

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 Michael Fleming, Public Works Coordinator; Nancy Gibson, Public Information and Complaint Officer; David Jones, Interim Township Planner/Zoning Officer; Mark McDonnell, Public Works Superintendent; Joseph O'Neill, Fire Marshal; Bruce Rangnow, Acting Director of Fiscal Affairs; Lt. John Weed, Police Department; 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 Hampton.
2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated August 21, 2013, upon motion of Mr. Simon, 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 August, 2013, upon motion of Mr. Simon, 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 August, 2013, upon motion of Mr. Simon, the Report was unanimously approved by the Board of Commissioners.
5. Mr. Portner presented **Resolution No. 38-13** to William Chambres, **Resolution No. 39-13** to Mrs. Joseph Paradis on behalf of her husband Dr. James Paradis, and **Resolution No. 40-13** to Donald "Ogbewii" Scott for their efforts in promoting the historical significance of Camp William Penn and Cheltenham Township (see attached).
6. Karen Cilurso of the Delaware Valley Regional Planning Commission presented a plaque to the Township in recognition of the Township's participation in the Classic Towns Program.
7. Review of the Public Works Committee Regular Meeting Minutes dated September 11, 2013:
 - a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously concurred with a Montgomery County Consortium Contract made by the Upper Dublin Township Board of Commissioners at its September 10, 2013, meeting for the 2013-2014 Rock Salt Bid to International Salt Co., LLC at \$51.43/Ton.
 - b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved the 2013-2014 Snow and Ice Reimbursement Agreement with Montgomery County for Easton Road in the amount of \$5,836.37.

c. The Board of Commissioners considered the request by Pep Boys for a land development waiver. Debra Schlusky, Esq. was present to represent Pep Boys. In response to a question by Mr. Sharkey, Ms. Schlusky stated that her client agrees to all the recommendations of the Shade Tree Advisory Committee with the exception of the recommendation to plant a tree on the parking island, which was not viable, and to which the Public Works Committee agreed.

Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a request by The Pep Boys – Manny, Moe & Jack for a waiver from the requirements that a Land Development Plan be required regarding the conversion of the former Blockbuster Video store at 245 S. Easton Road into an automotive service and repair shop with accessory retail sales.

d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Change Order in the amount of \$7,800 to Gilmore & Associates, Inc., to cover additional professional services involved with the Municipal Sewer Rate Study to include a tapping fee analysis.

e. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Change Order in the amount of \$40,400 to Arro Engineering to cover additional professional services involved with the preparation of the Act 537 Sewage Facilities Plan.

f. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Works Committee Regular Meeting Minutes dated September 11, 2013.

8. Review of the Public Safety Committee Regular Meeting Minutes dated September 3, 2013:

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Ordinance No. 2271-13** amending Chapter 285, thereof, entitled “Vehicles and Traffic” (see attached).

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

9. Review of the Public Affairs Committee Regular Meeting Minutes dated September 3, 2013:

There was no recommended action for the Board of Commissioners to take.

Upon motion of Ms. Hampton, the Board of Commissioners unanimously accepted the Public Affairs Committee Regular Meeting Minutes dated September 3, 2013.

10. Review of the Building and Zoning Committee Regular Meeting Minutes dated September 3, 2013:

There was no recommended action for the Board of Commissioners to take.

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

11. Review of the Sinking Fund Commission Regular Meeting Minutes dated August 28, 2013:

a. Upon review of the Sinking Fund Commission Regular Meeting Minutes, Mr. Haywood made a certain linguistic change, i.e. to Item #2, the word "guidance" to be substituted for the word "discipline".

b. Upon motion of Mr. Haywood, the Board of Commissioners unanimously accepted the Sinking Fund Commission Regular Meeting Minutes dated August 28, 2013.

12. Review of the Parks and Recreation Committee Regular Meeting Minutes dated September 11, 2013:

There was no recommended action for the Board of Commissioners to take.

Upon motion of Mr. McKeown, the Board of Commissioners unanimously accepted the Parks and Recreation Committee Regular Meeting Minutes dated September 11, 2013.

13. Under New Business:

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

Upon motion of Mr. Portner, the Board of Commissioners unanimously approved the following appointment:

<u>Name</u>	<u>Committee</u>
Thomas P. DiBenedetto	Planning Commission

14. Under Old Business:

Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted **Ordinance No. 2272-13** amending Chapter 5 of the Township Code entitled "Administration of Government" separating the duties of Zoning Officer and Township Engineer (see attached).

15. Under Citizens' Forum – None

There being no further business, upon motion of Mr. Portner, 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

Resolution No. 38-13
of the Board of Commissioners of Cheltenham Township

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep appreciation and respect, recognizes **WILLIAM F. CHAMBRES** for his efforts to promote the historical significance of Camp William Penn, the first and largest federal training center for U.S. Colored Troops during the Civil War; and

Whereas, Through his company Chambres and Associates, **WILLIAM F. CHAMBRES** launched a website in 2001-02 that features the camp as its overall basis. The website also includes information on famous abolitionist Lucretia Mott, the Reconstruction Years, the early families, and the neighborhood today; and

Whereas, Camp William Penn is also integral to the blog **WILLIAM F. CHAMBRES** is writing on the 384 important battles of the Civil War. The blog is disseminated to historians, colleges, universities, military colleagues and history buffs around the nation on the date that each of the battles was fought. Finally, in his lectures, the camp is core to the development of the featured subject.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Eighteenth Day of September, A.D., 2013, does hereby officially salute **WILLIAM F. CHAMBRES** for his many efforts to promote the history and heritage of Cheltenham Township via Camp William Penn. 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. Chambres.

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

Resolution No. 39-13
of the Board of Commissioners of Cheltenham Township

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep appreciation and respect, recognizes **JAMES PARADIS, PhD**, for his efforts to promote the historical significance of Camp William Penn, the first and largest federal training center for U.S. Colored Troops during the Civil War; and

Whereas, **JAMES PARADIS, PhD**, has been a history teacher for over 25 years, including Arcadia University and Doane Academy, where he is Dean of the Upper School. He has authored two books: *Strike the Blow for Freedom: The 6th United States Colored Infantry in the Civil War*, which grew out of his doctoral dissertation at Temple University, and *African Americans and the Gettysburg Campaign*; and

Whereas, **JAMES PARADIS, PhD**, has served for many years on the board of Citizens for the Restoration of Historical La Mott, which preserves of the site of Camp William Penn. He was also a consultant and narrator for the documentary film, *Black Soldiers in Blue: The Story of Camp William Penn*, released in 2009, and received a Certificate of Recognition from the NAACP of Cheltenham in 2011.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Eighteenth Day of September, A.D., 2013, does hereby officially salute **JAMES PARADIS, PhD**, for his many efforts to promote the history and heritage of Cheltenham Township via Camp William Penn. 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 Dr. Paradis.

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

*Resolution No. 40-13
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep appreciation and respect, recognizes **DONALD “OGBEWII” SCOTT** for his efforts to promote the historical significance of Camp William Penn, the first and largest federal training center for U.S. Colored Troops during the Civil War; and

Whereas, Historian and author **DONALD “OGBEWII” SCOTT** wrote a 384-page book entitled *Camp William Penn: 1863-1865*, published in 2012, and a 127-page Arcadia Publishing book, *Camp William Penn*, in 2008 with almost 200 images of the camp. He also wrote dozens of historical columns about Camp William Penn for the Journal-Register Media Company from 1996 to the present and countless other camp-related articles for other venues; and

Whereas, As a Commonwealth Speaker from 2004 to 2011, **DONALD “OGBEWII” SCOTT** lectured about the camp at the Independence Mall National Historic Visitor’s Center, the National Archives, the Union League of Philadelphia and other locations. He also contributed to several relevant film projects.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Eighteenth Day of September, A.D., 2013, does hereby officially salute **DONALD “OGBEWII” SCOTT** for his many efforts to promote the history and heritage of Cheltenham Township via Camp William Penn. 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. Scott.

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. 2271-13

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:

MT. CARMEL AVENUE (16) NO PARKING, south side, Tyson Avenue to 60 feet east.

SECTION 2. 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 3. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED into an Ordinance this **18th** of September, A.D., 2013.

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM



By _____
Art Haywood, President



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

ORDINANCE NO. 2272-13

AN ORDINANCE AMENDMENT TO THE CODE OF THE TOWNSHIP OF CHELTENHAM, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, TO AMEND CHAPTER 5 THEREOF, ENTITLED "ADMINISTRATION OF GOVERNMENT", SECTION 26, ENTITLED "DEPARTMENT OF ENGINEERING, ZONING AND INSPECTIONS" IN ORDER TO ESTABLISH A SEPARATE DEPARTMENT OF ENGINEERING AND TO OTHERWISE SEPARATE THE DUTIES OF ZONING OFFICER FROM THOSE OF TOWNSHIP ENGINEER.

WHEREAS, the Cheltenham Township Board of Commissioners is empowered to establish regulations to provide for the administration of government within the Township; and

WHEREAS, the Board of Commissioners is desirous of separating the offices of Township Zoning Officer and Township Engineer in order to permit the duties of those respective positions to be carried out more proactively and to have two individuals carry out the duties of those respective positions.

Now, therefore, it is hereby ordained and enacted that the Township Code is amended in court as follows:

SECTION I.

Section 5-26 of the Township Code is hereby deleted in its entirety and replaced with a new Section 5-26, entitled "Department of Zoning and Inspections," as follows:

Section 5-26. Department of Zoning and Inspections.

A. Function. The Department of Zoning and Inspections shall be responsible for the protection of persons and property throughout the Township through the general administration and enforcement of zoning, building and related structure and land use codes.

B. Department Head. The Department of Zoning and Inspections shall be headed by a Director, who shall also be the Zoning Officer of the Township and shall be responsible to the Township Manager for the performance of the functions of the Department. The Director and those duly authorized to act as agents shall have the powers of the Township police officers in reference to the authority to issue citations for the violation of those laws and ordinances within the scope of their employment to enforce. The Director and those acting as his or her agents shall have the authority to enter upon any premises for any lawful purpose arising in connection with or in the performance of their duties.

C. Duties. The duties of the Director shall be to:

- (1) Enforce and administer zoning, building, electrical, plumbing, heating, demolition and such other related structural and zoning codes as may be enacted by law or ordinance and enforce the subdivision and land development ordinances.
- (2) Issue such licenses and permits as may be required by law or ordinance.
- (3) Carry out those inspections of premises and facilities in the Township as necessary in fulfillment of the above Sections 5-26.C. (1) and (2).
- (4) Render assistance and staff for the Zoning Hearing Board and enforce the orders of the Zoning Hearing Board.
- (5) Serve as a member of the Board(s) of Historical Architectural Review and the Electrical Examining Board.
- (6) Maintain registration of real estate within the Township.
- (7) Render assistance to the Township Manager and to the Board of Commissioners

SECTION II.

A new Section 5-28 entitled "Department of Engineering" is hereby enacted as follows:

Section 5-28. Department of Engineering

A. Function. The Department of Engineering shall be responsible for the protection of persons and property throughout the Township through the general administration and enforcement of the Township Subdivision and Land Development Ordinances, shall be responsible for the design and construction of Township engineering projects and shall provide such advice to the Township Manager and the Board of Commissioners as may be requested.

B. Department Head. The Department shall be headed by a Director, who shall be a registered professional engineer in the Commonwealth of Pennsylvania. The Director shall serve as Township Engineer and shall be responsible to the Township Manager for the performance of the functions of the Department.

C. Duties. The duties of the Director shall be to:

- (1) Issue reports regarding proposed development and subdivision and land development ordinances.

(2) Issue reports regarding existing development and subdivision and land development ordinances.

(3) Be responsible for the planning, development, expansion, modification, design and administration, and cooperation with other appropriate departments and agencies, of Township facilities.

(4) Carry out those inspections of premises and facilities in the Township as necessary in fulfillment of the above Sections 5-28.C. (1), (2) and (3).

(5) Render assistance to the Township Manager and the Board of Commissioners.

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

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

SECTION VII. 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 18th day of September, 2013.

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM



BY: _____
Art Haywood, President



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

