

July 17, 2013
Curtis Hall

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

Staff present were Charlyn Battle, Human Resources Director; Nancy Gibson, Public Information and Complaint Officer; Kenneth Hellendall, Director of EMS; Brian Hinson, Acting Director of Parks and Recreation; Kimberly Kirschner, Deputy Coordinator of Emergency Management; Mark McDonnell, Public Works Superintendent; Lt. Kevin O'Brien, Deputy Chief of Police; Joseph O'Neill, Fire Marshal; 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 Simon.
2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated June 19, 2013, upon motion of Mr. McKeown, the Minutes were unanimously approved by the Board of Commissioners.
3. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of June, 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 June, 2013, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners.
5. Mr. Sharkey presented **Resolution No. 33-13** to Deputy Chief of Police Lt. Kevin O'Brien upon the occasion of his resignation from the Cheltenham Township Emergency Management Team (see attached).
6. Mr. Sharkey presented **Resolution No. 21-13** to John Hearn upon the occasion of his retirement from the Elkins Park Fire Company and the Cheltenham Township Emergency Management Team (see attached).
7. Mr. Sharkey presented **Resolution No. 32-13** to Dr. Leonard Rubin upon the occasion of his retirement as Medical Director of Cheltenham Township Emergency Medical Service (see attached).
8. Mr. Portner presented **Resolution No. 30-13** to the Citizens for the Restoration of Historical La Mott for their efforts in organizing the events to commemorate the 150th Anniversary of Camp William Penn.

9. Review of the Public Works Committee Meeting Minutes dated July 10, 2013:
 - a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously acknowledged RETTEW's (Supplement A) request for the Ashmead Road Bridge Replacement Project contingent upon approval of the federal and state agencies of same.
 - b. Upon motion of Mr. Sharkey, the Board of Commissioner unanimously approved the award of a contract to DE Duffy and Sons, Plymouth Meeting, PA, in the amount of \$39,000 for the installation of a new gas-fired steam boiler at the Administration Building, being the lowest qualified bidder and being within budgetary limitation.
 - c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved the rejection of the bid proposal in the amount of \$55,430, which included the base bid scope of work plus the added alternate to include the drain copper gutter replacement, from Jim Miller Roofing and Sheet Metal, Inc., Lansdowne, PA 19050 for the Partial Roofing Replacement Construction at the Glenside Free Library due to circumstances that this was the only bid proposal received, the Township had no other proposals for cost comparison, and the amount exceeded what was budgeted for this project.
 - d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 34-13** requesting a Watershed Restoration and Protection Project (WRPP) grant in the amount of \$300,000 from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for Stream bank Stabilization along the Tookany Creek Between Central Avenue and Ashmead Road (see attached).
 - e. Upon motion of Mr. Sharkey, the Board of Commissioner unanimously adopted **Resolution No. 35-13** authorizing the filing of a \$300,000 Growing Greener Grant Application (see attached).
 - f. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Works Committee Regular Meeting Minutes dated June 12, 2013.
10. Review of the Public Safety Committee Regular Meeting Minutes dated July 3, 2013:
 - a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Ordinance No. 2268-13** amending Chapter 285, thereof, entitled "Vehicles and Traffic" (see attached).
 - b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 36-13** amending the Police Civil Service Rules and Regulations regarding the recruit examination process (see attached).
 - c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Safety Committee Regular Meeting Minutes dated July 3, 2013.
11. Upon motion of Mr. Simon, the Board of Commissioners unanimously accepted the Public Affairs Committee Regular Meeting Minutes dated July 3, 2013.

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

13. Upon motion of Mr. Simon, the Board of Commissioners unanimously accepted the Finance Committee Regular Meeting Minutes dated July 10, 2013.

14. Under New Business:

a. The Commissioners reviewed an Ordinance that would regulate Fats, Oils and Greases (“FOG”) entering the wastewater collection system. Mr. Havir explained that this complied with the Act 537 Sewage Facilities Plan, allows for enforcement procedures for restaurants and annual inspections, provides for penalties and provisions, and has been worked on over a period of several years by Staff, the Public Works Committee, and consultants BCM and Arro Engineering. He further noted that said Ordinance was duly advertised.

It was Mr. McKeown’s opinion that said Ordinance gives the Township leverage over these elements that have been leaking into the wastewater system.

In response to a question from Mr. Sharkey, Mr. Havir stated that Abington Township does have an Ordinance regulating FOG, and Staff is asking Abington Township to amend its Ordinance to be more aggressive in this respect. Mr. Simon felt this was important since Abington’s FOG flows into Cheltenham’s system.

Upon motion of Mr. McKeown, the Board of Commissioners unanimously adopted **Ordinance No. 2269-13** amending Chapter 238 of the Township Code titled “Sewers” regulating Fats, Oils and Greases (“FOG”) entering the wastewater collection system (see attached).

Public Comment: Michael Plotnick asked if the FOG enters the storm drain or wastewater system. He was told it enters the wastewater system.

b. Mr. Havir reported that the Township did not receive funding for historical preservation consulting services to the La Mott and Wyncote Boards of Historical and Architectural Review for FY2013-2014 from the Pennsylvania Historical and Museum Commission, which denied the Township’s Certified Local Government Grant. He reviewed the bid proposals for said services and recommended that said work be done in-house due to budget limitations.

Upon motion of Mr. McKeown, the Board of Commissioners unanimously approved not to award a Professional Consultant Services Contract for the La Mott and Wyncote Board of Historical and Architectural Review for August 1, 2013 through July 31, 2014, due to budgetary constraints as recommended by Staff.

c. Upon motion of Mr. Portner, the Board of Commissioners unanimously approved the award of Resolutions to the following local historians in recognition for their work in promoting the historical significance of Camp William Penn: William F. Chambres, Lisa Marlowe, James M. Paradis, Donald Scott. Said Resolutions will be presented at a future meeting of the Board of Commissioners.

d. Upon motion of Mr. Portner, the Board of Commissioners unanimously approved Community Service Awards for the student docents at the Richard Wall House. Said Awards to be presented at the August 7, 2013 meeting of the Public Affairs Committee.

15. Under Old Business:

- a. ANNOUNCEMENT: Mr. Havir announced that a Public Meeting is scheduled for July 31, 2013 with the U.S.Army Corps of Engineers to review engineering alternative analysis for the Tookany Creek Flood Risk Management Feasibility Study at Glenside Hall, 6 p.m. – 7 p.m. Open House, 7 p.m. meeting (see attached).

16. Citizens' Forum:

a. Michael Zlotnick asked for explanation of the large black pipe that is located throughout the Township. He was told is was a bypass pipe for the sewer system. He then suggested that the Township consider an Ordinance that would require renters to obtain a permit for all the individuals who live in the apartment with them. Said permit would carry a fee. He felt this would allow for a fairer payment of wage taxes and has been instituted by other municipalities.

There being no further business, upon motion of Mr. McKeown, and unanimously approved by the Board of Commissioners, the meeting was adjourned at 8:30 p.m.



Bryan T. Havir
Township Manager

as per Anna Marie Felix

*A Resolution No. 33-13
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep appreciation and respect, honors **KEVIN O'BRIEN** on the occasion of his retirement from the Cheltenham Township Emergency Management Team; and

Whereas, **KEVIN O'BRIEN** joined Emergency Management in 1996. When the team was revamped in 2004, he was appointed Deputy Emergency Management Coordinator responsible for assisting with rebuilding the team, its structure and the Emergency Operations Center. With his Master's Degree in Public Safety Management and his skills as a certified Emergency Manager and Police Officer, **KEVIN O'BRIEN** contributions to the team were unsurpassed; and

Whereas, After 17 years of dedicated service, **KEVIN O'BRIEN** retired from Emergency Management in 2013. While he will continue his other vital role as the Township's Deputy Chief of Police, the Emergency Management Team will sorely miss his ever-present energy, humor and expertise.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Seventeenth Day of July, A.D., 2013, does hereby officially recognize **KEVIN O'BRIEN** for his invaluable service to Emergency Management and the entire community. 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 Deputy Chief O'Brien.

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. 21-13
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep appreciation and respect, honors **JOHN HEARN** on the occasion of his retirement from the Elkins Park Fire Company and Cheltenham Township Emergency Management Team; and

Whereas, **JOHN HEARN** joined the Elkins Park Fire Company on February 4, 1986. He served as President of the company's Active Department for more than 6 years, as Assistant Engineer for over 20 years and contributed to many other committees. He became a life member in 2006 but retired after 27 years of active duty on May 1, 2013; and

Whereas, **JOHN HEARN** joined the Emergency Management Team in 2004 as Fire Department Liaison to foster communication and cooperation between both groups. He worked with both to purchase equipment geared to saving lives during floods and successfully accomplished numerous other goals before retiring in 2013. His skills, demeanor and dedication will be sorely missed.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Seventeenth Day of July, A.D., 2013, does hereby officially recognize **JOHN HEARN** for his invaluable service to both Elkins Park Fire Company and Cheltenham Township Emergency Management on behalf of the entire community. 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. Hearn.

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. Haver
Township Manager and Secretary

*A Resolution No. 32-13
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep appreciation and respect, honors **DR. LEONARD RUBIN** on the occasion of his retirement as Medical Director of the Cheltenham Township Emergency Medical Service (EMS); and

Whereas, **DR. LEONARD RUBIN** joined EMS on May 1, 2004, and assumed responsibility for the medical command of all EMS paramedics and emergency medical technicians. Every year he reviewed all of the medical command paperwork to ensure the highest standards were achieved. He also investigated and approved any new drugs carried in the ambulances and served as the final authority for any questions regarding medical treatment; and

Whereas, For nearly 10 years, **DR. LEONARD RUBIN** was always available with calm, reassuring guidance to address medical questions or problems. He will be sorely missed by those fortunate enough to work with him after his retirement on June 30, 2013, but his contributions will resonant for many years to come.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Seventeenth Day of July, A.D., 2013, does hereby officially recognize **DR. LEONARD RUBIN** for his invaluable service to EMS and the entire community. 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 Dr. Rubin.

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. 30-13
of the Board of Commissioners of Cheltenham Township***

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with tremendous pride and admiration, salutes the 150th Commemoration of **CAMP WILLIAM PENN** in 2013; and

Whereas, **CAMP WILLIAM PENN** was the first and largest of the federal training sites for colored soldiers during the Civil War. In an effort to help preserve the Union, the Union League of Philadelphia raised funds for the Camp and recruited the 11 regiments that trained there from 1863 to 1865. Harriet Tubman, Lucretia Mott, Sojourner Truth, Frederick Douglass, Octavius Catto and William Still were some of the well-known visitors to the Camp; and

Whereas, An event honoring the establishment of Camp William Penn and the U.S. Colored Troops (USCT) is scheduled for September 21, 2013, in historic La Mott. Presented by the Citizens for the Restoration of Historical La Mott with support from the 3rd and 6th Regiments USCT Re-enactors, the event will include a parade, encampment and field hospital re-enactment, the Cheltenham High School band, Elkins Park School students performing living history events, lectures, educational exhibits from numerous history organizations and more.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Seventeenth Day of July, A.D., 2013, does hereby officially recognize the 150th Commemoration of **CAMP WILLIAM PENN** and urges the community to take part in this historic milestone. 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 Joyce Werkman from the Citizens for the Restoration of Historical La Mott.

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

Appendix II – Authorized Official Resolution No. 34-13

Be it RESOLVED, that the Township of Cheltenham Board of Commissioners of Montgomery County hereby request a Watershed Restoration and Protection Project (WRPP) grant in the amount of \$300,000 from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for Streambank Stabilization along the Tookany Creek between Central Avenue and Ashmead Road.

Be it FURTHER RESOLVED, that the Township of Cheltenham does hereby designate Bryan T. Havar, Township Manager and Bruce Rangnow, Acting Director of Fiscal Affairs as officials to execute all documents and agreements between the Township of Cheltenham and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.



By: _____
Art Haywood, President
Board of Commissioners
Cheltenham Township, Montgomery County, PA



ATTEST: _____
Bryan T. Havar, Township Manager/Secretary
(SEAL)

I, Bryan T. Havar, duly qualified Secretary of the Township of Cheltenham, Montgomery County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Board of Commissioners at a regular meeting held on the 17th of July, 2013 and said Resolution has been recorded in the Minutes of the Township of Cheltenham and remains in effect as of this date.



DATE: July 17, 2013

Township Manager/Secretary

**TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 35-13**

**AUTHORIZING THE FILING OF A GRANT
APPLICATION FOR THE FY 2013 GROWING GREENER GRANT PROGRAM
ADMINISTERED BY THE PENNSYLVANIA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

WHEREAS, the Township of Cheltenham is desirous of implementing a landscape management program dealing with stabilizing +/-3,000 linear feet of streambank along the Tookany Creek adjacent to the Tookany Creek Parkway, between Central Avenue and Ashmead Road, and re-planting the riparian buffer with new native plants and vegetation within the project area; and

WHEREAS this project is referenced as a high priority landscape management and implementation strategy in the *Tookany Creek Watershed Management Plan*, dated October 2003, and the Township's Comprehensive Plan Update, dated 2005 and the Open Space Plan, dated 2006 to improve the overall health of the stream corridor and tributaries; and

WHEREAS, the Township of Cheltenham desires to apply to the Pennsylvania Department of Environmental Protection ("Department") for a matching grant for the purposes of implementing the above-referenced project; and

WHEREAS, the general public, including community stakeholders, representatives and partners of the Tookany-Tacony/Frankford Watershed Partnership and the Tookany Creek Watershed Committee and the Cheltenham Township Environmental Advisory Council, has had the opportunity to comment on the proposed project; 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 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 Environmental Protection for FY 2013 for funding in the amount of \$300,000 for the implementation of this project described herein.

“EXHIBIT A”

ESTIMATED CONSTRUCTION COST for Streambank Stabilization and Riparian Buffer Enhancement

Cheltenham Township, Montgomery County, PA Tookany Creek

	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
I Construction				
Exotic Invasive Species Eradication	2.24	Acres	\$15,625	\$35,000
Single pole bio-structural treatment	320	LF	\$165.00	\$52,800
Double pole bio-structural treatment	1259	LF	\$220.20	\$277,232
Triple pole bio-structural treatment	788	LF	\$330.90	\$260,749
Shrub Patches	Various	Patch	\$ 9,219	\$ 9,219
Rubble removal	1	LS	\$5,000	\$ 5,000
Tree removal,	20	EA	\$ 500	\$10,000
Temp. timber mat crossing installations	3	LS	\$5,000	\$15,000
Mobilization and bond	1	LS	\$ 5,000	\$ 5,000
SUB TOTAL				\$670,000
	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Cost</u>
II Professional Services				
Design and Permit Preparation, Survey	1	LS	\$15,000	\$15,000
Public Bidding and Assistance	1	LS	\$ 3,000	\$ 3,000
Construction Management	1	LS	\$12,000	\$12,000.
SUB TOTAL				\$30,000.
GRAND TOTAL				\$700,000.
PADEP GROWING GREENER GRANT				\$300,000.
PADCED GRANT				\$300,000
MUNICIPAL MATCH				<u>\$100,000.</u>
				\$700,000.

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 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 Art Haywood, President of the Board of Commissioners and attested by the Bryan T. Havir, Township Manager, and in doing so, agree to be legally bound to the terms, conditions, and provisions set forth by the agreements.

DONE IN ELKINS PARK, PENNSYLVANIA, under my hand and the Seal of the Township of Cheltenham, this **17th day of July, A.D., 2013**, in the year of the Township of Cheltenham the one hundred ninth.

TOWNSHIP OF CHELTENHAM



BY:

Art Haywood, President



ATTEST: Bryan T. Havir
Township Manager/Secretary

(SEAL)

ORDINANCE NO. 2268-13

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 II, entitled Parking Meter Zones, Section 285-20 thereof is hereby amended by **ADDING** the following:

- BICKLEY ROAD (18) HANDICAPPED PARKING at 166. This addition is effective for the duration period that this resident is eligible for a reserved handicapped parking space.
- SPRINGHOUSE LANE1. NO PARKING, south side, Easton Road to Lismore Avenue.
- SPRINGHOUSE LANE2. NO PARKING, north side, Harrison Avenue to 60 feet east.
- WAVERLY ROAD (24) HANDICAPPED PARKING at 6. This addition is effective for the duration period that this resident is eligible for a reserved handicapped parking space.

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

- SPRINGHOUSE LANE1. NO PARKING, south side, Oak Road to Easton Road.
- SPRINGHOUSE LANE2. NO PARKING, north side, Easton road to 70 feet west.
- SPRINGHOUSE LANE3. STOP STREET at Easton Road.
- SPRINGHOUSE LANE4. NO PARKING, south side, Oak Road to Lismore Avenue.
- SPRINGHOUSE LANES5. NO PARKING, north side, 70 feet west of Easton Road to 170 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 July, A.D., 2013.

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM



By: _____
Art Haywood, President



ATTEST: _____
Bryan T. Havir, Township Manager

CHELTENHAM TOWNSHIP

RESOLUTION NO. 36-13

WHEREAS, a change in Cheltenham Township Police and Civil Service Personnel Rules and Regulations has been recommended by the Police Chief and the Township Manager,
and

WHEREAS, this change affects the Civil Service Rules and Regulations Sections:

5.01 F Agility Test.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, hereby amend the Cheltenham Township Police Civil Service Personnel Rules and Regulations shall be amended as follows:

Section 5.01 F Agility Test

Two hundred and fifty (250) applicants will be randomly selected from those who pass the written examination by a score of 70% and above to continue to the physical agility test which they must successfully complete. Said test will be administered by the Cheltenham Township Police Department and must be accomplished prior to being eligible for the oral examination. Said agility test shall consist of the following:

- (1) Bench Press – All applicants will be required to complete one full repetition of a bench press using free weights at the designated percentage of their body weight as determined by the Municipal Police Officers Education and Training Commission (“MPOETC”) 30th percentile age and gender standard.
- (2) Sit-Ups – All applicants will be required to complete a number of sit-ups in one minute as determined by the MPOETC 30th percentile age and gender standard.
- (3) 300 Meter Timed Run – All applicants will be required to complete a 300 meter run. The time allowed for completion of the run is determined by the applicant’s MPOETC 30th percentile age and gender standard.
- (4) 1.5 Mile Timed Run – All applicants will be required to complete a 1.5 mile timed run. The time allowed for completion of the run is determined by the applicant’s MPOETC 30th percentile age and gender standard.

Requirements 1 through 4 are age and gender normed as dictated by the MPOETC. The standards for completion of these events are supplied by MPOETC. Applicants must pass the test at the MPOETC 30th percentile. Applicants will be expected to pass the same examination at the 50th percentile to successfully complete Act 120 (Basic Police Academy) training. Applicants will be allowed two (2) opportunities to successfully complete each event. Successful completion of all events is required to pass the Physical Agility Test.

Applicants must sign a "Hold Harmless Agreement" releasing Cheltenham Township, the Cheltenham Township Police Department and the test administration personnel from liability for any injuries that might occur and verify that the applicant is medically and physically able to perform the physical task test safely.

RESOLVED and ADOPTED this 17th day of July, 2013.

CHELtenham TOWNSHIP
BOARD OF COMMISSIONERS



By: _____
Art Haywood, President



Attest: _____
Bryan Havir, Township Manager
and Secretary

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

ORDINANCE NO. 2269-13

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF CHELTENHAM AMENDING CHAPTER 238, SEWERS, OF THE TOWNSHIP OF CHELTENHAM CODE OF ORDINANCES, AS AMENDED, TO PROVIDE A NEW ARTICLE REGULATING FATS, OILS AND GREASES (FOG) ENTERING THE WASTEWATER COLLECTION SYSTEM.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by The Board of Commissioners of the Township of Cheltenham, Montgomery County, Pennsylvania, and **IT IS HEREBY ENACTED AND ORDAINED** by the Authority of the same, as follows:

Section 1. Chapter 238, Sewers. of the Code of Ordinances of the Township of Cheltenham, as amended, is further amended to add the following new Article IV:

**ARTICLE IV
FOG PROGRAM**

§238-27. Purpose and Policy. The purpose of this Article is to reduce the amount of fats, oils and grease ("FOG") entering the Township of Cheltenham ("Township") wastewater collection system in order to comply with the Clean Water Act of 1977 and general pretreatment regulations (40 CFR, Part 403). This Article provides for the regulation of FOG contributors to publicly owned treatment works ("POTW") through the issuance of permits, inspections, sampling and enforcement. The requirements within this Article shall be applied to, but not be limited to, all food processing facilities within the Township that discharge wastewater to be treated by the POTW. The requirements within this Article shall also be applied to residential users within the Township that discharge wastewater to the POTW and that contribute FOG to the Township's sewage collection system.

§238-28. Definitions. The following terms and phrases shall have the designated meanings in the context of this Article.

DAYS – Days shall be considered as calendar days unless otherwise specified.

FOG - Fats, oils and grease created as a byproduct of cooking.

FOG ADMINISTRATOR – Township POTW superintendent or a duly authorized agent responsible for the enforcement of this Article.

FOG OVERFLOW REPORT – A report supplied to FOG Administrator by the Producer within five (5) days of a FOG overflow explaining the cause of the overflow, steps taken to contain and clean up the overflow, and measures taken to prevent the overflow from occurring again.

GREASE TRAP – An apparatus located inside the structure that collects and contains the fats, oils and grease, and removes a significant portion of it from the wastewater to be discharged.

NOV – Notice of Violation. A written notice specifically citing the nature of the violation and a specified time frame for correction.

OIL AND GREASE INTERCEPTOR – An apparatus located outside the structure that collects and contains the fats, oils and grease, and removes a significant portion of it from the wastewater to be discharged.

OVERFLOW – A discharge of FOG from a grease trap or interceptor into the POTW in a concentration greater than 100 mg/L or in the form of visible masses detrimental to the POTW.

POTW – Publicly owned treatment works, including the Township wastewater collection and conveyance system.

PRODUCER – Any commercial or public facility or private residential property that is connected to the Township POTW and that produces, directly or indirectly, wastewater containing FOG in a concentration greater than that defined in the General Regulations of this Article. Commercial facilities include, but are not limited to, restaurants, schools, private clubs, delis, churches and daycare centers. Producers shall be classified as follows:

CLASS 1 PRODUCER – Any Producer who has an oil and grease interceptor on the sewer line.

CLASS 2 PRODUCER – Any Producer who has a grease trap.

CLASS 3 PRODUCER – Any residential Producer.

§238-29. General Regulations. The following regulations apply to all Producers contributing to the Township POTW.

- (1) All Class 1 and 2 Producers must have a FOG permit in order to discharge to the POTW. The FOG Administrator shall receive all FOG permit applications. All Class 1 and 2 Producers are required to renew their permit annually.

- (2) At no time shall a Producer discharge, or cause to be discharged, any quantity of FOG to the POTW that exceeds the discharge limitation of 100 mg/l. At the discretion of the FOG Administrator, sampling by the Township of the Producer's discharge may occur when the FOG Administrator has evidence that indicates the Producer may not be complying with the requirements of this Article. All Class I Producers shall be responsible for providing an adequate sampling port on their grease interceptors.
- (3) The Producer is responsible for cleaning and/or having the oil and grease interceptor or grease trap cleaned on a regular basis so as not to discharge fats, oils and grease to the POTW that exceed the discharge limitation of 100 mg/l. The frequency of cleaning at a minimum shall be in accordance with the "25% Rule", as determined by the FOG Administrator and directed in the FOG permit. The "25% Rule" requires that the depth of oil and grease (floating and settled) in an interceptor or trap shall not be equal to or greater than twenty-five percent (25%) of the total operating depth of the interceptor or trap. The operating depth of an interceptor or trap is determined by measuring the internal depth from the outlet water elevation to the bottom of the interceptor or trap. In application of this Rule, the cleaning frequency shall also be determined by the size of the interceptor and inspection of the sewer lines. The Class I Producer shall empty and clean the grease interceptor as often as is necessary to prevent overflowing of FOG into the POTW.
- (4) Existing Producers which currently have an internal grease trap shall be required to clean and maintain that trap in an efficient manner. The following is prohibited to be discharged to an internal grease trap:
 - (a) Wastewater with a temperature greater than one hundred forty (140) degrees Fahrenheit.
 - (b) Acid or caustic trap cleaners -- this may include enzymes and/or degreasers which liquefy the fats, oils and grease and allow them to pass from the grease trap and deposit in the POTW lines. Therefore, all enzymes and degreasers must be approved by the FOG Administrator or duly authorized representatives.
- (5) An existing Producer's FOG prevention procedures may be evaluated at any time by the FOG Administrator. If the FOG Administrator determines a Producer requires a grease interceptor, the Producer shall have a maximum of forty-five (45) days to install a properly sized grease interceptor by a qualified installation company.
- (6) Newly built Class I Producers or renovated existing Class I Producers shall install a properly sized oil and grease interceptor on the sewer line from the facility. The oil and grease interceptor shall be approved by the FOG Administrator. The oil and grease interceptor shall have the following design features (as a minimum): a tee inlet in which one (1) tee branch extends a minimum of one (1) foot below the liquid level, an outlet tee with a minimum

submergence of two-thirds (2/3) of the liquid depth, a baffle to separate the trap into two (2) compartments, and two (2) manhole access ways for inspection of the inlet and outlet tees. The interceptor shall have cleanouts and shall be located with easy access for pump out and inspection. The Producer may present alternative designs to the FOG Administrator. The FOG Administrator reserves the right to approve or reject the alternative design.

- (7) All Producers may be inspected by the FOG Administrator at his discretion. The FOG Administrator has the authority to access and inspect any oil and grease interceptor or grease trap. The FOG Administrator shall give adequate notice to all Class 3 Producers prior to inspection on their property.
- (8) Overflowing an oil and grease interceptor on the sewer line or on the sink discharge line is strictly prohibited. In such case, the Producer shall be responsible for the subsequent containment, cleanup and disposal of the overflow material as well as its expense. It is the responsibility of the Producer to immediately notify the Township FOG Administrator of the incident. The notification shall include the location of the overflow, the type of material, the volume and corrective actions. Within five (5) days of the overflow, the Producer shall submit to the Township a detailed written report describing the cause of the overflow, steps taken to contain the overflow, steps taken to prevent it from occurring again and the cleanup of the overflow.
- (9) Class 1 and Class 2 Producers must keep on site a current grease interceptor and grease trap cleaning log. Included on the cleaning log shall be the following information: date, time, who did the cleaning, volume of waste disposed of, location of disposal, and manifest if done by an outside hauler. Permit renewals shall require submission of the prior year's cleaning log.
- (10) The Township reserves the right to inspect a connected residential user(s) of the POTW if evidence within the POTW indicates that a significant buildup of FOG is occurring within proximity of the residential user(s) and that such evidence cannot be attributed to Class 1 or 2 Producers. Sampling will occur at the residential lateral cleanouts whenever possible.

§238-30. Permit Fees. Shall be as established in Chapter A300-27.

The following permits shall apply to all Class 1 and Class 2 Producers contributing to the POTW:

- (1) Initial Permit
- (2) Annual Permit Renewal

All permit fees are the responsibility of Producer and must be paid within thirty (30) days. Bills remaining unpaid after the due date will be charged additional interest at the rate of six percent

(6%) per annum. Producers with unpaid permit fees shall be prohibited from obtaining any further annual permit renewals.

Any change in the rate and/or fees charged shall be made by a Resolution adopted by the Township of Cheltenham Board of Commissioners.

§238-31. Enforcement.

- (1) The Township shall suspend any FOG permit held by a Producer if the Producer does not adhere to the requirements of this Article. Once the permit is suspended, the Producer shall not discharge to the POTW until the permit is reinstated. The permit shall remain suspended until the Producer demonstrates proof that the noncompliance was eliminated.
- (2) The methods of enforcement shall include the issuance of a NOV and/or the assessment of a monetary penalty as defined in Sections §238-32 and §238-33.
- (3) Should the FOG inspectors need to sample any Producer, the Producer shall be responsible for the costs required for the analytical laboratory to perform the analysis of the sample. Payment must be paid within thirty (30) days of the date on which the FOG Administrator mails a bill to the Producer. Bills remaining unpaid after such 30-day period will be charged interest at the rate of six percent (6%) per annum.
- (4) Any costs incurred by the Township for cleaning the Producer's FOG from the POTW and/or penalties, fines or other costs incurred by the Township for the Producer's FOG shall be the responsibility of the Producer. Payment must be paid within thirty (30) days of the date on which the FOG Administrator mails a bill to the Producer. Bills remaining unpaid after such 30-day period will be charged interest at the rate of six percent (6%) per annum.

§238-32. Notice of Violations. In addition to all other remedies available to it, the Township shall have the right to issue a NOV(s) and/or impose a monetary penalty(ies), as hereinafter set forth in §238-33, for a violation of any requirements of this Article. The following factors shall be considered in imposing any and all monetary penalties:

- (1) Damage to the air, water and land of the Township and surrounding Township.
- (2) Damage and/or harm to the POTW and/or its personnel.
- (3) Past violations and compliance history.
- (4) Producer's willingness and efficiency to comply; response to the NOV in a timely manner; notification to the Township; and quick, effective corrective action to eliminate the noncompliance.
- (5) Magnitude of the violation.

§238-33. Types of Violations and Penalties. The following is a schedule of violations and maximum penalties to be assessed. Payment must be paid within thirty (30) days of the date on which the FOG Administrator mails a bill to the Producer. Bills remaining unpaid after such 30-day period will be charged interest at the rate of six percent (6%) per annum.

- (1) Failure to clean oil and grease interceptor/grease trap (1st offense) –NOV.
- (2) Failure to clean oil and grease interceptor/grease trap (2nd offense) according to schedule – NOV plus up to a Two Hundred and Fifty Dollar (\$250.00) penalty.
- (3) Failure to clean oil and grease interceptor/grease trap (3rd offense and thereafter) according to schedule – NOV plus up to a Five Hundred Dollar (\$500.00) penalty for every day the cleaning is not completed.
- (4) Failure to clean oil and grease interceptor/grease trap four (4) or more times within a twelve (12) month time period – NOV plus up to a One Thousand Dollar (\$1,000.00) penalty and the revocation of the Producer's permit.
- (5) Failure to keep and maintain cleaning log with necessary hauling manifests (1st offense) – NOV plus up to a One Hundred Dollar (\$100.00) penalty.
- (6) Failure to keep and maintain cleaning log with necessary hauling manifests (2nd offense) – NOV plus up to a Two Hundred Dollar (\$200.00) penalty.
- (7) Failure to keep and maintain cleaning log with necessary hauling manifests (3rd offense and thereafter) – NOV plus up to a Three Hundred Dollar (\$300.00) penalty.
- (8) Failure to keep and maintain cleaning log with necessary hauling manifests four (4) or more times within a twelve (12) month time period – NOV plus up to a Five Hundred Dollar (\$500.00) penalty and the revocation of the Producer's permit.
- (9) Overflow of oil and grease interceptor/grease trap –NOV plus a penalty to be assessed by factors set forth in §238-32, plus the violator will be liable for the entire cost of cleanup of site.
- (10) Failure to notify FOG Administrator of overflow immediately – NOV plus up to a One Thousand Dollar (\$1,000.00) penalty. Within 5 days, an overflow report must be submitted to the FOG Administrator.
- (11) Failure to submit FOG overflow report within five (5) days to FOG Administrator – NOV plus up to a Two Hundred Fifty Dollar (\$250.00) penalty.
- (12) Deliberately pouring FOG into the sewer system, including pouring anything that will wash out the oil and grease interceptor/grease trap – NOV plus up to a Five Thousand Dollar (\$5,000.00) penalty.

(13) Discharging more than 100 mg/l of fats, oil and grease – NOV plus up to a One Hundred Dollar (\$100.00) penalty.

§238-34. Rules and Regulations. The FOG Administrator shall have the power to establish additional appropriate Rules and Regulations for the administration and enforcement of the provisions of the FOG Program.

Section 2. Construction and Severability. In the event any provision, section, sentence, clause or part of this Article shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Article, it being the intent of the Township Board of Commissioners that such remainder shall be and shall remain in full force and effect.

Section 3. Additional Remedies. Any Producer which refuses or fails to comply with any of the provisions of this Article, in addition to the enforcement proceedings, fines, and penalties set forth in Sections §238-31, §238-32, and §238-33 may suffer discontinuance of water service and/or shall be subject to all other remedies available to the Township at law, or in equity, or both. Each owner of a regulated facility shall be deemed to have joint and severable liability and responsibility under the provisions of this Ordinance.

Section 4. Repealer. All Ordinances, or parts of Ordinances, of the Township which shall be inconsistent with this Ordinance shall be, and the same expressly are, repealed.

Section 5. Effective Date. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED, this 17th day of July, A.D. 2013.

THE BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF CHELTENHAM

BY: _____
President


ATTEST: _____

§ A300-27. Fats, Oils & Grease

(1)	Initial Permit	\$500.00
(2)	Annual Permit Renewal	\$250.00