

April 17, 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, Acting Director of Parks and Recreation; Mark McDonnell, Public Works Superintendent; John J. Norris, Chief of Police; 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 March 20, 2013, upon motion of Mr. Portner, 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 March, 2013, upon motion of Mr. Portner, 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 March, 2013, upon motion of Mr. Portner, the Report was unanimously approved by the Board of Commissioners.

5. Abington Police Chief William J. Kelly presented an award to the Cheltenham Township Police Department on behalf of the Pennsylvania Law Enforcement Accreditation Commission on which he serves as Vice Chairman.

Chief Kelly remarked that of the 1,200 Police Departments state-wide, 300 department applied for accreditation, and only 82 achieved this accreditation.

6. Mr. Haywood presented **Resolution No. 20-13** to Carl ("Tobey") Oxholm, III, former President of Arcadia University.

Mr. Oxholm remarked that students can make a difference, and public service is a means to making a difference.

7. Mr. Portner presented a Certificate and Pin to Public Works employee Daniel McGowan for 20-years of service.

8. Review of the Public Works Committee Regular Meeting Minutes dated April 10, 2013.

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously awarded contracts for Furnishing Bituminous Materials, F.O.B. Plant to Glasgow, Inc., Glenside, PA for:

Item No. 1 – Approx. 125 Tons Base Course	\$46.40/TN	\$ 5,800.00
Item No. 3 – Approx. 25 Tons FJ-1	\$75.00/TN	\$ 1,875.00
Item No. 4 – Approx. 25 Tons Cold Patch	\$90.00/TN	\$ 2,250.00

and to Highway Materials, Inc., Blue Bell, PA for:

Item No. 2 – Approx. 250 Tons Wearing Course	\$43.00/TN	\$ 10,750.00
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being the lowest responsible bidders meeting Township specifications and being within budgetary limitations.

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously rejected all of the bid quotes submitted by:

- Summit Restoration Group LLC, Feasterville, PA 19053
- Reilly Sweeping, Inc., Fairless Hills, PA 19030
- Glasgow, Inc., Glenside, PA 19038
- Leary Trucking & Paving, Inc., Ardsley, PA 19038
- Greenscape Landscape Contractor Inc., Glenside, PA 19038

for Furnishing Equipment at Hourly Rental Rates.

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. L938 to David Kuruvilla, owner of 1608 Willow Avenue, La Mott, relating to replacement of various windows, stucco work, repairs to entry doors, cornice, trim and woodwork, replace roof over garage and demolish one-story rear addition as (informally) recommended by the La Mott Board of Historical and Architectural Review.

d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application L940 to Michelle Healy, owner of 1708 Beech Avenue, La Mott, relating to installation of a new privacy fence as (informally) recommended by the La Mott Board of Historical and Architectural Review.

e. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application L941 to Omolola Adyemi, owner of 1813 Willow Avenue, La Mott, relating to repairs to the existing front porch roof and exterior woodwork and replacing the asphalt roof with asphalt shingle to match the newly installed roof at 1815 Willow Avenue as (informally) recommended by the La Mott Board of Historical and Architectural Review.

f. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted the concept plan dated April, 2013 prepared by the Pennsylvania Department of Environmental Protection for the Glenside Flood Control Project Phase II, and use the concept design as a basis to proceed with final engineering and design, preparation of construction documents and obtain appraisals needed to have the buildings demolished.

g. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved the preparation of an Ordinance to be advertised authorizing a condemnation proceeding to obtain construction easements for the Hilltop Lane Retaining Wall Repair Project.

h. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously awarded a Professional Services Contract to Dilworth Paxson, Philadelphia, PA 19102, for bond counsel in the amount of \$19,200.00 being within budgetary limitations.

i. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Works Committee Regular Meeting Minutes dated April 10, 2013.

10. Review of the Public Safety Committee Regular Meeting Minutes dated April 3, 2013.

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Ordinance No. 2262-13** amending Chapter 285 thereof, entitled "Vehicles and Traffic" (see attached).

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Ordinance No. 2263-13** amending Chapter 251 of the Township Code entitled "Peddling, Soliciting and Transient Sales" (see attached).

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 21-13** honoring John Hearn upon his retirement as Emergency Management Representative for the Fire Companies.

d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Safety Committee Regular Meeting Minutes dated April 3, 2013.

11. Review of the Public Affairs Committee Regular Meeting Minutes dated April 3, 2013.

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 22-13** declaring a Township policy prohibiting investments in manufacturers of semi-automatic and other assault weapons and high-capacity ammunition magazines (see attached).

b. Upon motion of Mr. Sharkey, the Committee unanimously adopted **Resolution No. 23-13** authorizing the disposition of certain Township records (see attached).

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 24-13** commemorating the 55th Anniversary of Melrose B'nai Israel Emanu-El Synagogue (see attached).

d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 20-13** honoring Carl ("Tobey") Oxholm, III, former President of Arcadia University, in appreciation of his efforts in fostering a partnership with the community and his service to the University as President (see attached).

e. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously awarded a Professional Services Contract for Fiscal Affairs Consulting to Tom Josiah Consulting at an hourly rate of \$85/hour, on an as-needed basis, not to exceed \$11,985.

f. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 25-13** authorizing the incurrence of non-electoral debt for the refinancing of existing bonds (see attached).

g. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Affairs Committee Regular Meeting Minutes dated April 3, 2013.

12. Review of the Building and Zoning Committee Regular Meeting Minutes dated April 3, 2013.

a. Upon motion of Mr. Simon, the Board of Commissioners ratified the decision of the Building and Zoning Committee to appeal the grant of relief by the Township's Zoning Hearing Board on Appeal No. 3437, Appeal of 1050 Ashbourne Road Associates, LLC (AYES: Hampton, Haywood, McKeown, Norris, Sharkey, Simon; NAY: Portner).

b. Upon motion of Mr. Simon, the Board of Commissioners unanimously accepted the Building and Zoning Committee Regular Meeting Minutes dated April 3, 2013.

13. Review of the Parks and Recreation Committee Regular Meeting Minutes dated April 10, 2013.

a. Upon motion of Simon, the Board of Commissioners unanimously awarded a Contract for Professional Consulting Services for the High School Park Woodland edge Restoration Project to Wells Appeal Planning, Landscape, Architecture, Urban Design, 1516 Locust Street, Philadelphia, PA 19102 in an amount not to exceed \$30,000.

b. Upon motion of Mr. Simon, the Board of Commissioners unanimously accepted the Parks and Recreation Committee Regular Meeting Minutes dated April 19, 2013 were accepted.

14. Under Old Business:

a. Upon motion of Mr. Haywood, the Board of Commissioners unanimously agreed to postpone the Public Hearing scheduled for May 16, 2013 regarding the enactment of a proposed Ordinance to the Township Zoning Code relating to the Lloyd Tract, a/k/a Laverock Hill located at 1777 Willow Grove Avenue. No other action was taken on said Public Hearing.

15. Under New Business:

a. Mr. Havir advised that a joint committee of Commissioners from Cheltenham and Springfield Townships suggested that several alternative sketch plans be considered for the development of the Laverock Hill property. He reported that Springfield Township has agreed to cost share.

Upon motion of Mr. Haywood, the Board of Commissioners unanikously awared a Professional Services Contract for Planning Services to Ken Amey, AICP, for planning and design services to prepare several sketch plans for the Laverock Hill property for a maximum amount of \$2,500, as recommended by the Township Manager. Said cost does not include reproduction expenses or the consultant's attendance at public meetings. The cost of the contract will be split 50/50 with Springfield Township.

b. Upon motion of Mr. Portner, the Board of Commissioners unanimously adopted **Resolution No. 26-13** honoring Rev. Dr. John B. Hougen upon his retirement as Pastor of St. John's Lutheran Church.

c. Upon motion of Mr. Haywood, the Board of Commissioners unanimously adopted **Resolution No. 27-13** honoring resident Deborah Fries upon winning the 2012 Sandy Cummins National Poetry Prize.

d. Mr. Haywood announced his recommendation for the formation of a Litigation Committee for the Township's appeal of Appeal No. 3437, Appeal of 1050 Ashbourne Associates, LLC (known as "Kerlin Farm").

Mr. Haywood stated that *"the charge of the Committee is to serve as a sounding board for the Solicitor in order to address occasional litigation or settlement issues which may arise, with ultimate authority to settle or proceed to final judgment remaining vested in a majority of the Board.*

In addition, the Committee will make recommendations regarding litigation management actions to the Board of Commissioners relating to resident engagement, settlement and other litigation matters; maintain strict confidence of litigation; and monitor litigation spending and budget"

e. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved the formation of a Litigation Committee for the appeal of the Cheltenham Township Zoning Hearing Board's decision on Appeal No. 3437, Appeal of 1050 Ashbourne Associates, LLC (known as "Kerlin Farm").

f. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved the following Commissioners to comprise the Litigation Committee for the appeal of (i) above. They are Commissioners McKeown, Norris, and Simon.

g. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved the appeal of the Montgomery County Court of Common Pleas decision on the Cheltenham Township Zoning Hearing Board decision on the appeal of Montgomery Court Realty, LP, for the operation of a private ambulance service.

16. Mr. Haywood announced that prior to this evening's meeting, the Board of Commissioners held an Executive Session to discuss litigation matters.

17. Under Citizens' Forum:

a. Thomas McHugh felt that Abington Township should be pressured to better regulate its stormwater run-off. Regarding the new kidney dialysis center on Cheltenham Avenue, he was concerned about the EDU calculation and that it could require more for this facility than for a residential property. He felt this was a good argument for changing the sewer charges to be based on water consumption and usage. Mr. Norris stated that newer technology has reduced the water requirements for this type of facility and thus, the number of required EDU's.

There being no further business, upon motion of Mr. Portner, the Board of Commissioners unanimously agreed to adjourn the meeting at 9:50 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. 20-13
of the Board of Commissioners of Cheltenham Township***

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with heartfelt admiration and appreciation, recognizes **CARL "TOBEY" OXHOLM, III**, for forging new partnerships to strengthen the bonds between Arcadia University in Glenside and the entire Cheltenham community during his tenure as university President; and

Whereas, In just 20 months, **CARL "TOBEY" OXHOLM, III**, initiated a community calendar and numerous outreach efforts to invite the public to on-campus plays, lectures exhibits, sporting events, and more. The university welcomed youth sports teams to practices, assisted with recovery efforts from two hurricanes and a major apartment complex fire, and hosted trainings and meetings for the American Red Cross, Glenside Fire Company, Cheltenham Police Department, Cheltenham Sustainability Committee, and several public meetings by Township and County officials. The university also partnered with area businesses in a buy-local initiative targeting students and staff; and

Whereas, An invaluable member of the Cheltenham Sustainability Steering Committee, **CARL "TOBEY" OXHOLM, III**, helped sponsor popular "Zip Cars," which are available for public use, and fostered Arcadia's ongoing commitment to the environment represented by new drains and a relief pipe for flood control, a natural walking trail, and a "Green Report Card" highlighting all of the university's environmentally friendly endeavors.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Seventeenth Day of April, A.D., 2013, does hereby officially honor and thank **CARL "TOBEY" OXHOLM, III**, for his leadership, entrepreneurial spirit, and commitment to improving the quality of life in the region and wishes him the best of luck in all of 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. Oxholm.

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. 24-13
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with respect and admiration, congratulates the **MELROSE B'NAI ISRAEL EMANU-EL** on the occasion of its 55th Anniversary in Cheltenham Township and its 1st Anniversary in a new location; and

Whereas, The "little Synagogue with a big heart," **MELROSE B'NAI ISRAEL EMANU-EL** developed from the merger of three organizations. Olney Congregation B'nai Israel originally purchased synagogue property at New Second Street and Cheltenham Avenue in 1955. Two years later the congregation merged with the Melrose Jewish Community Center to become Melrose B'nai Israel. In 1986 Congregation Emanu-El consolidated with Melrose B'nai Israel to form **MELROSE B'NAI ISRAEL EMANU-EL**; and

Whereas, Last year the congregation relocated to share space with the Reform Congregation Keneseth Israel at Old York and Meetinghouse Roads in Elkins Park. While the two conservative congregations remain separate, the move has inspired new members and reinvigorated **MELROSE B'NAI ISRAEL EMANU-EL**.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, in its regular session on the Fifteenth Day of May, A.D., 2013, does hereby officially salute the **MELROSE B'NAI ISRAEL EMANU-EL** on both of its milestones. 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 Synagogue during a Gala Celebration from May 31 to June 2, 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

ORDINANCE NO. 2262-13

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:

- | | | |
|-----------------|------|---|
| ERLEN ROAD | (8) | HANDICAPPED APRKING AT 1829 Erlen Road. |
| KESWICK AVENUE | (13) | HANDICAPOPED PARKING AT 148 Keswick Avenue. |
| TWICKENHAM ROAD | (4) | NO PARKING, south side, Willow Grove Avenue to Laverock Road. |

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:

- | | | |
|-------------|------|--|
| CHURCH ROAD | (29) | NO PARKING, south side, Panther Road to 360 feet west. |
|-------------|------|--|

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 **17th of April, A.D., 2013.**

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM

By 
Art Haywood, President

ATTEST: 
Bryan T. Havar, Township Manager

CHELTENHAM TOWNSHIP

ORDINANCE NO. 2263-13

AN ORDINANCE AMENDMENT TO THE CODE OF THE TOWNSHIP OF CHELTENHAM, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, BY AMENDING CHAPTER 251 THEREOF, ENTITLED "PEDDLING, SOLICITING AND TRANSIENT VENDORS", SECTIONS 251-1 AND 251-3 IN ORDER TO FURTHER REGULATE THE CONDUCT OF PEDDLERS, SOLICITORS AND TRANSIENT VENDORS AND ANY ORGANIZATION EMPLOYING SUCH PERSONS AND ESTABLISHING A "NO SOLICITING" REGISTRY FOR OWNERS AND OCCUPANTS.

WHEREAS, the Cheltenham Township Board of Commissioners is empowered to regulate the conduct of peddlers, solicitors and transient vendors; and

WHEREAS, issues have arisen within the Township with regard to individuals appearing as door-to-door solicitors for a single organization; and

WHEREAS, the Board of Commissioners determines it to be in the best interest of the public to amend the provisions of the Township Code to regulate not only the conduct of peddlers, solicitors and transient vendors but also any organization employing any such persons; and further to establish a registry for those not wishing to be disturbed by peddlers, solicitors and transient vendors.

NOW, THEREFORE, it is hereby ordained and enacted that the Township Code is amended with the following additions and deletions to modify Sections 251-1 and 251-2 and to add a new Section 251-10:

SECTION I. Section 251-1 Definitions and word usage.

PEDDLER/SOLICITOR - Any person or any organization or company employing peddlers or solicitors who shall engage in peddling/soliciting as herein defined. The words "peddler" and "solicitor" shall include the words "vendor," "street vendor," "hawker" and "huckster," and other such words carrying or conveying the same meaning and understanding and addressing the same activities described thereby.

SECTION II.

Section 251-3 Conduct of Peddlers/Solicitors/Transient Vendors

It is unlawful for any person(s) to engage in peddling, soliciting or transient sales or for any organization employing any peddlers, solicitors or transient vendors to engage in peddling, soliciting or transient sales within Cheltenham Township without a valid permit issued by Cheltenham Township, except if said person(s) represents an exempt organization. All peddlers, solicitors, transient vendors and employers shall, when conducting business activities in the Township, comply with the following rules of conduct:

- a. Carry the Permit at all times and furnish it upon request of any person to whom the Peddler/Solicitor is attempting to peddle.
- b. Peddlers/Solicitors shall not enter or attempt to enter any dwelling house or place of business without invitation or permission of the occupant and shall immediately leave the premises upon request.
- c. Peddlers/Solicitors shall only engage in peddling/soliciting within the Township between the hours of 10 a.m. to 9 p.m. Monday through Friday and 10 a.m. to 5 p.m. on Saturdays. No soliciting on Sundays and Federal/State legal holidays.
- d. Peddlers/Solicitors/Transient Vendors shall not call out or shout to sell services or goods, nor shall they use any loudspeaker, horn, music or other device or vehicle that uses such devices.
- e. Peddlers/Solicitors/Transient Vendors shall not occupy, either by standing in person, with or without a stand, cart, or similar fixtures, upon any fixed location or along any of the alleys, sidewalks, streets or any other public right-of-way in the Township.
- f. Peddlers/Solicitors/Transient Vendors shall not park any vehicle upon or along any of the streets or sidewalks of the Township for the sole purpose of advertising, displaying and selling of merchandise.
- g. Peddling/Soliciting is not permitted in Township parks. Peddling/Soliciting is permitted at Township pools and certain playgrounds only on a contracted basis with the Parks and Recreation Department and approved by the Director of Parks and Recreation.
- h. Peddlers/Solicitors/Transient Vendors shall not peddle/solicit on private property without permission of the property owner.

- i. Peddlers/Solicitors/Transient Vendors shall not cut across or walk upon any front lawn, back yard or courtyard except upon sidewalks, walkways or private driveways, if such sidewalks, walkways or driveways are provided.
- j. It shall be unlawful for any person to peddle, solicit or conduct transient sales or attempt to peddle, solicit or conduct transient sales at a place of residence at any entrance other than the main entrance of the residence.
- k. Peddlers/Solicitors/Transient Vendors who are offering any food for sale or using any mobile food unit that requires a Permit from the Montgomery County Health Department must provide said Permit when applying for a Township Permit.
- l. Peddlers/Solicitors of home improvements services who are required to comply with any state legislation must provide proof of compliance with said legislation when applying for a Township Permit.

SECTION III.

Section 251-10 Establishment of "No Solicitation" Registry and Enforcement.

The Owner or lawful occupant of any premise within the Township desiring to have persons not enter onto his or her premises may register with the Cheltenham Township Police Department to have his or her address placed on a registry. Copies of the registry shall be distributed to peddlers, solicitors, and transient vendors who obtain valid permits from the Cheltenham Township Police Department. Peddlers, solicitors, and transient vendors are prohibited from entering onto premises listed in the registry established pursuant to this provision. Peddlers, solicitors, and transient vendors who enter onto premises listed in the registry deemed to be in violation of this provision and shall be subject to the penalties provided in Section 251-7. Peddlers, solicitors, and transient vendors have an affirmative obligation to obtain a copy of the registry from the Township and conform to it.

SECTION IV. Nothing in this Ordinance or in the Code of the Township of Cheltenham shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued or any cause or causes of action existing under the said Code prior to the adoption of this amendment.

SECTION V. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provisions had not been included herein.

SECTION VI. This Ordinance shall supersede other requirements of the Code of the Township of Cheltenham with which it may be in conflict.

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

SECTION VIII. This Ordinance shall take effect and be in full force from and after its approval and publication, as required by law.

SECTION IX. All Ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

ORDAINED AND ENACTED by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this 17th day of April, 2013.

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM



BY: _____
Art Haywood, President



ATTEST: _____
Bryan T. Havir, Township Manager
and Secretary

CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION No. 22-13

**A RESOLUTION DECLARING A TOWNSHIP POLICY OF
PROHIBITING CHELTENHAM TOWNSHIP FROM
HOLDING ANY INVESTMENT OR OWNERSHIP STAKE
IN ANY MANUFACTURER OF ASSAULT WEAPONS,
SEMI-AUTOMATIC WEAPONS OR HIGH-CAPACITY
AMMUNITION MAGAZINES WHICH ARE SOLD TO THE
PRIVATE SECTOR, AND DIRECTING THE TOWNSHIP
PENSION BOARD AND THE FINANCE COMMITTEE TO
CONFORM THE TOWNSHIP'S INVESTMENTS TO THIS
POLICY AND OTHERWISE DIRECTING THE TOWNSHIP
TO COMPLY WITH THIS POLICY**

WHEREAS, on December 14, 2012, twenty-six (26) people, twenty (20) elementary school children and six (6) school administrators and teachers were executed by a single person who arrived at Sandy Hook Elementary School in Newtown, Connecticut heavily armed; and

WHEREAS, this horrific mass murder shocked the nation and, combined with other mass shootings in the United States in the recent past, jarred many people to act towards regulating assault weapons at the national level; and

WHEREAS, the Board of Commissioners of Cheltenham Township wishes to send a clear message to the manufacturers of assault weapons, semi-automatic weapons and high-capacity ammunition magazines, defined as magazines which hold more than ten (10) bullets, shells or other projectiles, that such products should be prohibited from distribution and sales in the private sector; and

WHEREAS, any future investment of monies under the control of the Township of Cheltenham in manufacturers of assault weapons, semi-automatic weapons or high-capacity ammunition magazines would be contrary to the Township of Cheltenham's values and vision for a peaceful and violence-free future and such support for assault weapons manufacturers and high-capacity ammunition magazine manufacturers which are sold to the private sector may exacerbate, rather than reduce, gun violence, which has caused immense personal pain to individual citizens and social and economic harm to the nation; and

WHEREAS, the Board of Commissioners of Cheltenham Township desires to plainly state that its values and vision for the future should be furthered by prohibiting the Township from holding any investment or financial holdings in any manufacturers of assault weapons, semi-automatic weapons or high-capacity ammunition magazines, with the exception of manufacturers who sell exclusively to the Federal, State and/or municipal Government(s) or any of their agencies.

NOW, THEREFORE, BE IT RESOLVED that the Township of Cheltenham adopts the foregoing recitals as true and correct; and

IT IS FURTHER RESOLVED that the Board of Commissioners of Cheltenham Township hereby declares that it is the policy of the Township of Cheltenham to have no financial holdings or investments in any company or other organization which manufactures assault weapons, semi-automatic weapons or high-capacity ammunition magazines (as defined above), whether it be through ownership of stock, ownership of mutual fund shares, investment in a private equity fund owning the stock or through any other instrument, with the exception of manufacturers who sell exclusively to the Federal, State and/or municipal Government(s) or any of their agencies.

AND IT IS FURTHER RESOLVED that the Township Manager, the Pension Board, the Finance Committee, and the Board of Commissioners shall examine the Township's financial holdings and future investments and shall take such steps as are necessary to assure that the Township complies with this policy.

AND IT IS FURTHER RESOLVED that the Pension Board, and the Finance Committee are authorized to adopt implementing regulations, from time to time, to define the terms "assault weapons" and "semi-automatic weapons" for the purposes of this Resolution.

AND IT IS FURTHER RESOLVED that the Township Manager, the Pension Board and the Finance Committee shall implement this policy as soon as practicable.

DULY ADOPTED, this 17th day of **April, 2013**, by the Board of Commissioners of Cheltenham Township, Montgomery County, in lawful session duly assembled.

CHELtenham TOWNSHIP



By: _____
Art Haywood, President



Attest: _____
Bryan T. Havir, Township Secretary

**TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 23-13**

A RESOLUTION DECLARING ITS INTENT TO FOLLOW THE
SCHEDULES AND PROCEDURES FOR DISPOSITION OF RECORDS AS
SET FORTH IN THE PENNSYLVANIA MUNICIPAL RECORDS ACT
AND THE MUNICIPAL RECORDS MANUAL OF 1968, REVISED
DECEMBER 16, 2008, AS AMENDED FROM TIME TO TIME

WHEREAS, the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, hereby acknowledges that a Local Government Records Committee of the Pennsylvania Historical and Museum Commission, Division of Archival and Records Management Services was created by the Pennsylvania State Legislature, Act 428 "Municipal Records Act" of 1968, as amended from time to time, and empowered thereby to make rules and regulations for the disposition and management of municipal records; and

WHEREAS, the Township of Cheltenham desires to dispose of municipal records according to Pennsylvania statutory requirements in accordance with the schedule of the Municipal Records Manual (MRM) issued by the Local Government Records Committee, which a list of said Cheltenham Township records are outlined in the attached Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Cheltenham, Montgomery County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual revised on December 16, 2008, as amended from time to time.

DONE IN ELKINS PARK, PENNSYLVANIA, under my hand and the Seal of the Township of Cheltenham this 17th day of April, A.D., 2013.

TOWNSHIP OF CHELTENHAM



ATTEST:



BY:

Art Haywood, President
Board of Commissioners

Bryan T. Havir
Township Manager/Secretary

(SEAL)

EXHIBIT "A"

ACCOUNTING				
Box #	Year(s) of Record	Record Type	Year End To Destroy	MRM REF.
1029	1/96 -11/00	Parking tickets 133201-150800	2012	Chapter 6
	Nov-00	No record found address's for tickets	2012	Chapter 6
826	1983-2000	Liquid Fuels, bids, etc reports	2012	Chapter 6
995	2005	Check Register, payroll, direct deposit reports	2012	Chapter 6
776	2004	Miscellaneous Accounting Reports	2011	Chapter 6
778	5-97-11/99	Bank Rec's	2012	Chapter 6
936	2005	2 nd Qtr Payroll Timesheets	2012	Chapter 6
961	2005	3 rd & 4 th Qtr Payroll Journals	2012	Chapter 6
962	2005	1 st & 2 nd Qtr Payroll Journals	2012	Chapter 6
1003	2005	M-R Payables	2012	Chapter 6
960	2003&2004	Payroll & Central Checks Registry (ok'd last year)	2012	Chapter 6
1007	2005	Daily Work Receipts	2012	Chapter 6
1004	2005	Payables S-Z	2012	Chapter 6
939	2004	Daily Cash Work	2011	Chapter 6
840	2000	Payables G-O	2007	Chapter 6
1006	2005	Payable F-L	2012	Chapter 6
977	2005	Sept-Dec Daily Cashier Work	2012	Chapter 6
975	2005	Jan-Apr Daily Cashier Work	2012	Chapter 6
933	2005	Payroll Acct reports/Payable Reports	2012	Chapter 6
1005	2005	Payable A-E	2012	Chapter 6
976	2005	May-Aug Daily Cashier Work	2012	Chapter 6
930	2005	Jan-Mar Payroll Timesheets	2012	Chapter 6
952	2002-2004	Administration Timesheets	2012	Chapter 6
938	2005	4 th Qtr Payroll Timesheets	2012	Chapter 6
937	2005	3 rd Qtr Payroll Timesheets	2012	Chapter 6
946	2004	Payroll Journals (ok'd last year)	2011	Chapter 6
967	2004	Payables D-J	2011	Chapter 6
970	2004	Payables U-Z	2011	Chapter 6
968	2004	Payables K-P3	2011	Chapter 6
966	2004	Payables A-C	2011	Chapter 6
945	2004	First ½ Payroll Journals	2011	Chapter 6
691	1996	Payroll Journals	2006	Chapter 6
978	2005	Daily receipts	2012	Chapter 6
410	1988	Payroll reports	1995	Chapter 6
	1980-1989	Payroll Journals	1996	Chapter 6
750	1990-1991	Daily receipts	1998	Chapter 6
978	2005	DJ Daily Sheets, Police Details, 2004 Elec/Gas Sheets	2012	Chapter 6
985	2002-2004	Tax Transmittals & Deposit Reports	2011	Chapter 6
TAX OFFICE				
Box 1	Years Prior to 2005	Tax Duplicates	2009	Ch. 7
Box 2,	Years Prior to 2005	Earned Income Tax and Transmittal Records	2009	Ch. 7

Box 3	Years Prior to 2005	Real Estate Tax payment records	2009	Ch. 7
Box 4	Years Prior to 2005	Letters and correspondence	2009	Ch. 7
Box #	Year(s) of	Record Type	Year End	MRM
	Record		To Destroy	REF.
Box 5	Years Prior to 2005	Business Privilege Tax Files for Filers who went out of business	2009	Ch. 7
Box 6	Years Prior to 2005	Deed Transfers, A/P and Closeouts	2009	Ch. 7
Box 7	Years Prior to 2005	Proof Book Computer Printouts	2009	Ch. 7
		PERSONNEL		
6006	1993-1996	Vol Fire Fighter Information 1996	2012	Ch. 4, §2
		Tort Claims Act Binder	2012	Ch. 4, §1
		Strategic Plan documents from 1995	2012	Ch. 4, §1
		I-9 Information	2012	Ch. 4, §2
		Sexual Harassment	2012	Ch. 4, §8
		New Hire Reporting	2012	Ch. 4, §2
		Workers Comp	2012	Ch. 4, §14
		Ozone	2012	Ch. 4, §1
		Clear Air	2012	Ch. 4, §1
		Collective Bargaining Info 1993-94	2012	Ch. 4, §8
		Contracts 1995	2012	Ch. 4, §8
		DVHIT Financial Reports 1994	2012	Ch. 4, §6
6005	1993-1994	FMLA	2012	Ch. 4, §8
		EEOC 1993-1994	2012	Ch. 4, §9
		Fortis Benefits	2012	Ch. 4, §8
		Assurant Material	2012	Ch. 4, §8
		LTD	2012	Ch. 4, §8
		Rules and Reg 1993	2012	Ch. 4, §1
		Salary Surveys	2012	Ch. 4, §1
6004		Contract Negotiations 1994	2012	Ch. 4, §1
		Misc Notes on below from 1987-2003	2012	Ch. 4, §1
		Whistleblower Law	2012	Ch. 4, §1
		EMS	2012	Ch. 4, §3
		Vol. Firefighters	2012	Ch. 4, §2
		SXG	2012	Ch. 4, §8
		Travel	2012	Ch. 4, §1
		Job Manuals	2012	Ch. 4, §1
		Deferred Compensation	2012	Ch. 4, §8
		Age Discrimination	2012	Ch. 4, §8
		Summer Students Info	2012	Ch. 4, §2
		Delta Dental 1996-2002	2012	Ch. 4, §6
		2004 Summer Students	2012	Ch. 4, §2
		2005 LTD	2012	Ch. 4, §8
		2005 PO's	2012	Ch. 4, §6

Box #	Year(s) of Record	Record Type	Year End To Destroy	MRM REF.
POLICE DEPARTMENT				
No Box #	Years Prior to 2007	Traffic and Non Traffic (Summary) Citations	2012	Ch. 8, §4
No Box #	Years Prior to 2011	Incident Reports (IRFs), except those involved in a criminal case file	2012	Ch. 8, §6
No Box #	Years Prior to 2013	Daybook Sheets	2012	Ch. 8, §11
No Box #	Years Prior to 2009	Reportable Crash Reports, except those involved in a criminal case file	2012	Ch. 8, §18
No Box #	Years Prior to 2010	PA Uniform Crime Reporting	2012	Ch. 8, §19
No Box #	Years Prior to 2011	Cell Supervision Sheets	2012	Ch. 8, §22
No Box #	Years Prior to 2008	Purchase Orders	2012	Ch. 6, § 21
No Box #	Years Prior to 2011	Patrol Logs	2012	Ch. 8, §10
No Box #	Years Prior to 2010	Incident Cards and Index Cards	2012	Ch. 8, §12
No. Box #	Years Prior to 2008	Police Applicant Testing Materials (not covered under MRM, covered under Directive 15)	2012	
No Box #	Years Prior to 1993	Detective Case Files	2012	Ch. 8§11
PUBLIC WORKS DEPARTMENT				
3067 & 3068	2004	Employee Daily Time Sheets	2012	Ch. 5, §14
3069 & 3070	2004	Employee Time Cards	2012	Ch. 5, §14
3071	2004	Employees Vehicle Accident Reports	2012	Ch. 5, §14
3072	2004	Employees Personal Injury Reports	2012	Ch. 5, §14
3073	2004	Department Files of Employees that Left Employment 2001	2012	Ch. 5, §14
3075	2004	Waste Authority Records	2012	Ch. 13, §14
3074	2004	Street Light Repair	2012	Ch. 12, §16
3076	2004	Fuel Records	2012	Ch. 6, 12

**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION No. 25-13

A RESOLUTION TO AUTHORIZE AND PREPARE FOR THE INCURRING OF NONELECTORAL DEBT THROUGH THE ISSUANCE OF TOWNSHIP OF CHELTENHAM GENERAL OBLIGATION REFUNDING BONDS, SERIES OF 2013 (THE "2013 REFUNDING BONDS"), IN THE MAXIMUM PRINCIPAL AMOUNT OF TWENTY THREE MILLION DOLLARS (\$23,000,000) FOR THE PURPOSE OF REFUNDING EXISTING DEBT; AUTHORIZING THE APPROPRIATE TOWNSHIP OFFICIALS TO ENTER INTO PREPARATION FOR THE ISSUANCE OF THE 2013 REFUNDING BONDS, AUTHORIZING THE APPROPRIATE TOWNSHIP OFFICIALS IN CONSULTATION WITH THE TOWNSHIP'S PROFESSIONAL ADVISORS TO PREPARE A PLAN OF FINANCE FOR THE 2013 REFUNDING BONDS; AUTHORIZING THE REQUISITE TOWNSHIP OFFICIALS TO PREPARE RELEVANT DOCUMENTS INCLUDING, BUT NOT LIMITED TO, A PRELIMINARY OFFICIAL STATEMENT, A DEBT STATEMENT AND A BORROWING BASE CERTIFICATE, ALL AS REQUIRED BY THE LOCAL GOVERNMENT UNIT DEBT ACT (ACT NO. 52 OF APRIL 28, 1978, AS AMENDED AND REENACTED BY ACT NO. 177 OF 1996, AS FURTHER AMENDED AND SUPPLEMENTED) (THE "ACT"); AUTHORIZING THE APPOINTMENT OF ACACIA FINANCIAL GROUP AS FINANCIAL ADVISOR TO THE TOWNSHIP AND AUTHORIZING THE RELEVANT TOWNSHIP OFFICIALS TO PREPARE FOR THE ISSUANCE OF THE 2013 REFUNDING BONDS PURSUANT TO A SALE BY INVITATION OR A NEGOTIATED SALE, AS WELL AS ANY LAWFUL METHOD UNDER THE ACT.

WHEREAS, the Board of Commissioners of the Township of Cheltenham, Montgomery County, Pennsylvania (the "Township") desires to consider the incurrence of debt in the maximum principal amount of Twenty Three Million Dollars (\$23,000,000) without the assent of the electors and to consider the possibility of issuing its General Obligation Refunding Bonds, Series of 2013 (the "2013 Refunding Bonds") in evidence of such debt for the purpose of refunding certain existing debt (the "2013 Refunding") consisting of the refunding of prior bonds of the Township; and

WHEREAS, such incurrence of authorized debt by the Township will not, when aggregated with other nonelectoral debt of the Township, result in a violation of the limitations of the Constitution of the Commonwealth of Pennsylvania or the Local Government Debt Act

(Act No. 52 of April 28, 1978, as amended and reenacted by Act No. 177 of 1996, as further amended and supplemented) (the "Act"); and

WHEREAS, the Board of Commissioners has asked the Township Manager, the Township [Acting] Director of Finance and the other members of the Township staff to determine the desirability of issuing the 2013 Refunding Bonds and to make a determination as to what method lawful under the Act is in the best interest of the Township to sell the 2013 Refunding Bonds, be it at private negotiated sale or by invitation as authorized under the Act; and

WHEREAS, the Township wishes to employ the services of Acacia Financial Group of Marlton, New Jersey, to assist the Township, the Board of Commissioners and the Township staff in preparing for the potential issuance of the 2013 Refunding Bonds; and

WHEREAS, the Board of Commissioners has determined that it is in the best interests of the Township that a determination of the best methods for the issuance of the 2013 Refunding Bonds be considered.

NOW, THEREFORE, it is hereby authorized by the Board of Commissioners of the Township of Cheltenham and directed by the authority of said Board that:

1. The Township Manager, the [Acting] Finance Director and other appropriate Township staff are hereby directed to prepare for the potential issuance of the 2013 Refunding Bonds and to prepare such documents, including, but not limited to, a debt statement, borrowing base certificate and a preliminary official statement, to authorize the issuance of the 2013 Refunding Bonds.

2. The Township staff, the Township Manager and the [Acting] Director of Finance are specifically directed to consider all methods lawful under the Act for issuance of the 2013 Refunding Bonds and to make recommendations to the Board of Commissioners.

3. Acacia Financial Group of Marlton, New Jersey, is hereby appointed as financial advisor to the Township, in connection with the issuance and sale of the 2013 Refunding Bonds.

4. The Township staff and the Board of Commissioners are hereby authorized to take such other actions as may be necessary to prepare a plan for the issuance and sale of the 2013 Refunding Bonds and to take such steps as may be necessary and issue such documents as may be necessary pursuant to this Resolution and the authority provided by the Board of Commissioners in this matter.

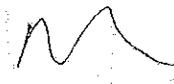
5. In the event that any one or more of the provisions contained in this resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this resolution, and this resolution shall be construed and enforced as if such invalid, illegal or unenforceable provision had never been contained herein or therein.

6. All resolutions or parts thereof inconsistent herewith are hereby repealed, rescinded, canceled and annulled.

7. This Resolution shall be effective immediately.

ADOPTED AND APPROVED THIS 17th DAY OF APRIL, 2013.

CHELTENHAM TOWNSHIP



By: _____
**Art Haywood, President
Board of Commissioners**



Attest: _____
**Bryan T. Havir, Township Manager
and Secretary**