

December 19, 2012
Curtis Hall

A regular meeting of the **BOARD OF COMMISSIONERS** was held this evening, Vice President Harvey Portner presiding. Members present were Commissioners Hampton, McKeown, Norris, Sharkey, and Simon. Ex-Officio member present was Art Haywood, President of the Board.

Staff present were Charlyn Battle, Human Resources Coordinator; Michael Fleming, Public Works Coordinator; Mark McDonnell, Public Works Superintendent; Joseph O'Neill, Fire Marshal; Bruce Rangnow, Acting Director of Fiscal Affairs; and Bryan T. Havir, Acting Township Manager.

Also present were Joseph M. Bagley, Esq., Solicitor and Finance Officer Stephen Burns. A Public Attendance List is attached.

1. The meeting commenced at 7:30 p.m. with the Pledge of Allegiance being led by Commissioner Simon. Mr. Portner chaired the meeting due to Mr. Haywood having a dental procedure this day.

2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated November 19, 2012 upon motion of Mr. McKeown, the Minutes were unanimously approved by the Board of Commissioners.

3. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of November, 2012, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners.

4. Each member having received a copy of the Accounts Paid Report for the month of November, 2012, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners.

5. Ms. Hampton presented Certificates honoring the following volunteers:

20-Years:

Eugene S. Bivins, III, Substance Abuse and Mental Health
Alan Fried, Elkins Park Fire Company
Leonard Juliani, Cheltenham Fire Company
Keith H. Morrissy, Cheltenham Fire Company
Paula O'Connor Suss, Wyncote Board of Historical and Architectural Review

10-Years:

Howard H. Covitz, Substance Abuse and Mental Health Committee
Lisa Erkert, Cheltenham Fire Company
Robert T. Fry, La Mott Fire Company
John Holt, La Mott Fire Company
David F. Kosempel, Auxiliary Police
Gustav Langford, Elkins Park Fire Company

6. Mr. Portner called for a moment of silence in memory of the victims of the Sandy Hook Elementary School shooting in Connecticut.

7. PUBLIC HEARING: To receive any and all comments and suggestions from the public regarding the Preliminary Operating, Liquid Fuels and Capital Budgets for 2013 pursuant to Section 1205(d) of the Cheltenham Township Home Rule Charter.

Mr. Portner opened the hearing and asked for comments from the public.

Public Comment: Steve Strahs asked about the function of the Public Hearing. Mr. Bagley informed him that it ensures citizen input, and it is a requirement of the Township's Home Rule Charter.

There being no further comments, upon motion of Mr. Sharkey, and unanimously approved by the Board of Commissioners, the hearing was closed.

8. Review of the Public Works Committee Meeting Minutes dated December 12, 2012.

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W917 to Sarah Clark and Andrew Townsend, owners of 313 Maple Avenue, Wyncote, for repairing and/or replacing the existing porch structure and deck as recommended by the Wyncote Board of Historical and Architectural Review.

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W918 to Roger A. Smith, owner of 100 Woodland Road, Wyncote, for the replacement of existing windows as recommended by the Wyncote Board of Historical and Architectural Review.

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W919 to Alicia and Chris Agoglia, owners of 304 Bent Road, Wyncote, for the replacement of the existing roof with a standing-seam metal roof as recommended by the Wyncote Board of Historical and Architectural Review.

d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously awarded a Construction Contract to Enviroscapes, Inc., Monmouth Junction, NJ 08852 in the amount of \$196,660 plus Add Alternates 5, 6, and 7 valued collectively at \$29,300 for a total contract value of \$225,970 for the Tookany Creek Streambank Stabilization and Restoration Project, Phase III, located at Ralph Morgan Park.

e. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved the scheduling of a Public Hearing on Wednesday, February 20, 2013, to receive any and all comments from the public regarding a proposed draft Riparian Corridor Conservation District Ordinance (see attached).

f. Upon motion of Mr. Sharkey, and unanimously approved by the Board of Commissioners, the Public Works Committee Regular Meeting Minutes dated December 12, 2012, were accepted.

9. Review of the Public Safety Committee Meeting Minutes dated December 5, 2012.

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Ordinance No. 2253-12** amending Chapter 285, thereof, entitled "Vehicles and Traffic" (see attached).

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 48-12** commemorating the 30th Anniversary of Emergency Medical Services.

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 49-12** honoring William Obrecht, Sr. for 50-years of service with the Elkins Park Fire Company.

d. Upon motion of Mr. Sharkey, and unanimously approved by the Board of Commissioners, the Public Safety Committee Regular Meeting Minutes dated December 5, 2012, were accepted.

10. Review of the Public Affairs Committee Meeting Minutes dated December 5, 2012.

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Posthumous Resolution No. 42-12** honoring the late Stephen Banks for his long-time volunteerism on the Historical Commission and the Wyncote Board of Historical and Architectural Review.

b. Discussion ensued regarding the award of a contract for the Elkins Park East Commercial District Redevelopment Assistance Capital Program at a cost of \$16,000.

Mr. Havir reviewed the status of the \$500,000 of funding that was earmarked in the state's budget for said project through the efforts of Sen. Washington. Since the Public Affairs Committee meeting, on December 5, 2012, there was an outreach to the Governor's Office of the Budget, and the Township was informed that the funds were not elevated to be let, and it is most likely that the funds will not be released, and it was indicated that there may be more opportunity if the Township files with the Department of Community and Economic Development ("DCED") for a community development grant.

In response to questions from Mr. Simon, Mr. Havir stated that the Township has not previously applied to DCED for this project and the competitive process in doing so is less political. In light of this, Mr. Simon opposed applying for the program, and favored Staff applying for a grant through the DCED.

Upon motion of Mr. Sharkey, the Board of Commissioners unanimously agreed not to award a Professional Services Contract for the preparation of an application for a Redevelopment Assistance Capital Program and directed Staff to pursue a grant for said project through Department of Community and Economic Development ("DCED").

c. Upon motion of Mr. Haywood, the Board of Commissioners unanimously appointed Acting Township Manager Bryan T. Havir as Township Manager. Mr. Havir will take the Oath of Office at the Reorganization Meeting of the Board of Commissioners on January 7, 2013.

d. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved a Conditional Letter of Employment to Acting Township Manager Bryan T. Havir for the position of Township Manager.

e. Upon motion of Mr. Portner, the Board of Commissioners unanimously authorized a one (1) year amendment to the agreement with the Montgomery County of Aging and Adult Services and the Suburban Transit Network, Inc. to continue TransNet Service commencing January 1, 2013 through December 31, 2013 (see attached).

f. Upon motion of Mr. Portner, the Board of Commissioners unanimously adopted **Resolution No. 43-12** honor State Representative Lawrence H. Curry upon the occasion of his retirement.

Upon motion of Mr. Sharkey, and unanimously approved by the Board of Commissioners, the Public Affairs Committee Regular Meeting Minutes dated December 5, 2012, were accepted.

11. Review of the Building and Zoning Committee Minutes dated December 5, 2012.

Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Building and Zoning Committee Regular Meeting Minutes dated December 5, 2012, were accepted.

12. Review of the Finance Committee Regular Meeting Minutes dated November 14, 2012.

a. Upon motion of Mr. Norris, the Board of Commissioners unanimously adopted **Resolution No. 44-12** approving transfers within the 2012 Operating Budget.

RESOLUTION NO. 44-12

<u>From</u>		<u>To</u>	
<u>Administration</u>		<u>Administration</u>	
01-002	Manager Salary \$ 10,000	01-004	Wages, Clerks & Assistants \$ 10,000
01-005	Office Supplies & Postage \$ 12,000	01-012	Telephone 2,000
		01-016	Other Expenses <u>10,000</u>
			\$ 12,000
 <u>Fire</u>		 <u>Fire</u>	
01-123	Gas & Oil \$ 3,500	01-127	Other Expenses \$ 3,500
 <u>EMS</u>		 <u>EMS</u>	
01-136	Office Supplies \$ 500	01-135	Salaries \$ 9,500
01-137	Operating Expenses \$ 3,000		
01-139	Emergency Management <u>\$ 6,000</u>		
	\$ 9,500		

<u>Administration-Miscellaneous</u>	
01-163 Group Health Insurance	\$ 12,699
01-167 Social Security	<u>\$ 7,500</u>
	\$ 20,199

<u>Administration-Miscellaneous</u>	
01-160 Fire & General Insurance	\$ 5,200
01-171 Sinking Fund	<u>\$ 14,999</u>
	\$ 20,199

b. Upon motion of Mr. Norris, the Board of Commissioners unanimously adopted **Ordinance No. 2254-12** approving transfers within the 2012 Operating Budget (see attached).

c. Upon motion of Mr. Norris, the Board of Commissioners unanimously adopted **Resolution No. 45-12** increasing certain fees and adding certain fees (see attached).

d. Upon motion of Mr. Norris, the Board of Commissioners unanimously approved the termination of Joseph L. Galdo, Jr., as Director of Fiscal Affairs in accordance with Article VII, Section 701(b) of the Township's Home Rule Charter.

e. Upon motion of Mr. Norris, the Board of Commissioners unanimously approved the appointment of Bruce Rangnow as Acting Director of Fiscal Affairs in accordance with Article VII, Section 701(b) of the Township's Home Rule Charter.

f. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Finance Committee Regular Meeting Minutes dated December 12, 2012, were accepted.

13. Under Old Business:

a. Upon motion of Mr. Portner, the Board of Commissioners adopted **Ordinance No. 2255-12** approving the 2013 Operating Budget (see attached).

b. Upon motion of Mr. Portner, the Board of Commissioners adopted **Ordinance No. 2256-12** approving the 2013 Capital Budget (see attached).

c. Upon motion of Mr. Portner, the Board of Commissioners unanimously adopted **Resolution No. 46-12** approving the 2013 Liquid Fuels Budget.

d. The Commissioners considered adoption of a Resolution and the award of a Contract for a 2013 Tax Revenue and Anticipation Note ("TRAN") for general Township purposes per proposals submitted and opened on December 19, 2012. Peter Nissen of Acacia Financial Group, LLC addressed the meeting. He reviewed aspects of the TRAN including, but not limited to:

- The issuing amount to be \$2.8 Million
- The maturity date of December 31, 2013
- Pros and cons for the use of Use of Non-bank qualified structure and bank qualified structure
- Interest rates
- True Interest Cost of Evaluation ("TIC")

- A comparison of the two (2) RFP's submitted by PNC Bank and Janney Montgomery Scott, LLC, including a review of schedules for each proposal; interest rates and options for repayment; resetting of rates; true interest cost; premium costs; LIBOR; and basis points.

Mr. Norris supported the option of a 12-month maturity with a 6-month call feature. It was his opinion that it would be likely that after six (6) months, the Township may not need the cash flow, and could repay it.

Finance Officer Stephen Burns stated that approximately 85% of Township taxes are collected by April 10 and 90% are collected by June.

It was Mr. Norris' opinion that in a low interest rate environment refunding will save the Township money and is more favorable under non-bank qualified and allows the Township to go out for additional money for sewer infrastructure improvements, if needed.

Mr. Simon questioned the amount the Township was borrowing and having to pay back the amount in one (1) year and if municipalities have lines of credit for borrowing. Mr. Nissen stated that the borrowing is for operational cash flow and not for capital projects. Municipalities do not use lines of credit because they have a standing line of credit. Also, the standing and legal fees are very costly and can negate any savings. Mr. Nissen stated that \$2.8 Million has been the historical amount the Township has borrowed in the past, and it is prudent to borrow the least amount.

Upon motion of Mr. Norris the Board of Commissioners unanimously adopted **Resolution No. 47-12** awarding a contract for the 2012 Tax Anticipation Note in the amount of \$2,800,000.00 to PNC Bank, Philadelphia, PA, for Notes maturing December 31, 2013, for 12-month non-bank Notes maturing December 31, 2013, subject to redemption at the option of the Township, with a 6-month call at any time on or after June 30, 2013, with an interest rate of 0.96%, no premium, and a takedown date of January 2, 2013 (see attached).

14. Under New Business:

a. In accordance with the Code of the Township of Cheltenham and Article XIII, Section 1302, of the Home Rule Charter, the President of the Board presented a new citizens' committee appointment for the advice and consent of the Board as follows:

Name:	Raymond Burg
Committee:	Historical Commission
Term Expiration:	January 1, 2014

Upon motion of Mr. Portner, the Board of Commissioners unanimously approved the appointment as submitted by the Board President.

b. Mr. Portner announced that the Acting Township Manager Bryan Havar has informed the Commissioners that the Cheltenham Township Police Association, in a vote of 55 to 11, voted favorably to accept the proposed terms of the Collective Bargaining Agreement dated December 12, 2012.

Upon motion of Mr. Portner, the Board of Commissioners unanimously accepted the Terms and Conditions of the Collective Bargaining Agreement with the Police Association dated December 12, 2012 and ratified said Agreement for the years 2013 through 2016, subject to a final Memorandum of Understanding ("MOU") to be prepared and signed by both parties.

c. At the recommendation of Mr. Simon, Mr. Portner motioned, and the Commissioners unanimously agreed, to direct Staff to prepare the calculation for a possible \$300,000 sewer rate increase to be reviewed at the January 2013 meeting of the Board. If approved, said increase would be retroactive to January 1, 2013.

d. Mr. Portner announced that prior to the meeting the Commissioners held an Executive Session to discuss personnel matters.

15. Under Citizens' Forum:

a. David Harrower, Chair of the Historical Commission thanked the Commissioners for the recognition that was approved for Stephen Banks and the appointment of Raymond Burg to said commission. He asked that properties eligible for listing on the National Register be included in the draft Historic Resources Ordinance ("HRO") and the Age-Restricted Overlay (ARO) District.

Mr. Havir responded that since the HRO was in the draft stage, his suggestion would be considered. The ARO has already been adopted, and Mr. Havir suggested that Mr. Harrower present his suggestion at a meeting of the Planning Commission.

b. Steve Strahs asked: 1) About the status of the actual expenses versus revenues in the 2012 Operating Budget. Mr. Havir responded that he would get back to Mr. Strahs; 2) If the 2013 Budget was balanced. Mr. Havir told him it was; 3) If it is unprecedented to supplement the budget after it was adopted, i.e. the sewer fee increase being considered and why it was being considered.

Mr. Bagley responded that he was not sure about the precedence but the Township's Home Rule Charter allows for it. As far as the sewer rate increase being considered, no action has been taken, and Mr. Bagley did not want to assume or speculate. Mr. Norris stated that the 2013 Budget as adopted could result in a Fund Balance decrease, which concerns the Commissioners.

Mr. Portner stated that the 2013 budget is balanced, and he recollected that in the late 1980's, the budget was not adopted until the New Year. Mr. Sharkey stated that the issue of a sewer rate increase will be discussed by the Commissioners in January 2013. Mr. Simon stated that there is a concern that a reduction in the Fund Balance could affect the Township's interest rates. It was Mr. Haywood's opinion that the Commissioners had an obligation to consider the future of the Township's finances, have foresight, and look beyond one (1) year to allow for borrowing, not increase taxes, and have the ability to absorb any unforeseen future financial difficulty that might arise.

There being no further business, upon motion of Mr. Sharkey, and unanimously approved by the Board of Commissioners, the meeting was adjourned.



Bryan T. Havir
Acting Township Manager

as per Anna Marie Felix

ORDINANCE NO. 2253-12

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CHELTENHAM, CHAPTER 285 THEREOF, ENTITLED VEHICLES AND TRAFFIC, BY AMENDING CERTAIN STREET AND PARKING REGULATIONS.

The Board of Commissioners of the Township of Cheltenham hereby ordains:

SECTION 1. The Code of the Township of Cheltenham, Chapter 285, Article IV, entitled Schedule of Traffic Regulations, Section 285-43 thereof is hereby amended by **DELETING** the following:

PAXSON AVENUE (11) HANDICAPPED PARKING at 709. This addition is effective for the duration period that this resident is eligible for a reserved handicapped parking space.

SECTION 2. The Code of the Township of Cheltenham, Chapter 285, Article IV, entitled Schedule of Traffic Regulations, Section 285-43 thereof is hereby amended by **ADDING** the following:

PARK AVENUE (20) HANDICAPPED PARKING at 7919. This addition is effective for the duration period that this resident is eligible for a reserved handicapped parking space.

SECTION 3. That in all other respects Chapter 285 of the Code of the Township of Cheltenham is hereby approved and accepted as amended, and shall continue in full force and effect.

SECTION 4. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED into an Ordinance this **19th day of December, A.D., 2012.**

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM



By _____
Art Haywood, President



ATTEST: _____
Bryan T. Havar, Acting Secretary

THIRD AMENDMENT

When fully executed, this document shall serve as an amendment ("Amendment") to the Tri-Party Letter Agreement binding the Board of Commissioners of Cheltenham Township, the Montgomery County Office of Aging and Adult Services ("County Office"), and Suburban Transit Network, Inc. ("TransNet") dated March 25, 2010 as well as the subsequent amendments of such Agreement (collectively "Agreement").

This Third Amendment modifies the not-to-exceed amount for costs to the Township set forth in the Agreement to \$13,600.00 for January 1, 2013 through December 31, 2013 and replaces Attachment A of the March 25, 2010 Agreement with the new Attachment A appended hereto.

All other terms of the Agreement shall remain in effect.

All portions of the Agreement not in conflict with this Third Amendment are hereby incorporated by reference as though set forth at length herein and reaffirmed, including Attachments A and B of the Agreement.

This Third Amendment may be executed in one or more counterparts, each of which shall constitute an original, and all of which together constitute one and the same agreement.

Intending to be legally bound hereby, the parties have executed this amendment below.

Attest: 
Bryan T. Havir, Secretary (Acting)
and Acting Township Manager

Date: _____

SEAL:

Date: _____

Attest: _____

Date: _____

TOWNSHIP OF CHELTENHAM

By: 
Art Haywood, President
Cheltenham Township
Board of Commissioners

**MONTGOMERY COUNTY OFFICE OF
AGING AND ADULT SERVICES**

By: _____
Joanne O. Kline, Executive Director
Montgomery County Office of Aging
and Adult Services

**SUBURBAN TRANSIT NETWORK,
INC.**

By: _____
Patricia A. Moir, Executive Director

ORDINANCE NO. 2254 - 12

AN ORDINANCE AMENDING ORDINANCE NO. 2230-11 ENACTED DECEMBER 22, 2011 AUTHORIZING THE ADOPTION OF THE 2012 OPERATING BUDGET, AND HEREBY AUTHORIZING TRANSFERS OF FUNDS IN SPECIFIC COST CENTERS WITHIN THAT BUDGET IN ORDER TO REAPPROPRIATE MONIES REQUIRED FOR THE PURPOSES OF TOWNSHIP GOVERNMENT DURING THE CURRENT FISCAL YEAR.

The Board of Commissioners of the Township of Cheltenham hereby ordains:

SECTION I. That Section 2 of Ordinance No. 2230-11 enacted December 22, 2011 setting forth amounts appropriated for expenses for various departments, is hereby amended and modified as follows:

<u>DEPARTMENTS</u>	<u>COST CENTER</u>	<u>FROM</u>	<u>TO</u>	<u>TOTAL AMOUNT TRANSFERRED</u>
FROM: Parks & Recreation	30/31/32/33/35	\$1,810,096	\$1,803,441	(\$6,665)
TO: Finance Officer	50	\$ 103,037	\$ 109,692	\$6,665

ENACTED into an Ordinance this 19th day of December, A.D., 2012.

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

BY: 

Art Haywood, President

ATTEST:



Bryan T. Havar, Acting Township Manager
and Secretary

TOWNSHIP OF CHELTENHAM

RESOLUTION NO. 45-12

**RESOLUTION INCREASING CERTAIN FEES
AND ADDING NEW FEES**

WHEREAS, the Board of Commissioners of the Township of Cheltenham has determined, upon the recommendation of the Township Administration, that the revenue received from certain fees is insufficient to cover the reasonable and necessary expenses generally incurred by the Township; and

WHEREAS, certain Township departmental requests do not have a fee charge; and

WHEREAS, the Township of Cheltenham has the right to set fees pursuant to Chapter A300 of the Cheltenham Code; and

WHEREAS, the Board of Commissioners of the Township of Cheltenham must address a potential deficit in the Township budget for 2013 resulting from decreases in real estate tax revenues and the general economic climate; and

WHEREAS, the existing fees and lack of fees for certain services are no longer economically viable for the Township.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of the Township of Cheltenham deems that it is in the best interest of the Township and its citizens to increase and add the following fees effective January 1, 2013:

<u>PROPOSED INCREASE IN EXISTING FEES:</u>	<u>FROM</u>	<u>TO</u>
Police Department		
- Finger Printing	\$ 15	\$ 25
Parks & Recreation Department		
- Playground Registration	\$275	\$350
- Pools – Family Membership Fee	\$210	\$225
Building and Zoning Department		
- Zoning Use and Occupancy Certificate (Residential)	\$ 30	\$ 60
- Zoning Use and Occupancy Certificate (Commercial)	\$ 30	\$120
- Fine Penalty (Residential)	\$ 75	\$150
- Fine Penalty (Commercial)	\$ 75	\$250
<u>PROPOSED NEW FEES:</u>		
Building and Zoning Department		
- Grading Permit Fee (Residential)	-0-	\$200
- Grading Permit Fee (Commercial)	-0-	\$400
- Zoning Compliance Letter (Residential)	-0-	\$ 50
- Zoning Compliance Letter (Commercial)	-0-	\$100

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, at its meeting held at Curtis Hall, 1250 W. Church Road, Wyncote Pennsylvania 19095 on this **19th day of December, 2012.**

ATTEST:

TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS



Bryan T. Havir
Acting Township Manager
and Secretary



By: _____
Art Haywood, President

CHELTENHAM TOWNSHIP

ORDINANCE NO. 2255-12

AN ORDINANCE OF THE TOWNSHIP OF CHELTENHAM, COUNTY OF MONTGOMERY, OF THE COMMONWEALTH OF PENNSYLVANIA, FIXING THE **TAX RATE FOR THE YEAR 2013** AND APPROPRIATING THE SPECIFIC SUMS ESTIMATED TO BE REQUIRED FOR THE SPECIFIC PURPOSE OF THE TOWNSHIP GOVERNMENT, HEREINAFTER SET FORTH, DURING THE CURRENT FISCAL YEAR.

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Pennsylvania.

SECTION 1. That a tax be and the same is hereby levied on all real property within the said Township subject to taxation for Township purposes for the fiscal year 2012, as follows:

Tax Rate for General Purposes, the sum of 1.7938 mills on each one thousand dollars of assessed valuation.

For Debt Purposes, the sum of 1.6962 mills on each one thousand dollars of assessed valuation.

For Fire Protection purposes, the sum of .7472 mills on each one thousand dollars of assessed valuation.

For Parks and Recreation purposes, the sum of 1.10321 mills on each one thousand dollars of assessed valuation.

For Library purposes, the sum of .8009 mills on each one thousand dollars of assessed valuation.

For Ambulance purposes, the sum of .5000 mills on each one thousand dollars of assessed valuation.

For Pension purposes, the sum of .5000 mills on each one thousand dollars of assessed valuation.

SUMMARY OF APPROPRIATIONS (continued)

Protection to Person & Property:		
Police	\$ 8,811,270	\$ 8,811,270
Fire	1,399,356	1,399,356
Building - Regulations and Zoning	<u>472,176</u>	<u>472,176</u>
	\$10,682,802	\$10,682,802
Health and Sanitation:		
Emergency Medical Service	\$ 1,070,024	\$ 1,070,024
Garbage Collection and Disposal	2,131,524	2,131,524
Sanitary Sewers	<u>4,786,210</u>	<u>4,786,210</u>
	\$ 7,987,758	\$ 7,987,758
Highways:		
Streets and Bridges	\$ 1,338,518	\$ 1,338,518
Street Lighting	<u>465,500</u>	<u>465,500</u>
	\$ 1,804,018	\$ 1,804,018
Libraries:	\$ 1,499,886	\$ 1,499,886
Recreation:		
Parks & Playgrounds	\$ 1,841,733	\$ 1,841,733
Swimming Pools	<u>224,097</u>	<u>224,097</u>
	\$ 2,065,830	\$ 2,065,830
Miscellaneous:		
Bank-Bond Issue Pay Agent Fees	\$ 7,250	\$ 7,250
Health Insurance, Pensions, and Social Security	9,827,608	9,807,608
Fleet, Workers' Compensation & G.L.	1,069,330	1,069,330
Transfers to Sinking Fund	3,176,304	3,176,304
Unemployment Compensation	19,500	19,500

SUMMARY OF APPROPRIATIONS (continued)

Hourly Legal Fund	21,840	21,840
Unappropriated/Reserves	25,000	25,000
Military and Civil Celebrations	300	300
	<u>\$14,543,840</u>	<u>\$14,543,840</u>
TOTAL All Functions	<u>\$40,178,325</u>	<u>\$40,178,325</u>
	<u>\$</u>	
TOTAL for Operations, Maintenance, Interest, and Capital Outlay		<u>\$40,178,325</u>

SECTION 3. An estimate of the specific items making up the amounts appropriated to the respective departments is on file at the offices of the Township Manager, 8230 Old York Road, Elkins Park, Pennsylvania.

SECTION 4. That any Ordinance, or part of Ordinance, conflicting with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

ENACTED into an Ordinance this 19th day of **December**, A.D., 2012.

TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS



By: _____
Art Haywood, President

ATTEST: 

Bryan T. Havir
Acting Township Manager and
Secretary

**CHELTENHAM TOWNSHIP
ORDINANCE NO. 2256-12**

**AN ORDINANCE OF THE TOWNSHIP OF CHELTENHAM, COUNTY OF
MONTGOMERY, OF THE COMMONWEALTH OF PENNSYLVANIA,
APPROVING AND ADOPTING THE CAPITAL BUDGET FOR 2013
PURSUANT TO SECTION 1205 OF THE HOME RULE CHARTER.**

The Board of Commissioners of Cheltenham Township hereby ordains:

SECTION 1. A Summary of the Capital Budget as follows:

INCOME:

Estimated Cash and Investments for January 1, 2013	\$ 7,996,989
Anticipated Income:	
Amounts Provided by Others	6,593,323
Amounts Provided by Assessments	0
Amount Transferred to/from General Fund Budget	<u>(100,000)</u>
TOTAL Anticipated Cash and Receipts	<u>\$ 14,490,312</u>

EXPENSES:

2013 Project Costs	\$ 12,351,721
Estimated Cash Balance at Year Ending 12/31/13	(\$ 2,138,591)

SECTION 2. That any Ordinance, or part of Ordinance, conflicting with this Ordinance is hereby repealed insofar as the same affects this Ordinance.

ENACTED into an Ordinance this 19th day of **December**, A.D. 2012.

TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS



By: _____
Art Haywood, President

ATTEST: _____


Bryan T. Havir
Acting Township Manager
and Secretary

TOWNSHIP OF CHELTENHAM
(Montgomery County, Pennsylvania)

NOTE RESOLUTION NO. 47-12

AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES 2013 WITH THE TERMS SET FORTH IN THE FOREGOING AND ATTACHED CERTIFICATE AND TRANSMITTAL; APPROVING A FORM OF NOTE; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE NOTE; AUTHORIZING AND DIRECTING THE FILING OF PROCEEDINGS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; PROVIDING FOR THE PAYMENT AND SECURITY OF THE NOTE; MAKING CERTAIN FEDERAL INCOME TAX COVENANTS IN RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL OF PNC BANK, NATIONAL ASSOCIATION FOR THE PURCHASE OF THE NOTE; AND REPEALING INCONSISTENT RESOLUTIONS.

WHEREAS, the above-named Municipality, duly organized and subsisting as a political subdivision of the Commonwealth of Pennsylvania (the "Local Government Unit") anticipates the receipt of both current taxes and current revenues during the fiscal year ending December 31, 2013; and

WHEREAS, the Local Government Unit desires to borrow for the purpose of meeting current expenses by issuing a note, to be repaid from, inter alia, those taxes and revenues, all in accordance with the Local Government Unit Debt Act (the "Debt Act"), as codified by the Act of December 19, 1996, P.L. 1158, No. 177, as amended; and

WHEREAS, as required by Section 8126 of the Debt Act, the Chief Legislative Officer (being, as appropriate, the President or Chairman) and/or the Chief Administrative Officer (being, as appropriate, the Secretary, Chief Clerk or Manager), or their duly elected and acting successors on the Governing Body (being, as appropriate, the Board of Commissioners, the Council or the Board of Supervisors), with properly delegated authority (the "Designated Officers") of the Local Government Unit have, not more than thirty (30) days before the date on which this Note Resolution is being adopted and furthermore hereby confirm on this date, made an estimate, from taxes now levied and assessed and from other budgeted revenues, of the taxes and revenues to be received and the expenditures to be made during the period when the Note (as hereinafter defined) will be outstanding and have certified that estimate by a duly executed document (the "Certificate as to Collections and Expenditures"); and

WHEREAS, PNC Bank, National Association (acting either as principal for its own account, or as agent for the investment account of an unnamed principal, as it may choose) (the "Purchaser"), has submitted an acceptable proposal (the "Proposal") for the purchase of the Local Government Unit's Note;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body as follows:

Section 1 -- Authorization. The Local Government Unit hereby authorizes the issuance of a tax and revenue anticipation note (the "Note") in the principal amount and with the specific terms designed by the Local Government Unit at its duly advertised public meeting of even date herewith, consistent with the contents of the attached Proposal (the "Terms"). The Chief Administrative Officer shall be authorized to notify the Purchaser of the specific Terms selected by the Local Government Unit in order to finalize to form of the Proposal accepted by this Resolution.

Section 2 -- Form. The Note shall be designated "Tax and Revenue Anticipation Note, Series 2013." The Note shall be in the form of a single instrument, in a denomination equal to the principal amount. The Note shall bear interest at the applicable interest rate stated in the Terms on the principal amount thereof, payable at maturity.

The Note may be subject to redemption prior to maturity, in accordance with the Terms and the Purchase Proposal as set forth by PNC Bank, National Association, (and may be subject to the receipt by the Purchaser of the Cost of Prepayment, if any, as defined in the Note) will be in registered form, without coupons, will be negotiable and dated the date of delivery, and will be payable as to principal and interest on December 31, 2012 (unless subject to earlier redemption or prepayment), upon presentation by the owner to the Local Government Unit, in the coin or currency of the United States of America that is legal tender for the payment of public and private debts at the time and place of payment.

The exact form of the Note will contain an unconditional promise to pay the principal of and interest on the Note to the owner when due, will pledge, and grant a security interest in, the collateral identified in Section 5 of this Resolution, will recite the valid issuance of the Note under the Debt Act pursuant to proper corporate authority, will prohibit personal recourse against officials of the Local Government Unit, will certify proper achievement of all conditions precedent to the issuance of the Note and will designate the Note as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, to the extent that such option contained within the Proposal is selected by the Local Government Unit.

Section 3 -- Execution and Delivery. The Note will be executed by the Chief Legislative Officer of the Governing Body and will have the corporate seal (or a facsimile thereof) of the Local Government Unit affixed thereto or printed thereon, duly attested by the Chief Administrative Officer. To the extent that any one signature on a Note is manual, the other signatures may be facsimile. The Designated Officers are further authorized and directed to deliver the Note to the Purchaser, upon the terms and conditions hereinafter and in the Proposal provided, receive the proceeds therefor, execute and deliver such certificates and other closing documents and take such other action as may be necessary or appropriate in order to effectuate the proper issuance, sale and delivery of the Note.

Section 4 -- Filing. The Designated Officer is hereby authorized and directed to certify and transmit copies of this Note Resolution, the Proposal and the Certificate as to Collections and Expenditures (which includes a calculation of the cumulative cash flow deficit calculated in accordance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and United States Treasury Department Regulation §1.148-6(d)(3)), the contents of which are hereby approved, to the Department of Community and Economic Development of the Commonwealth of Pennsylvania, or, to the Purchaser for such filing.

Section 5 -- Security. As security for payment of the Note, the Local Government Unit pledges and grants for the benefit of the owners, from time to time, of the Note, on an equal and ratable basis, a first lien and charge on, and security interest in, all of the taxes, accounts and general intangibles, including "Total Revenues" (as defined in the Debt Act) of the Local Government Unit to be received during the period that the Note will be outstanding, together with such amounts to be received during fiscal years subsequent to the year during which the Note is issued in the event that the Local Government Unit defaults on the payment of principal or interest on the Note.

The Local Government Unit hereby authorizes and directs the Purchaser to file a financing statement pursuant to the Uniform Commercial Code to perfect the security interest hereby created. All expenses of such filing shall be borne by the Local Government Unit.

In the event of any default on the Note or hereunder, the Local Government Unit agrees to pay the reasonable expenses of the Purchaser (including court costs and attorney's fees) incurred in collecting the amounts due.

Section 6 -- General Obligation. The Note issued pursuant to this Note Resolution shall be a general obligation of the Local Government Unit. The Local Government Unit hereby covenants with the owners from time to time of the Note that if funds are not available for the full payment of the Note within the fiscal year in which issued, then the Local Government Unit will either (1) include the amounts necessary to pay the Note in its budget for the next fiscal year, pursuant to Section 8125 of the Debt Act, to the extent then permitted by applicable law; (2) fund such amounts within the next fiscal year in accordance with Sections 8129 and 8130 of the Debt Act; or (3) provide for payment of the Note by any combination of (1) and (2), in all events, upon notice to and with the consent and agreement of the Purchaser, and provided furthermore that in such an event of default, if the Local Government Unit shall have executed and delivered certain credit, collateral and/or security application(s) or agreement(s) pursuant to Section 10 hereof, the general obligation pledge of payment made by this Section 6 shall include and encompass all amounts in addition to stated principal and interest due in respect of the Note by the terms of such credit agreements and shall conform to the manner and procedures for payment, if any, set forth therein, or provided at the direction of the Purchaser, either as owner or subrogee of the Note.

Section 7 -- Tax Covenants. (a) The Local Government Unit hereby covenants with the owners from time to time of the Note that it will make no use of the proceeds of the Note which, if such use had been reasonably expected on the date of issue of the Note, would have caused the Note to be an "arbitrage bond" within the meaning of Section 148 of the Code and the Regulations thereunder and that it will comply with the requirements of the Code and the Regulations throughout the term of the Note.

(b) If the principal amount of the Note, plus the principal amount of all other tax-exempt obligations issued and to be issued by the Local Government Unit, or by a subordinate governmental unit within its jurisdiction, during the calendar year in which the Note is to be issued, exceeds \$5,000,000, and if the gross proceeds of the Note are invested at a yield greater than the yield on the Note and are not expended, or deemed to have been expended pursuant to in Section 148(f)(4)(B)(iii) of the Code, within six (6) months from the date of issuance, the Local Government Unit covenants that it will rebate to the U.S. Treasury, within sixty (60) days after the maturity date of the Note, that amount of investment income on the Note proceeds which exceeds the amount which would have been earned had the Note proceeds been invested at a yield equal to the yield on the Note.

(c) The Local Government Unit hereby designates the Note as a Qualified Tax-Exempt Obligation pursuant to Section 265(b)(3) of the Code and represents and covenants that the total amount of its obligations so designated and to be designated during calendar year 2013 does not and will not exceed \$10,000,000, to the extent that the option contained within the Proposal to which such designation, representation and covenant, is selected by the Local Government Unit.

Section 8 -- Award. The Note is hereby awarded and sold at private sale by invitation to PNC Bank, National Association, at par, in accordance with the Proposal and its Terms as set forth in the foregoing and attached Certificate and Transmittal, which, as presented at this meeting, is hereby accepted and directed to be executed by the Designated Officers. The Local Government Unit shall pay the Origination Fee, if any, set forth in the Terms.

Section 9 -- Costs. All notice, filing and legal fees (except Note Counsel to the Purchaser, if any) properly incurred in connection with issuance of the Note will be paid by the Local Government Unit. The Designated Officers are hereby authorized and directed to pay all such reasonable expenses at the time of Settlement on the Note.

Section 10 -- Letters of Credit; Guaranty of Payment; Subrogation. The Local Government Unit acknowledges the right of the Purchaser to negotiate some or all of the Note to subsequent third-party owners, from time to time, and at any time, during the term of the Note. Moreover, the Local Government Unit recognizes that the Purchaser may choose, in its absolute discretion and at its own cost, to provide letters of credit, put agreements, collateral accounts and such other and similar guarantees of payment by the Purchaser to the third-party owner as may be necessary to facilitate the negotiation of the Note to the subsequent owners. In consideration of the beneficial interest rate afforded the Local Government Unit by the increased and facilitated marketability of the Note, and in such event, the Local Government Unit agrees, and the Designated Officers are hereby directed, to execute and deliver any and all credit, collateral and security application(s) and agreement(s) as may be approved by the Local Government Unit's Solicitor and as may be necessary in the reasonable discretion of the Purchaser and according to its standard business practices to provide further assurance to the Purchaser of its rights, either as owner or subrogee under a guaranty arrangement, to receive payment in full of the principal of and interest on the Note (and any other amounts due in respect thereof under the term of such credit agreement) when due. In the event any payment of principal or interest or both is made to any owner of any Note by a draw on a letter of credit issued by, or other guaranty of payment made by, the Purchaser such payment will not extinguish the obligations of the Local Government Unit under such Note; the Purchaser shall become the owner/subrogee of the Note with full rights to enforce payment of the amounts due in respect of the same.

Section 11 -- Note Resolution a Contract. This Note Resolution is a contract with the owners, from time to time, of the Note.

Section 12 -- Inconsistent Actions. All prior resolutions or parts thereof inconsistent herewith are hereby repealed.

DULY ADOPTED at, and recorded in the minutes of, a properly constituted meeting of the Governing Body of the Local Government Unit held on the date set forth in the Certificate and Transmittal.

Attest:



Bryan T. Havir, Acting
Secretary

By:

CHELTENHAM TOWNSHIP



Art Haywood, President
Board of Commissioners



PUBLIC ATTENDANCE LIST



Board of Commissioners Meeting

Wednesday, December 19, 2012 @ 7:30 P.M.

Curtis Hall

1250 W. Church Road, Wyncote, PA 19095

(Please Print Clearly)

Print Name	Mailing Address	Telephone Number	E-mail Address
R. EDWARD CASSELL	7 E. Church	215-663-8140	
David Kosempel	2306 Geneva Ave Apt 2	267-210-1391	
Bruce Rosenberg	118 Ben Cove Rd	215-635-0553	
MARVIN OVERTON	881 EDGEMILL RD GLENSIDE, PA 1903	267-735-5324	
Joe Lewis	1488 Wisteria Dr Wyncote Pa	215-576-6378	
Peter Nissen	Acacia Financial		
David Harrard	509 Fox Rd Glenside		
David Schultz	15 Waverly Rd.		