

Cheltenham Township, believing that public input is appropriate on any items coming before the Commissioners, will recognize any citizen wishing to address a specific item prior to the vote on that issue. In order to be recognized, please raise your hand.



AGENDA

COMMISSIONERS' MEETING
Wednesday, September 21, 2016
Curtis Hall
7:30 p.m.

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Board of Commissioners' Regular Meeting Minutes dated August 17, 2016.
4. Acceptance of the Executive Summary Financial Report of the Manager/Secretary for the month of August 2016.
5. Acceptance of the Accounts Paid Report for the month of August 2016.
6. Presentation of a Certificate of Achievement Award honoring the 2016 Cheltenham High School Girls Track Team for winning the State Championship for the third year in a row.
7. Presentation of a Resolution honoring Lieutenant Daniel Farley of the Cheltenham Township Police Department on the occasion of his achieving 20 years of service with Cheltenham Township.
8. Presentation of a Resolution honoring Lorna Rosenberg for her outstanding contributions to the Township through her nine years of service as a founding member of the Cheltenham Township Environmental Advisory Council.
9. Swearing In of Auxiliary Police Officers:
 - Michael Brown
 - Yousef Kassis
 - Joseph Long
 - Ryan Tyler
10. Review and acceptance of the Public Works Committee Regular Meeting Minutes dated September 7, 2016:

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- a. Adoption of an Ordinance authorizing Cheltenham Township’s participation in an Intergovernmental Agreement for the alternative TMDL for the Wissahickon Creek Watershed.*
 - b. Rejection of bids and authorization to prepare a new bid for the repair of the Tookany Creek Parkway Bridge over Tookany Creek (near Carter Lane).
 - c. Approval of Change Order No. 1 to GoreCon, Inc. in the amount of \$3,485.35 closing out the Cedar Lane Street Improvements CDBG Project.
 - d. Approval of a Waiver from the Land Development Review process requirements for the 8000 Old York Road site plan amendment, subject to the conditions imposed by the Public Works Committee at its September 7, 2016, meeting.
 - e. Approval of a Resolution to develop a Request for Qualifications (RFQ) to explore alternative management opportunities for, including the ability to negotiate the potential sale of, the Cheltenham Township Sanitary Sewer System (see attached).
 - f. Approval to engage the professional services of Dilworth Paxson, LLP to provide guidance during the Township’s exploration of alternative management opportunities, including the negotiation of the potential sale of the Sanitary Sewer System.
 - g. Approval of a Resolution accepting the Final Investment Grade Audit Report results for converting various Township facilities to LED technology, authorizing Township Staff to notify Johnson Controls, Inc. of its acceptance of the Final Investment Grade Audit Report, and authorizing Township Staff to execute the LED Conversion Project in Cheltenham Township (see attached).
 - h. Approval to reschedule and advertise intent to consider the adoption of an Ordinance amending Chapter 188, Nuisances, regarding the parking and storage of vehicles, equipment and temporary storage units and regulating the planting, growing and cultivating of bamboo to the regularly scheduled meeting of the Board of Commissioners on October 19, 2016.
 - i. Adoption of a Resolution authorizing the Township Manager to execute all agreements and documents with respect to the administration of the ARLE Program Grant for the Rices Mill Road/Glenside Avenue Pedestrian Improvement Project.
 - j. Adoption of a Resolution honoring Lorna Rosenberg for her outstanding contributions to the Township through her nine years of service as a founding member of the Cheltenham Township Environmental Advisory Council.
11. Review and acceptance of Building and Zoning Committee Regular Meeting Minutes dated September 7, 2016.
 12. Review and acceptance of the Public Safety Committee Regular Meeting Minutes dated September 14, 2016.
 - a. Authorization to advertise the consideration and possible adoption of an Ordinance amending Chapter 285, Vehicles and Traffic at the regularly scheduled meeting of the Board of Commissioners on October 19, 2016.*

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13. Review and acceptance of the Public Affairs Committee Regular Meeting Minutes dated September 14, 2016.
 - a. Approval to post advisory signs around ball-fields in Township recreation facilities prohibiting smoking.
14. Review and acceptance of the Finance Committee Regular Meeting Minutes dated September 14, 2016.
 - a. Award of a \$15,000 Professional Services Contract to Keystone Alliance Consulting, Inc. for Sewer System Billing Assistance.
15. Old Business
16. New Business
 - a. Consider appointments to Citizens’ Committees
17. Citizens’ Forum
18. Adjournment



Bryan T. Havar
Township Manager

**TOWNSHIP OF CHELTENHAM
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. ____-16

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA ACCEPTING THE FINAL INVESTMENT GRADE AUDIT REPORT RESULTS FOR CONVERTING VARIOUS TOWNSHIP FACILITIES TO LED TECHNOLOGY, AUTHORIZING TOWNSHIP STAFF TO NOTIFY JOHNSON CONTROLS, INC. OF ITS ACCEPTANCE OF THE FINAL INVESTMENT GRADE AUDIT REPORT, AND AUTHORIZING TOWNSHIP STAFF TO EXECUTE THE LED CONVERSION PROJECT IN CHELTENHAM TOWNSHIP

WHEREAS, The Township of Cheltenham is located in Montgomery County, Pennsylvania (the “Township”); and

WHEREAS, the Township constitutes a “governmental unit” as such term is defined under Pennsylvania’s Guaranteed Energy Savings Act (62 Pa C.S. §3751 *et seq.*) (the “Act”); and

WHEREAS, the Delaware Valley Regional Planning Commission (“DVRPC”) has established a Regional Streetlight Procurement Program (the “Program”) to facilitate the implementation of “energy conservation measures” (“ECMs”) as such term is defined under the Act; and

WHEREAS, the Township, in its capacity as a governmental unit, has participated in the Program solicitation process to implement energy conservation measures contemplated by the Program; and

WHEREAS, pursuant to its Resolution No. 63-16, duly adopted on March 16, 2016, the Township selected Johnson Controls, Inc. (“JCI”) as its contractor and entered into a Guaranteed Savings Agreement with JCI; and

WHEREAS, under the terms of the Guaranteed Savings Agreement, JCI has completed and delivered an investment grade energy use and savings analysis, including accompanying schedules (the “Investment Grade Audit Report”) for the Township that specifies the ECMs to be undertaken pursuant to the Guaranteed Savings Agreement (such ECMs, together, the “Project”); and

WHEREAS, as required by the terms of the Guaranteed Savings Agreement, JCI will guarantee to the Township that, through its participation in the Program, the Township will achieve energy savings as a result of the Project that will meet or exceed the cost of implementing the ECMs contemplated (the “Energy Savings”) and those savings are greater than ninety percent (90%) of the savings projected during the period commencing at the installation of the ECMs and running until the bonds issued to finance the Project are paid in full in the Preliminary Audit provided by JCI as a part of the selection process; and

WHEREAS, under the terms of the Guaranteed Savings Agreement, the Township must notify JCI in writing of its acceptance of the final Investment Grade Audit Report and its determination regarding whether the Township will proceed to have JCI design, engineer, procure, construct, install and commission the ECM Installations (the “**Construction Work**”) as a condition to commencement of the Construction Work.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cheltenham Township hereby authorizes Township Staff to accept and approve the final Investment Grade Audit Report; and it is

FURTHER RESOLVED that the Board of Commissioners of Cheltenham Township hereby authorizes Township Staff to deliver to JCI notice of acceptance of the Investment Grade Audit Report; and it is

FURTHER RESOLVED that the Board of Commissioners of Cheltenham Township hereby authorizes and directs one or more of its Authorized Township Staff to take all such further actions and to execute and deliver all such instruments and other documents as such Authorized Township Staff may consider necessary or appropriate to enable the Township to carry out the intent and purposes of the foregoing resolutions and the transactions contemplated thereby.

IN WITNESS WHEREOF, the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, has adopted and enacted this Resolution at its public meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania, 19095, under my hand and the Seal of the Township of Cheltenham, this 21st day of **September, A.D., 2016**, in the year of the Township of Cheltenham the one hundred seventeenth.

ATTEST:

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

Bryan T. Havir
Township Manager and Secretary

By: _____
Morton J. Simon, Jr., President

**CHELTENHAM TOWNSHIP
BOARD OF COMMISSIONERS**

**MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA
RESOLUTION NO.**

WHEREAS, Cheltenham Township, a Township of the First Class ("Township"), currently owns and operates a sanitary sewer system (the "Sewer System") for the benefit and use of property owners in the Township and other users; and

WHEREAS, without having yet determined whether to engage in a transaction to transfer the Sewer System either by sale, lease/concession or through a management arrangement (such potential transactions, the "Transaction"), the Township believes that evaluating third-party ownership, lease or management is important to planning for the Sewer System's future operation, maintenance and improvement so as to assure that they are performed in a manner that is in the best interests of the Township and its residents; and

WHEREAS, the Township desires to explore a potential Transaction through a competitive bidding process; and

WHEREAS, the Township may desire to issue a Request for Qualifications (the "RFQ") seeking responses from qualified companies and entities to ascertain their interest in a Transaction and receive responses from qualified potential bidders; and

WHEREAS, the Township after issuance of the RFQ and after input from the public, may desire to develop a proposed form of contract for a Transaction and issue a Request for Proposals or Bids ("RFP") to solicit bids from interested and qualified bidders; and

WHEREAS, Dilworth Paxson LLP is appointed to serve as counsel to the Township ("Counsel") in connection with a Transaction and a financial advisor ("Financial Advisor") may be appointed by the Township at a later date; and

WHEREAS, the Township intends to hold one or more public meetings to seek input from Township residents and others during the various stages of the evaluation process for a Transaction and to otherwise ensure that the Board of Commissioners ("Board") has the information necessary to best evaluate the potential Transaction; and

WHEREAS, the execution and performance of a final contract for the Transaction shall require approval by the Board through the enactment of a future Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby appoints Dilworth Paxson LLP as Counsel and directs the Township Manager to begin a search for an appropriate financial advisor; and further authorizes the Township Manager, in consultation with the Board and with the assistance of the Financial Advisor (if appointed), Counsel and the Township Solicitor, to take all actions necessary to prepare a form of RFQ and evaluate RFQ responses, to

prepare a form of RFP and issue the RFP, to solicit bids, to consider and interview RFP respondents, to authorize the drafting of a Transaction contract, to prepare and execute any necessary application for regulatory approval, to seek public input on the proposed Transaction, and following final approval of a transaction, if any, by the Board, execute all documents necessary to effectuate the Transaction.

APPROVED and **ADOPTED** at the public meeting of the Cheltenham Township Board of Commissioners held on September 21, 2016.

**BOARD OF COMMISSIONERS
CHELTENHAM TOWNSHIP**

Attest: _____
Bryan T. Havir, *Manager/Secretary*

By: _____
Morton J. Simon, Jr., *President*