

WORK SESSION
March 16, 2010

A Work Session of the Whitpain Township Board of Supervisors was held on Tuesday, March 16, 2010 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA at 7:30 PM for the purpose of reviewing the agenda of the March 16, 2010 Supervisors' Meeting. Chairman Joseph J. Palmer was present with Supervisors Brian W. Young, Anthony F. Greco, Adam D. Zucker and Frederick R. Conner. Township Solicitor James 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, and Fire Marshal David M. Camarda were also present. Parks and Recreation Director Kurt M. Baker was absent. Five members of the public were also present.

The Supervisors reviewed the agenda discussing approval of the minutes of the March 2, 2010 Supervisors' Meeting, approval of the Treasurer's Report for the month of February 2010, approval of a Fund Balance Policy, approval of a Whistleblower Policy, and authorization for the Township Manager to enter into a four year agreement for electrical generation and distribution rates with Constellation NewEnergy at a rate lower than current rates. The exact rates are established by a rate proposal which must be accepted within 24 hours from the time received. Discussion continued on a motion to adopt Resolution No. 910 authorizing the Chairman and Secretary to sign the Supplemental Reimbursement Agreement between Whitpain Township and the Pennsylvania Department of Transportation, Agreement #068497-A, regarding the intersection improvements for the Prophecy Creek Park Project, authorization to advertise proposed Ordinance No. 22-38, the 2009 International Property Maintenance Code, a public hearing for proposed Ordinance #4-228, rezoning a tract of land at 137 Stenton Avenue from the existing classification of IN Institutional District to R-5 Agricultural/Rural Residence District, and several Zoning Hearing Board applications.

Mrs. Lieberman then asked the Supervisors who will be attending the Township's Earth Day Celebration on April 22nd. Mr. Palmer and Mr. Young said that they would.

Mrs. Lieberman then explained to the Supervisors that she had received a proposal for an energy audit for the Township site and Wentz Run Park. The cost was \$1850. After some discussion, the Supervisors asked to be given a copy of the proposal and said that they would revisit the subject after that. They felt that they want to look at all options.

The Supervisors then left for the public meeting.

The Work Session was reconvened at 8:30 PM.

The Supervisors then discussed two legal matters.

At approximately 9:15 PM, the Works Session was adjourned.

Phyllis C. Lieberman
Whitpain Township Manager

#6-2010

The regular monthly meeting of the Whitpain Township Board of Supervisors was held Tuesday, March 16, 2010 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Supervisors Joseph J. Palmer, Brian W. Young, Anthony F.

Greco, Adam Zucker, and Frederick R. Conner, Jr. were present. Township Manager Phyllis Lieberman, Township Engineer/Assistant Township Manager, Roman Pronczak, Township Solicitor, James J. Garrity, Director of Finance, John Marcarelli, Police Chief Mark A. Smith, Code Enforcement Officer, Michael E. McAndrew, Director of Public Works, Ronald J. Cione, Fire Marshal David M. Camarda, and Recording Secretary Michele Alifano were also present. There were eleven members of the public in attendance at the meeting. Park and Recreation Director, Kurt W. Baker was absent.

Following the Pledge of Allegiance, Chairman Palmer called the meeting to order at 8:00 PM.

A motion was made by Mr. Young, duly seconded by Mr. Greco to approve the minutes from the March 2, 2010 Board of Supervisors' meeting. Chairman Palmer called for any discussion. There being none, the motion unanimously passed.

A motion was made by Mr. Greco, duly seconded by Mr. Zucker to approve the Treasurer's Report for the month of February, 2010. Chairman Palmer called for any discussion. There being none, the motion unanimously passed.

Following discussion in their pre-meeting, the Supervisors decided that the next item on the agenda, regarding the Fund Balance Policy, needs revision to its wording and it will be brought back before the Board of Supervisors for a vote at a later date.

A motion was made by Mr. Greco, duly seconded by Mr. Young to approve the Whistleblower's Policy. Chairman Palmer explained that the policy was brought about following the Auditors recommendation that the policy should be part of the Township's standard procedures. Chairman Palmer then called for any discussion. There being none, the motion passed unanimously.

A motion was made by Mr. Greco, duly seconded by Mr. Zucker to authorize the Township Manager to enter into a four year agreement for electrical generation and distribution rates with Constellation NewEnergy at a rate lower than current rates. The exact rates are established by a rate proposal which must be accepted within 24 hours from the time received. Chairman Palmer called for any discussion. There being none, the motion unanimously passed.

A motion was made by Mr. Zucker, duly seconded by Mr. Young to adopt Resolution Number 910 authorizing the Chairman and Secretary to sign the Supplemental Reimbursement Agreement between Whitpain Township and the Pennsylvania Department of Transportation, Agreement # 068497-A, regarding intersection improvements for the Prophecy Creek Park Project. This amendment incorporates the supplemental appropriation that was received. Chairman Palmer explained that the Federal Government awarded supplemental funds for the Prophecy Creek Park project in the amount of \$222,000. Chairman Palmer then called for any discussion. There being none, the motion passed unanimously.

A motion was made by Mr. Young, duly seconded by Mr. Greco to advertise Ordinance #22-38, an Ordinance amending The Code of The Township of Whitpain, Chapter 71 (Building Construction), Part 6 (Property Maintenance Code), Section 71-33

(Adoption of International Property Maintenance Code, 2006 Edition) to delete the existing Section 71-33 adopting the 2009 International Property Maintenance Code as the Property Maintenance Code for Whitpain Township; and to further amend Section 71-34 (Revisions) to add a Paragraph "F" to amend Section 506.3 of the Code to change the reference to "Code Official" contained therein to "Sewer Superintendant". Chairman Palmer then called for any discussion. There being none, the motion passed unanimously.

As advertised, a public hearing was held for Ordinance #4-228, an Ordinance amending the Official Zoning Map of Whitpain Township to rezone a tract of land located at 137 Stenton Avenue, owned by 137 Stenton Ave., LP, and further identified as Tax Block 21, Unit 63, Montgomery County Tax Parcel No. 66-00-06835-00-2, consisting of 29± acres, from its existing classification of IN-Institutional District to the new classification of R-5 Agricultural/Rural Residence District.

Leigh Narducci, Esquire was present to represent the applicant, and he provided a brief summary of the rezoning request. He stated that the tract of land has been in use by the Oak Lane Day School for a number of years, but they are now closing and will be vacating the property. This will leave the land, which is zoned IN- Institutional, vulnerable to uses that would be out of character for the neighborhood. All of the surrounding properties are currently zoned R-5 Agricultural/Rural Residence District.

Chairman Palmer asked for any comments from the Board of Supervisors. There were none. He then took comments from the audience. Ms. Eileen Stevenson, 630 Maple Hill Drive, stated that she felt that Industrial uses would be appropriate for the site, and she did not want more housing development on the property because of the difficulty in selling real estate in the current economic climate.

Mr. Eugene Pisani, 8 Stenton Avenue, inquired about the lot size requirement in the R-5 Zoning District. Mr. Pronczak explained that the minimum lot size is 80,000 sq. ft. Mr. Narducci added that there is a deed restriction on the property that requires a minimum lot size of not less than two acres. This is independent of Township regulations.

A verbatim record of the proceeding was taken by a Court Stenographer and will be made part of these minutes.

A motion was made by Mr. Young, duly seconded by Mr. Conner to adopt Ordinance #4-228. There being no further comments or discussion, the motion unanimously passed.

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

NO: 1855-10: Application filed by Genisys Credit Union as tenant of the property located at 1510 DeKalb Pike, Blue Bell, PA, 19422 for a variance from the terms of Article XXVI, Section 160-191.D(2) and Zoning Hearing Board Decision No. 232-73, to allow a 2.5 sq. ft. façade "24 HR ATM" sign in addition to a 35 sq. ft. façade identification sign increasing the maximum façade sign area from 20 sq. ft. under Section 160-191.D(2) increased to 35 sq. ft. under Zoning Hearing Board Decision No. 232-73 to

37.5 sq. ft. based on a 20 ft. wide store frontage at the subject property. The zoning classification of the subject property is “C” Commercial District.

NO: 1856-10: Application filed by S. Edgar & Karen David, as owners of the property located at 740 Penllyn Blue Bell Pike, Blue Bell, PA 19422 for the following relief at the subject property:

Lot A

1. Variances from the terms of Article V, Section 160-17 and Article XXVII, Section 160-203 reducing the minimum required side yards from 45’ to 32’ and 45’ to 26’ and reducing the minimum required aggregate side yards from 100’ to 58’.
2. Section 160-19 and Article XXVIII, Section 160-204 reducing the minimum required rear yard from 75’ to 33’.

Lot B

1. Variances from the terms of Article V, Sections 160-14 reducing the minimum required lot area from 30,000 sq. ft. to 23, 438 sq. ft. and reducing the minimum required lot width from 150’ to 130’.
3. Article V, Section 160-17 and Article XXVII, Section 160-203 reducing the minimum required side yard from 45’ to 29’ and reducing the minimum required aggregate side yards from 100’ to 74’.

The zoning classification of the subject property is “R-1” Residence District.

NO: 1857-10: Application filed by Joseph A. & Tina M. Rinaldi, as owners of the property located at 1120 Silo Circle, Blue Bell, PA, 19422 for a variance from the terms of Article XXVIII, Section 160-204.D to allow the installation of an in-ground pool reducing the 10’ minimum required separation from the principal building to 8’ at the subject property. The zoning classification of the subject property is “R-7” Residential District.

NO: 1858-10: Application filed by Whipain Greens Swim Club, as owner of the property located at 1776 Erbs Mill Road, Blue Bell, PA, 19422 for variances from the terms of Article XXVI, Section 160-191.B and Section 160-191.G to allow 2 sq. ft. of sign area for the Club’s name on its mailbox within the right-of-way of Township Line Road at Erbs Mill Road to provide directional help for emergency services at the subject property. The zoning classification of the subject property is “R-2” Residence District.

NO: 1859-10: Application filed by Chestnut Hill Hospital, as a tenant of the property located at 1777 Sentry Parkway West, Dublin Hall, Suites 110 & 120, Blue Bell, PA, 19422 for a variance from the terms of Article XXVI, Section 160-191.F to allow a new 30” x 23” (4.79 sq. ft.) directional sign on the internal ring road closer to the entrance off of Township Line Road and to increase the size of two (2) current directional signs from 19” x 16” to 30” x 23” (4.79 sq. ft.) which is in excess of the two (2) sq. ft. directional signs allowed per street at the subject

property. The zoning classification of the subject property is “AR” Administrative/Research District.

NO: 1860-10: Application filed by Kelly Schweighauser, as owner of the property located at 1642 Daws Road, Blue Bell, PA, 19422 for variances from the terms of Article VII, Section 160-36 & Article XXVII, Section 160-204 to allow a 14’ x 16’-8” addition to the rear of the house decreasing the minimum required rear yard from 50’ to 44’-10” at the subject property. The zoning classification of the subject property is “R-2” Residence District.

Mr. Young then called for any comments or questions from the Board or the floor. Mr. Conner publicly commended Township staff for their management of the events of the recent rainstorm. Chairman Palmer also wanted to recognize the efforts of the Center Square Fire Company, and the proactive stance and the willingness to help that is exhibited by all of the staff.

Ms. Patricia Thistle, 1729 Pemberton Road, expressed her concern over a recent incident that occurred in her neighborhood. The SWAT team was conducting an exercise at the vacant property on the corner of Pemberton Road & Stenton Avenue, and Ms. Thistle stated that there was no notice received by the neighbors, and the incident was very distressing to her.

Police Chief Mark A. Smith responded that residents that were located just adjacent to the house received notice of the training exercise. Also, signage is placed on the property to alert residents to the training exercise. Mr. Young suggested, and Chief Smith agreed that in the future, neighbors in a greater perimeter will be notified. Code Enforcement Officer Michael McAndrew advised that he contacted the detective in charge of the training to confirm that the house was boarded up following the exercise.

There being no further business to come before the Board, on motion made by Mr. Young the meeting was adjourned at 8:25 PM.

Respectfully submitted,

Anthony F. Greco, Secretary