

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

FEBRUARY 10, 2022

The Regular Monthly Meeting of the Whitemarsh Township Board of Supervisors was held on Thursday, February 10, 2022 at 7:00 PM, in the Whitemarsh Township Building, 616 Germantown Pike, Lafayette Hill, PA.

Supervisors Present: Laura Boyle Nester, Chair; Fran McCusker, Vice-Chair; Vincent Manuele; Jacy Toll and Patrice Turenne (Virtually)

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Supervisor McCusker announced:

Roadwork is scheduled to continue along Ridge Pike, nearby Church Road and Harts Lane from 9am-3pm Friday, and Monday. Local residents will have access to Harts Lane through Ridge Pike during those times.

Shredding Day is Saturday, March 5th at the Miles Park lower parking lot. Donations benefiting Whitemarsh EMS and Whitemarsh Parks will be accepted. Reminder, this event is open to residents only, no businesses please.

Calling all future educators! The Parks and Recreation Department is currently hiring summer camp staff. Applications for camp counselor and camp supervisors can be found on the Township website in the employment section. This is a great opportunity for high-school aged youth looking for summer employment.

Senator Bob Casey's office will be hosting zoom presentations honoring the work of four prominent Black Pennsylvanian leaders. Presentations will take place each Wednesday from noon until 1:30 PM, throughout February in celebration of Black History Month. A link to all for events can be found on the Township website on the news bulletin.

APPROVAL OF MINUTES

1. January 13, 2022

On a motion by Supervisor Manuele, seconded by Supervisor McCusker (Vote 5-0) the Board of Supervisors approved the January 13, 2022 meeting minutes.

PUBLIC HEARINGS

February 10, 2022

BOARD PUBLIC DISCUSSION ITEMS

CONSIDER ACTION ITEMS

Ordinances

None

Resolutions

1. Hazard Mitigation Planning Grant - Designation of Agent – Hurricane Ida

Mr. Mellor explained the resolution is for the approval of the Township Manager to act as the Designated Agent for the Hazard Mitigation Grant Program (HMGP) application for 534 Bethlehem Pike following the significant damage received from Tropical Storm Ida. This HMGP grant application is requested by the property owner to acquire and demolish their property by the township due to flood damage and risk of flood damage.

On a motion by Supervisor Toll, seconded by Supervisor McCusker (Vote (5-0) the Board of Supervisors adopted **Resolution #2022-08** authorizing the Township Manager Richard L. Mellor, Jr. as the designation of agent for the FEMA Hazard Mitigation Grant application for 534 Bethlehem Pike following the significant damage received from Tropical Storm Ida.

2. Supporting Gun Legislation Resolution

Chair Nester stated Plymouth Township Council recently approved this resolution. She stated in light of all the violence in the area she stated she feels this is a voice to legislative leaders to support gun control. She stated the resolution is to encourage the legislators to pursue action.

On a motion by Supervisor Manuele, seconded by Supervisor Toll (Vote (5-0) the Board of Supervisors adopted **Resolution #2022-09** supporting gun legislation and urging our Pennsylvania Lawmakers to enact stronger protections against gun violence.

MOTIONS

1. Authorization to Bid - 2022 Road Paving Program

Ms. Heinrich stated it is anticipated that the big opening will be scheduled for the Spring of 2022 with project completion occurring in July or August. She stated the estimated bid construction cost for the project is \$950,000.00 which is funded in part by a contribution of \$411,677.58 from AQUA towards restoring roads recently disturbed by their utility improvements projects.

On a motion by Supervisor Manuele, seconded by Supervisor McCusker (Vote (5-0) the Board of Supervisors authorized the public bid for the 2022 road paving program.

**2. Authorization to Advertise Ordinance Amendment
HARB – Number of Affirmative Votes for Official Action**

Mr. Guttenplan explained this is to authorize the advertisement of a public hearing for an ordinance to amend Chapter 10 of the Township Code, "Historic District," to correct the number of members of HARB necessary to take affirmative action at a meeting. Currently, Chapter 10 provides that affirmative action on a motion at a HARB meeting requires the vote by the majority of the members present. However, it has been brought to the Township's attention, that this requirement is inconsistent with the Pennsylvania Local Historic District Act, which is the enabling legislation for the establishment of HARBs. That Act requires that for an affirmative action to be taken by HARB, there must be a vote by the majority of the HARB members. In our case, the Plymouth-Whitemarsh HARB is a 9-member board, therefore the Act would require the affirmative vote by at least 5 members. (Under the current provision of Chapter 10, there could be an affirmative vote by as few as 3 members if only the smallest quorum of 5 was present at a meeting.)

On a motion by Supervisor Toll, seconded by Supervisor Manuele (Vote (5-0) the Board of Supervisors authorized the advertisement of an ordinance amendment to Chapter 10, Historic District to correct the number of affirmative votes for official action.

3. Contract with Portnoff Law - Collection of Delinquent Refuse Fees

Mr. Mellor explained every year when the taxes are not paid the taxes are lien at the County. The past two years all of the fees were lien at the County. According to the County, and the Refuse fee should never been lien at the County. It was a misunderstanding with the people who worked in the Finance office. The previous year's (2016-2018) delinquent fees have not been pursued by the township. The Township only receives money from them when someone decides to sell their home. He explained Mr. Barron has worked with Portnoff Law previously and recommends them. Portnoff Law explained their process as, the Township will receive 100% of the balance owed on its delinquent refuse accounts, as Portnoff's fees and costs are paid by the delinquent property owner. Assuming that the Township will turn over at least 50 delinquent accounts at the initial placement, the only cost that we charge directly to the Township is a cost of \$40 plus certified postage (approximately \$6) to send out the initial notices of claim and fee shifting. This cost is subsequently charged to the delinquent property owner and fully reimbursable from our collections. After the notice of claim and fee shifting, our fees for subsequent collection steps will be charged directly to the delinquent property owner and Portnoff will front all hard collection costs for the Township.

Sydelle Zove (Harts Ridge Road) asked what percentage of refuse accounts are delinquent and has that changed over time. Mr. Mellor said the township usually collects 98-99% of tax bills and its rare that people just pay the refuse fee and not the real estate so if they are delinquent, they are delinquent on all of their taxes. He said the percentage has been consistent. He said it's a more proactive approach to get the delinquent fees for refuse.

On a motion by Supervisor Manuele, seconded by Supervisor McCusker (Vote (5-0) the Board of Supervisors contracted with Portnoff Law to collect delinquent refuse fees for Whitemarsh Township.

**4. Board/Commission Resignation
Kristyn Vandegrift – Open Space Committee**

On a motion by Supervisor Toll, seconded by Supervisor McCusker (Vote (5-0) the Board of Supervisors accepted the resignation of Kristyn Vandegrift from the Open Space Commission and thank her for her service on the Open Space Commission.

5. Board/Commission Appointments
Beth Howard – Open Space Committee
Meghan Hector – Parks and Recreation Board

On a motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote (5-0) the Board of Supervisors approved the appointment of the following individuals to Boards/Commissions:

Beth Howard – Open Space Commission term ending December 31, 2022

Meghan Hector – Parks and Recreation Board term ending December 31, 2025

6. Allocation of Funds - Annual Clothing Drive – Donation to Colonial Neighborhood Council

Mr. Mellor explained the Parks and Recreation Department requests for the Board of Supervisors to release the donation check from A & E Clothing Corporation in the amount of \$226.65 and be given to the Colonial Neighborhood Council located at 107 E 4th Ave, Conshohocken, PA 19428. The check was for the cost of goods A & E collected from the Whitemarsh Township Parks & Recreation 2022 Annual Clothing Drive.

On a motion by Supervisor Manuele, seconded by Supervisor McCusker (Vote (5-0) the Board of Supervisors approved the allocation of funds collected from the Annual Clothing Drive to the Colonial Neighborhood Council in the amount of \$226.65.

7. Escrow Release #2 - Mayer/633 Germantown Pike

Chair Nester asked how far the developer was through the project. Ms. Heinrich stated approximately 75%. Supervisor Manuele asked what general areas of work remains. Ms. Heinrich explained the basic remaining areas. Supervisor Manuele confirmed that the fees remaining are for site work. Ms. Heinrich agreed. He asked for some clarity from the developer on when the site work might be completed.

On a motion by Supervisor Toll, seconded by Supervisor Manuele (Vote (5-0) the Board of Supervisors authorized escrow release #2 for Mayer/633 Germantown Pike in the amount of \$42,177.00.

8. January 2022 Expenditures and Payroll and Pension Plan Paid Costs

On a motion by Supervisor Manuele, seconded by Supervisor McCusker (Vote (5-0) the Board of Supervisors approved expenditures totaling \$1,344,904.02; and payroll totaling \$655,364.90 and pension paid costs totaling \$5,344.89 for January 2022.

Revised Agenda

9. Certificate of Appropriateness - 3028 Tara Court – Installation of a deck with roof

Mr. Guttenplan explained the application is for an enlarged deck on the rear of this home, built in the 1980's. The current deck is going to be removed and replaced with one that extends the full width of the house. A 16' x 16' portion of the deck will have a roof; the remainder will be open (this can be seen in the rendering included in the attachments). HARB members saw no issues with the deck proposal and the members present at the meeting unanimously voted to recommend issuance of a Certificate of Appropriateness.

On a motion by Supervisor Toll, seconded by Supervisor McCusker (Vote (5-0) the Board of Supervisors approved the Certificate of Appropriateness for the installation of a deck and roof at 3028 Tara Court.

10. Escrow Release #3 (Final) Whitemarsh Hotel GP, LLC./432 Pennsylvania Avenue

On a motion by Supervisor McCusker, seconded by Supervisor Manuele (Vote (5-0) the Board of Supervisors authorized the final escrow release #3 for Whitemarsh Hotel GP, LLC/432 Pennsylvania Avenue in the amount of \$31,476.54.

PUBLIC COMMENT PERIOD

Kimberly Swider (Chestnut Street) spoke about speeding issues on Chestnut Street, pedestrian and school traffic and that there is one streetlight and limited sidewalks. She said it is dangerous and out of control. She suggested the use of speedbumps.

Steve Sague (Chestnut Street) spoke about the high volume and speed of traffic on Chestnut Street. He stated he is opposed to speed bumps as a solution. He suggests a 3way stop sign mid-block. Supervisor Manuele asked what Mr. Sague's objections to the speed bumps is, specifically a speed hump that is paved over. Mr. Sague stated the main thing is noise and he doesn't feel it would solve the problem correctly. He suggested on way street could slow the volume.

Tim Garrett (Chestnut Street) said he agrees with Kim. He spoke about the issues and his experience walking Chestnut Street, the partial sidewalks, poor curbing and lighting. He also spoke about the issue of speeding on Chestnut Street.

Joy Jacobs (Ridge Pike @ Chestnut Street) agreed with the speeding issue and supports the speed bump. She spoke about trucks that enter from Ridge Pike even though no trucks are allowed. She spoke about the backup on Chestnut at rush hour, making access to her property impossible.

Donna Kobi (Chestnut Street) spoke about speeding and suggested a school zone sign being installed on the street.

Steve Sague also commented if the speed bumps were installed, they could impact stormwater and the draining issue they have on Chestnut Street.

Kim Swider suggested adding more speed limit signs. She said parents leaving St. Philips, after dropping off their children) don't stop as they are entering Chestnut Street. She said mornings seem to be the worst. She spoke about crosswalks and they need to be more visible. She suggested one or two more crosswalks along Germantown Pike.

Supervisor McCusker stated the number one job of the Board and staff is to keep the residents safe. He stated it is important to the Board to come to some resolution about the issues on Chestnut Street. He stated they need to make the street safer for walkers, kids and drivers.

Mr. Mellor stated there are a lot of good potential solutions to this problem that has plagued this area. He stated he has met with the Chief of Police Chris Ward and the engineer Krista Heinrich and discussed how best to address this. He stated there might be some long-term solutions and some short-term solutions. He said the first thing that needs to be done is perform a study. He said there were a lot of ideas and the township needs to look into them to make this more traffic calming. He said there are solutions to take care of the speeding and traffic issues and it's a matter of looking at it and deciding what is practical. He spoke of the current and future traffic issues. He said resident safety is paramount to the Board and staff. He said they will do a study, done by the engineer and the Chief of Police and then come back to the Board with solutions.

Chair Nester asked if there was anything that can be done sooner. Chief Ward stated the first steps is to have the Traffic Safety Unit of the Police Department take a look at the road and make sure that what's supposed to be there now in terms of signage, markings and all are there. He said there will be increased enforcement, as best they can and have presence in the area. He said they will work with the Engineer and the Public Works Department to make sure that if there is anything missing it will be taken care of as soon as possible and then will work together with the various ideas.

Mr. Mellor asked Ms. Heinrich if Staff could report back to the Board by next month. Ms. Heinrich agreed they could. She said there are numbers to be crunched and they have to collect the data and see what the possibilities are.

BOARD MEMBER COMMENTS

None

EXECUTIVE SESSION

Chair Nester announced the Board of Supervisors held an Executive Session on February 3, 2022 to discuss personnel and prior to the meeting to discuss litigation.

ADJOURNMENT

On a Motion by Supervisor McCusker, seconded by Supervisor Toll the meeting for February 10, 2022 was adjourned at 8:00 PM.

Respectfully Submitted,

Richard L. Mellor, Jr.
Township Manager