning Commission voted 6-0 to recommend that the Zoning Hearing Board deny the application because of the request for a commercial use in a residential area, and because the property is not owner-occupied.

NO: 1849-09: Application filed by Saint Miriam – A Parish Community as a tenant of the property located at 475 Norristown Road, Unit 1, Blue Bell, PA, 19422 for a variance from the terms of Article XXII, Section 160-142 to allow a church use at the subject property. The zoning classification of the subject property is “I” Limited Institutional District.

The Planning Commission voted 6-0 to recommend that the Zoning Hearing Board approve the application.

NO: 1850-09: Application filed by Elmer E. & Heather L. Hedland as owners of the property located at 1525 Pulaski Drive, Blue Bell, PA, 19422 for variances from the terms of Article VII, Section 160-34 and Article XXVIII, Section 160-203 to allow a 16’ x 25’ attached garage with a second floor bedroom and bathroom in the side yard reducing the minimum required side yard from 25’ to 9’ and the minimum required aggregate side yards from 60’ to 44’ at the subject property. The zoning classification of the subject property is “R-2” Residence District.

The Planning Commission voted 6-0 to remain neutral on the application.

At this time, Chairman Palmer called for any old or new business for discussion from the Board or the public. There being no further business to come before the Board, the meeting was adjourned at 8:20 p.m. upon motion by Chairman Palmer.

Respectfully submitted,

Anthony F. Greco, Secretary