

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

**FEBRUARY 9, 2023**

The Regular Monthly Meeting of the Whitemarsh Township Board of Supervisors was held on Thursday, February 9, 2023 at 7:00 PM, in the Whitemarsh Township Building, 616 Germantown Pike, Lafayette Hill, PA.

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

Supervisor Absent: Jacy Toll, Vice-Chair

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

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENTS**

**POLICE COMMENDATIONS**

**LIFE SAVING COMMENDATION**

The Life Saving Commendation is awarded to the member who acted in a manner that save the life of another human being, whether by oral communication or physical action.

**Officer Stephen P. Dunning #86**

Lieutenant Brian Mack explained on April 13th of 2022, officers were dispatched to the Orange Theory Fitness center in the Conshohocken section of Whitemarsh Township for the report of an unresponsive subject. Officer Dunning was first to arrive and began assessing the 32-year-old patient. He quickly determined that she was in cardiac arrest and started Cardiopulmonary Resuscitation, commonly referred to as CPR. He continued these efforts until responded paramedics arrived and were able to apply an Automatic External Defibrillator (AED). A “shock” was delivered through the AED and the patient regained her pulse. She was transported to the hospital and was stabilized. She spent a week in the hospital’s ICU and was able to walk out of the hospital. Thanks to Officer Dunning’s life-saving efforts, this patient is alive today. For his quick and decisive actions that resulted in saving the life of another, Officer Stephen Dunning is awarded his third lifesaving commendation.

## **MERIT COMMENDATIONS**

A commendation for MERIT is given to an officer who provides an act of intelligent and valuable police service, demonstrating faithfulness and perseverance, including an especially important arrest, accomplished through highly intelligent police performance.

### **Officer Kevin M. Galie #55**

Lieutenant Mack stated this commendation is long overdue. On September 18th, 2017, Officer Galie was on patrol when he received a report of two subjects possibly breaking into cars in the Mayflower Road development. Upon his arrival into the neighborhood, Officer Galie had the wherewithal to park his police car well away from the scene of the reported crime and approach the area on foot in order to avoid detection. This tactic proved effective as Officer Galie surprised the two suspects who immediately fled the scene. Officer Galie engaged them in a prolonged foot pursuit through the backyards of the neighborhood while providing information to other responding officers. Officer Galie was able to apprehend one of these suspects. Officer Galie's subsequent investigation revealed that the suspect had arrived in our township in a stolen vehicle which was bearing a stolen license plate. Officer Galie was able to obtain a confession from this suspect to crimes in our township and to crimes in several other neighboring jurisdictions. Several other suspects were identified, arrested, and confessed to, in total, 25 instances of thefts from vehicles and 10 motor vehicle thefts. For his perseverance, and his intelligent and valuable police service, Officer Galie is being awarded this Commendation for Merit.

### **Detective Gregory M. Lattanze #45**

Lieutenant Nowak explained Detective Greg Lattanze, a 24-year Whitemarsh Police Department veteran, is being awarded two commendations for merit this evening.

First, on June 9th, 2018, Whitemarsh officers responded to a report of a man with a gun in the Cedar Heights section of Whitemarsh Township. Arriving officers found a male lying on a front lawn with a gun pressed to his head. While officers secured a perimeter and cleared the area of other residents, Detective Greg Lattanze responded to the scene to assist. Detective Lattanze is a trained Crisis Negotiator, and at that time was also serving with the Montgomery County SWAT Team (Central Region). Once on scene, over the course of 45 minutes, he used his skills and training as a negotiator to de-escalate the situation, calm the subject, and convinced him to abandon the gun, ending the situation peacefully and without injury to anyone. For his professionalism, perseverance and determination resulting in the peaceful resolution of a potentially deadly situation, Detective Lattanze is being awarded a Commendation for Merit.

Lieutenant Nowak stated Detective Lattanze is also being recognized for his actions commencing on November 4th, 2020. Detective Lattanze responded to the scene of an armed robbery at an ATM machine in the Lafayette Hill section of Whitemarsh Twp. On scene, Detective Lattanze interviewed the victim and processed the crime scene for evidence. This was only the initial investigation. From there Detective Lattanze determined the victim's stolen ATM card was used a short time later in the City of Philadelphia. Working with investigators from Philadelphia PD, Detective Lattanze discovered the same suspects committed a similar armed robbery in Chestnut Hill merely 20 minutes before the robbery in our Township. Through his ongoing investigation and surveillance,

Detective Lattanze identified two suspects who were arrested and charged for the robbery in our township, as well as multiple crimes, including robbery, in the City of Philadelphia. He said Detective Lattanze's diligence resulted in the arrest and subsequent confessions of these two subjects for multiple crimes committed with firearms, and for his extraordinary efforts, is awarded a Commendation for Merit.

### **Detective Richard "Hooks" Zadroga #53**

Lieutenant Nowak stated Detective Zadroga is being recognized tonight for his investigation, arrest, and the eventual conviction of a suspect for Criminal Attempt to Commit Homicide. This investigation began in June of 2019, as Detective Zadroga was handling multiple incidents of harassment, threats, and domestic disputes involving a local resident and her estranged husband. As Detective Zadroga was delving deeper into these complaints, and a new complaint of possible custodial interference, he discovered that our resident's estranged husband had traveled to Colorado with the couple's two children on one-way plane tickets. Detective Zadroga was instrumental in ensuring the children were returned to Pennsylvania safely and to their mother. During the investigation that followed, Detective Zadroga learned that while in Colorado, the suspect attempted to kill the children by poisoning them with sedatives in their slushies. This was in an attempt to punish his ex-wife. Detective Zadroga worked tirelessly with the investigators in Colorado Springs as the investigation unfolded. Here in Pennsylvania, Detective Zadroga took multiple witness and victim statements, secured evidence, and continued to coordinate with the authorities in Colorado Springs, who would have jurisdiction for this offense. In May of 2020, an arrest warrant was issued by the El Paso County District Attorney. Detective Zadroga arrested the suspect after locating him in Pennsylvania. The suspect was extradited to Colorado. And in May of 2021 Detective Zadroga traveled to Colorado to offer testimony in the trial, assisting in securing a conviction for the Criminal Attempt to Commit Homicide of the two children. The suspect will be spending, at least, the next 20 years of his life at the Sterling Correctional Facility Colorado. For all of these efforts and for his dedication and perseverance to seeing justice be served in this case, Detective Zadroga is being awarded a Commendation for Merit. This is Detective Zadroga's fourth recognition for meritorious service.

### **Detective Stephen Kerns #73**

Lieutenant Nowak explained Stephen Kerns, a detective with the Whitemarsh Township Police Department is being recognized tonight for his efforts as the lead investigator in a string of five, armed robbery high jackings of courier vehicles that were transporting narcotics and other medical supplies. Beginning in December of 2018 and through September of 2019 a courier company located in the Plymouth Meeting section of Whitemarsh Township fell victim to five, armed high jacking or attempted armed robbery of their vehicles. A sixth robbery, with the same M.O. occurred in Blair County Pennsylvania. In total, tens of thousands of dollars in narcotics were stolen and six victims terrorized by these events. The robberies were committed by multiple actors who brandished firearms, and on several instances bound, beat and pistol whipped their victims. Adding to the boldness of these crimes, on two occasions, the actors were disguised as police officers. As the lead investigator, Detective Kerns spend countless hours of investigation including state of the art investigative techniques in the forensic examination of cell phone records. Through 46 search warrants, months of surveillance, coordination with multiple agencies and jurisdictions, Detective Kerns was able to identify seven suspects in this string of robberies. His body of work led to the apprehension, prosecution, and conviction of all seven suspects for these six robberies. To date, all told, they will be serving between 43 and 86 years in

prison, with two suspects still awaiting sentencing. While this commendation seems to be late in its awarding, it should be noted that the investigation spanned nearly a full four years, during which time Detective Kerns never let up, and left no stone unturned. For this dedication and perseverance and for his intelligence and professionalism throughout the course of this investigation, Detective Kerns is being awarded a Commendation for Merit.

### **Commendation for Valor**

Commendation for Valor is the highest commendation awarded by the Whitemarsh Township Police Department. It is given for an extraordinary act of outstanding courage, without regard for personal safety, while in actual combat with an armed and dangerous adversary.

Chief Christopher Ward stated tonight's recipient of the Valor Commendation is Corporal Matthew Stadulis. On March 10th, 2021 Whitemarsh officers were dispatched to the Mulberry Lane residential neighborhood for a report of a male suspect attempting to gain entry into parked vehicles. Corporal Stadulis, and his K-9 partner Nika promptly responded to the area to investigate. As Corporal Stadulis was arriving to the Mulberry Lane area, he observed a male matching the suspect's description on Mulberry Lane near Ridge Pike. This suspect, upon seeing Corporal Stadulis, began walking away from the officer along Ridge Pike. This suspect refused Corporal Stadulis' orders to stop, prompting Corporal Stadulis to attempt to physically restrain him. As Corporal Stadulis grasped the suspect's arm, the suspect spun around towards Corporal Stadulis, and drew a handgun. He pointed the gun at Corporal Stadulis' head and pulled the trigger multiple times. Miraculously, the weapon did not fire. Corporal Stadulis immediately grabbed the suspect and the gun and wrestled him to the ground, in a fight for his life. Corporal Stadulis was able to disarm the subject and hold him to the ground until responding officers arrived and took the suspect into custody. It was later discovered that the weapon brandished by the suspect had been stolen from a vehicle the night before. The gun was fully loaded, but the suspect had failed to chamber a round. The suspect was brought to trial and convicted of the Attempted Homicide of a Police Officer. He was sentenced to a minimum of 27 years in a State Correctional Facility before being eligible for parole. For his outstanding courage while in actual combat with an armed and dangerous adversary, Corporal Stadulis is awarded this Commendation for Valor.

### **PROCLAMATION**

Chair McCusker read a proclamation on the retirement of Lieutenant Jeffrey Nowak. Chair McCusker thanked the entire Whitemarsh Police Department. He stated hearing the stories is really a testament to what the officers do every day. He thanked them on behalf of all of the residents and their families for keeping them safe on a daily basis. He continued; no words can truly express the gratitude we have as a Township.

### **APPROVAL OF MINUTES**

#### **1. January 3, 2023**

On a motion by Supervisor Turenne, seconded by Supervisor Manuele (Vote 4-0) the Board of Supervisors adopted the meeting minutes from January 3, 2023.

## BOARD PUBLIC DISCUSSION

### 1. Open Space Acquisition Commitment - Conservation Easement at 7111 Sheaff Lane

Mr. Mellor explained a request has been made with regards to 7111 Sheaff Lane for a conservation easement request to preserve 29 of the total 51 acres at this property.

Edmund Shinn (Lafayette Avenue) stated he is the Chair of the Highlands' Land Preservation Committee spoke on behalf of the Highlands Historical Society. He stated they are requesting the Whitemarsh Township Board of Supervisors consider adopting the resolution of the Whitemarsh Township Open Space Committee, which based upon the Appraisal of Michael J. Barth Company, recommended that Whitemarsh Township allocate \$6,000,000 from the Open Space Fund to preserve with very limited development the 51-acre tract of land bordering the public parklands of the Highlands and Willow Lake Farm Preserve and located at 7111 Sheaff Lane in Ft. Washington. He stated the owners of the land submitted a land development proposal to subdivide the property and build 46 houses. He stated seeing this land as an open space resource, the developers interrupted the planning to speak with neighbors in an effort to preserve the property. He stated preserving this land achieves one of the goals of the Township's Open Space Plan and the 2020 Comprehensive Plan update. He stated that this land is listed as a Priority Open Space Opportunity. It states it is encouraged to be preserved due to important view sheds, natural features and environmental characteristics. The Highlands formed the Land Preservation Committee to work with the neighbors to plan to protect the 51 acres thru a public/private partnership, limiting the property development. Public funding is being sought from Whitemarsh Township's Open Space Fund (\$6M), Montgomery County (\$2M) and a grant from the Commonwealth of Pennsylvania (\$1M). A group of concerned neighbors boldly initiated this conservation effort by pledging \$6M. He stated the neighbors and the members of the Highlands presented the request for \$6M dollars at the previous Open Space Committee Meeting and received unanimous support from them. He stated they are asking that the Board consider the approval to allocate \$6M in open space tax revenue for a permanent open space conservation easement on 29 acres of land. He explained the access to the preserve and connection with adjacent properties. He explained the public trails that would be implemented on the properties. He stated there is trailhead parking at the Highlands and the network of trails will meander through a diverse biome, including woods, meadows, pastures, formal gardens and wetlands. All of this will be available to Whitemarsh Township residents for passive recreation and enjoyment and will be open to the public and free of charge. Matt Shearon, Chair of the Highlands Land Preservation Committee made a statement for the Highlands stating they are thoroughly invested in preserving the open space and ensuring the community has access.

Supervisor Nester asked about public parking for residents to use when accessing the open space. Mr. Shearon explained the Highlands have existing parking and the plan would be to expand the parking. There was a discussion about parking in various areas.

Steve Kaufman (Harts Ridge Road), Chair of the Open Space Committee said the committee is endorsing the proposal and there was considerable discussion at their meeting about various issues raised.

## Resolutions

### 1. Open Space Acquisition Commitment - Conservation Easement at 7111 Sheaff Lane

On a motion by Supervisor Turenne, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors adopted **Resolution #2023-06** authorizing Whitemarsh Township to commit Six Million Dollars (\$6,000,000.00) from its Open Space Fund to purchase a conservation easement over 29 acres of land located at 7111 Sheaf Lane with the Highlands Historical Society as buyer of the land, pursuant to appraisal of Michael J. Barth Company dated December 30, 2022 and various other conditions stated in the proposed resolution.

## CONSIDER ACTION ITEMS

### Ordinances

#### 1. Ordinance Amendment - Chapter 10 Historic District; Clarify Improvements for HARBs Review

Mr. Guttenplan explained the ordinance would amend Chapter 10 of the Township Code, "Historic District," to clarify the improvements that must be reviewed by HARB, for which Certificates of Appropriateness are required. He stated this amendment is being proposed to clarify ambiguity in Chapter 10 concerning what improvements require HARB review and the issuance of Certificates of Appropriateness by the Board of Supervisors. The intent, based on state law, is clearly that only improvements visible from a public right-of-way (road, etc.) require HARB review and the issuance of Certificates of Appropriateness. However, based on some conflicting language in Chapter 10, The Historic District, HARB has been reviewing any exterior improvement or construction on any property in the District. To correct the ordinance so that only intended improvements are reviewed by HARB, two minor amendments are being proposed, which have been prepared in conjunction with the Solicitor's office. One is a clarification to the definition of 'alteration' to include new construction. The other would amend the provisions governing the issuance of a building permit in the historic district where alterations (as would be newly defined), are proposed. He stated Plymouth Township was notified of the change in the ordinance since HARB is a joint effort between Whitemarsh and Plymouth.

Sydelle Zove (Harts Ridge Road) asked if the Plymouth Commissioners have to approve this change. Mr. Guttenplan stated he didn't know but it would be up to Plymouth how they want to interpret their part of the ordinance. There was a discussion about how the two townships interpret their ordinances. Spoke about her concern with the new terms that are being used and what is visible from public way. There was a discussion about visibility.

On a motion by Supervisor Turenne, seconded by Supervisor Manuele (Vote 4-0) the Board of Supervisors adopted **Ordinance #1022** amending Chapter 10, "Historic District" to revise the definition of alternation and to revise the provisions governing the issuance of a building permit in the historic district.

### Resolutions (continued)

#### 2. DCNR Grant - Miles Park Phase III - Magical Miles Park Playground

Mr. Mellor explained Whitemarsh Township Parks and Recreation Department would like to submit a Department of Conservation and Natural Resources (DCNR) – Miles Park Phase III Grant Application in April for the "Magical Miles Park Playground". The plan will call for an inclusive and accessible new playground area, replacing outdated, unsafe, and obsolete structures. It will also include the planting of some native trees, benches, and a solar cell phone charging station. This grant would require a 50% Township match (\$250,000.00) towards the total project cost.

On a motion by Supervisor Nester, seconded by Supervisor Turenne (Vote 4-0) the Board of Supervisors adopted **Resolution #2023-07** authorizing the submission of a Department of Conservation

and Natural Resources (DCNR) – Miles Park Phase III Grant Application for the “Magical Miles Park Playground” in the amount of \$500,000.00 which requires a 50% match from the Township.

### 3. **MontCo 2040 Grant - Wells Street Parking Improvements**

Mr. Mellor explained Whitemarsh Township Parks and Recreation Department respectfully requests to submit a Montco (Montgomery County) 2040 Implementation Grant in March – for the Wells Street Parking Lot and Pedestrian Bridge. The plan will create a vital green and sustainable trailhead and connections to the Wells Street Open Space, the Miracle-Nature Trail, and Cedar Grove Park. This grant application would require a 20% Township match (\$47,721.85) towards the total project cost.

On a motion by Supervisor Turenne, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors adopted **Resolution #2023-08** authorizing the submission of a MontCo (Montgomery County) 2040 Implementation Grant for the Wells Street Parking Lot and Pedestrian Bridge in the amount of \$190,887.40 which require a 20% match from the Township.

### 4. **Fee Schedule Update - Zoning and Fire Marshal Fees**

On a motion by Supervisor Turenne, seconded by Supervisor Manuele (Vote 4-0) the Board of Supervisors adopted **Resolution #2023-09** authorizing the update to the 2023 fee schedule for various Zoning and Fire Marshal fees.

## MOTIONS

### 1. **Vacancy Board Member**

On a motion by Supervisor Turenne, seconded by Supervisor Manuele (Vote 4-0) the Board of Supervisors **TABLED** the approval of Vacancy Board member for Vice Chair Jacy Toll for 2023.

### 2. **Emergency Management Coordinator - Christopher P. Ward – Chief of Police**

Mr. Mellor explained Whitemarsh Township, in accordance with Pennsylvania’s Emergency Management Services Code, must have a local emergency management coordinator. Some responsibilities this position has are as follows: maintains the township Emergency Operations Plan, conducts/participates in trainings, mitigates flooding hazards, develops relationships with local businesses, works with the County Department of Public Safety, and during a declared emergency directs all township services to better serve the community in times of crisis. A formal appointment, via a motion, at a Board of Supervisors meeting is necessary to give the individual the authority of his or her position. He stated with the departure of Fire Marshal/Emergency Management Coordinator, Nick Weaver, it is suggested that Chief Chris Ward replace him as the Interim Emergency Management Coordinator.

On a motion by Supervisor Manuele, seconded by Turenne (Vote 4-0) the Board of Supervisors appointed Chief of Police Christopher P. Ward as the Emergency Management Coordinator due to the resignation of the current Emergency Management Coordinator.

### 3. Authorization to Bid - 2023 Road Paving Program

Ms. Heinrich explained the preparation of the contract documents for the 2023 Road Program is nearing completion and it is anticipated that authorization to bid the project will be considered by the Board of Supervisors at the February 9, 2023 public meeting so that the bid process can begin with a bid opening scheduled for Spring 2023. Project completion should occur sometime in July or August. The estimated bid construction cost for the project is \$500,000.00 which is funded in part by contributions from AQUA and PECO towards restoring roads recently disturbed by their utility improvements projects. The following roadways have been scheduled for resurfacing: Emerson Drive (from Hellman Road to 323 Emerson Drive), 12th Avenue (from Jones Street to Righter Street), Whitefield Drive (from Germantown Pike to cul-de-sac), Robin Lane (from 1st Avenue to cul-de-sac), 3rd Street (from Joshua Road to 1st Avenue), 1st Avenue (from 3rd Street to the end), Arlingham Road (from Bethlehem Pike to Penn Street), Crescent Ave (from Germantown Pike to Hain Drive), Thornhill Drive (from Crescent Ave to Briar Lane), Hain Drive (from Crescent Ave to Kottler Drive), Kottler Drive (from Hain Drive to Hain Drive), Church Road (from Ridge Pike to Germantown Pike) and Park Avenue (from Church Road to Ridge Pike).

On a motion by Supervisor Manuele, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors authorized the public bid for the 2023 road paving program.

### 4. Board/Commission Appointments

On a motion by Supervisor Turenne seconded by Supervisor Manuele (Vote 3-0, Supervisor Nester - abstained) the Board of Supervisors motion to **TABLE** the appointment of Gregory Nestor – Zoning Hearing Board Alternate.

On a motion by Supervisor Manuele, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors approved the appointment of the following individuals to Boards/Commissions:

Tamika Walton – Library Board term ending December 31, 2025

Vera Kosabutski – Shade Tree Commission term ending December 31, 2025

Fran Kelly - Shade Tree Commission term ending December 31, 2026

Tamika Walton stated she is looking forward to working with everyone in the township and contributing to the library.

### 5. Advertisement of Ordinance Amendments - Reserved Handicap Parking

Mr. Mellor explained the Police Departments Traffic Safety Unit examined the Township Code to determine if all the handicap parking location were still needed. As a result, several locations are no longer in use and therefore can be removed from the Township Code. In order to do this the Township must adopt an ordinance amendment removing the handicap locations from the Code.

On a motion by Supervisor Turenne, seconded by Supervisor Manuele (Vote 4-0) the Board of Supervisors authorized the advertisement of an ordinance amendment for Chapter 111 Vehicles and Traffic removing several handicap parking locations that are no longer in use.

## **6. Advertisement of Ordinance Amendments - Emergency Services Board – Addition of Director of Public Works**

Mr. Mellor explained at the December ESB meeting a motion was made, seconded, and passed to add the Director of Public Works to the ESB as a voting member and change the alternate to a full civilian member with voting rights to keep the board an odd number to avoid stalemates.

On a motion by Supervisor Turenne, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors authorized the advertisement of an ordinance amendment for Chapter 3 Administration of Government, Article XVI Boards and Commissions by adding the Director of Public Workers and the Civilian Alternate as voting members of the Emergency Services Board.

## **7. Advertisement of Ordinance Amendments - Amendment Definition Section in SALDO**

Mr. Guttenplan explained the request is to authorize the advertisement of a public hearing for an ordinance amending certain definitions in the Subdivision and Land Development Ordinance (SALDO). He explained the sole purpose of this ordinance is amend definitions to be consistent with the recently adopted revised Chapter 55, 'Tree Protection Standards'. There are a number of terms that appear in both ordinances. To avoid any legal issues due to ambiguity, the definitions in SALDO are being proposed to be the same as those in the amended Chapter 55. This is similar to what was done in 2014, when Chapter 55 was last substantially updated; at that time, we also amended SALDO for consistency.

On a motion by Supervisor Manuele, seconded by Supervisor Turenne (Vote 4-0) the Board of Supervisors authorized the advertisement of an ordinance amendment for Chapter 105 Subdivision and Land Development by updating certain definitions to provide consistency with the recent Chapter 55 Tree Protection amendments.

## **8. Vehicle Donations - Police K-9 Vehicle to other Law Enforcement Agency**

On a motion by Supervisor Turenne, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors authorized the donation of a K-9 police vehicle to another law enforcement agency, Northampton Township, Bucks County Police Department.

## **9. Act 153 Open Space Grant - Whitemarsh Foundation – Dixon Meadow Preserve**

Mr. Mellor explained Kim Sheppard, president of the Whitemarsh Foundation, reached out regarding the annual Act 153 grant that the Township provides to the foundation for maintenance and upkeep of the Dixon Meadow Preserve. The amounts and general uses of the annual grant are laid out in the Operating Plan and Budget 2021-2026, prepared by the foundation. At the January 30, 2023 Environmental Advisory Board Meeting, the EAB motioned to recommend the Board of Supervisors approve the grant. The EAB reviewed the proposed maintenance and agreed that it seems to be in accordance with the mission of preserving and enhancing natural landscapes in the township. The EAB encourages the Whitemarsh Foundation to coordinate with them on future educational programs about native plant species. The funds would be provided by the Open Space Maintenance Fund.

Steve Kaufman said that all requests that will get open space funding should be reviewed by either Open Space Committee or the Park and Recreation Board.

Sydelle Zove commented that she walks in the preserve and sometimes there is nowhere to park to access the meadow.

On a motion by Supervisor Manuele, seconded by Supervisor Turenne (Vote 4-0) the Board of Supervisors approved an Act 153 open space grant to the Whitemarsh Foundation in the amount of \$20,841.50 for the maintenance of the Dixon Meadow Preserve at Erdenheim Farm.

#### **10. Allocation of Funds - Annual Clothing Drive – Donation to Colonial Neighborhood Council**

On a motion by Supervisor Manuele, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors approved the allocation of funds collected from the Annual Clothing Drive to the Colonial Neighborhood Council in the amount of \$244.84.

#### **11. Real Estate Tax Appeal Order and Settlement**

On a motion by Supervisor Manuele, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors authorized the Order and Settlement Stipulation between 617 Creek Lane v. MONTCO Board of Assessment Appeals resulting in the decrease assessment for 2021-2022 requiring a repayment of \$397.22 in Township real estate taxes.

#### **12. Escrow Release #4 (Final) - Laurel Holdings Group, LLC/633 East Germantown Pike**

On a motion by Supervisor Nester, seconded by Supervisor Manuele (Vote 4-0) the Board of Supervisors authorized the final escrow release #4 for Laurel Holdings Group, LLC/633 Germantown Pike in the amount of \$18,183.32.

#### **13. Escrow Release #1 - River Place/901 Washington Street**

Sydelle Zove asked questions about the remediation being performed at the property. She asked who is monitoring the disposition of the toxic soil. Ms. Heinrich stated DEP manages the remediation through the F2 program and there are reports they do with DEP. The remediation is a cap, they are not removing they are containing the soil. Ms. Zove asked about the removal of the raised concrete area and if the removal is being monitored to check if volatile chemicals are escaping. Ms. Heinrich stated that is under DEP jurisdiction. Ms. Zove asked if the release of escrow is linked to this and Ms. Heinrich stated it is not.

On a motion by Supervisor Turenne, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors authorized the escrow release #1 for River Place/901 Washington Street in the amount of \$286,670.78.

**14. December 2022 Expenditures and Payroll and Pension Plan Paid Costs**

On a motion by Supervisor Nester, seconded by Supervisor Manuele (Vote 4-0) the Board of Supervisors approved expenditures totaling \$1,302,186.53; and payroll totaling \$703,853.79; and pension paid costs totaling \$4,476.80 for December 2022.

**15. January 2023 Expenditures and Payroll and Pension Plan Paid Costs**

On a motion by Supervisor Turenne, seconded by Supervisor Nester (Vote 4-0) the Board of Supervisors approved expenditures totaling \$1,121,260.24; and payroll totaling \$701,875.32; and pension paid costs totaling \$4,387.47 for January 2023.

**REVISED AGENDA****16. Board/Commission Resignation**

On a motion by Supervisor Nester, seconded by Supervisor Turenne (Vote 4-0) the Board of Supervisors accepted the resignation of John Pedicino from the Media Communication Advisory Board and thank him for his years for volunteer service to Whitemarsh Township.

**PUBLIC COMMENT PERIOD**

Ron Cione (Hillside Road) spoke about the proposed batting cage facility at Miles Park, adjacent to his property. He stated he did meet with representatives from Little League. He presented questions he had about the facility and the usage. He spoke about his concerns. Chair McCusker spoke about the resident letter sent out to the resident close to the park. He said it looks like they are trying to get support for the batting cages. Supervisor Nester explained the Park and Recreation Board voted to table a decision on the project and asked both the resident and Little League to talk and come up with a compromise. Supervisor Manuele asked what the review and approval process that needs to be followed before construction. Mr. Mellor stated there are no zoning required (setbacks). He stated when these requests come in it goes to committee (Park and Recreation Board) and they make a recommendation on whether it comes to the Board and the Board can decide. He said this matter is still at the Park and Recreation Board. He stated they have not made a recommendation at this time. Nicholas Vetrone (Hillside Road) stated by the plans they have seen the facility is 7,200 square feet. Mr. Mellor stated Little League has not presented anything to the Board of Supervisors and they have not seen the information that the residents or the Park and Recreation Board has. Chair McCusker stated there is a process and it is now in committee.

**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.

**ADJOURNMENT**

On a Motion by Supervisor Manuele, seconded by Supervisor Nester the meeting for February 9, 2023 was adjourned at 8:40 PM.

Respectfully Submitted,

Richard L. Mellor, Jr.  
Township Manager