

WORK SESSION  
September 15, 2009

A Work Session of the Whitpain Township Board of Supervisors was held on Tuesday, September 15, 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 September 15, 2009 Supervisors' Meeting. Chairman Joseph J. Palmer was present with Supervisors Brian W. Young, Anthony F. Greco, William L. McKernan III, 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, and Fire Marshal David M. Camarda were also present. Four members of the public were present. Director of Parks and Recreation Kurt W. Baker was absent.

The Supervisors reviewed the agenda discussing the scheduling of Supervisors' Meetings for the month of October, approval of the minutes of the September 1, 2009 Supervisors' Meeting, approval of the Treasurer's Report for the month of August 2009, acknowledgment that the Board of Supervisors has received the 2010 MMO for the Police and Non-Uniformed Pension Plans as per Act 205 of 1984, award of the contracts for the Township Line Road Pumping Station Upgrades, a motion to adopt Resolution Number 897 approving a Land Development Plan for the Montgomery County Community College - College Hall Addition, a motion to appoint Charles Christine and Paul Troy as Whitpain Township representatives on the Wissahickon Valley Public Library, each for three-year terms, a motion to piggy-back the COSTARS Contract for liquid magnesium chloride with corrosion inhibitor, several Zoning Hearing Board applications, and a public hearing on proposed Ordinance No. 4-227.

Chief Smith then gave a presentation to the Supervisors about the County 911 System and changes that are being contemplated, which would add additional townships to the System. Those additions could double the number of users and might have an adverse effect on the efficiency of the System. He said that he plans to keep our two way radio system in service, so that there is a redundancy, especially if there is an emergency that should overload the County System.

Mrs. Lieberman then advised that she had received a request from the CSFC for permission to erect the same signs this year as last year's Fire Expo, including the giant LED signs at Wentz Road and Skippack Pike. The Board agreed.

The Supervisors then left for the public meeting.

The Work Session was reconvened at 8:45 PM.

The Supervisors discussed one legal matter.

At approximately 9:20 PM the Work Session was adjourned

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Phyllis C. Lieberman  
Whitpain Township Manager

## #16-2009

The regular meeting of the Whitpain Township Board of Supervisors was held Tuesday, September 15, 2009 at the Whitpain Township Building, 960 Wentz Road, Blue Bell, PA. Supervisors Joseph J. Palmer, Brian W. Young, Anthony F. Greco, William F. McKernan, III and Adam D. Zucker were present. Township Manager Phyllis C. Lieberman, Township Engineer/Assistant Township Manager Roman M. Pronczak, Township Solicitor James J. Garrity, Police Chief Mark A. Smith, Code Enforcement Officer Michael E. McAndrew, Public Works Director Ronald J. Cione, Fire Marshal David M. Camarda, Finance Director John Marcarelli and Recording Secretary Virginia Papale were also present. Park and Recreation Director Kurt W. Baker was absent. There were approximately 20 members of the public in attendance.

Following the Pledge of Allegiance, the meeting was called to order by Chairman Joseph Palmer at 8 p.m.

Chairman Palmer called for a moment of silence to remember the heroes and victims of September 11. He said we should never forget those who responded, the fire personnel, police, EMS who all rose to the challenges with respect and honor, and to also remember the victims of that day.

Chairman Palmer announced the scheduled meetings at 8 p.m. for the month of October 2009, with the regular meeting Tuesday, October 6 and the second meeting Tuesday, October 20.

A motion was made by Mr. Young, duly seconded by Mr. Greco to approve the minutes of the September 15, 2009 Supervisors' Meeting. Chairman Palmer called for any discussion. Resident Maria Olshansky noted the date error, Chairman Palmer thanked her for the correction, and with the proper date of September 1, 2009, the motion unanimously passed.

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

A motion was made by Mr. McKernan, duly seconded by Mr. Greco to acknowledge the receipt of the 2010 MMO for the Police and Non-Uniformed Pension Plans for Whitpain Township, as per Act 205 of 1984. Chairman Palmer called for any discussion. There being none, the motion unanimously passed.

A motion was made by Mr. Greco, duly seconded by Mr. McKernan to award the contracts totaling \$527,700 for the Township Line Road Pumping Station Upgrades as follows:

#36 Mechanical to Heisey Mechanical, Ltd. of Columbia, PA in the low bid amount of \$461,800; and #37 Electrical to Monocacy Valley Electric, Inc. of Littlestown, PA in the low bid amount of \$65,900.

Chairman Palmer noted originally \$500,000 was budgeted, part in 2009 and part in 2010 for this project, which is combined with an awarded \$40,000 Grant. Chairman Palmer called for any discussion. There being no further discussion, the motion passed unanimously.

A motion was made by Mr. Young, duly seconded by Mr. Greco to adopt Resolution No. 897 to approve a Land development plan titled "Montgomery County Community College – College Hall Addition – Sheets 1 of 9 through 9 of 9, prepared by Chambers Associates, Inc., plans dated August 10, 2009 in accordance with Section 509(b) of the Pennsylvania Municipalities Planning Code conditioned upon execution of an Improvement Construction Agreement, posting of financial security, receipt of all necessary permits from the Pennsylvania Department of Environmental Protection, receipt of planning module approval, and resolution of items in a letter from the Township Engineer dated September 8, 2009. Chairman Palmer called for any discussion. There being none, the motion passed unanimously.

A motion was made by Mr. McKernan, duly seconded by Mr. Zucker to appoint Charles Christine and Paul Troy, Whitpain Township appointees to the Wissahickon Valley Public Library Board, each for a three-year term. The present terms expire in October, 2009. Chairman Palmer called for any discussion. There being none, the motion passed unanimously.

A motion was made by Mr. McKernan, duly seconded by Mr. Zucker to piggyback COSTARS Contract #4600013603 for liquid magnesium chloride with corrosion inhibitor for the period October 1, 2009 through September 30, 2010 through IMUS, Inc. of Ava, NY. The price remained the same as the previous year at \$.90/gallon. Chairman Palmer called for any discussion. There being none, the motion passed unanimously.

The Board of Supervisors took no action on any of the following Zoning Hearing Board applications, noting application #1818-09 has been continued indefinitely:

**NO: 1818-09:** Application filed by North Wales Road Partnership, LP as Equitable Owner of the property located at 1620 North Wales Road, Blue Bell, PA 19422, has been continued indefinitely.

**NO: 1840-09:** Application filed by Latham Realty Associates as owner of the property located at 650 DeKalb Pike, Blue Bell, PA 19422, for a variance from the terms of Article XXVI, Section 160-191.B. to allow an existing 5' x 8' new construction land development sign plus attached 1' x 6' web address sign totaling 46 square feet which is in excess of the maximum allowable 32 square feet for a new construction/land development sign at the entrance of the development on DeKalb Pike at the subject property.

The zoning classification of the subject property is "R-9" Residence District.

The Planning Commission voted 6-0 to recommend the ZHB deny the subject application, as no one was present to represent the applicant and answer questions regarding the application. If a variance is granted, it is recommended that the variance be limited to renewal on an annual basis.

**NO: 1841-09:** Application filed by Stephen M. Masucci & Olesya Fedoryshin as owners of the property located at 982 Sunset Drive, Blue Bell, PA 19422, for variances from the terms of Article V, Section 160-17 and Article XXVIII, Sections 160-203 to allow the removal of an existing screened porch within the side yard and the construction of a new 20' x 16' porch roof reducing the minimum required side yard from 45' to 39' 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 this application.

**No. 1837-09:** Resubmitted application by Lago D'Argento, LLC as owners of the property located at 1220 Wentz Road, Blue Bell, PA 19422 for the following relief at the subject property:

1. Variances from the terms of Article XXVIII, Section 160-209 A. & B. (formerly Section 160-200.A & B) to allow Lots 4 and 5 to have direct access to Wentz Road instead of access over of the newly created local residential street (Silverlake Lane).

2. Variances from the terms of Article XXIX, Sections 160-224 & 160-225 (formerly Sections 160-207 & 160-208) to continue the existing non-conforming use, i.e., the continued use of the existing dwelling as two (2) residential apartments.
3. Such other relief as the Board may deem necessary.

The Planning Commission voted 6-0 to recommend approval of the resubmitted subdivision application, subject to compliance with the requirements and approval of Township staff and the Township Planning Consultant. The Planning Commission also voted 6-0 to recommend the ZHB grant the two requested variances for the subject application.

As advertised, Chairman Palmer commenced a public hearing for proposed Ordinance No. 4-227, an Ordinance, amending Chapter 160 of the Code of the Township of Whitpain (also known as the Zoning Ordinance of Whitpain Township), for the purposes of amending Article X, AQRC - Age Qualified Residential Community District to change its title to R-3B Low-Intensity Multi-Family District, to remove and replace all references to “age qualified residential community district” or “age qualified zoning district” with a reference to “R-3B Low-Intensity Multi-Family District”, and to provide special regulations for residential development without unit occupancy regulations, eliminate any requirement for a declaration of age restriction, permit townhouses by conditional use, and repeal all Ordinances or portions of Ordinances inconsistent therewith; to amend Chapter 160, Article XXVI (Signs), Section 160-191 (Schedule of Signs) to remove and replace all references to “AQRC – Age Qualified Residential Community” or “AQRC” with a reference to “R-3B Low-Intensity Multi-Family District” or “R-3B” as appropriate; and to further amend Chapter 160, Article XXVIII (General Provisions), Section 160-214 (Green Area Regulations), Subsection C.(1) (Schedule of Green Area Requirements) to establish a proposed minimum green area of sixty percent (60%) for any lot used or occupied for the R-3B Low-Intensity Multi-Family District.

A motion was made by Mr. Young, duly seconded by Mr. Zucker to approve proposed Ordinance No. 4-227.

Chairman Palmer asked for any comments from the Board of Supervisors. There were none. He then took comments from the audience.

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

Maria Olshansky, Sheldon Weintraub, Peter Lowry, Patrick Kane and Gail Szeke made comments and asked questions. Carl Weiner, Esq. and Sal Paone, Jr. responded.

There being no further comments or discussion, the motion unanimously passed.

Mr. Young called for any old or new business for discussion from the Board. Chairman Palmer brought up his attendance by invitation at the dedication of the new Ambler YMCA being built in Lower Gwynedd Township. He said that the project is spectacular. It is a \$24 million job with a scheduled completion of October 2010 being built across from Rohm and Hass. Chairman Palmer believes this will be a major asset to the Whitpain, Lower Gwynedd and Ambler communities. Many contributed to make the project happen.

Dr. Patrick Kane offered his thoughts on YMCAs in general, and his belief that they shouldn't be classified non-profit.

Mr. Wittig asked the location of the construction site of the new YMCA, which is across from Rohm and Hass on McKean Road off of Norristown Road. Mr. Wittig also asked if the work recently done on the CSX line on Skippack Pike near Belfry Drive is complete. Mr. Cione responded that CSX is committed to finishing the repairs, and it is anticipated they would work on the mats prior to winter.

There being no further business to come before the Board, the meeting was adjourned at 8:37 p.m. upon motion by Mr. Young.

Respectfully submitted,

Anthony F. Greco  
Secretary