

OCTOBER 28, 2004

The Special Monthly Meeting of the Whitemarsh Township Board of Supervisors was held on Thursday, October 28, 2004 at 8:00 P.M. in the Whitemarsh Township Building, 616 Germantown Pike, Lafayette Hill, PA.

Supervisors Present: Peter B. Cornog, Chairman; Michael A. Zeock, Vice Chairman; Steven S. Brown; Joseph P. Corcoran, III; and Jonathan D. Weiss

Also Present: Lawrence J. Gregan, Township Manager; Neil A. Stein, Esq., Township Solicitor; and James C. Sullivan, PE, Township Engineer

The Board took the following action:

1. On a Motion by Supervisor Zeock, seconded by Supervisor Corcoran (Vote 5-0), the Board adopted a Proclamation honoring Edith R. and Eugene F. Dixon, Jr. for their contributions to Whitemarsh Township. The Proclamation will be presented to Mr. and Mrs. Dixon at the Whitemarsh 300 Gala on October 30, 2004. A copy of the Proclamation is incorporated into the minutes and attached hereto.

There was no public comment on this action.

2. Chairman Cornog opened a meeting with residents from the North and South Warner Roads, Center Avenue, First Avenue, Germantown Pike and Joshua Road areas concerning stormwater drainage issues.

Brian McAdams, PE, Schoor DePalma, explained the findings of the engineering analysis of the storm sewer drainage system located to serve these neighborhoods. He discussed possible solutions including possible redesign of the Whitemarsh Woods detention basin to enable it to retain more water to be released at a slower rate, thus reducing the storm drainage on the existing system; televising the existing storm drains; and the addition of stormwater inlets along Warner Road and possibly Center Avenue.

Robert Bisbing (4005 S. Warner Road) questioned the option of either slowing down the rate of water or enlarging the size of the pipe. Mr. McAdams advised that the concept is to redesign the Whitemarsh Woods basin to allow for more storage and a reduced discharge rate, dependent upon the basin analysis. He noted that in the alternative, additional piping could be installed parallel to the existing system. In response to an inquiry by Mr. Bisbing, Mr. McAdams explained that the flow of water is controlled by the structure inside the basin and not by the size of the pipe.

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Mr. Bisbing raised a safety concern about the swale on S. Warner Road and the possibility of a child being swept away into the pipe. Mr. McAdams indicated that there is a grate on the pipes on S. Warner Road but indicated that this would be investigated.

Mr. Bisbing cited the current trend in 100-year storms and questioned how the rates would be changed for new construction and for retrofit situations. Mr. McAdams responded that the current rainfall database information does not include data from the last five years.

Supervisor Corcoran indicated that the Board is exploring other ways in which the Township could implement more stringent stormwater controls.

Anne Gardner (4137 Presidential Drive) questioned the timeline for completion of analysis and the start of improvements. Mr. McAdams indicated that even the short-term solutions could take up to two months to complete. He noted that priorities would need to be established based on necessity and available funding.

Chairman Cornog reminded the residents that the Board is attempting to solve the immediate problems in the Township, and that speculation cannot be made as to the potential impact of proposed stormwater systems for future developments.

Judith Stull (4140 Presidential Drive) indicated that the Township should take a proactive approach to address drainage issues that may arise in the future.

Supervisor Corcoran explained the proposed two-phase approach by the Township to handle stormwater management. Supervisor Weiss added that short-term solutions that are economically feasible would not affect the long-term goals. He opined that the Township is working to the best of its ability to address these stormwater problems.

John Kerrigan (4014 South Warner Road) described the drainage pattern in his area. He asked about the potential of sanitary sewer backups from overflow of the stormwater system.

Leo Kelly (4015 South Warner Road) explained that the drainage swale next to his house is a disaster and that flooding had occurred in the past, prior to construction of Whitemarsh Woods development.

Carole Kelly (4012 South Warner Road) described the history of the drainage ditch in the area, noting that it has gotten bigger and eroded over the years. She opined that it is a dangerous situation.

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Sharon Harvey (3033 Joshua Road) commented on the stormwater inlets in the vicinity of her house and a missing grate on the culvert at the golf course.

Rob Granieri (4001 Center Avenue) indicated that water comes out of a pipe near his house, and the property becomes a catch basin for trash and debris.

Susan Bisbing (4005 South Warner Road) opined that some of the water problems experienced are due to the construction of Whitemarsh Woods. She explained that there is a large parking lot behind a local barbershop, and she suggested that drainage from the parking lot be directed into the Whitemarsh Woods basin. She also indicated that water from the parking lot comes across several properties to a drainage ditch, and that a neighbor regraded his property causing additional problems for the upstream properties. She asked that the Township help drain water from the yards.

A resident indicated that much of the water leaving the Whitemarsh Woods development comes through his backyard and into the creek. Mr. McAdams explained that all of the runoff would be considered, and not just from the Whitemarsh Woods development. He advised that it is a difficult task to deal with stormwater problems in an existing neighborhood without much open space.

Robert Bisbing inquired as to the legal ownership of the open space area in the Whitemarsh Woods development. Neil A. Stein, Esq., Township Solicitor, explained that the Homeowners Association and the developer entered into agreements with the Township stating that if the Association did not fix any known problems, then the Township would have the right to make repairs and assess the cost back to the property owner.

Joan Elcock (213 Germantown Pike) indicated that her property did not sustain water damage, but that her neighbor had five feet of water in her basement. She asked how there could be such a dramatic difference. Mr. McAdams responded that the neighbor's property is closer to the culvert and that the grading may also be different.

Supervisor Brown summarized the immediate actions to be taken by the Township as follows: televise and check pipes to be sure they are clear; further investigate pipe connections down to the Joshua Road culvert; check, clean and repair inlets; evaluate possible locations for new inlets; consider new development projects in the Township; evaluate efficiency of the Whitemarsh Woods basin; repair any broken grates at box culverts. He noted that the Board had recently passed new and more restrictive Ordinances as a proactive approach to new developments. He further explained that there are plans to form a Citizens Task Force on stormwater that would

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include representatives from different neighborhoods. He encouraged anyone with concerns or comments to come to any public meeting of the Board of Supervisors.

John Kerrigan thanked the Board of Supervisors for its assistance with the stormwater issues.

Carolyn McCloskey (182 Barren Hill Road) advised that there is an exposed sanitary sewer line at the back of her property. Township staff obtained her information in order to investigate.

Mrs. Bisbing noted that despite numerous discussions and assurances that there would be no problem with drainage from Whitemarsh Woods, there are now neighborhoods greatly affected by drainage problems.

Judith Stull (4140 Presidential Drive) asked the Board of Supervisors to reevaluate all existing Ordinances related to stormwater management. She opined that the Ordinances should not simply meet the minimum standards but do more. Supervisor Brown listed the recent Ordinances adopted by the Board that are directly or indirectly related to stormwater management.

Mr. Stein indicated that the Township recently adopted the most restrictive stormwater regulations allowable by State law. In response to an inquiry by Ms. Stull, Mr. Stein confirmed that the restrictions apply to every developer, residential or commercial. He explained the ways in which the Township could enforce an Ordinance.

Mr. Stull asked about the responsibility of Whitemarsh Woods to resolve the stormwater issues, to which Mr. Stein indicated that the situation would be evaluated and if retrofits are necessary, it would be the responsibility of the Homeowners Association.

Supervisor Corcoran added that the Board is currently looking into the rate of stormwater runoff permitted by the Stormwater Management Ordinance and indicated that residents need to get involved and educated as to the position of their State legislators on this issue.

In response to an inquiry by Supervisor Weiss, Mr. Stein cited the standard avenues of recourse for the Township should problems be created by the construction of The Hill at Whitemarsh.

Don Blaine asked if Manor Road could also be addressed at the meeting scheduled for November 4, 2004. The Board members agreed.

3. On a Motion by Supervisor Zeock, seconded by Supervisor Brown (Vote 5-0), the Board adopted Resolution 2004-37 authorizing Spring Mill Fire Company No. 1 to purchase medical coverage through the Township's health insurance programs in accordance with the Township's Personnel Manual, effective December 1, 2004.

There was no public comment on this action.

4. On a Motion by Supervisor Corcoran, seconded by Supervisor Zeock (Vote 5-0), the Board tabled the discussion of Escrow Release #1, Grading Permit 2001-6, ACE Center Golf Course. It was noted that former Township Engineer, Thomas Zarko, PE, should be present to address concerns by the Board members.

There was no public comment on this action.

5. On a Motion by Supervisor Corcoran, seconded by Supervisor Zeock (Vote 5-0), the Board tabled discussion of Final Escrow Release and Improvements Closeout, SLD 5-99, Miquon Preserve. It was noted that former Township Engineer, Thomas Zarko, PE, should be present to address concerns by the Board members.

There was no public comment on this action.

6. Eileen W. Behr, Police Chief, made a presentation on the Traffic Safety Unit's recommendation to install "No Parking" restrictions along Germantown Pike at Miles Park. She indicated that the proposed restrictions came as a result of complaints of sight distance problems in the area. She described the exact location and length of the proposed restrictions and noted that seven parking tickets and several warnings have been issued since the experimental signage was placed in July 2004. She indicated that the Police Department has not received any complaints about the increased restrictions.

Supervisor Corcoran opined that it would be helpful if the sand piles and dumpster were removed from the parking lot prior to the start of the spring sports season to provide additional parking spaces.

On a Motion by Supervisor Weiss, seconded by Supervisor Brown (Vote 5-0), the Board authorized the advertisement of a Proposed Ordinance to restrict parking along Germantown Pike at Miles Park per the Police Department recommendations.

There was no public comment on this action.

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7. Eileen W. Behr, Police Chief, made a presentation on the Traffic Safety Unit's recommendation to install proposed "No Parking" restrictions along Germantown Pike at Colonial Drive. She explained that the proposed restrictions came as a result of complaints of sight distance problems and traffic flow in the area. She described the exact location and length of the proposed restriction and noted that 15 parking tickets and several warnings have been issued since the experimental signage was placed in late July/early August 2004. She indicated that the Police Department has not received any complaints about the increased restrictions and noted that the School District felt the restrictions improved safety.

Joan Elcock (213 Germantown Pike) asked the Board where drivers would park once the new restrictions are in place.

Chairman Cornog indicated that the safety concern caused by limited sight distance is the foremost issue for the Township.

Thomas McCloskey (509 Germantown Pike) asked about the accident history at the entrance/exit to Miles Park. Chief Behr responded.

Supervisor Corcoran spoke about the Parks and Recreation Comprehensive Plan that would address the insufficiency of parking at Miles Park. In addition, he indicated that the Board recently passed a Park Impact Fee that would help pay for park improvements.

Ann Gardner (4137 Presidential Drive) inquired as to the possibility of having an officer monitor the park exits to assist drivers.

On a Motion by Supervisor Brown, seconded by Supervisor Corcoran (Vote 5-0), the Board authorized the advertisement of a Proposed Ordinance to restrict parking along Germantown Pike in the vicinity of Colonial Drive per the Traffic Safety Unit's recommendation.

There was no further public comment on this action.

8. James C. Sullivan, PE, Township Engineer, reviewed their proposal to form a Feasibility Study for the installation of public sewers along Stenton Avenue between Butler Pike and Sheaff Lane, to service approximately 23 homes with a connection point at the edge of the Whitmarsh Chase subdivision. Mr. Sullivan described the services his firm would provide the Township in determining the feasibility of such a project. He noted an approximate cost of \$3,850.00 to perform such services.

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Supervisor Corcoran asked how the Township would determine which homes to include in the study.

Supervisor Brown asked about the specific area, and Mr. Sullivan indicated that the study would include homes on Stenton Avenue, between Butler Pike and Sheaff Lane.

Supervisor Corcoran asked if Sheaff Lane would be included, and Mr. Sullivan responded that the study did not include Sheaff Lane at this time.

Supervisor Corcoran inquired as to the way in which the Township could determine what properties are in need of public sewer service. He asked Mr. Gregan if a mailing would be sent to all property owners in the area. Mr. Gregan indicated that the targeted properties were identified as part of the 537 Sewage Facilities Planning process, adding that soil conditions, complaints, and the number of existing special permits were all considered. He further indicated that notices were sent and residents invited to public meetings.

Supervisor Corcoran asked if the new pipeline would be a gravity-feed type. Mr. Gregan indicated that it would be a combination of both gravity and low pressure force main systems.

Supervisor Corcoran stated that all property owners in the proposed area should be surveyed.

Supervisor Brown asked about prior failed systems in this area, to which Supervisor Corcoran responded that the area is considered to be in the flood plain.

Supervisor Corcoran asked if more development would arise in this area as a result of public sewer installation. Mr. Gregan noted that there is currently an approved four-lot subdivision in the area.

On a Motion by Supervisor Zeock, seconded by Supervisor Corcoran (Vote 5-0), the Board authorized Schoor DePalma to proceed with the Preliminary Sewer Feasibility Study for Stenton Avenue, between Butler Pike and Sheaff Lane in accordance with their proposal, at a cost not to exceed \$3,850.

There was no public comment on this action.

9. The Board discussed the November Zoning Hearing Board cases:

A. Application by the Colonial School District to renovate the first floor of the Colonial Elementary School in order to construct administrative offices. On a Motion by Supervisor Zeock, seconded by Supervisor Corcoran (Vote 5-0), it was the consensus of the Board that it is in support of the proposed renovations.

There was no public comment on this action.

B. Application by Federation Day Care, Butler Pike at Skippack Pike to build an 8'x10' shed on the property. It was the consensus of the Board, that it is not actively opposed to the application of Federation Day Care to erect the shed.

C. Application by Federation Day Care, Butler Pike at Skippack Pike to illuminate the existing sign using solar power in order to increase awareness and enrollment for the center. Supervisor Corcoran advised the Board members that the Zoning Hearing Board opposed this specific request by Federation Day Care on the original approval. He noted that there are no other lighted signs on that roadway. It was the consensus of the Board, that it is not actively opposed to the application of Federation Day Care to install solar lighting at the sign location.

10. On a Motion by Supervisor Brown, seconded by Supervisor Zeock (Vote 5-0), the Board approved the Outstanding Vendor Lists dated through October 21, 2004, in the total amount of \$130,526.17.

On a Motion by Supervisor Zeock, seconded by Supervisor Brown (Vote 5-0), the Board approved the External Checks List dated through October 22, 2004, in the total amount of \$20,152.81.

On a Motion by Supervisor Corcoran, seconded by Supervisor Zeock (Vote 5-0), the Board approved Payroll #22 dated through October 22, 2004, in the amount of \$168,554.99.

There was no public comment on these voucher approvals.

11. Chairman Cornog announced that the Board had held an Executive Session prior to the public meeting and would continue in Executive Session at the conclusion of the meeting.

12. Public Comment.

Supervisor Corcoran asked Police Chief Behr about the status of installing wheel washing stations at the Corson Quarry crossing on Joshua Road. Chief Behr indicated that she would follow-up on the issue with the quarry operator.

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Ann Gardner (4137 Presidential Drive) stated that her family pet was recently hit by a car and killed in front of her house. She asked the Board for assistance in handling speeding drivers on her street (Presidential Drive).

Supervisor Brown spoke about traffic calming and asked Mr. Stein about mandatory funding by a developer as part of a community agreement. Mr. Stein responded.

Judy Stull (4140 Presidential Drive) also complained about speeding on the street.

Ms. Gardner inquired as to the inability of police to ticket drivers until speeding is in excess of 10 mph over the limit. Chief Behr explained the way in which speed timing devices work and the authority given to Police to enforce speeding using these devices.

Supervisor Brown commented on speed tables.

Supervisor Corcoran asked about the possibility automatic ticketing machines based on speed trailer readings.

Supervisor Zeock talked about speed education and enforcement.

Chief Behr commented on the recent efforts by the Police Department in the Whitemarsh Woods neighborhood that included stopping drivers and educating them on speeding and the consequences.

13. On a Motion by Supervisor Zeock, the meeting adjourned at 10:28 PM.

Respectfully submitted,

LAWRENCE J. GREGAN
Township Manager