

March 20, 2013
Curtis Hall

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

Staff present were Charlyn Battle, Director of Human Resources; Michael Fleming, Public Works Coordinator; Nancy Gibson, Public Information and Complaint Officer; Brian Hinson, Recreation Superintendent; John O. Hoover, Jr., Director of Parks and Recreation; Mark McDonnell, Public Works Superintendent; Joseph O'Neill, Fire Marshal; Bruce Rangnow, Acting Director of Fiscal Affairs; Lt. John Weed; and Bryan T. Havir, Township Manager.

Also present was Joseph M. Bagley, Esq., Township Solicitor. A Public Attendance List is attached.

1. The meeting commenced at 7:30 p.m. with the Pledge of Allegiance being led by Commissioner Portner.
2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated February 20, 2013, upon motion of Mr. McKeown, the Minutes were unanimously approved by the Board of Commissioners as amended by Mr. Simon who noted an incorrect date on said Minutes.
3. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of February, 2013, 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 February, 2013, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners.
5. Mr. McKeown presented **Resolution No. 13-13** to John O. Hoover, Jr. upon the occasion of his retirement as Director of Parks and Recreation after 34-years of service (see attached).
6. Representatives of State Senator LeAnna Washington and State Representative Steve McCarter presented commendations to Mr. Hoover.
7. Mr. Sharkey presented **Resolution No. 7-13** to David Green, owner of the Primex Garden Center, in honor of Primex's 70th Anniversary (see attached).
8. Mr. Haywood accepted a plaque presented by Steve Vahey on behalf of the Greater Glenside Patriotic Association in recognition of the Township's support of said organization.

9. Review of the Public Works Committee Regular Meeting Minutes dated March 13, 2013.

a. Mr. Simon asked that the Minutes be amended. His statement regarding the Official Sewage Facilities Plan (Act 537) was erroneous as it relates to his comments about the proposed work relative to Interceptor A and related flows. He meant that if it is not intended to cut expectations in future years and is based on current flows (meaning based on development that exists today), it may well be a disadvantage to Cheltenham.

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 14-13** authorizing filing a Community Development Block Grant application for FY 2013 in the amount of \$224,672.82 for roadway reconstruction of John Russell Circle (see attached).

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 15-13** authorizing the filing of a grant application to PA Department of Conservation and Natural Resources for FY 2013 for funding in the amount of \$100,000 for the Rock Creek Greenway Rivers Conservation Implementation Project at Curtis Arboretum (see attached).

d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 16-13** authorizing the Emergency Management Coordinator to execute for and behalf of Cheltenham Township all documents relating to reimbursement for October 2012 Hurricane Sandy (see attached).

e. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously endorsed Cheltenham Township's participation as a partner with PennFuture in its Sunshot Solar Rooftop Challenge Grant Application.

f. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Herbicide Application Policy recommended by the Environmental Advisory Council ("EAC") that follows the appropriate Commonwealth and Federal regulatory guidelines regarding herbicide application, notifications and pesticide hypersensitivity as well as the requirements submitted by the EAC Watershed Committee.

g. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Works Committee Regular Meeting Minutes dated March 13, 2013, as amended.

10. Review of the Public Safety Committee Regular Meeting Minutes dated March 6, 2013.

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Ordinance No. 2259-13** amending Chapter 285 thereof, entitled "Vehicles and Traffic" (see attached).

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 17-13** honoring Michael Moonblatt for 50-years of service to the Ogontz Fire Company (see attached).

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Safety Committee Regular Meeting Minutes dated March 6, 2013.

11. Review of the Public Affairs Committee Regular Meeting Minutes dated March 6, 2013.

a. Upon motion of Ms. Hampton, the Board of Commissioners unanimously adopted **Posthumous Resolution No. 18-13** honoring Ruth Sizemore, R.N. for her services to the Substance Abuse and Mental Health Committee.

b. Upon motion of Ms. Hampton, the Board of Commissioners unanimously adopted **Resolution No. 19-13** approving the Horsham Township Industrial Development Authority's ("IDA") refinancing of a project for Ancillae-Assumpta Academy (see attached).

c. Upon motion of Ms. Hampton, the Board of Commissioners unanimously adopted **Ordinance No. 2260-13** abolishing the Americans with Disabilities Act Advisory Committee ("ADA") and delegating its duties to the Human Relations Committee (see attached).

d. Upon motion of Ms. Hampton, the Board of Commissioners unanimously adopted the **Cheltenham Township Sustainability Plan dated March 2013**. The Board agreed that a letter of thanks to all individuals involved with the creation of said plan be inserted into the beginning of the plan and signed by all Commissioners.

e. Upon motion of Ms. Hampton, the Board of Commissioners unanimously adopted **Resolution No. 13-13** honoring Parks and Recreation Director John O. Hoover, Jr. upon the occasion of his retirement (see attached).

f. Upon motion of Ms. Hampton, the Board of Commissioners unanimously appointed Brian Hinson as Acting Director of the Parks and Recreation as recommended by the Township Manager in accordance with Section 702(B) of the Home Rule Charter.

g. Upon motion of Ms. Hampton, the Board of Commissioners unanimously accepted the Public Affairs Committee Regular Meeting Minutes dated March 6, 2013.

12. Review of the Building and Zoning Committee Regular Meeting Minutes dated March 6, 2013.

a. Mr. Simon questioned the interpretation of statements made by a member of the public at the Building and Zoning Committee meeting as reflected in the Minutes. The Board of Commissioners agreed to strike the statement from the Minutes rather than attempt to ascertain its accuracy.

b. Upon motion of Mr. Simon, the Board of Commissioners unanimously accepted the Building and Zoning Committee Regular Meeting Minutes dated March 6, 2013, as amended.

13. Review of the Sinking Fund Commission Regular Meeting Minutes dated February 26, 2013.

a. Mr. Haywood advised of lengthy discussion of future debt affordability plans was discussed.

b. Upon motion of Mr. Haywood, the Board of Commissioners unanimously accepted the Sinking Fund Commission Regular Meeting Minutes dated February 27, 2013.

14. Review of the Finance Committee Regular Meeting Minutes dated March 13, 2012.

a. Upon motion of Mr. Norris, the Board of Commissioners unanimously approved that Acacia Financial Group, Inc. commence the necessary action to undertake a bond refunding and portions of the 2004, 2005 and 2009 Bond Series for either the proposed plan including or not including the 2011 bonds, following the guidelines of past practice.

b. Upon the motion of Mr. Norris, the Board of Commissioners unanimously authorized Township Staff to prepare a Request for Proposal ("RFP") for securing a Bond Counsel to manage all of the underwriting processes of the Bond Refunding Plan.

Mr. Simon noted that the Township's Bond Counsel took ill during the process of refunding this year's bond, and it is necessary to have another bond counsel. He noted the incorrect form of the word "counsel" and asked that it be amended.

c. Mr. Norris noted two items discussed by the Finance Committee, i.e. the Committee's request that Acacia Financial Group and Township Staff provide current and future capital funding needs for the years 2013 and 2014, and the directive to Township Staff to develop a policy prohibiting holdings or investments prohibiting financial holdings or investments in companies that manufacture assault and military style weapons and high capacity ammunition clips of more than 10 rounds for sale to individuals.

The Commissioners agreed that those companies that manufacture and supply guns and ammunitions for the military and law enforcement would be exempt.

d. Upon motion of Mr. Norris, the Board of Commissioners unanimously accepted the Finance Committee Regular Meeting Minutes dated March 13, 2013, as amended.

15. Under Old Business:

a. Mr. Havar reviewed the proposed Ordinance to create a Riparian Corridor Conservation District. He noted that the Ordinance would provide protection along stream banks. There is a tier for small residential properties, smaller lots, a protection of 35-feet, and existing structures in those areas are considered non-conforming but the future goal is to limit

what can be built on this area. There are different criteria for properties over one (1) acre and that protection extends to 100-feet from the edge of the stream bank. The Montgomery County Planning Commission has reviewed and approved the Ordinance. At the Public Hearing on February 20, 2013, the Ordinance was not adopted due a technicality, i.e. a map was missing in the draft Ordinance presented at the Public Hearing.

Upon motion of Mr. Haywood, the Board of Commissioners unanimously adopted **Ordinance No. 2261-13** amending the Township Code, Chapter 295, entitled "Zoning" to allow for the creation of a Riparian Corridor Conservation District (see attached).

16. New Business:

a. Mr. Havir announced that the new blue recycling carts are being delivered and asked that to wait until April 1 to use them since this is the official start date of the program. Any property owner who did not receive a cart should contact the Public Works Department.

In response to a question from Mr. McKeown, Mr. McDonnell stated that all carts are numbered and each property owner has been assigned a numbered cart.

b. Mr. Sharkey reported that the Roberts Block Building on Easton Road in Glenside has been sold. He was optimistic that under new ownership the building would be an asset to the community. He thanked Township Staff and the Solicitor for their efforts in keeping the pressure on the owners that helped the property get sold.

17. Under Citizens Forum:

Beverly Maisey felt that for a successful Riparian Corridor Conservation District Ordinance, water testing should be included throughout the year and after significant weather to ensure that it is healthy. Mr. Haywood stated that the Ordinance prohibits building near streams, which will be helpful in this respect.

Robert Hyslop questioned the Riparian Buffer Ordinance in respect to the differentiation between mapped and unmapped streams and the minimum corridors widths for Zones 1 and 2 are the same.

Barbara Duffy stated that she was on the committee that drafted the Ordinance, and she is a resident of Wyncote. The committee wanted to be sure that unnamed creeks were noted in the Ordinance so future developers that had water bodies in their development area would have to abide by the Ordinance.

Mr. Simon stated that it would be more emphatic to developers that the unmapped streams were treated as a separate area rather than just a definition.

Mr. Hyslop noted that the Rock Creek Greenway Project grant did not include flooding mitigation or absorption. Mr. Havir advised that said grant does not address any flooding issues and such issues are not funded under said grant. Mr. Hyslop supported the reasons for the Rock

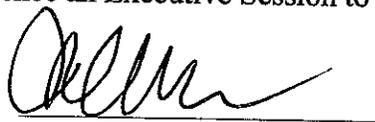
Creek Greenway Project grant but did not want it forgotten that portions of Dr. Myers presentation on the Rock Creek Greenway Proposal did address flooding. It identified surge dams with detention basins as least 6-feet above the creek bed, and the reason that the design was listed was to reduce the 100-year floods storm affects by 50%.

David Cohen asked that the Zoning Hearing Board ("ZHB") decision on Appeal No. 3427, Kerlin Farm, be appealed. His reasons included: the grant of relief was not warranted and the Age-Restricted Overlay District Ordinance ("ARO") was misapplied; the reasons for the ZHB's application of the ARO and relief for street frontage was flawed; valid arguments made by opposing residents were not addressed; a hardship why the applicant could not develop the property under the R-4 zoning was not addressed; provisions of the PA Municipalities Planning Code were not applied or followed; the grant of relief is precedent-setting and allows for density and height of buildings not allowed under the Zoning Code.

Douglas Karin opposed the zoning relief granted for Kerlin Farm. He felt that the reasons given by the ZHB for the grant of relief will allow for an appeal to be taken by the Board of Commissioners. The grant of relief violates Chapter 295 of the Code and does not meet the basic requirement of said Chapter. The developer wanted to be given major relief on the basic requirements of Chapter 295. Historic and preservation of historic resources was not followed, and the developer immediately demolished the house the day after the ZHB decision; the development does not preserve the character of the neighborhood's single family houses; it does not provide for pedestrian orientation; the size of the parcel of land does not come under the ARO; steep exceptions granted to allow development steep slopes; there is less than required street frontage; and the stairwell projections will be an eyesore.

Mr. Haywood stated that the Commissioners are aware that their recommendations as well as those of the Planning Commission were discounted. The ZHB has independent authority, and the appeal of a ZHB decision can be taken by a number of parties, including residents if they choose to do so. Mr. Haywood stated that the Commissioners will consider the appropriate role of the Township upon further review of the decision and discussion with the Township Solicitor.

There being no further business, upon motion of Mr. Portner, the Board of Commissioners unanimously agreed to adjourn the meeting at 8:30 p.m. Mr. Haywood announced that the Board of Commissioners would commence an Executive Session to discuss potential litigation matters.


Bryan T. Havir
Township Manager

as per Anna Marie Felix

*A Resolution No. 13-13
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep affection, admiration and respect, salutes **JOHN O. HOOVER**, of Glenside, on the occasion of his retirement after over 34 years of dedicated service with the Township; and

Whereas, A lifelong resident of the community, **JOHN O. HOOVER** joined the Township staff as Recreation Specialist on November 13, 1978. He was promoted to Rowland Community Center Director in January 2, 1980, and served as Acting Director of Parks and Recreation for one year before assuming the Director position officially on January 1, 1986. During his extensive tenure **JOHN O. HOOVER** was always a consummate team player who generously credited his staff for his department's many successful achievements; and

Whereas, Along with maintaining many recreation facilities, **JOHN O. HOOVER** helped create new ones like the roller hockey rink, skate park, and dog park, and helped develop new special events like the Community Harvest Festival, Flick'N'Float, Sundays in the Park, and the Summer Concerts Series, all to benefit community residents. His experience, expertise and good humor will be sorely missed by all his friends, colleagues and co-workers after his retirement on March 28, 2013.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Twentieth Day of March, A.D., 2013, does hereby officially honor **JOHN O. HOOVER** for his dedicated service to the Cheltenham community and wishes him good fortune in all his future endeavors. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be presented to Mr. Hoover.

IN WITNESS WHEREOF, I, **ART HAYWOOD**, President of the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set my hand and caused the Seal of the Township of Cheltenham to be made a part thereof. DONE AT ELKINS PARK, PENNSYLVANIA, in the year of the Township of Cheltenham, the one hundred and fourteenth.

**BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP**

By: 
Art Haywood, President


Attest: _____
Bryan T. Havir
Township Manager and Secretary

*A Resolution No. 7-13
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with great pride and admiration, salutes **PRIMEX GARDEN CENTER**, of 435 West Glenside Avenue in Glenside, on the occasion of its 70th Anniversary; and

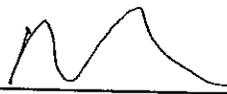
Whereas, The Green family began Primex Mills in 1943 and opened the retail store in 1956. Deeply invested in the community, Bill Green, the founder, helped launch the Glenside Chamber of Commerce and contributed to the re-location and design of the Glenside Free Library. Today, **PRIMEX GARDEN CENTER** hosts the Glenside Farmers' Market during the winter months, serves as a drop-off location for Philabundance food donations and will work with a local elementary school to plant a garden on school grounds this fall, all as part of its enduring commitment to the community; and

Whereas, Now in its third and fourth generations, **PRIMEX GARDEN CENTER** fulfills the motto, "Our Roots Run Deep." Seminars and workshops that began in the 1950s now include topics like backyard birds, raised-bed gardening and composting. Future offerings will feature an even wider range of organic and environmentally friendly products aimed at better protecting the planet.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Twentieth Day of March, A.D., 2013, does hereby officially honor **PRIMEX GARDEN CENTER** for its 70th Anniversary and for its many contributions to the community. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be conveyed to the Green family.

IN WITNESS WHEREOF, I, ART HAYWOOD, President of the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set my hand and caused the Seal of the Township of Cheltenham to be made a part thereof. DONE AT ELKINS PARK, PENNSYLVANIA, in the year of the Township of Cheltenham, the one hundred and fourteenth.

**BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP**

By: 
Art Haywood, President

Attest: 
Bryan T. Havir
Township Manager and Secretary

**TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 14-13**

**RESOLUTION AUTHORIZING THE FILING OF AN
APPLICATION FOR FY 2013 COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM**

WHEREAS, the Montgomery County Department of Housing Services has been allocated monies by the U.S. Department of Housing and Urban Development (HUD) for its 2013 Fiscal Year Community Development Block Grant Program; and

WHEREAS, the Township of Cheltenham has executed a Cooperation Agreement with Montgomery County for conducting Community Development activities and is a participant in the Montgomery County Community Development Block Grant (CDBG) Program; and

WHEREAS, the Township of Cheltenham Board of Commissioners held public meetings on March 13 & 20, 2013 to review the Community Development Block Grant Program proposal with the public and gave the Township citizenry an opportunity to review and comment on proposals as it relates to the CDBG program rules, regulations, and eligible activities promulgated by the U.S. Department of Housing and Urban Development, Community Development Block Grant Program (24 CFR Part 570); and

WHEREAS, it is recognized that in order to be eligible for program participation, the use of funds may be for the construction, reconstruction, rehabilitation or installation of public facilities and improvements, including but not limited to streets, curbs, sidewalks, streetscape improvements, community centers, storm drainage and sanitary sewers which directly benefits those person which reside in a particular pre-determined low and moderate income neighborhood, as well as primarily benefiting all residents of the Township, which is one of the criteria for satisfying the national objectives of the Department of HUD under the CDBG Program; and

WHEREAS, the Township Staff has recommended to the Cheltenham Township Board of Commissioners that a project dealing with the roadway reconstruction of John Russell Circle South, located in the targeted low income program-eligible Census Tract 2024.01, Block Group 1, be submitted for funding under the Township's application as part of the FY 2013 Montgomery County CDBG Program.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Cheltenham, Montgomery County, Commonwealth of Pennsylvania, that the Township Administration be authorized to submit to the Montgomery County Department of Housing and Community development, a CDBG funding application for FY 2013 in the amount of \$224,672.82 for the following project:

Roadway Reconstruction of John Russell Circle (South) – 1911'x 36' linear feet starting at Lucretia Mott Way to Humphrey Merry Way proceeding east:

1.) Construction	Unit	Est. Qty	Unit	Total
Milling 3-1/2"	SY	7,644	3.00	\$ 22,932.00
Base Repair	SY	200	55.00	\$ 11,000.00
Replace 2" Binder Course	Tons	993.72	90.00	\$ 89,434.80
Replace 1-1/2" Wearing Course	Tons	687.96	87.00	\$ 59,852.52
Remove & Replace Concrete Curb	LF	110	30.00	\$ 3,300.00
Install ADA Curb Ramps	EA	6	3,500.00	\$ 21,000.00
Curb and Joint Seal	LF	3,894	0.75	\$ 2,920.50
Sweep and Tack Coat	SY	7,644	0.75	\$ 5,733.00
Mobilization	LS	1	6,000.00	\$ 6,000.00
Traffic Controls	LS	1	2,500.00	<u>\$ 2,500.00</u>
SUB-TOTAL				<u>\$224,672.82</u>
2.) Engineering Consultant Services				\$ 35,000.00
Preparation of Bid Document				
Bidding Phase				
Construction Oversight/Management				
TOTAL				<u><u>\$259,672.82</u></u>

CDBG Request \$224,672.82	Township Match \$35,000.00	Total Cost \$259,672.82
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NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Commissioners of Cheltenham Township hereby authorizes the Township Manager to execute all requests, applications, agreements and contracts required by and with Montgomery County to participate in the Program.

DONE IN ELKINS PARK, PENNSYLVANIA, under my hand and the Seal of the Township of Cheltenham, this twentieth day of March, A.D., 2013, in the year of the Township of Cheltenham the one hundred fourteenth. Resolved and adopted this 20th day of March, A.D., 2013.

TOWNSHIP OF CHELTENHAM



Art Haywood, President
Board of Commissioners

ATTEST



Bryan T. Havir, Manager/Secretary
(SEAL)

TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 15-13

**AUTHORIZING THE FILING OF A RIVERS CONSERVATION
IMPLEMENTATION GRANT APPLICATION FOR
THE FY 2013 COMMUNITY CONSERVATION PARTNERSHIP PROGRAM
ADMINISTERED BY THE PENNSYLVANIA DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

WHEREAS, the Township of Cheltenham is desirous of implementing various landscape management components identified in the Rock Creek Greenway Plan prepared by the Temple University and the township residents through a community visioning process, which said plan incorporates portions of implementation projects in the Township's Rivers Conservation Plan, also referred to as the *Tookany Creek Watershed Management Plan*, dated October 2003, to improve the overall health of the Rock Creek tributary and Tookany Creek stream corridor which flow through the Township Parklands; and

WHEREAS, the Township of Cheltenham desires to apply to the Pennsylvania Department of Conservation and Natural Resources ("Department") for a matching grant for the purposes of assisting in the Township's efforts to implement a landscape management project along the Rock Creek tributary which flows through ±21.81 acres of Curtis Arboretum from Cedarbrook Middle School to Washington Lane; and

WHEREAS, the general public, including community stakeholders, representatives and partners of the Tookany-Tacony/Frankford Watershed Partnership, the Cheltenham Township Environmental Advisory Council, Parks and Recreation Committee has had the opportunity to comment on the proposed plan elements that are being submitted for funding to the Department; and

WHEREAS, the Township of Cheltenham understands that, by signing the "Signature Page for Grant Application" and submitting it to the Department as part of the grant application, the Township agrees to the terms and conditions of the grant and will be bound by the Grant Agreement if the Department awards a grant; and

WHEREAS, the Cheltenham Township Board of Commissioners have committed to fund this project through a combination of other grant sources, in-kind services, and/or local funds, in order to make up the necessary fifty (50%) percent match of the total project cost based on the attached Cost Estimate (Exhibit A).

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, that the Township Administration be authorized to submit a grant application to the Department of Conservation and Natural Resources for FY 2013 for funding in the amount of \$100,000 for the implementation of this project described herein.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, that it hereby authorizes and directs the following:

1) That, the filing of a grant application and execution of the resolution acknowledging public support for this project and the expenditure of funds necessary for its success be signed by the official holding the title of President of the Board of Commissioners and attested by the official holding the title of Township Manager, and in doing so, agree to be legally bound to the terms, conditions, and provisions set forth by the agreements and

2) That, if the Township of Cheltenham is awarded a grant, the "Signature page for the Grant Application and Grant Agreement", including any amendments made be part thereof and attached hereto, signed by the above officials, will become the grantee's executed signature page for the Grant Agreement, and the grantee will be bound by the Grant Agreement.

DONE IN ELKINS PARK, PENNSYLVANIA, under my hand and the Seal of the Township of Cheltenham, this 20th day of March, A.D., 2013, in the year of the Township of Cheltenham the one hundred ninth.

Resolved and adopted this 20th day of March, A.D., 2013.

TOWNSHIP OF CHELTENHAM



ATTEST:

BY:

Art Haywood, President



Bryan T. Havar
Township Manager/Secretary

(SEAL)

RESOLUTION NO. 16-13
DESIGNATION OF AGENT RESOLUTION

FOR: October 2012 Hurricane Sandy
(Enter Name of Disaster or Number)

BE IT RESOLVED BY Board of Commissioners OF Cheltenham Township
(Governing Body) (Public Entity)

THAT Kenneth H. Hellendall, Emergency Mgt. Coordinator
(Name of Applicant Agent) (Title)

IS HERBY AUTHORIZED TO EXECUTE FOR AND IN BEHALF OF
Cheltenham Township, Montgomery County,
(Public Entity) (County)

a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

Passed and approved this 20th day of March, 20 13

Art Haywood President
(Name) (Title) (Signature)

Harvey Portner Vice President
(Name) (Title) (Signature)

(Name) (Title) (Signature)

(Name) (Title) (Signature)

(Name) (Title) (Signature)

CERTIFICATION

I, Bryan T. Havir, duly appointed and Township Manager
(Name) (Title)

of Cheltenham Township, do hereby certify that the above is a true and correct copy of
(Public Entity)

a resolution passed and approved by the Board of Commissioners
(Governing Body)

of Cheltenham Township on the 20th day of March, 20 13
(Public Entity)

Township Manager 3/20/13
(Signature) (Official Position) (Date)

ORDINANCE NO. 2259-13

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:

- | | | |
|---------------|------|---------------------------------------------------------------------------|
| LAUREL AVENUE | (5) | NO PARKING, both sides, Ryers Avenue to 40 feet east. |
| RYERS ROAD | (13) | NO PARKING HERE TO CORNER, east side,
Laurel Avenue to 100 feet north. |

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:

- | | | |
|---------------|------|--------------------------------------------------------------------------|
| LAUREL AVENUE | (5) | NO PARKING HERE TO CORNER, north side,
Ryers Avenue to 40 feet east. |
| RYERS AVENUE | (13) | NO PARKING HERE TO CORNER, east side,
Laurel Avenue to 80 feet north. |

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 20th of March, A.D., 2013.

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM



By _____
Art Haywood, President

ATTEST:



Bryan T. Havir, Township Manager

*A Resolution No. 17-13
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with appreciation, admiration, and respect, salutes **MICHAEL L. MOONBLATT**, of Elkins Park, for over 50 years of dedicated service as a volunteer firefighter with the Ogontz Fire Company; and

Whereas, **MICHAEL L. MOONBLATT** joined the Ogontz Fire Company in 1962 as a youth of just 16 years old. Over the five decades that followed, he has held many ranks and currently leads the company again as Chief. In addition, he helped start the Montgomery County Hazardous Materials Response Team, of which he is still a member, and he teaches fire science courses for the county community college. Finally, **MICHAEL L. MOONBLATT** notably served as Cheltenham Township Fire Marshal for nearly 30 years from 1978 to 2008; and

Whereas, While the community owes every firefighter an enormous debt of gratitude, **MICHAEL L. MOONBLATT** has achieved exemplary distinction for protecting the lives and property of his neighbors for more than 50 years. In addition, his outstanding professionalism, leadership and dedication have earned him the honor and respect of all of his fellow firefighters.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Twentieth Day of March, A.D., 2013, does hereby officially honor **MICHAEL L. MOONBLATT** for his distinguished service and dedication to the Cheltenham Township community for over 50 years and applauds his continuing contributions. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be conveyed to Mr. Moonblatt at the Ogontz Fire Company Banquet on March 9, 2013.

IN WITNESS WHEREOF, I, ART HAYWOOD, President of the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set my hand and caused the Seal of the Township of Cheltenham to be made a part thereof. DONE AT ELKINS PARK, PENNSYLVANIA, in the year of the Township of Cheltenham, the one hundred and fourteenth.

**BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP**



By: _____
Art Haywood, President



Attest: _____
Bryan T. Havir
Township Manager and Secretary

**BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 19-13

**RESOLUTION APPROVING ISSUANCE OF UP TO \$3,700,000 OF TAX-EXEMPT
FINANCING BY THE HORSHAM INDUSTRIAL AND COMMERCIAL
DEVELOPMENT AUTHORITY OF FACILITIES LOCATED WITHIN
CHELTENHAM TOWNSHIP**

WHEREAS, the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") requires the approval of a "governmental unit" in which there is located a facility on behalf of which industrial development authority debt is to be issued in order for the interest thereon to qualify for the exemption from federal income taxation contained in Section 103 (a) of the Internal Revenue Code of 1986, as amended; and

WHEREAS, the Board of Commissioners of Cheltenham Township (the "Board") is the governmental unit required to approve debt issued on behalf of facilities located in Cheltenham Township; and

WHEREAS, the Horsham Industrial and Commercial Development Authority (the "Authority") has heretofore advertised for, conducted a public hearing and approved issuing a bank qualified, tax-exempt Revenue Note (the "Note") not to exceed Three Million Seven Hundred Thousand Dollars (\$3,700,000.00) for the financing of the following project for The Handmaids of the Sacred Heart of Jesus and Ancillae-Assumpta Academy (collectively, the "Borrower"):

The proceeds of the tax-exempt financing will be used by the Borrower to fund (i) the refinancing of an existing mortgage loan to the Borrower in the amount of approximately \$3,500,000.00, the proceeds of which were used for the construction and equipping of an addition and improvements to the Ancillae-Assumpta Academy School, located at 2025 Church Road, Wyncote, Cheltenham Township, Montgomery County, Pennsylvania, (ii) a portion of the costs of issuance of the Note and (iii) other appropriate and lawful purposes (collectively, the "Project"); and

WHEREAS, the Board has heretofore duly advertised for and conducted a public hearing pursuant to Section 147(f) of the Internal Revenue Code with respect to the Authority's issuance of the Note for the financing of the Project; and

**BOARD OF COMMISSIONERS
CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2260-13

**AN ORDINANCE ABOLISHING THE TOWNSHIP AMERICANS
WITH DISABILITIES ACT ADVISORY COMMITTEE AND
DELEGATING THE DUTIES OF THAT COMMITTEE TO THE
TOWNSHIP HUMAN RELATIONS COMMITTEE**

WHEREAS, Cheltenham Township Ordinance No. 1758-92 established an Americans With Disabilities Act Advisory Committee effective August 18, 1992; and

WHEREAS, the Cheltenham Township Home Rule Charter empowers the Board of Commissioners to create, modify and abolish citizens' groups; and

WHEREAS, the Board of Commissioners has determined that the duties of the Township Americans With Disabilities Act Advisory Committee to provide input and help determine priorities in the Township's efforts to comply with the Americans With Disabilities Act of 1990 should be reassigned to the Township Human Relations Committee, thereby dispensing with the need for the former committee.

NOW THEREFORE, the Board of Commissioners of the Township of Cheltenham hereby **ORDAINS** and **ENACTS** as follows:

SECTION I. Amendment of the Ordinance

The duties of the Americans With Disabilities Act Advisory Committee to provide input and help determine priorities in the Township's efforts to comply with the Americans With Disabilities Act of 1990 are hereby delegated to the Township Human Relations Committee.

SECTION II. -- Amendment of the Ordinance

The Americans With Disabilities Act Advisory Committee established by Cheltenham Township Ordinance No. 1758-92 is hereby abolished.

ORDAINED AND ENACTED by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this 20th day of March, 2013.

CHELTENHAM TOWNSHIP
BOARD OF COMMISSIONERS



BY: _____
Art Haywood, President

ATTEST:



Bryan T. Havir, Township Manager and Secretary

CHELTENHAM TOWNSHIP

ORDINANCE NO. 2261-13

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP
OF CHELTENHAM, CHAPTER 295, THEREOF, ENTITLED
"ZONING," CREATING AN ARTICLE XXXIV, ENTITLED "RIPARIAN CORRIDOR
CONSERVATION DISTRICT"**

SECTION 1. The Board of Commissioners hereby adopts the following as Chapter 295, Zoning, Article XXXIV, Riparian Corridor Conservation District:

§295-247. Legislative intent.

In expansion of the community development objectives contained in Article I, Section 295-1, of this chapter and in support of the goals and recommendations of the Cheltenham Township Comprehensive Plan, the Cheltenham Township Open Space Plan, and all other adopted plans relating to environmental and water resource management in Cheltenham Township, it is the intent of this article to provide reasonable controls governing the conservation, management, disturbance, and restoration of riparian corridors under authority of Article I, Section 27 of the Pennsylvania Constitution, Act 247, the Municipalities Planning Code, as amended, and other Commonwealth and Federal statutes. In addition, the specific intent and purposes of this article are to:

- A. Improve surface water quality by reducing the amount of nutrients, sediment, organic matter, pesticides, and other harmful substances that reach watercourses, wetlands, and water bodies by using scientifically- proven processes including filtration, deposition, absorption, adsorption, plant uptake, and denitrification, and by improving infiltration, encouraging sheet flow, and stabilizing concentrated flows.
- B. Improve and maintain the safety, reliability, and adequacy of the water supply for domestic, agricultural, commercial, industrial, and recreational uses along with sustaining diverse populations of aquatic flora and fauna.
- C. Preserve and protect areas that intercept surface water runoff from upland sources and function to remove or buffer the effects of associated nutrients, sediment, organic matter, pesticides, or other pollutants prior to entry into water bodies, as well as provide wildlife habitat, moderate water temperature in water bodies, and provide opportunities for passive recreation.
- D. Regulate the land use, siting, and engineering of all development to be consistent with the intent and objectives of this ordinance and accepted conservation practices, and to work within the carrying capacity of existing natural resources.

- E. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices, specifically Erosion Control, of the Pennsylvania Clean Streams Law, Act 394, P.L. 1987, Chapter 102 of the Administrative Code (as amended October 10, 1980 Act 157 P.L.), Title 25, and any subsequent amendments thereto, as administered by the Pennsylvania Department of Environmental Protection and the Montgomery County Conservation District.
- F. Conserve the natural features important to land or water resources such as headwater areas, groundwater recharge zones, floodway, floodplain, springs, streams, wetlands, woodlands, prime wildlife habitats and other features that provide recreational value or contain natural amenities that exist on developed and undeveloped land.
- G. Work with floodplain, steep slopes, and other ordinances that regulate environmentally sensitive areas to minimize hazards to life, property, and riparian features.
- H. Support the goals and practices of Stormwater Management Plan for the Tookany/Tacony-Frankford Designated Watershed, as adopted by Cheltenham Township and as amended.
- I. Recognize that natural features contribute to the welfare and quality of life of the Cheltenham Township residents.
- J. Conserve natural, scenic, and recreation areas within and adjacent to riparian areas for the community's benefit.

§295-248. Applicability.

- A. The Riparian Corridor Conservation District is an overlay district that applies to lands adjacent to streams, including any adjacent wetlands, and/or water bodies draining into the identified stream, as specifically delineated in §295-249 herein.
- B. The Riparian Corridor Conservation District regulations shall apply when:
 - 1. A plan is submitted for Land Development and/or the Subdivision of Land.
 - 2. A Building Permit application is submitted for construction of a new structure and/or an expansion of an existing structure within 100' of a mapped stream.
- C. Lots containing legal structures in existence at the time of adoption of this Article shall not be subject to the requirements of this Article unless and until they are the subject of either B.1 or B.2 listed above. Existing non-conforming uses and structures shall be permitted to expand to the extent permitted by this Chapter.
- D. Any lands within one-hundred feet (100') of a stream that are wholly separated from that stream by a public or private street shall be considered outside the Riparian Corridor Conservation District and the regulations contained in this article shall not apply.

- D. When a submission, as identified in §295-248.B, is made to Cheltenham Township, it shall be the applicant's responsibility to identify and accurately locate all streams, wetlands, and water bodies on the applicant's site and within 100 feet of the applicant's property boundaries. All Zone One and Zone Two Riparian Corridor boundaries, as defined and adjusted in Sections §295-249.A and B and §295-250, shall also be identified by the applicant. Plans for Land Development and Subdivision of Land shall be prepared by a design professional licensed in the Commonwealth of Pennsylvania, and shall be reviewed by the Township Zoning Officer for correctness.
- E. **Boundary Dispute.** The Zoning Officer, Township Engineer and/or other such advisors selected by the Board of Commissioners, shall make all determinations related to the boundaries of the Riparian Corridor Conservation District. Any party that alleges there is an error in any such determination, or other decision or determination under this Article, may appeal to the Zoning Hearing Board as provided in Article XXVII.
- F. **Terminology.** Technical terminology used in this article shall be interpreted to have the meanings used and recognized by the Pennsylvania Department of Environmental Protection. Interpretation and final determination shall be made by the Township Zoning Officer.

§295-250. Boundary Adjustments

The boundaries of the Riparian Corridor Conservation District, as identified in §295-249, shall be adjusted in compliance with the following:

- A. All properties measuring less than one acre shall be permitted to reduce Zone One to ten feet (10'), and Zone Two to an additional twenty-five feet (25'), measured from the edge of Zone One, for a total buffer width of thirty-five feet (35').
- B. If any structure legally existing at the time of the passing of this article lies within one hundred feet (100') of the defined edge of a stream, in whole or in part, Zone Two requirements shall not apply. Zone One requirements shall apply as specified herein (10' for properties less than one acre; 25' for properties greater than one acre).
- C. If any parking lot or driveway legally existing at the time of the passing of this article lies within twenty-five feet of the defined edge of a stream (and/or within Zone One), and that parking area or driveway is proposed to be redeveloped or reconfigured as part of a Land Development application, the proposed paved area shall not encroach upon the stream buffer any more than the existing paved area already does. The proposed paved area shall be located a minimum of five feet (5') away from the defined edge of the stream, even if the existing paved area is closer to the stream, and the remaining five (or more) feet shall be vegetated. This requirement only applies when the paved area is the subject of a land development application; this does not apply to regular maintenance such as re-paving of an existing parking lot or driveway.

feet (35') from Zone One, or a minimum of sixty feet (60') from the top of the stream bank, whichever is greater.

§295-252. Uses specifically prohibited in the Riparian Corridor Conservation District.

Any use or activity not authorized in §295-251 shall be prohibited within the Riparian Corridor Conservation District, and the following uses and activities are specifically prohibited:

- A. Roads and driveways, except where permitted as corridor crossings in compliance with §295-254.
- B. Parking lots, except as permitted in compliance with §295-250.
- C. Subsurface sewage disposal areas.
- D. Storm-water detention basins.

§295-253. Inspections of the Riparian Corridor Conservation District

Cheltenham Township shall have the right to inspect lands within or adjacent to an identified Riparian Corridor Conservation District when:

- A. A plan is submitted for Land Development or Subdivision of Land.
- B. A Building Permit application is submitted for construction of a new structure and/or an expansion of an existing structure within one hundred feet (100') of a mapped stream.
- C. The Riparian Corridor Conservation District may also be inspected periodically by Cheltenham Township for compliance with an approved restoration plan, excessive or potentially excessive erosion, or at any time when the presence of an unauthorized activity or structure is brought to the attention of the Township.

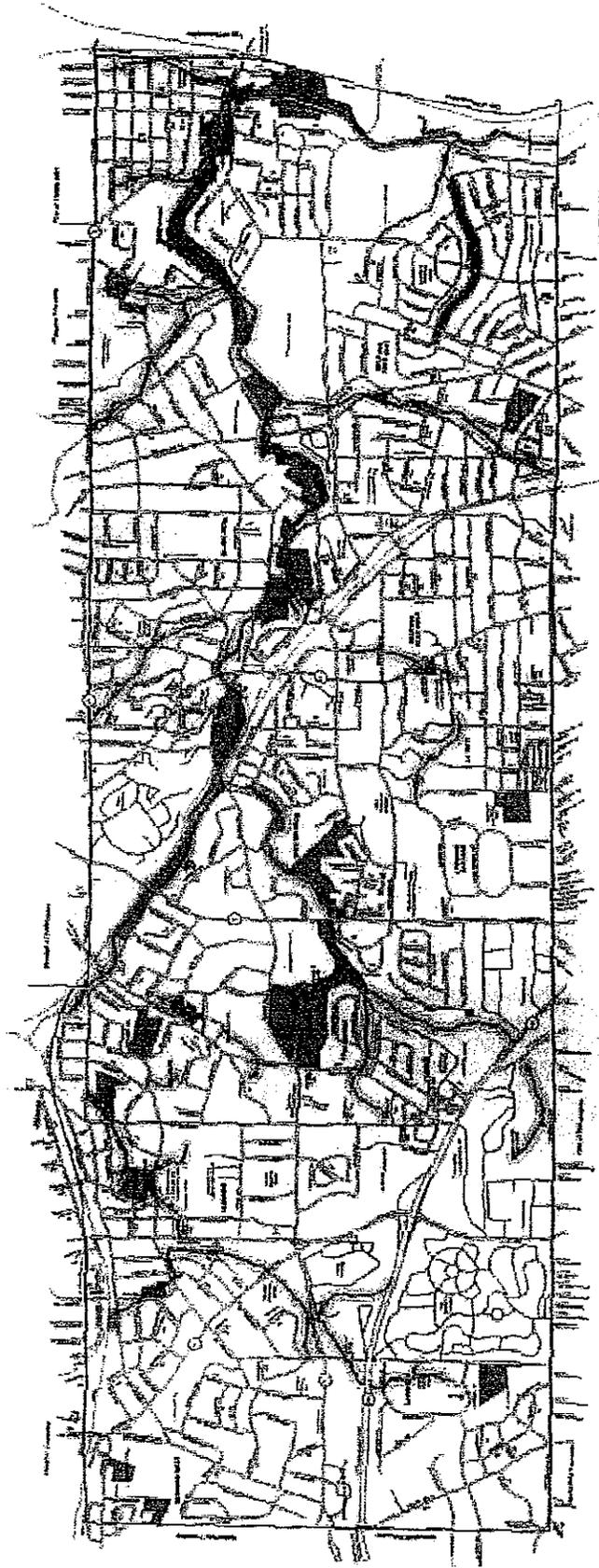
§295-254. Corridor Crossing Standards

All corridor crossings permitted under §295-251, herein, shall incorporate, as required, the following design standards:

- A. The width of the proposed right-of-way shall not be greater than the minimum right-of-way width required by the Subdivision and Land Development Ordinance.
- B. Crossings shall be designed to cross the riparian corridor at direct right angles (+/- 10 degrees) in order to minimize disturbance of the corridor.
- C. Crossings shall be separated by a minimum of 1,000 feet of buffer length.

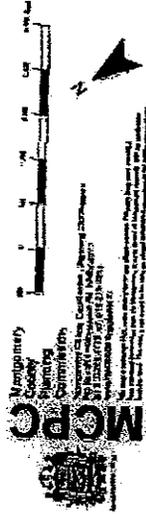
Proposed Riparian Corridor Conservation District

Cheltenham Township
Montgomery County, Pennsylvania



Legend

- Riparian Corridor Zones
- 15' Zone One
 - 33' Zone Two
 - Proposed Stream in Chequamegon
 - Municipal Boundary
 - Township Parks





PUBLIC ATTENDANCE LIST



Board of Commissioners Meeting

Wednesday, March 20, 2013 @ 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
ANNE MacHAFFIE			AMACHAFFIE@PASCWATE.COM
BARRY KNIAZER	618 DAVIS RD CHEST PA 19012		
DAVID L. COLSON	321 GERARD E.P.		
CLIFF BASSMAN	7820 OAKLAND RD -		cliffbassman@gmail.com
Jim Davolo	1034 Ashburn		WELCLEAN@GMAIL.COM
Bruce RANNOU			
Doug Karan	21 Pike's Way Cheltenham PA 19012	215-379-8019	dougkaran@yahoo.com
Maggie Vesovic	107 Tookany Chesh, PA 19012	215-663-1303	maggiervesco@yahoo.com
Mark Garvin	7816 Hazires Rd.	215-635-9696	mark@markgarvinphoto.com
Lisa Baum	7812 Oak Lane Rd		kidsplaywork@yahoo.com
Beverly M. Lester May			
Ann Rappoport			



PUBLIC ATTENDANCE LIST



Board of Commissioners Meeting

Wednesday, March 20, 2013 @ 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
Jim Thacker	1310 Ashbourne Road	215-635-4475	
Bonnie Aaron	7901 Jenkintown Rd	215 663-9397	
Barb Duffy	8 Havett Rd. Wyncote	215 885-1506	
ROBERT HYSLOP	211 HARRISON	215-886-0913	
George Poporad	22 Carter Lane	215 635 2867	
Christa S-H	8256 New York	215 517 6677	
David Schuck	15 Wyncote Rd. Wyncote		
Joe Vesecnik	107 Trolley	215 663-1303	
Deb McGhie	320 Brookdale	215-572-2978	
GREG STROPLCZEWSKI	309 HIGHLAND RD.	215-379-2864	@LMCO.COM GREGORY.M.STROPLCZEWSKI
Jeanne Sorg / Rep McCarter		215-572-5210	jsorg@pahouse.net
Rebecca Bellman	2703 Oak Lane Rd	215 635-4544	

Natalie Hursky 17 Lawnside Rd