

January 20, 2009
Curtis Hall

The regular meeting of the **BOARD OF COMMISSIONERS** was held this evening, President Paul R. Greenwald presiding. Members present were Commissioners McKeown, Muldawer, Portner, Sharkey, Simon, and Swavola. Staff present were Charlyn Battle, Human Resources Coordinator; Bryan T. Havir, Assistant Township Manager; John O. Hoover, Jr., Director of Parks and Recreation; Rudy Kastenhuber, Public Works Coordinator; David Lynch, Director of Engineering, Zoning & Inspections; M. Elizabeth McBride, Director of Fiscal Affairs; Mark McDonnell, Public Works Coordinator; John J. Norris, Chief of Police; Joseph W. O'Neill, Fire Marshal; Ruth Littner Shaw, Main Street Manager; Andrew B. Cantor, Wisler, Pearlstine, LLP; and David G. Kraynik, Township Manager. A Public Attendance List is attached.

1. President Greenwald opened the meeting with the Pledge of Allegiance being led by Commissioner Sharkey.

2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated December 16, 2008 and Organization Meeting Minutes dated January 5, 2009, upon motion of Mr. Swavola, 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 December, 2008, upon motion of Mr. Muldawer, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.

4. Each member having received a copy of the Accounts Paid Report for the month of December, 2008 upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.

5. Mr. McKeown presented **Resolution No. 43-08** to Emma Wetzel upon the occasion of her retirement after 18-years of service in the Building and Zoning Department.

A Resolution No. 43-08
of the Board of Commissioners of Cheltenham Township

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep appreciation and admiration, salutes **EMMA WETZEL**, of 380 Hobson Place in Blue Bell, on the occasion of her retirement after 22 years of service with the Township; and

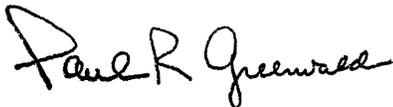
Whereas, Hired first as a part-time receptionist on February 18, 1986, **EMMA WETZEL** transitioned to full-time secretary for the Building, Zoning and Engineering Department on June 16, 1992. **EMMA WETZEL** capably generated massive reports, minutes, ordinances and agendas under tight deadlines with cool efficiency. She even mastered the ability to accurately decipher the hieroglyphic handwriting of the Township Engineer; and

Whereas, In addition to serving the public with professional courtesy, **EMMA WETZEL** enjoyed an easy camaraderie with her fellow workers. Her experience, dedication and humor have been greatly missed at the Township since her retirement on December 19, 2008.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Twentieth Day of January, A.D., 2009, does hereby officially honor **EMMA WETZEL** for her dedicated service to the Cheltenham community and wishes her the best of luck in all her 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 Mrs. Wetzel.

IN WITNESS WHEREOF, I, PAUL R. GREENWALD, President of the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set my hands 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 tenth.

**BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP**

By: 
Paul R. Greenwald, President

Attest: 
David G. Kraynik,
Township Manager and Secretary

6. Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved a Supplemental General Reimbursement Agreement with PennDOT for final design of the Ashmead Road Bridge.

7. Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W799 to Alicia Agoglia, owner of 304 Bent Road, Wyncote, relating to the replacement of all the windows as recommended by the Wyncote Board of Historical and Architectural Review.

8. Upon motion of Mr. Swavola, the Board of Commissioners unanimously adopted **Resolution No. 4-09** amending fees for Real Estate Registration.

**CHEL TENHAM TOWNSHIP
RESOLUTION NO. 4-09**

REAL ESTATE REGISTRY FEE

BE IT RESOLVED, and it is hereby resolved this 20th day of January, A.D. 2009 by the Board of Commissioners of Cheltenham Township that:

WHEREAS, the Township's current "Real Estate Registry" fee is \$15 per deed; and

WHEREAS, Section 6. of House Bill 1634, Act 110 limits "Real Estate Registry" fees to a maximum of \$10 per deed; and

WHEREAS, the Board of Commissioners has decided to decrease the "Real Estate Registry" fee to \$10 to be in conformity with the "Real Estate Registry" fee limitation set forth in Section 6 of House Bill 1634, Act 110; and

WHEREAS, CCS 226-3. ordains the amount of the "Real Estate Registry" fee shall be as set forth from time to time by Resolution of the Board of Commissioners.

NOW THEREFORE, be it resolved, and it is hereby resolved, as follows:

1. Chapter A300 of the Code of the Township of Cheltenham, Section A300-15. thereof, entitled "Real Estate Registry," is hereby deleted in its entirety.
2. Chapter A300 of the Code of the Township of Cheltenham, entitled "Fees," is here amended by adding the following new section A300-15. entitled "Real Estate Registry":

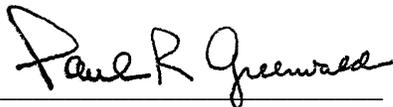
§A300-15. Real Estate Registry.

- A. Pursuant to Chapter 226, Real Estate Registry, of the Code of the Township of Cheltenham, the following fees are hereby established:

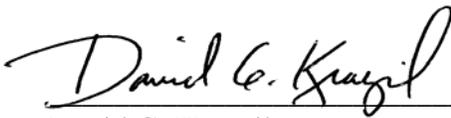
1. Evidence of registration of property: \$10

ADOPTED this 20th day of January, A.D. 2009.

TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS

By: 
Paul R. Greenwald, President

ATTEST:


David G. Kraynik
Township Manager and Secretary

9. Upon motion of Mr. Swavola, the Board of Commissioners adopted **Resolution No. 5-09** amending fees for the Sale of Property.

**CHELTENHAM TOWNSHIP
RESOLUTION NO. 5-09**

“SALE OF PROPERTY” FEE

BE IT RESOLVED, and it is hereby resolved this 20th day of January, A.D. 2009 by the Board of Commissioners of Cheltenham Township that:

WHEREAS, the Township’s current “Sale of Property” (a/k/a/ “Zoning and Use Certification”) fee is \$20 per deed; and

WHEREAS, Cheltenham Township has not increased its “Sale of Property” fees for over five (5) years; and

WHEREAS, the costs for processing “Sale of Property” certifications have steadily increased; and

WHEREAS, the Board of Commissioners has decided to increase the “Sale of Property” fees; and

WHEREAS, CCS 217-6.C. ordains the amount of the ”Sale of Property” fees shall be as set forth from time to time by Resolution of the Board of Commissioners.

NOW THEREFORE, be it resolved, and it is hereby resolved, as follows:

1. Chapter A300 of the Code of the Township of Cheltenham, Section A300-14. thereof, entitled “Sale of Property,” is hereby deleted in its entirety.
2. Chapter A300 of the Code of the Township of Cheltenham, entitled “Fees,” Section A300-14. thereof, entitled “Sale of Property, is hereby amended by adding the following new section A300-14. entitled “Sale of Property”:

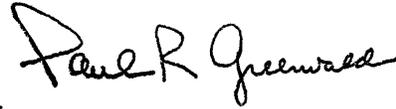
§A300-14. Sale of Property.

A. Pursuant to Chapter 217, Property, Sale of, of the Code of the Township of Cheltenham, the following fees are hereby established:

1. Application for certification statement and affidavits: \$30

ADOPTED this 20th day of January, A.D. 2009.

TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS



By: _____
Paul R. Greenwald, President

ATTEST:



David G. Kraynik
Township Manager and Secretary

10. Upon motion of Mr. Swavola, the Board of Commissioners unanimously adopted Resolution No. 7-09 supporting the Cresheim Trail.

**TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 7-09**

**RECOGNITION OF MUNICIPAL SUPPORT FOR THE CRESHEIM TRAIL AND
AUTHORIZATION OF TOWNSHIP ADMINISTRATION TO WORK WITH THE
FRIENDS OF THE CRESHEIM TRAIL COMMITTEE TO SEEK GRANT FUNDS TO
DESIGN AND CONSTRUCT SAID PORTION OF THE TRAIL WITHIN
CHELTENHAM TOWNSHIP**

WHEREAS, the Township of Cheltenham Board of Commissioners previously supported the concept of completing a feasibility planning study for the development of the Cresheim Trail and provided a letter of support to the Friends of the Cresheim Trail Committee which was used to successfully leverage and secure grants to prepare the feasibility planning study document, and

WHEREAS, the final draft of the feasibility planning study was completed last year and recommends a multi-purpose trail that would link the Wissahickon Trail in Fairmount Park in the City of Philadelphia with Fort Washington State Park in Montgomery County, and provide a connection between the City of Philadelphia, Philadelphia County, and Cheltenham, Springfield and Whitemarsh Townships in Montgomery County, enabling individuals and groups to better experience the environment, promote trail recreation, and generally support regional tourism interaction within all four communities; and

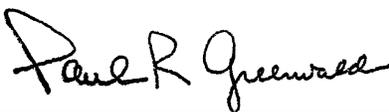
WHEREAS, the final draft of the feasibility planning study was presented to Cheltenham Township for review and public comment at its Parks and Recreation Committee meeting on February 12, 2008 and was favorably accepted; and

WHEREAS, the Township recognizes the Cresheim Trail within the jurisdictional boundaries of the Township as being generally consistent with and in conformance with the Township's Conceptual Trail network as defined on the Township's Comprehensive Plan and Open Space Plan and to be a benefit to the citizens of Cheltenham Township.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, that it hereby supports the efforts of the Township Administration to work with the Friends of the Cresheim Trail Committee in applying for state, county and other grants for design and construction of portions of the trail within the jurisdictional boundaries of the Township and to coordinate the Township's portion of the Cresheim Trail with adjacent and nearby municipalities of Springfield and Whitemarsh Townships and the City of Philadelphia.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, at its meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania 19095 on January 20, 2009.

TOWNSHIP OF CHELTENHAM

By: 
Paul R. Greenwald, President
Board of Commissioners

ATTEST:


David G. Kraynik, Secretary/Manager
(SEAL)

11. Upon motion of Mr. Swavola, the Board of Commissioners unanimously awarded a Professional Services Contract in the amount of \$31,795.00 for updating the Township's Community Revitalization Plan to Carter van Dyke Associates, Doylestown, PA.

12. Upon motion of Mr. Swavola, the Board of Commissioners unanimously awarded a Professional Services Contract in the amount of \$25,025.00 for Phase IX of the LaMott Community Center Rehabilitation Project to BAU Architecture, LLC, Elkins Park, PA.

13. Upon motion of Mr. Swavola, and unanimously approved by the Board of Commissioners, the Public Works Committee Regular Meeting Minutes dated January 13, 2009, were received.

14. Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted Ordinance No. 2175-09 amending the LaMott Housing Rehabilitation Program Manual.

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

ORDINANCE NO. 2175-09

**AN ORDINANCE AMENDING CHAPTER 165, ARTICLE II, OF THE
CODE OF ORDINANCES OF THE TOWNSHIP OF CHELTENHAM BY
ESTABLISHING PROVISIONS TO INCLUDE HOMEOWNERS AS CO-
OBLIGEEES UNDER THE HOMEOWNER HOUSING REHABILITATION
PROGRAM FOR LAMOTT.**

The Board of Commissioners of Cheltenham Township does hereby ENACT and ORDAIN as follows:

Section 1. Various sections of the administrative manual and program guidelines for the Homeowner Housing Rehabilitation Program for LaMott have been amended to provide for the Owner as Co-Obligee, which would be consistent with the Owner having claims against the Contractor, and would change the bonding dynamics of the contractor bidding, thereby providing the same obligation as with the Township. The bond would cover both the Homeowner and the Township.

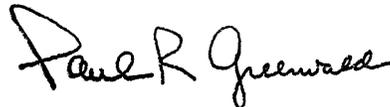
Section 2. The Homeowner may also provide input and/or comment with regard to the preparation of the punch list items, but the Homeowner shall not delay or hinder or prevent the Final Inspection from transpiring.

Section 3. A copy of the latest version of the Township's Homeowner Housing Rehabilitation Program for LaMott, dated January 2009 is available for public inspection during normal business hours in the Office of the Township's Assistant Manager.

Section 4. EFFECTIVE DATE. This Ordinance shall take effect and be enforced from and after its approval.

ORDAINED AND ENACTED by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this 20th day of **January, 2009**.

CHELTENHAM TOWNSHIP
BOARD OF COMMISSIONERS



By: _____
Paul R. Greenwald, President

ATTEST:



David G. Kraynik, Secretary and Township Manager

15. Upon motion of Mr. Swavola, the Board of Commissioners unanimously adopted Resolution No. 6-09 authorizing the filing of Preliminary Applications for the 2009 Community Revitalization Program.

**TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 6-09**

WHEREAS, the Montgomery County Commissioners adopted the Montgomery County Community Revitalization Program at their June 2000 meeting, and subsequently amended the program guidelines in January 2006 requiring the filing of preliminary applications when municipalities are applying for implementation grants; and

WHEREAS, based on the 2006 Montgomery County Revitalization Program Guidelines, the following census tract and block group in Cheltenham Township qualifies for program participation based on the Opt-in Criteria: LaMott Census Tract 2024.02; Block Group 6; and

WHEREAS, on December 10, 2008, the Cheltenham Township Economic Development Task Force at its regular monthly meeting discussed the filing of a preliminary application for the FY 2009 Community Revitalization Implementation Program Year, and recommended to the Public Affairs Committee that the Township submit two (2) grant applications for the following: 1) reapply for the remaining balance of funds needed to complete the pedestrian street lighting project in LaMott, and 2) reapply for additional funds to continue the LaMott Homeowner Housing Rehabilitation Program; and

WHEREAS, it was determined by the Public Affairs Committee at its meeting on January 6, 2009, upon the recommendation of the Economic Development Task Force, that the Township is desirous of applying for implementation grant funds totaling \$300,000.00, based on the list of prioritized activities in Cheltenham Township's Community Revitalization Plan dated March 2002, last amended January 2004; and

WHEREAS, the County's Revitalization Program will reimburse the Township up to eighty percent (80%) of the project costs associated with the participation in the Program; and

WHEREAS, the cost of the required municipal match, of no less than twenty percent (20%), will be met by funds provided by a variety of sources, including local funds, donations and other secured grants, as described in the amended Community Revitalization Plan; and

WHEREAS, the Township of Cheltenham desires to participate in the FY 2009 Revitalization Implementation Program to obtain funds from Montgomery County and will submit a preliminary application to Montgomery County Revitalization Board on or before the January 15, 2009 deadline.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Cheltenham, Montgomery County, Commonwealth of Pennsylvania, that the Township Administration be authorized to submit a preliminary application to the Montgomery County Revitalization Board, totaling \$300,000 for the following projects:

LaMott Census Tract 2024.02, Block Group 6:

1) Pedestrian Street Lighting Project:

County Funds Requested for 2009	\$200,000
Local Funds from Capitol Budget	\$117,074
Other Secured Grant Funds	<u>\$268,432</u>
Total Project Cost	\$585,506

2) Homeowner Housing Rehabilitation Program:

County Funds Requested for 2009	\$100,000
Local Funds from Capital Budget	<u>\$ 25,000</u>
Total Project Cost	\$125,000

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Commissioners of Cheltenham Township hereby authorizes the Board President and the Township Manager to execute all requests, applications, agreements and contracts required by and with Montgomery County to participate in the Program.

DONE IN ELKINS PARK, PENNSYLVANIA, under my hand and the Seal of the Township of Cheltenham, this twentieth day of January, A.D., 2009, in the year of the Township of Cheltenham the one hundred tenth.

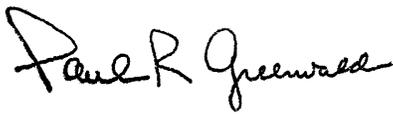
Resolved and adopted this **20th** day of **January, A.D., 2009**.

**BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP**

ATTEST:



David G. Kraynik
Township Manager/Secretary

By: 

President

(SEAL)

16. At the request of Mr. Simon, Mr. Kraynik explained the proposed ordinance for post-retirement health benefits for retired Commissioners. Said benefits are the same as those for salaried Township employees.

Upon motion of Mr. Simon, the Board of Commissioners adopted Ordinance No. 2176-09 amending the post-retirement health benefits for retired Commissioners (AYES: McKeown, Muldawer, Portner, Simon, Swavola; NAYES: Sharkey).

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

ORDINANCE NO. 2176-09

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE TOWNSHIP OF CHELTENHAM, CHAPTER 40 (PENSIONS),
ARTICLE IV (BOARD OF COMMISSIONERS), SECTION 40-38
(RETIREMENT DATES) TO ESTABLISH THE STATUS OF
COMMISSIONERS WITH RESPECT TO POST-RETIREMENT
HEALTH INSURANCE BENEFITS.**

The Board of Commissioners of Cheltenham Township does hereby ENACT and ORDAIN as follows:

Section 1. Amendment to the Code.

The Code of Ordinances of the Township of Cheltenham, Chapter 40 (Pensions), Article IV (Board of Commissioners), Section 40-38 (Retirement Dates), Subsection B is hereby amended to read as follows:

- B. Commissioners are entitled to receive any and all benefits on their retirement date the same as salaried employees, including, but not limited to, their existing health insurance benefits.
 - (1) Commissioners elected prior to, and who are in office as of, January 1, 2009 who serve at least twelve (12) years before leaving office shall receive post retirement health benefits at the time they reach normal retirement age, at no cost to the Commissioner.
 - (2) Any commissioner newly elected after January 1, 2009 shall be subject to the contract provisions for post retirement health benefits for the Salaried Employees Association including contributions to health insurance premiums at such time that the commissioner has served a minimum of twelve (12) years, has reached normal retirement age, and is no longer a member of the Board.

Section 3. Effective Date.

This Ordinance shall take effect and be enforced from and after its approval.

ORDAINED AND ENACTED by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this 20th day of January, 2009.

CHELtenham TOWNSHIP
BOARD OF COMMISSIONERS

By: Paul R. Greenwood
President

ATTEST:

David G. Kraynik

David G. Kraynik
Secretary and Township Manager

17. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Public Affairs Committee Regular Meeting Minutes dated January 6, 2009, were received.

18. Upon motion of Mr. Portner, the Board of Commissioners unanimously adopted Ordinance No. 2177-09 amending Chapter 285 thereof, entitled “Vehicles and Traffic”.

**CHELTENHAM TOWNSHIP
ORDINANCE NO. 2177-09**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF
CHELTENHAM, CHAPTER 285 THEREOF, ENTITLED VEHICLES AND
TRAFFIC, BY AMENDING PARKING METER ZONES AND 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 **ADDING** the following:

EASTON ROAD U. 40 MPH, Cheltenham Avenue to Limekiln
Pike

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 **20th day of January, A.D., 2009.**

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM

By 
Paul R. Greenwald, President

ATTEST: 
David G. Kraynik, Secretary

19. Upon motion of Mr. Portner, and unanimously approved by the Board of Commissioners, the Public Safety Committee Regular Meeting Minutes dated January 6, 2009, were received.

20. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Building and Zoning Committee Regular Meeting Minutes dated January 6, 2009, were received.

21. 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 new appointments and reappointments to various Commissions, Committees and Boards for the advice and consent of the Board of Commissioners.

Upon motion of Mr. Portner, the Board of Commissioners unanimously approved the appointments as submitted by the Board President (*see attachment*).

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

David G. Kraynik
Township Manager

as per Anna Marie Felix