

February 17, 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; Mark McDonnell, Public Works Coordinator; John J. Norris, Chief of Police; 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 Simon.
2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated January 20, 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 January, 2009, upon motion of Mr. McKeown, 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 January, 2009, upon motion of Mr. Muldawer, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.

5. Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W780 to Chris and Dana Howard, owners of 353 Bent Road, Wyncote, relating to the replacement of the existing slate roof, gutters and downspouts as recommended by the Wyncote Board of Historical and Architectural Review.

6. The Board of Commissioners considered approval of Cheltenham Township Development Application No. 05-12 Record Plan Clean Machine Car Wash Facility Building Expansion.

Mr. Goldstein, the applicant and his attorney, Peter Friedman, Esq. were present. Mr. Lynch advised that he received a letter from the applicant prior to tonight's meeting, indicating that the applicant was not accepting certain Notes, Conditions and Waivers. Mr. Sharkey suggested that a continuance to the March 10, 2009 Public Works Committee meeting be considered. Mr. Friedman agreed to a continuance for an extension of time and requested that the Township and his client submit a joint request to the Magisterial District Judge, that the hearing on the Township's Civil Complaint against the applicant be rescheduled by one (1) month. Mr. Bagley agreed provided the applicant executes the land development agreement in March. Mr. Bagley requested a written waiver with a deadline of March 17, 2009.

Upon motion of Mr. Swavola, the Board of Commissioners unanimously granted a continuance of Cheltenham Township Development Application No. 05-12 Record Plan Clean Machine Car Wash Facility Building Expansion – 401 W. Glenside Avenue (Amended) to the March 10, 2009 meeting of the Public Works Committee and directed the Township Engineer to advise the Magisterial District Judge of its action at the Civil Complaint hearing with the applicant scheduled for March 2, 2009.

Mr. Swavola stated that he did not like the Township delaying this application for one (1) more month nor did he like asking for a delay in the hearing on the Township's Civil Complaint against the applicant.

7. Mr. Lynch reported that he received a letter from the applicant of CTDA Application No. 08-10, Record Plan Briar House Condominiums accepting all Conditions, Notes and Waivers.

Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved Cheltenham Township Development Application No. 08-10 Record Plan Briar House Condominiums – New Emergency Generator subject to the following Conditions, Notes and Waivers:

A. CONDITIONS

1. That the text "Cheltenham Township Development Application No 08-10" be added to the lower right hand corner of all plan sheets.
2. That a North Point be added to the Location Map.  
(CCS 260-32.C.(5))
3. That the Township is in receipt of the Montgomery County Planning Commission Review of this Subdivision/Land Development.
4. That the following concerns with the "General Notes" ("GN") be addressed:
  - a. In GN 7., line 7, strike the word "Reasonably."
  - b. In GN 9., line 1, replace the text "HVAC Units shall" with the text "HVAC Units on the property shall."

B. NOTES TO BE ADDED TO THE PLAN VERBATIM

1. The Emergency Generator shall be routinely exercised (tested) only on a Tuesday, Wednesday or Thursday (one day per week only) during the time period 10:00 AM to 2:00 PM for one-half hour only.

C. WAIVERS TO BE GRANTED BY THE BOARD OF COMMISSIONERS

1. That the requirement of CCS 260-15. for sidewalks be waived.

2. That the requirement of CCS 260-30. for an Environmental Impact Study be waived except for Subsection D. relating to noise.
3. That the requirement of CCS 260-32.C.(6) for a note stating the elevation datum is based upon the Cheltenham Township Sanitary Sewer Datum be waived.
4. That the requirement of CCS 260-32.D.(1) for a property survey be waived.
5. That the requirement of CCS 260-32.D.(2) for depiction of Planimetric data within 400' of the site be waived.
6. That the requirement of CCS 260-32.D.(4) for the location, size and ownership of all underground utilities and any rights-of-way within the property be waived.
7. That the requirement of CCS 260-32.D.(5) for depiction of topography of the site and within 400' of the site be waived.
8. That the requirement of CCS 260-32.D.(6) for the location, species and size of large trees standing alone be waived.
9. That the requirement of CCS 260-32.D.(7) for proposed contours and for the elevations for the building floors be waived.
10. That the requirement of CCS 260-32.C.(4) and CCS 260-32.E.(3) for a notation on present Zoning Classification, Zoning Requirements and existing proposed setbacks be waived.
11. That the requirement of CCS 260-33.C.(1)(k) for showing the state highway width and legislative and traffic route numbers be waived.

8. Mr. Lynch reported that he received a letter from the applicant of CTDA Application No. 09-01 Record Plan Einstein at Elkins Park Moss Rehab accepting all Conditions, Notes and Waivers.

Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved Cheltenham Township Development Application No. 09-01 Record Plan Einstein at Elkins Park Moss Rehab subject to the following Conditions, Notes and Waivers:

A. CONDITIONS

1. That the plan be titled "Record Plan Einstein @ Elkins Park – Moss Rehab – Chiller Plan Replacement – 60 E. Township Line Road (Cheltenham Code Section "(CCS") 260-32.C.(1)).
2. That the text "Cheltenham Township Development Application No. 09-01" be added to the lower right hand corner of all plan sheets.
3. That the Zoning Relief granted by the Cheltenham Township Zoning Hearing Board under Appeal No. 3308 be noted on the Plan stating the date granted, Zoning Relief required and any conditions imposed on a plan sheet being recorded.
4. That new electric and telephone utilities be installed underground. (CCS 260-23.)
5. That the plan sheets be numbered consecutively and show its relationship to the total number of sheet as "Sheet No. 3 of 7."
6. That the following data be added to the plan:
  - a. Present Zoning Classification, Zoning Requirements and proposed setbacks, etc. (CCS 260-32.C.(4); 260-32.E.(3))
  - b. Note that elevation is based upon Cheltenham Township Sanitary Sewer Datum and Location/Elevation of Bench Mark; or, if on a different elevation datum, a Note stating the relationship between the plan elevation datum and the Cheltenham Township Sanitary Sewer Datum. (CCS 260-32.C.(6))
  - c. Names and widths of streets (CCS 260-32.D.(2))
  - d. Location of adjoining property lines and name of adjoining owners (CCS 260-32.D.(2))
  - e. Location of watercourses on or near property (label "Jenkintown Creek") (CCS 260-32.D.(2))
  - f. Location of underground utilities within development footprint (CCS 260-32.D.(2) and (4))

- g. Size/ownership/rights-of-way of underground utilities within property  
(CCS 260-32.D.(4))
  - h. Any rights-of-way within the property  
(CCS 260-32.D.(4))
  - i. Topography within development footprint on Cheltenham Township Sanitary Sewer Datum  
(CCS 260-32.D.(5))
  - j. Location/size/species of large trees standing alone within development footprint  
(CCS 260-32.D.(6))
  - k. Outlines of all wooded areas, quarries, marshy areas, floodplain areas  
(CCS 260-32.D.(6))
  - l. Proposed contours  
(CCS 260-32.D.(7))
  - m. Proposed elevations at all keypoints  
(CCS 260-D.(7))
  - n. Building setback lines  
(CCS 260-32.E.(8))
  - o. State highway width, legislative and traffic route numbers  
(CCS 260-33.C.(1)(k))
7. That the Township is in receipt of the Montgomery County Planning Commission Review of this Subdivision/Land Development.
  8. That the Temporary Spoil Material Stockpile locations be shown on the Plan.
  9. That all swales with slopes greater than 5% and all cut/embankment slopes greater than 4:1 being stabilized either with North American Green Erosion Control Blanket SC150 or approved equal or with sodding be shown on the plans.
  10. That the following boxed purpose note be added to a Plan Sheet being recorded:

**PURPOSE NOTE**

The purpose of this Record Plan is as follows:

11. That the concerns of the Fire Marshal for fire protection of the land development be satisfactorily addressed.
12. That the Plan Sheet size be reduced to 24" x 36".  
(CCS 260-33.B.(4)(a))
13. That, on the "List of Record Plans," indicate which plans are to be recorded.
14. That a tabulation of Zoning Hearing Board Appeals covering the Property listing ZHB Appeal No., Date of Decision, ZHB Action (Approval/Denial) and a brief description thereof, be added to a Plan Sheet being recorded.
15. That a tabulation of all Subdivision/Land Development ("SLD") Plans covering the Property listing CTDA No., CTWP Plan No., Township Approval Date, Recordation Date, brief description of SLD Plan be added to the plan.
16. That the following concerns with the "Cheltenham Township Zoning Standards" on Sheet CS0201 be addressed:
  - a. In "Minimum Side Yard" line, replace text "10 ft..." with text "20" (CCS 295-39.B.(2))
  - b. In "Minimum Rear Yard" line, replace text "30 ft." with text "25'."
17. That the following concerns with the General Notes ("GN") on Sheet CS1001 be addressed:
  - a. In GN 7., line 1, replace the text "These lots" with the text "This Property."

- b. In GN 9., line 2, replace the text “Ground level to splash blocks” with the text “Ground level and splash blocks.”
- c. In GN 10., last line, replace text “be consulting engineers permitted” with the text “be permitted.”
- d. Replace GN 20. with the following:

The Underground Retention System has been designed for the following impervious areas:

Lot	Existing Footprint	Proposed Building and Paving	Total Impervious
1	240 S.F.	2000 S.F.	2240 S.F.

The stormwater runoff from the “Proposed Building and Paving” shall be drained to the Underground Retention System.

If the “Total Impervious” area draining to the Underground Retention System exceeds that shown above, mitigating stormwater management measures shall be employed to insure no additional stormwater runoff occurs.

- e. Replace GN 21. with the following:

The underground Stormwater Management Facilities for this Project have been designed for 100% of the 100 Year Storm Design Flows from the net increase in impervious areas noted above.

If additional impervious areas (buildings, parking fields, walkways, etc.) are added to the property in the future, additional stormwater management measures, designed for 100% of the 100 Year Storm Design Flows from the net increase in the impervious areas, shall be employed to insure no additional stormwater runoff occurs.

- f. In GN 25., replace the text “Albert Einstein Medical Center” with the text “Property Owner(s)” wherever it occurs.
- g. In GN 26., line 1, replace the text “All existing proposed” with the text “All existing, proposed.”

- h. Replace GN 27. with the following:

The Underground Retention System shall be inspected at the following checkpoints:

- Inspection of trench sides and bottom prior to placement of geotextile
- Placement of geotextile, stone, and pipe.
- Connection of pipe to downspout collection system and to storm inlets.
- Backfilling over stone bed.
- Inspection of Charging Inlet

Two (2) working days notice must be given to arrange for inspection.

The Developer/Owner shall furnish the Township Engineer with weigh slips for each load of aggregate placed in the Underground Retention System.

The mouth of all inlet pipes to the Underground Retention System will be covered with a geotextile secured to the inlet with wood nailers; the geotextile screening shall remain in place until 75% of the pervious areas draining to the Underground Retention System have been permanently stabilized, at which time the geotextile screening shall be removed. If the geotextile screening is missing prior to the 75% stabilization point, the Developer/Owner shall reconstruct the Underground Retention System from the initial placement of the geotextile (including).

- i. Replace GN 28. with the following:

The Developer/Owner shall construct tree wells around any tree larger than 6" dbh within the Development Footprint that dies due to construction activities during the period from the start of construction to eighteen (18) months after the issuance of the Certificate of Occupancy for the Chiller Plant Building.

- j. Strike GN 32. and 33; do not renumber; insert text "Vacant."

18. That the "Limit of Disturbance" line be shown.
19. That the "Maintenance of Stormwater Facilities" notation on Sheet CS1501 be struck.

20. That Details/Notes be added to the Plan for the following:
  - a. Bollard
  - b. Asphalt lip
  - c. Geotextile screening in Charging Inlet
  
21. That the following concern(s) with "Planting Notes" ("PN") be addressed:
  - a. In PN 1., 2., and 10., replace the text "Landscape Architect" with the text "Landscape Architect and Township Engineer" wherever it occurs.
  
22. That the following concerns with Stormwater Management be addressed:
  - a. Provide detailed Stormwater Management calculations sealed by a Professional Engineer.
  - b. Use latest NOAA 100 Year Design Storm 24 Hour Rainfall Depth of 8.2".
  - c. Size Underground Retention System for 100% of 100 Year Design Storm runoff volume.
  - d. Relocate and sump Charging Inlet to intercept majority of runoff (75%+) from new paving.
  - e. Install asphalt lip along curb line to direct runoff to Charging Inlet.
  - f. Show "Snout" over mouth of pipe(s) in Charging Inlet that charges infiltration bed.
  - g. Provide 2' deep (min) grit pit in Charging Inlet (Follow "Snout" requirements).
  - h. Provide Detailed Elevation/Slope Data for Underground Detention System.
  - i. Provide screwed lid and concrete collar for Cleanouts.
  - j. Add Details/Notes on Underground Retention System installation/construction to the Plan.
  - k. Provide Details on Inverted Y and splash block.

1. Add the following boxed Operation and Maintenance of Underground Retention System Note to the plan Sheet being recorded.

#### OPERATION AND MAINTENANCE OF UNDERGROUND RETENTION SYSTEM

The Underground Retention System, as with all BMP's, requires routine inspection and maintenance throughout the life of the system. The principal maintenance objective is to prevent clogging of the system, which may lead to system failure.

Routine maintenance shall be performed every three months, as well as after each runoff producing event. This maintenance includes:

- Inspection of the pretreatment grit chamber (grit pits). Any accumulations of sediment and debris captured shall be removed. This may be done manually, or with a vacuum pump.
- Inlet points shall be inspected and kept clear of accumulated debris such as leaves and sticks.
- The Cleanouts shall be inspected after each runoff producing storm event. Water may appear in the cleanout; however, if it does not drain within three days, it may indicate a clogged drain field.

A more thorough inspection shall be performed annually. This inspection shall include monitoring of the Cleanouts after a storm event to confirm that the system is draining within the specified time. This shall be documented each year so that an indication of system clogging may be observed.

Normal maintenance of the "Snout" shall consist of annual inspection and rinsing with a hose or pressure washer during the cleaning sequence of the catch basin. In addition, the anti-siphon vent shall be flushed with water or air to verify that it is clear.

The Owner(s) and/or their on-site property management shall maintain the post construction Underground Retention System as noted above.

Inspection/maintenance logs shall be kept and maintained on a three-year rolling basis; copies of these logs shall be furnished to the Township Engineer upon demand.

A FAILED SYSTEM REQUIRES COMPLETE RE-EXCAVATION OF THE UNDERGROUND RETENTION SYSTEM, DISPOSAL AT AN APPROVED FACILITY OF ALL STONE AGGREGATE AND GEOTEXTILE, RE-SCARIFICATION OF TRENCH SIDES AND BOTTOM, PLACEMENT OF NEW GEOTEXTILE, PLACEMENT OF NEW CLEAN STONE AGGREGATE, RE-INSTALLATION OF CLEANED PIPING AND CHARGING INLET.

- m. Show Stormwater Management/Storm Drainage Facilities on plan sheet being recorded.
23. That the following concern(s) with "Sequence of Earthmoving Operations" Notation" be addressed:
- a. Replace Note A. with the following:
    - A. At least 7 days before starting any earth disturbance activities, the Operator shall invite all contractors involved in those activities, the Property Owner, the Township Engineer and the Erosion and Sediment Control Plan Preparer, to an on-site meeting. Also at least three days before starting any earth disturbance activities, all contractors involved in those activities shall notify the Pennsylvania One Call System Incorporated at 1-800-242-1776 for buried utilities locations.
24. That the following concern(s) with the "Erosion and Sediment Control Notes" be addressed:
- a. In Note 4., line 1, replace the text "Sediment removal form" with the text "Sediment removal from."
25. That the notation on the left hand side of sheet CS0201 be placed on Plan Sheet being recorded.
26. That a notation be added to the Plans stating the Manufacturer/Model/Size of the HVAC Units within the Development Footprint.
27. That the following concerns with landscaping be addressed:
- a. Add additional tree plantings in front of transformers (consider Pickly Holly, Evergreens, Japanese Holly, Mountain Laurel or Camellias).

- b. Submit revised Landscape Plan to Township Engineer for his review and approval.
- c. Remove compromised Hemlock noted by Mr. Barry.

A. NOTES TO BE ADDED TO THE PLAN VERBATIM

- 1. Neither Albert Einstein Medical Center, its successors in title or interest, Moss Rehab/Einstein at Elkins Park, its successors in title or interest, nor the contractor shall substitute alternative HVAC units for the noted existing and/or proposed HVAC units without the written authorization of the Township to do so. Alternative HVAC units must have a sound signature equivalent to the noted HVAC units.

B. WAIVERS TO BE GRANTED BY THE BOARD OF COMMISSIONERS

- 1. That the requirement of CCS 260-15. for sidewalks be waived.
- 2. That the requirement of CCS 260-30. for an Environmental Impact Study be waived except for Subsection D. relating to Noise.
- 3. That the requirement of CCS 260-32.D.(2) for depiction of Planimetric Data within 400' of the site be waived.
- 4. That the requirement of CCS 260-32.D.(4) for location, size and ownership of all underground utilities and any rights-of-way within the property except around the Development Footprint be waived.
- 5. That the requirement of CCS 260-32.D.(5) for topography within the site and within 400' of the site except around the Development Footprint be waived.

9. Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved a Change Order in the amount of \$17,777.50 to Campbell Thomas & Co., Philadelphia, PA. for services performed during the LaMott Homeowner Housing Rehabilitation Program.

10. Mr. Lynch reported that he received a letter from the applicant of CTDA Application No. 07-05 Record Plan Primex Proposed Parking Lot (Amended) accepting all Conditions, Notes and Waivers.

Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved Cheltenham Township Development Application No. 07-05 Record Plan Primex

Proposed Parking Lot – 431 W. Glenside Avenue (Amended) subject to the following

Conditions, Notes and Waivers:

A. CONDITIONS

1. That the plan be titled “Record Plan Primex Proposed Parking Lot - 431 W. Glenside Avenue.”  
(Cheltenham Code Section (“CCS”) 260-32.C.(1))
2. That the text “Cheltenham Township Development Application No. 07-05” be added to the lower right hand corner of all plan sheets.
3. That new electric and telephone utilities be installed underground.  
(CCS 260-23.)
4. That monuments be shown at locations designed by the Township Engineer. (CCS 260-24.)
5. That the plan sheets be numbered consecutively and show its relationship to the total number of sheets as “Sheet No. 3 of 7.”  
(CCS 260-32.B.(3))
6. That the following data be added to the plan:
  - a. A legend clearly denoting existing and proposed features.  
(CCS 260-32.B.(5))
  - b. Names and address of the Owner. (CCS 260-32.C.(2))
  - c. Present Zoning Classification, Zoning Requirements and proposed setbacks, etc. for both lots.  
(CCS 260-32.C.(4)); 260-32.E.(3))
  - d. North Point (CCS 260-32.C.(5))
  - e. North Point to Location Map. (CCS 260-32.C.(5))
  - f. Note that elevation is based upon Cheltenham Township Sanitary Sewer Datum and Location/Elevation of Bench Mark; or, if on a different elevation datum, a Note stating the relationship between the plan elevation datum and the Cheltenham Township Sanitary Sewer Datum.  
(CCS 260-32.C.(6))
  - g. Names and widths of streets. (CCS 260-32.D.(2))
  - h. Location and names of railroads. (CCS 260-32.D.(2))

- i. Location of adjoining property lines and name of adjoining owners. (CCS 260-32.D.(2))
  - j. Location of underground utilities on or near development footprint. (CCS 260-32.D.(2) and (4))
  - k. Location of existing pipes and monuments. (CCS 260-32.D.(3))
  - l. Size/ownership/rights-of-way of underground utilities within property. (CCS 260-32.D.(4))
  - m. Any rights-or-way within the property. (CCS 260-32.D.(4))
  - n. Location and character of existing buildings. (CCS 260-32.D.(6))
  - o. Proposed contours (CCS 260-32.D.(7))
  - p. Proposed elevations at all keypoints. (CCS 260-32.D.(7))
  - q. Building setback lines. (CCS 260-32.E.(8))
7. That the Township is in receipt of the Montgomery County Planning Commission review of this Subdivision/Land Development.
  8. Vacant
  9. That the Owner's Acknowledgement Block be added to the plans. (Two Owner's Acknowledgement Blocks if different Owners for Lot Nos. 1 and 2.)
  10. That the Township's Approval Block be added to the plans.
  11. That the Surveyor's Certificate of Accuracy be added to the plans.
  12. That the Engineer's Certificate of Design be added to the plans.
  13. That the Montco Planning Data Block be added to the plans.
  14. That the Recordation Data Block be added to the plans.
  15. That a Net-Iso Lumen Contour (or Values) Plan be provided for the site illumination on this Land Development.
  16. That the locations of all exterior lighting fixtures within Development Footprint be shown and details on same be added to the plans.

17. That the following boxed purpose note be added to these plans:

PURPOSE NOTE:

The purpose of this Record Plan is as follows:

18. That the concerns of the Fire Marshal for fire protection of the land development be satisfactorily addressed.
19. That the maximum illumination at the Glenside Avenue curb line be no greater than 2.0 footcandle.
20. That pavement traffic directional arrows and Details/Notes thereof be shown on the plans.
21. That the property boundary of 435 W. Glenside Avenue be shown on Dwg. No. SK1. (CCS 260-32.D.(1))
22. That a Location Map be added to Dwg. No. SK1.
23. That 431 W. Glenside Avenue be labeled as Lot No. 1 and 435 W. Glenside Avenue as Lot No. 2.
24. That a boxed BMP Operation and Maintenance Note be added to a plan sheet being recorded.
25. That the Stormwater Management System be shown on a plan sheet to be recorded.
26. That the parking lot layout be identical on all plan sheets.
27. That the Bearings and Distances be shown on the Lot Nos. 1 and 2 boundary lines on Dwg. No. SK 1. (CCS 260-32.B.(2); CCS 260-32-D.(1))
28. That the Zoning District boundary lines be clearly shown.
29. That the following concerns with Stormwater Management be addressed:
- a. Number storm inlets on both lots.
  - b. Label proposed inlet on Lot #1 as a Type C Inlet with Grit Pit and "Snout."

- c. Add Details/Notes on Type C Inlet, Grit Pit and "Snout."
  - d. Add Profiles on storm pipes going from inlet to U/G Detention Basin and from U/G Detention Basin to Storm Manhole.
  - e. Overflow pipe invert for U/G Detention Basin must be at El. 272.0 or greater.
  - f. Provide one (1) Percolation Test.
  - g. Show 6" overflow pipe as Class 52 Ductile Iron Pipe.
  - h. Extend curbing on southeast side of proposed parking lot so all runoff drains to inlet.
30. That the following concerns with the Traffic Circulation Pattern ("TCP") be addressed:
- a. Hold TCP shown on Dwg. No. SK1: one way in at access lane nearest to Glenside Avenue; one way out at northernmost access lane.
  - b. Show "One-Way" and "Do Not Enter" signs at appropriate locations; provide Details/Notes on signage.
31. That the following concerns with landscaping be addressed:
- a. Provide screening along Glenside Avenue in accordance with CCS 295-221.B.3. (Planning Commission Condition)
  - b. Set back parking (including curbing therefore) 10' from legal R/W. (CCS 295-221.B.5.a.)
  - c. Show parking space striping as "Clothes Pin" striping and add Details/Notes thereof to plans.
  - d. Show parking space aisle width at 24' for 90 degree parking (or one of the other permitted widths for angled parking.) (CCS 295-221.C.2.c.)
  - e. Provide Landscape Plan for Township Engineer's review and approval.
32. That the proposed parking lot conform to the requirements of the Zoning Code. (CCS 295-260-31.)
33. That Details/Notes be provided on the proposed fencing that crosses the proposed parking lot at Parking Spaces 7 and 18.

34. That, if any signage is being proposed, its location and details thereof be added to the plans.

B. NOTES TO BE ADDED TO THE PLAN VERBATIM

1. This Land Development/Subdivision shall be constructed in accordance with all Cheltenham Township Ordinances.
2. All proposed improvements (roads, grading, paving, curbing, storm sewer pipe, inlets, manholes, etc.) shall be constructed in accordance with applicable portions of the PennDOT Publication 408 Standards and Specifications and with all Township standards and specifications.
3. These drawings indicate the approximate location of existing subsurface utilities in the vicinity of the Development Footprint and are not guaranteed for accuracy and/or completeness. Pennsylvania Act 38 requires that contractors determine the location of all utility, sewerage and water lines before commencing construction (1-800-242-1776) File \_\_\_\_\_.
4. All new public utilities, including but not limited to, electric, gas and telephone, shall be placed underground within the Land Development/Subdivision. Such utilities shall be installed in strict accordance with the prevailing standards and practices of the utility or other company providing service, except where it is demonstrated to the satisfaction of the Board of Commissioners that underground installations are not feasible because of physical conditions of the land.
5. Any utility conflicts with proposed construction are to be brought to the immediate attention of the Township Engineer and the Engineer of Record. All existing utilities that are to be relocated or altered in any manner are to be done in accordance with the respective utility company standards. All existing utilities exposed during construction are to be supported until backfill is in place. Any crossing less than one foot clear is to be supported with a saddle (concrete or sand as noted).
6. The Township has reviewed and approved the Storm Drainage System, the Stormwater Management System and the Erosion and Sedimentation Control Plan. However, site conditions may dictate that during construction, additional silt fence, other methods of sediment control or stormwater management measures or storm drainage measures may be required. Therefore, the Township may direct the installation of additional means of stormwater management and/or erosion and sediment control and/or storm drainage to prevent poor drainage and/or discharge of sediment from the site be made.
7. It shall be the responsibility of the property owner to properly maintain, repair and/or replace the stormwater management facilities located on its property. The maintenance, repair and/or replacement of the stormwater

management facilities shall be to the degree considered satisfactory by the Township.

8. During construction, the Developer/Owner is solely responsible for insuring the proper functioning of the erosion and sediment control measures. The Developer/Owner shall take whatever measures are required to insure that no sediment leaves the site.
9. The Developer/Owner shall be responsible for supervising debris disposal from all contractors on the site (whether employed by the Developer/Owner or not) from the start of construction to the issuance by the Township of the Certificate of Occupancy. The Developer/Owner shall bear the expense of any cleanup operations indicated by the Township.
10. No debris disposal pits shall be permitted.
11. No open burning shall be permitted.
12. This plan supersedes (in part) the Cheltenham Township Plan No. U-380, dated 10/24/1991, Revised, thru 8//18/94 and recorded on \_\_\_\_\_ in the Office of the Recorder of Deeds in and for Montgomery County, Pennsylvania, in Landsite Book No. \_\_\_\_\_, Page No. \_\_\_\_\_.
13. If either lot undertakes construction activity (utility repair, etc.) on the adjoining lot for its sole beneficial use, the lot performing the construction activity shall restore the disturbed areas on the adjoining lot to original or better condition.
14. All exterior lighting fixtures shall be shielded to deflect lighting from adjacent residential properties and from passing motorists.
15. The initial appearance of any note language, tables, details, etc. that is repeated within this plan set shall be taken as the definitive version of such note language, tables, details, etc.; subsequent versions of such note language, tables, details, etc. within the plan set are void insofar as they conflict within initial version.
16. The Landscaping installed in accordance with this Plan Set shall be subject to the following requirements:
  - a. No trees or plantings shall be removed without written permission from the Township Engineer;
  - b. The property owner shall appropriately maintain the trees and plantings; the Township may direct the property owner to take

appropriate measures to maintain the trees and plantings if the Township deems it necessary;

- c. If any of the trees or plantings die, the property owner shall replace same on a one for one basis with trees and/or plantings acceptable to the Township Engineer; the minimum replacement tree size shall be 2" to 3" caliper trees.
17. All existing, proposed and future HVAC units shall be shielded with Appropriate sound baffling materials, as approved by the Township Engineer, if the sound emanating therefrom is objectionable to the neighbors.
  18. The Underground Detention System shall be inspected at the following checkpoints:
    - . Inspection of trench sides and bottom prior to placement of geotextile
    - . Placement of geotextile, stone, and pipe.
    - . Connection of pipe to storm inlets.
    - . Backfilling over stone bed.

Two (2) working days notice must be given to arrange for inspection.

The Developer/Owner shall furnish the Township Engineer with weigh slips for each load of aggregate placed in the Underground Detention System.

The mouth of all inlet pipes to Underground Detention System will be covered with a geotextile secured to the inlet with wood nailers; the geotextile screening shall remain in place until 75% of the pervious areas draining to the Underground Detention System have been permanently stabilized, at which time the geotextile screening shall be removed. If the geotextile screening is missing prior to the 75% stabilization point, the Developer/Owner shall reconstruct the Underground Detention System from the initial placement of the geotextile (including).

19. The Developer/Owner shall replace any curb and/or sidewalk along its road frontages identified by the Township as having to be replaced pursuant to the requirements of Cheltenham Code, Chapter 255, prior to the Certificate of Occupancy being issued for the proposed building.
20. The Township Engineer or his designee shall have the right to inspect the proposed site improvements on Lot Nos. 1 and 2 and to direct the Owner/Developer to correct any deficiencies;

21. The Township Engineer shall be notified, in writing, two (2) calendar weeks prior to the placement of any landscape materials in order for the Township Engineer or his designee to arrange for and inspect the landscape materials.

No landscape materials shall be placed without being inspected and approved by the Township Engineer or his designee.

All rejected landscape materials shall be immediately removed from the site and replaced with acceptable landscape materials. No substitutions for landscape materials are accepted unless approved by the Township Engineer, in writing.

22. CERTIFICATE OF ACCURACY

I, \_\_\_\_\_, hereby certify that I am a Professional Land Surveyor in the State of Pennsylvania and that the plan shown and described hereon, consisting of \_\_\_\_\_ sheets, represents a survey made by \_\_\_\_\_ and is true and correct to the accuracy required by accepted surveying standards and practices and by the Cheltenham Township Subdivision and Land Development Regulations to the extent it describes the bearings and distances of the property, the location of planimetric features, and that the existing monuments shown herein actually exist and that their positions are accurately shown.

\_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Professional Land Surveyor

PA License No. \_\_\_\_\_

23. CERTIFICATE OF DESIGN

I, \_\_\_\_\_, hereby certify that I am a Professional Engineer (Land Surveyor), that the site design conforms to all applicable Subdivision and Zoning Regulations, and that site design meets accepted design standards and practices.

\_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Professional Engineer

PA. License No. \_\_\_\_\_

24. Acknowledgement where the owner or owners are individuals, all shall join in an acknowledgement substantially as follows:

COMMONWEALTH OF PENNSYLVANIA :  
 : SS  
COUNTY OF MONTGOMERY :

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20 \_\_\_\_\_,  
BEFORE ME, THE SUBSCRIBER, A NOTARY PUBLIC OF THE  
COMMONWEALTH OF PENNSYLVANIA, RESIDING IN

\_\_\_\_\_, PERSONALLY APPEARED  
\_\_\_\_\_, KNOWN TO ME TO BE THE PERSON WHOSE  
NAME IS SUBSCRIBED TO THE FOREGOING PLAN, AND  
ACKNOWLEDGE THAT HE/SHE IS THE REGISTERED OWNER OF  
THE DESIGNATED LAND, THAT ALL NECESSARY APPROVALS  
OF THE PLAN HAVE BEEN OBTAINED AND IS ENDORSED  
THEREON, AND THAT HE/SHE DESIRES THAT THE FOREGOING  
PLAN BE DULY RECORDED ACCORDING TO LAW. WITNESS  
MY HAND AND NOTARIAL SEAL THE DAY AND YEAR  
AFORESAID.

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
(SEAL)  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

25. APPROVAL NOTATION

EXECUTED BY THE BOARD OF COMMISSIONERS OF  
CHELTENHAM TOWNSHIP THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 20\_\_\_ SUBJECT AND CONDITIONED UPON  
THE RECORDING OF THIS PLAN IN THE OFFICE OF THE  
RECORDER OF DEEDS OF MONTGOMERY COUNTY, WITHIN  
90 DAYS OF THE DATE THEREOF. APPROVED PURSUANT  
TO RESOLUTION OF THE BOARD OF COMMISSIONERS  
ADOPTED \_\_\_\_\_.

ATTEST: \_\_\_\_\_  
SECRETARY PRESIDENT

26. RECORDING NOTATION

Recorded in the Office for the Recording of Deeds, etc., Norristown, PA., in Deed Book \_\_\_\_\_, Page No. \_\_\_\_\_ on \_\_\_\_\_

27.

**MCPC No.** \_\_\_\_\_

PROCESSED and REVIEWED. A report has been prepared by the Montgomery County Planning Commission in accordance with the Municipalities Planning Code.

Certified this date \_\_\_\_\_

\_\_\_\_\_  
For the Director

**MONTGOMERY COUNTY PLANNING COMMISSION**

28. Reciprocal Blanket Cross-Easements on Lot Nos. 1 and 2 in favor of the adjoining parcel are hereby created for the following:

- a. For the unrestricted use of parking spaces on the adjoining lot.
- b. For unrestricted access to the adjoining site.
- c. For any and all utilities that cross the common lines of Lot Nos. 1 and 2 that are shown on this Record Plan or that exist as the date of the final inspection of the proposed site improvements.

C. WAIVERS TO BE GRANTED BY THE BOARD OF COMMISSIONERS

- 1. That the requirement of CCS 260-30.G.(3) for a report from a qualified Real estate appraiser on property values, density or population and character and aesthetics be waived.
- 2. That the requirement of CCS 260-32.D.(2) for depiction of Planimetric data within 400' of the site be waived.

3. That the requirement of CCS 260-32.D.(4) for location, size and ownership of all underground utilities and any rights-of-way within the property except around the Development Footprint be waived.
4. That the requirement of CCS 260-32.D.(5) for depiction of topography within 400' of the site be waived.
5. That the requirement of CCS 260-32.D.(5) for topography within the site except around the Development Footprint be waived.
6. That the requirement of CCS 260-32.D.(7) for the elevations for the building floors be waived.

11. Upon motion of Mr. Swavola, and unanimously approved by the Committee, the Public Works Committee Regular Meeting Minutes dated February 10, 2009, were accepted.

12. Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted **Resolution No. 8-09** authorizing the filing of a grant application for the Township's Sanitary Sewer Infiltration and Inflow Remediation Project, Phase V.

**CHELTENHAM TOWNSHIP  
RESOLUTION NO. 8-09**

**AUTHORIZING THE FILING OF A MATCHING GRANT APPLICATION  
TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND  
ECONOMIC DEVELOPMENT UNDER THE H2O PA GRANT PROGRAM  
FOR THE TOWNSHIP'S SANITARY SEWER INFILTRATION AND INFLOW  
REMEDIATION PROJECT, PHASE V.**

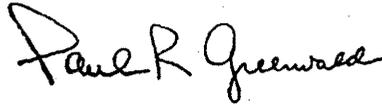
**Be it RESOLVED**, that the Township of Cheltenham of Montgomery County, Pennsylvania, hereby requests an H2O PA Grant of \$524,050.25 from the Commonwealth Financing Authority to be used for infrastructure improvements associated with the Township's Sanitary Sewer Infiltration and Inflow Remediation Project, Phase V, which is being completed in accordance with the corrective action plan prepared by the Township and approved by the Pennsylvania Department of Environmental Protection Pursuant to the Consent Order and Agreement dated June 7, 2006.

**Be it FURTHER RESOLVED**, that the Applicant does hereby designate Paul R. Greenwald, President of the Board of Commissioners of the Township of Cheltenham and David G. Kraynik, Township Manager/Secretary as the 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.

I, David G. Kraynik, 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 as a regular meeting held on February 17, 2009, at Curtis Hall, Church Road and Greenwood Avenue, Wyncote, PA, and said Resolution has been recorded in the Minutes of the Township of Cheltenham and remains in effect as of this date.

**IN WITNESS THEREOF**, I affix my hand and attach the seal of the Township of Cheltenham on this 17<sup>th</sup> day of February, 2009.

TOWNSHIP OF CHELTENHAM  
BOARD OF COMMISSIONERS

By: 

Paul R. Greenwald, President



David G. Kraynik, Secretary/Manager

(SEAL)

13. Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted **Resolution No. 9-09** authorizing the filing of a grant application for Relocation and Realignment of a Sanitary Sewer Line in conjunction with SEPTA's Bridge 1012 replacement project.

**CHELTENHAM TOWNSHIP  
RESOLUTION NO. 9-09**

**AUTHORIZING THE FILING OF A MATCHING GRANT APPLICATION  
TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC  
DEVELOPMENT UNDER THE H2O PA GRANT PROGRAM FOR RELOCATION  
AND REALIGNMENT OF A SANITARY SEWER LINE**

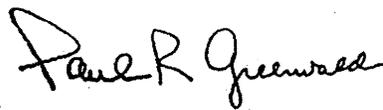
**Be it RESOLVED**, that the Township of Cheltenham of Montgomery County, Pennsylvania, hereby requests an H2O PA Grant of \$503,608.50 from the Commonwealth Financing Authority to be used for the relocation and realignment of a municipally-owned sanitary sewer line that crosses the existing SEPTA right-of-way to be completed in conjunction with the replacement of the SEPTA-owned Jenkintown Bridge No. 1012.

**Be it FURTHER RESOLVED**, that the Applicant does hereby designate Paul R. Greenwald, President of the Board of Commissioners of the Township of Cheltenham and David G. Kraynik, Township Manager/Secretary as the 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.

I, David G. Kraynik, 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 as a regular meeting held on February 17, 2009, at Curtis Hall, Church Road and Greenwood Avenue, Wyncote, PA, and said Resolution has been recorded in the Minutes of the Township of Cheltenham and remains in effect as of this date.

**IN WITNESS THEREOF**, I affix my hand and attach the seal of the Township of Cheltenham on this 17<sup>th</sup> day of February, 2009.

TOWNSHIP OF CHELTENHAM  
BOARD OF COMMISSIONERS



By: \_\_\_\_\_  
Paul R. Greenwald, President  
Board of Commissioners

ATTEST:



\_\_\_\_\_  
David G. Kraynik, Secretary/Manager

(SEAL)

14. Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted a **Resolution No. 11-09** authorizing the disposition of certain Township records.

## TOWNSHIP OF CHELTENHAM RESOLUTION NO. 11-09

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 APPROVED ON JULY 16, 1993.

**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 in 1993, 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 records according to Pennsylvania statutory requirements in accordance with the schedule of the Municipal Records Manual (MRM) issued by the Local Government Records Committee, as follows:

BOX #	YEAR(S) OF RECORD	<i>RECORD TYPE</i>	YEAR END TO DESTROY	MRM REF.
<b>ACCOUNTING DEPARTMENT</b>				
880	1998-2001	A-F Payables	2008	Ch. 6
883	2001	R-Z Payables	2008	Ch. 6
864	1999-2000	Quarterly Payroll Reports	2008	Ch. 6
881	2001	Payables	2008	Ch. 5
329,747, 829	1984, 1998, 2001	Payroll Journals	2008	Ch. 6
786, 832	1998 - 2000	Tax Transmittals, ACN Copies, Daily Cash Receipts	2008	Ch. 5
789,790,791	1999	Cash Receipt Envelopes, Alarm Permits	2008	Ch. 6
No Box #	1999	Secretary & Direct Dep. Rep.	2008	Ch. 6
779,805, 806, 807	2000, 2001	Payroll Time Sheets	2008	Ch. 6
759	1998	Daily Envelopes May-Aug	2008	Ch. 6
803	2000	Monthly Payroll Journals	2008	Ch. 5
758, 760, 819 843,844, 845	1998, 2000, 2001	Daily Envelopes	2008	Ch. 6

804	2001	Ck Req., Payables. Accounting Reports, Jour. Entries	2008	Ch. 6
830	2001	Payroll Journals, Direct Dep., Sect. Reports	2008	Ch. 5, 6
614,757	1994,1998	Daily Sheets, Receivables, Yr. End, Receivable Listing	2008	Ch. 6
882	2001	P-Q Payables	2008	Ch. 6
842	2000	Payables, Void Cks. Ins., ATT	2008	Ch. 6
748	1998-1999	Corp. Health Individuals. Copies of Payment	2008	Ch. 6
704	1997	Daily Cash Envelopes	2008	Ch. 6
707	1997	Daily Sheets, Receivables, Month End	2008	Ch. 6
708	1997	Police Detail, Daily Sheets, DJ Report	2008	Ch. 6
814	1998-2000	Insurance, Deduction Checks	2008	Ch. 6
821	2000	Cashier Daily Report Details	2008	Ch. 6
822	1999	Daily Sheets, receivables, Year End	2008	Ch. 6
(2) No Box #	1999, 2000	Daily Work	2008	Ch. 6
(2) No Box #	1995-1996	Payroll Register Binder	2008	Ch. 6
No Box #	1999	Secretary & Direct Deposit Report, Journal Entry, Secretary Report, ACN Reports, Receivable Listing, Voided Check Requests, AT & T Copies of Payment	2008	Ch. 6

## TAX OFFICE

Box 7	Years Prior to 2001	Tax Duplicates	2008	Ch. 7
Box 8	Years Prior to 2001	Earned Income Tax and Transmittal Records	2008	Ch. 7
Box 7	Years Prior to 2001	Real Estate Tax payment records	2008	Ch. 7
Box 1,2	Years Prior to 2000	Letters and correspondence	2008	Ch. 7
Box 3,4,5	Years Prior to 2001	Business Privilege Tax Files for Filers who went out of business	2008	Ch. 7
Box 6	Years Prior to 2001	Deed Transfers, A/P and Closeouts	2008	Ch. 7

<b>POLICE DEPARTMENT</b>				
No Box #	Years Prior to 2003	Traffic and Non Traffic (Summary) Citations	2008	Ch. 8, §4
No Box #	Years Prior to 2008	Incident Reports (IRFs), except those involved in a criminal case file	2008	Ch. 8, §6
No Box #	Years Prior to 2008	Daybook Sheets	2008	Ch. 8, §11
No Box #	Years Prior to 2004	Accident Reports, except those involved in a criminal case file	2008	Ch. 8, §18
No Box #	Years Prior to 2007	PA Uniform Crime Reporting	2008	Ch. 8, §19
No Box #	Years Prior to 2007	Cell Supervision Sheets	2008	Ch. 8, §22
No Box #	Years Prior to 2004	Purchase Orders	2008	Ch. 6, § 21
No Box #	Years Prior to 2007	Patrol Logs	2008	Ch. 8, §10
No Box #	Years Prior to 2007	Incident Cards and Index Cards	2008	Ch. 8, §12
862	1999	Parking Tickets 99201-114800	2008	Ch. 6, §18
<b>PUBLIC WORKS DEPARTMENT</b>				
3027 & 3028	2001	Employee Daily Time Sheets	2008	Ch. 5, §14
3029 & 3030	2001	Employee Time Cards	2008,	Ch. 5, §14
3031	2001	Employees Vehicle Accident Reports	2008	Ch. 5, §14
3032	2001	Employees Personal Injury Reports	2008	Ch. 5, §14
3033	2001	Department Files of Employees that Left Employment 1999	2008	Ch. 5, §14
3035	2001	Waste Authority Records	2008	Ch. 13, §14
3034	2001	Street Light Repair	2008	Ch. 12, §16
3036	2001	Fuel Records	2008	Ch. 6, 12
877	1989-1999	Accu Weather, Res Permit Parking Curb, Sewer Inspections, Corres.	2008	Ch. 12, §2
873	1994-1999	Street Opening Permit Apps Curb & Sidewalk Permit Apps	2008	Ch. 12, §15
<b>EMS DEPARTMENT</b>				
2 Boxes	Years Prior to 2001	Incident Cards and Reports	2008	Ch. 10, §7
	2001	Emergency Medical Treatment Records (Trip Sheets)	2008	Ch. 10, §6
<b>FIRE DEPARTMENT</b>				
1 Box	Years Prior to 2001	Fire Marshal Reports	2008	Ch. 9
<b>PROPERTY DEPARTMENT</b>				
No Box #	1984-2000	Purchase Orders	2008	Ch. 6, §21
No Box #	1984-2000	PO's Monthly Reports	2008	Ch. 6, §21

**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 approved on July 16, 1993.

DONE IN ELKINS PARK, PENNSYLVANIA, under my hand and the Seal of the Township  
of Cheltenham this 17<sup>th</sup> day of February, A.D., 2009.

TOWNSHIP OF CHELTENHAM

ATTEST:

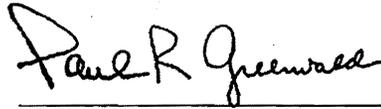


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David G. Kraynik  
Township Manager/Secretary

(SEAL)

BY:



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Paul Greenwald, President  
Board of Commissioners

15. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Public Affairs Committee Regular Meeting Minutes dated February 3, 2009 were received.

16. Upon motion of Mr. Portner, the Board of Commissioners unanimously adopted Ordinance No. 2178-09 amending Chapter 285 thereof, entitled "Vehicles and Traffic".

ORDINANCE NO. 2178-09

**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 **DELETING** the following:

- |                  |    |                                |
|------------------|----|--------------------------------|
| STRATFORD AVENUE | A. | STOP STREET at Woodlawn Avenue |
| STRATFORD AVENUE | B. | STOP STREET at Old York 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:

- |                  |    |  |
|------------------|----|--|
| STRATFORD AVENUE | A. | STOP STREET at Coventry Avenue;<br>at Mill Road; at Mountain Avenue;<br>at Old York Road; at Woodlawn<br>Avenue. |
|------------------|----|--|

**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.

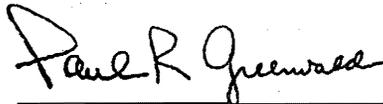
**SECTION 4.** This Ordinance shall take effect and be in force from and after its approval as required by law.

**ENACTED** into an Ordinance this 17th day of February, A.D., 2009.

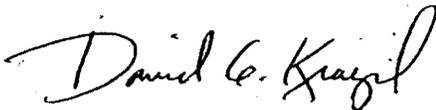
TOWNSHIP OF CHELTENHAM

ATTEST:

BY:



Paul Greenwald, President  
Board of Commissioners



David G. Kraynik  
Township Manager/Secretary

17. Upon motion of Mr. Portner, and unanimously approved by the Board of Commissioners, the Public Safety Committee Regular Meeting Minutes dated February 3, 2009, were received.

18. Upon review of the Building and Zoning Committee Meeting Minutes dated February 3, 2009, Mr. Sharkey recommended that the Committee's recommendation on Appeal No. 3317 be corrected to state that the Committee recommended a motion of "no action" and not a motion "to deny" and that in the following sentence, the word "however" be stricken, and the sentence begin as "If relief is granted...".

19. Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted **Resolution No. 11-09** establishing a Board of Appeals for the purpose of hearing appeals from the decisions of the Code Administrator.

**CHELTENHAM TOWNSHIP**

**RESOLUTION NO. 11-09**

**A RESOLUTION ESTABLISHING A BOARD OF APPEALS  
PURSUANT TO ACT 45 OF 1999 AND ORDINANCE NO.  
2059-04 FOR THE PURPOSE OF HEARING APPEALS  
FROM DECISIONS OF THE CODE ADMINISTRATOR.**

**WHEREAS**, pursuant to Act 45 of 1999 and Ordinance No. 2059-04, Cheltenham Township has adopted the Uniform Construction Code, contained in 34 Pa. Code, Chapters 401-405, as amended from time to time, as the building code of Cheltenham Township; and

**WHEREAS**, Cheltenham Township has elected, as stated in Ordinance No. 2059-04, to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §§7210.101-7210.1103, as amended from time to time, and its regulations; and

**WHEREAS**, pursuant to Act 45 of 1999 and Ordinance No. 2059-04, Cheltenham Township shall establish a Board of Appeals by resolution for the purpose of hearing appeals from decisions of the code administrator; and

**WHEREAS**, pursuant to Act 45, the necessary qualifications of the members comprising the Board of Appeals are set forth in Chapter 1 of the 1999 BOCA National Building Code, Fourteenth Edition; and

**NOW, THEREFORE, BE IT RESOLVED** that the Cheltenham Township Board of Appeals is hereby established to perform the duties set forth in Chapter 1 of the 1999 BOCA National Building Code, Fourteenth Edition; and

**PROVIDED, FURTHER**, that the following individuals are hereby appointed members of the Board of Appeals, for the terms indicated, for the purpose of hearing appeals from decisions of the code administrator:

<u>Name</u>	<u>Term</u>
Dr. Ray Bavi	5 years
David Kratzer, AIA	4 years
Steve Lit, P.E.	3 years
Charles Bailey	2 years

Charles Jowers

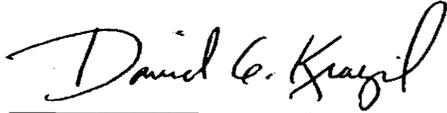
1 year

**PROVIDED, FURTHER**, that the following individuals are each appointed for five (5) year terms as alternate members: Richard M. Echevarria and Gary Bachman.

**RESOLVED**, this 17th day of February, 2009 by the Board of Commissioners of Cheltenham Township.

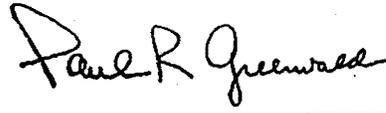
**CHELTENHAM TOWNSHIP**

Attest:



David G. Kraynik, Secretary

By:



Paul R. Greenwald, President  
Board of Commissioners

20. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Building and Zoning Committee Regular Meeting Minutes dated February 3, 2009 were received as amended.

21. Upon motion of Mr. McKeown, and unanimously approved by the Board of Commissioners, the Parks and Recreation Committee Regular Meeting Minutes dated February 10, 2009 were received.

22. **Under New Business:**

a. Christopher Corcoran of PNC Capital Markets and Manrico Troncelliti, Esq., Bond Counsel, discussed refunding of the Township's 2001, 2003 and 2004A General Obligation Bonds.

Mr. Corcoran reviewed the following:

- o Current market trends
- o Cheltenham's excellent AA3 rating by Moody's
- o The Moody's rating excludes the Township from needing insurance, which will result in a savings of \$70,000
- o Said bonds would be bank qualified
- o Attractive rates for borrowers
- o Five (5) year call feature
- o Approximately \$370,000 in savings; \$200,000 of which will be realized in 2009

Mr. Troncelliti circulated a final version of the ordinance, and explained certain aspects of it including maturities, mandatory redemptions, bond scale, paying agent, depository trust company provisions, and the execution procedures for the various documents.

Mr. Simon noted the elimination of a date and a grammatical error on page 19.

b. Upon motion of Mr. Portner, the Board of Commissioners unanimously adopted **Ordinance No. 2179-09** authorizing the incurring of non-electoral debt for the refunding of the Township's 2001, 2003 and 2004A General Obligation Bonds in the aggregate principal amount of \$8,620,000 (see attached).

c. Mr. Portner asked the Board to give consideration to a possible future ordinance regarding post-retirement health benefits for former Township Commissioners.

d. 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 of Commissioners as follows:

<u>Human Relations Committee</u>	<u>Term Expiration</u>
Billy Robert Williams, 1805 Chelsea Road, Elkins Park	January 1, 2010

Upon motion of Mr. Portner, the Board of Commissioners unanimously approved the appointments as submitted by the Board President.

**23. Under Citizens Forum:**

a. Residents expressed opinions on SEPTA's plan to build a parking garage at the Jenkintown/Wyncote Train Station as follows:

Allan Lundy, 108 Cliff Terrace, stated that residents who reside in the area of the train station have particular concerns. He urged the Commissioners to attend SEPTA's February 24, 2009 meeting to present its plan. He questioned the reason the Commissioners would consider such a plan and the Township's gain. Mr. Portner responded that Mr. Lundy was premature in presuming that the Commissioners are considering accepting a plan that has not yet been formally presented to the Township so there is nothing to which the the Commissioners can comment.

It was Mr. Lundy's understanding that the plan is a relatively polished one with dates set for construction and that SEPTA has spent a lot of money and is committed to this project. Ms. Olga McHugh, 127 Hewett Road, was informed that the project will be shovel ready by 2010.

Mr. Greenwald commented that this project resulted from a planning grant that SEPTA received. The Township and residents formed a Steering Committee that had numerous

meetings and participated in a feasibility study that included a 900-car garage, which was unacceptable, and SEPTA reduced the plan to 700 cars. The February 24<sup>th</sup> meeting is for SEPTA to present its plan to the public, not the Township. SEPTA's meeting with Jenkintown was to update the Jenkintown Borough Council. Being shovel ready by 2010 does not necessarily mean that the project will start at that time. There will be additional public meetings. Mr. Greenwald stated that he was not prepared to answer questions this evening, and if he attended the meeting, he would do so as a listener

Emily McHugh, 101 Cliff Terrace, did not feel that there was anything for the community to gain from this project. It would be a matter of people who live elsewhere coming into the community, parking cheaply, and increasing crime.

Dorothy Stone, 221 Maple Avenue, asked on behalf of the community, that when the Township addresses the project for the rebuilding of the bridge over Greenwood Avenue that it not be bundled with the parking garage, which is a plan to which SEPTA has expressed an interest so that the two projects could be constructed faster. Ms. Stone respectfully insisted, for the record, that the two issues be completely separate, not bundled.

Thomas McHugh, 127 Hewett Road, thanked the Township Manager for his assistance in getting SEPTA to change the start time of its February 24 meeting from 7:30 pm to 6:30 pm. At the Jenkintown meeting, SEPTA indicated that the plan was not preliminary but almost complete.

Olga McHugh, 127 Hewett Road, reported that she was told by a Congressional official that PennDOT has the money, and SEPTA is working on the final plan, which should be completed shortly. According to Ms. McHugh, SEPTA's Project Manager advised Jenkintown Borough Council that the plan is in the final phase, which is not what the Commissioners are saying tonight. She felt it was incumbent on the Commissioners to find out what is going on. In

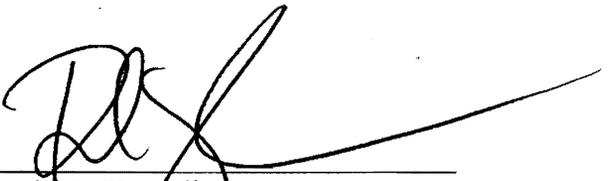
her opinion, property values are going down; neighbors do not want an ugly Norristown or Fern Rock transportation center, which they feel are similar to what is being planned for Wyncote, such as a brick façade with rusting bolts; and the garage will take up the entire footprint of the current parking lot.

b. Robert Landau, 313 Ashbourne Road, was concerned about the salary of the Township's Tax Collector. He stated that he took the Township's former tax collector to court in the past to find out the salary of that office. He estimated the previous Tax Collector's salary to be \$150,000. The Tax Collector asked the School District for a salary increase, which he later withdrew. He does not respond to any questions about his salary. He felt it was important in these economic time that the Commissioners ask the Tax Collector to provide his salary and for the Commissioners to decide whether or not the Township should continue providing him with an office and equipment, and possibly sharing the Tax Collector's expenses with other taxing authorities.

c. Joseph Lewis, 1408 Wistar Drive, felt that the Township needed to tighten its belt. It was his opinion that employees are using Township vehicles to go home, which is a savings to the employee and a cost to the taxpayers. He asked the Township to address hiring and salary freezes; retirement insurance payments; decrease in property values; property reassessments would cut down on taxes; and obtaining funding from the Stimulus Package. Mr. Kraynik reported that shovel ready projects have been submitted to the county and state so that the Township is prepared when Stimulus Package money filters down. Mr. Greenwald explained that reassessment decreases affects the overall Township assessment. Mr. Greenwald explained the Township's AA3 bond rating and reported that there is no negative outlook for the Township.

d. Loretta Leader, 542 W. Glenside Avenue, reported possible zoning violations at the Towers of Wyncote since August 2008. There have been two (2) trailers on wheels and with lights at the Towers of Wyncote along with a banner that reads “luxury apartments” and “sale of beer”.

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



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David G. Krzywik  
Township Manager

as per Anna Marie Felix



PUBLIC ATTENDANCE LIST



# Board of Commissioners Meeting

Tuesday, February 17, 2009 @ 7:30 P.M.

Curtis Hall

Church Road & Greenwood Avenue, Wyncote, PA 19095

(Please Print Clearly)

Print Name	Mailing Address	Telephone Number	E-mail Address
RLANDA U			
Alyse Tambender	102 glenview Ave Wyncote PA	215 484 9823	ae.zbrassociates@gmail.com
T. J. Dunn	135 Webster Ave Wyncote	215 481 0363	
Emily McHugh Jacob Stine	101 Cliff Ter Wyncote, PA 19095	215-277-5733	mchugh.emily@gmail.com
GEORGE BRANTZ ROBT. ROSENAN	BRIAR HOUSE ELKINS PARK	215-576-8454	
Gail Post Frank Slesinski	106 Cliff Terrace Wyncote, Pa.	215 884-8601	gkpost@verizon.net
Allan Lundy	108 Cliff Ter	215-885-5373	
John		215-884-8200	
Tom & Olga McHugh	127 Hewett Rd.	215 485 9592	
Mary Beth Carroll	123 Piedmill Rd. 1408	215-884-0781	MBCarroll@aol.com
Joe Kreis	60522 Dr	215-576-6378	
D. Westall	1036 Rock Creek		

Name  
BRITTINGHAM

Address  
7740 GREEN  
VALLEY RD

Telephone  
215-887-3848

E-Mail

1. WATSON

1519 WISTAR 215-886-4924

2. Paul Blacken

1512 WISTAR JR 215-572-5692

**ORDINANCE**  
**TOWNSHIP OF CHELTENHAM**  
**Montgomery County, Pennsylvania**

**ORDINANCE NO. 2179-09**

TO AUTHORIZE AND DIRECT THE INCURRING OF NON-ELECTORAL DEBT THROUGH THE ISSUANCE OF TOWNSHIP OF CHELTENHAM GENERAL OBLIGATION BONDS, SERIES OF 2009 (THE "2009 BONDS"), IN THE MAXIMUM PRINCIPAL AMOUNT OF \$8,620,000 FOR THE PURPOSE OF PROVIDING FUNDS FOR AND TOWARD THE PAYMENT OF THE COSTS OF A PROJECT (THE "2009 PROJECT") CONSISTING OF: (1) THE CURRENT REFUNDING OF CERTAIN OF THE TOWNSHIP'S PREVIOUSLY ISSUED AND OUTSTANDING GENERAL OBLIGATION BONDS, SERIES OF 2001 AND SERIES OF 2003 AND THE ADVANCED REFUNDING OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES OF 2004A; AND (2) ALL COSTS OF ISSUANCE RELATED TO THE 2009 BONDS; STATING THE PURPOSE OF ISSUING THE 2009 BONDS; DECLARING THE USEFUL LIFE OF THE 2009 PROJECT; AUTHORIZING THE INCURRING OF NON-ELECTORAL DEBT TO BE EVIDENCED BY THE ISSUANCE OF THE 2009 BONDS; AUTHORIZING THE PRESIDENT OR VICE PRESIDENT OF THE BOARD OF COMMISSIONERS AND THE TOWNSHIP SECRETARY TO FILE WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT THE DEBT STATEMENT AND BORROWING BASE CERTIFICATE REQUIRED UNDER THE DEBT ACT; DESIGNATING THE 2009 BONDS AS THE TOWNSHIP GENERAL OBLIGATION BONDS TO BE ISSUED IN FULLY REGISTERED FORM IN THE DENOMINATIONS OF FIVE THOUSAND DOLLARS AND INTEGRAL MULTIPLES THEREOF; PROVIDING FOR BONDS WITHIN SUCH MATURITIES AND VARYING RATES OF INTEREST AS SPECIFIED IN THE SUCCESSFUL NEGOTIATED SALE; AUTHORIZING THE PRESIDENT OR VICE PRESIDENT OF THE BOARD OF COMMISSIONERS AND THE TOWNSHIP SECRETARY TO EXECUTE THE 2009 BONDS AND THE PAYING AGENT TO AUTHENTICATE THE 2009 BONDS AND PROVIDING FOR THE DELIVERY OF THE 2009 BONDS; PROVIDING FOR THE MANDATORY AND OPTIONAL REDEMPTION OF THE 2009 BONDS IN ACCORDANCE WITH THE SCHEDULE CONTAINED IN THE ACCEPTED PURCHASE PROPOSAL; STATING THAT THE TOWNSHIP WILL ASSUME AND AGREE TO PAY ANY TAX OR TAXES WHICH THE TOWNSHIP OR THE DIRECTOR OF FISCAL AFFAIRS MAY BE REQUIRED TO PAY THEREON; COVENANTING TO INCLUDE THE ANNUAL AMOUNT OF PAYMENT WITH ANY TAXES COVENANTED TO BE PAID ON THE 2009 BONDS IN THE TOWNSHIP'S BUDGET AND TO PAY PRINCIPAL AND INTEREST ON THE 2009 BONDS WHEN DUE; PLEDGING THE FULL FAITH CREDIT AND TAXING

POWER OF THE TOWNSHIP FOR SUCH BUDGETING, APPROPRIATION AND PAYMENT; ESTABLISHING A SINKING FUND WITH RESPECT TO THE 2009 BONDS; REQUIRING THE DIRECTOR OF FISCAL AFFAIRS OF THE TOWNSHIP TO DEPOSIT THEREIN ON CERTAIN DATES THE AMOUNTS REQUIRED FOR DEBT SERVICE AND ASSUMED TAXES; APPOINTING THE BANK OF NEW YORK, MALVERN, PENNSYLVANIA, AS PAYING AGENT; COVENANTING THAT IT WILL MAKE NO INVESTMENT OR OTHER USE OF THE PROCEEDS WHICH CAUSE THE 2009 BONDS TO BE ARBITRAGE BONDS WITHIN THE MEANING OF SECTION 148 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; FINDING THAT A PRIVATE SALE OF THE 2009 BONDS BY NEGOTIATION IS IN THE BEST FINANCIAL INTEREST OF THE TOWNSHIP; PROVIDING FOR THE 2009 BONDS TO BE SOLD AT SUCH SALE UPON RECEIPT OF AN ACCEPTABLE PROPOSAL; PROVIDING FOR ACCEPTANCE OF A PROPOSAL AUTHORIZING THE DELIVERY OF THE 2009 BONDS TO THE PURCHASER UPON RECEIPT OF THE ACCEPTED PURCHASE PRICE; ALLOWING ENFORCEABILITY OF THE REMAINDER OF THE ORDINANCE IF SECTIONS OF IT ARE FOUND TO BE ILLEGAL, INVALID, OR UNENFORCEABLE; DESIGNATING THE 2009 BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AUTHORIZING THE TOWNSHIP TO ENTER INTO A CONTINUING DISCLOSURE AGREEMENT; REPEALING PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; REQUIRING NOTICE TO RATING AGENCIES OF AMENDMENTS TO THE ORDINANCE; ADOPTING THE FORM OF THE 2009 BONDS WITH SUCH AMENDMENTS AND ADDITIONS AS MAY BE REQUIRED.

WHEREAS, the Board of Commissioners of the Township of Cheltenham, Montgomery County, Pennsylvania (the "Township"), desires to incur debt in the amount of Eight Million Six Hundred Twenty Thousand Dollars (\$8,620,000), without the assent of the electors and to issue General Obligation Bonds, Series of 2009 (the "2009 Bonds") in evidence of such debt for the purpose of providing funds for and toward a project (the "2009 Project") consisting of (1) the current refunding of certain of the Township's previously issued and outstanding General Obligation Bonds, Series of 2001 and Series of 2003 and the advanced refunding of the Township's General Obligation Bonds, Series of 2004A (the "Refunded Bonds"); and (2) all costs of issuance related to the 2009 Bonds; and

WHEREAS, such incurrence of authorized debt by the Township will not, when aggregated with the existing net non-electoral debt of the Township, result in a violation of the limitations of the Constitution of the Commonwealth of Pennsylvania or of 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"); and

WHEREAS, the Board of Commissioners of the Township (the "Board") has determined that it is desirable and in the best interests of the Township to sell the 2009 Bonds at private negotiated sale, as authorized by Section 8161(a) of the Act; and

WHEREAS, the Township has invited PNC Capital Markets, Inc. (the "Underwriter") to make a proposal with respect to the purchase of the 2009 Bonds at private negotiated sale; and

WHEREAS, the Board has received a negotiated proposal from the Underwriter for the purchase of the 2009 Bonds specifying a purchase price of \$8,538,204.60 or 99.05% of the par value, representing the par amount of \$8,620,000.00 less net original issue discount of \$38,805.10 less Underwriter's discount of \$56,030.00 with a "net interest cost" of \$1,750,932.50 and a "net interest rate" of 3.813% (as those terms are

used in Section 8169 of the Act), in each case assuming a settlement date of March 18, 2009, which was read aloud at the meeting; and

WHEREAS, the Board deems it in the best interests of the Township that the aforesaid proposal to purchase the 2009 Bonds be accepted; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF CHELTENHAM AND IT IS HEREBY ENACTED AND ORDAINED BY THE AUTHORITY OF SAID BOARD THAT:

**Section 1.** The corporate authorities of the Township do hereby authorize and direct the incurring of non-electoral debt through the issuance of General Obligation Bonds, Series of 2009, in the aggregate principal amount of Eight Million Six Hundred Twenty Thousand Dollars (\$8,620,000), for the purposes of providing funds for and towards (1) the current refunding of certain of the Township's previously issued and outstanding General Obligation Bonds, Series of 2001 and Series of 2003 and the advanced refunding of the Township's General Obligation Bonds, Series of 2004A (the "Refunded Bonds"); and (2) the payment of all costs of issuance related to the 2009 Bonds (collectively the "2009 Project").

The purpose of the refunding issue and for refunding the Refunded Bonds is to obtain debt service savings over the life of the issue, as prescribed in the Act.

The Township shall from the proceeds of the 2009 Bonds deposit any accrued interest received in the Sinking Fund for application to the payment of the interest on the 2009 Bonds on the next succeeding Interest Payment Date, pay the costs of issuance of the 2009 Bonds, and the proceeds then remaining shall be made available to the Township for the purposes set forth above.

**Section 2.** The average useful life of the projects previously funded earlier by the Refunded Bonds was in excess of twenty-five (25) years. The term of the 2009 Bonds is 14.75 years. Therefore, the term of the 2009 Bonds is less than the remaining useful life of the projects funded by the Refunded Bonds. No portion of the proceeds of the

2009 Bonds is being used to pay for projects whose useful life is less than the term of that portion of the 2009 Bonds for which they are issued.

**Section 3.** Pursuant to Section 8110 of the Act, the President or Vice President of the Board and the Secretary, and their respective successors, are hereby authorized and directed to prepare or cause to be prepared, certify and file with the Department of Community and Economic Development of the Commonwealth of Pennsylvania, a debt statement and borrowing base certificate and, if deemed appropriate, an application for exclusion of subsidized or self-liquidating debt, and the Township shall certify to and send to the Department of Community and Economic Development an accurate copy of the proceedings held for increasing the debt of the Township, and shall take all such further action as may be required by the Act for the purpose of obtaining said Department's approval of said increase of debt.

**Section 4.** The 2009 Bonds shall be issued in fully registered form, without coupons, in the denomination of \$5,000 each or in integral multiples of \$5,000 thereof, shall be numbered from 1 upward, shall be dated March 1, 2009, shall bear interest from such date or from the most recent date to which interest has been paid until payment of the principal sum has been made or provided for upon redemption or at maturity, payable initially on July 1, 2009 and semi-annually thereafter on January 1 and July 1 of each year (each an "Interest Payment Date"), at the rates of interest per annum and shall mature on July 1 of the years and in the amounts, as follows:

<u>YEAR OF MATURITY</u>	<u>PRINCIPAL AMOUNT</u>	<u>INTEREST RATE</u>
July 1,		
2009	210,000.00	2.000%
2010	525,000.00	2.000%
2011	525,000.00	2.000%
2012	535,000.00	2.200%
2013	555,000.00	2.350%
2014	570,000.00	2.550%
2015	585,000.00	2.700%
2016	605,000.00	3.000%
2017	980,000.00	3.100%

2022	1,105,000.00	4.000%
2024	2,425,000.00	4.250%

The 2009 Bonds maturing on or after July 1, 2015 shall be subject to redemption, in whole or in part, in any order of maturity and in any principal amount within a maturity, prior to their respective maturities at the option of the Township at any time on or after July 1, 2014 upon payment of a redemption price of 100% of the principal amount, plus unpaid interest accrued to the date fixed for redemption. The 2009 Bonds maturing on July 1 of the years 2022 and 2024 are subject to mandatory redemption prior to maturity by lot on July 1 of the years indicated from moneys to be deposited in the Sinking Fund provided herein at a redemption price equal to 100% of the principal amount thereof together with interest accrued to the date fixed for redemption. Specific provisions of the mandatory redemption are set forth in the form of bond contained in this Ordinance.

Any such redemption shall be made by notice thereof sent by the Paying Agent, hereinafter appointed, by first class mail, postage prepaid, to the registered owners of the 2009 Bonds at the registered addresses set forth on the bond registry books kept by the Paying Agent not less than thirty (30) days before the date fixed for such redemption, unless notice thereof is waived in writing by the registered owners of the 2009 Bonds so called for redemption. Any notice of redemption shall state the redemption date and redemption price and shall identify the 2009 Bonds to be redeemed and shall further state that, on such redemption date, the redemption price, together with accrued interest, shall be payable at the principal corporate trust office of the Paying Agent and that, from such date thereon, interest shall cease to accrue. If the Township shall have caused notice of redemption to be so mailed (or if such notice has been so waived) and shall have deposited funds sufficient for redemption, the 2009 Bonds so called for redemption shall become due and payable on the date fixed for redemption, and interest shall cease to accrue thereon on the date fixed for redemption, whether such 2009 Bonds shall be presented for payment or not. Any defect in any such

notice or in the mailing thereof shall not affect the validity of any redemption of the 2009 Bonds as to which proper notice of redemption shall be given.

**Section 5.** The principal of the 2009 Bonds shall be payable at the corporate trust office in Malvern, Pennsylvania, or such other place as the Paying Agent may designate, of the Paying Agent hereinafter appointed, or the corporate trust office of any successor paying agent appointed by the Township pursuant to the Act.

Interest on the 2009 Bonds shall be paid by check drawn upon the Paying Agent and mailed, on each Interest Payment Date as defined in Section 4 of this Ordinance, to the addresses of the registered owners of the 2009 Bonds as recorded on the registration books maintained at the corporate trust office of the Paying Agent in Malvern, Pennsylvania, or such other location as the Paying Agent may designate, as of the close of business on the fifteenth (15th) day (whether or not a business day) next preceding each Interest Payment Date (the "Record Date"), notwithstanding any exchange or transfer thereof by the registered owners subsequent to the record date and prior to the Interest Payment Date. If and to the extent there shall be a default in the payment of the interest due on an Interest Payment Date, such defaulted interest shall be paid to the registered owners in whose name the 2009 Bonds (or any bonds issued upon transfer or exchange thereof) are registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed to the registered owners not less than fifteen (15) days preceding such special record date. Any notice of a special record date will be mailed to the person in whose name the 2009 Bonds are registered at the close of business on the fifth (5th) day next preceding the date of mailing.

Any payments of principal or interest on the 2009 Bonds shall be in such coin or currency as at the respective times of payment shall constitute legal tender for the payment of public and private debts, without deduction for any tax or taxes except gift, estate, succession or inheritance taxes or any other taxes not levied directly on the 2009 Bonds, or the income therefrom, of which the Township may be required to pay thereon

or retain therefrom under or pursuant to any present or future law of the Commonwealth of Pennsylvania.

**Section 6.** The 2009 Bonds shall be executed with the facsimile signature of the President or Vice President of the Board, attested with the facsimile signature of the Township Secretary or the Township Assistant Secretary, and shall have affixed thereto a facsimile of the corporate seal of the Township. No 2009 Bond shall be valid or enforceable unless such bond has been authenticated by the certificate endorsed thereon, manually signed by an officer of the Paying Agent appointed in Section 11 of this Ordinance. The President or Vice President of the Board and the Secretary or Assistant Secretary of the Township are hereby authorized to execute the 2009 Bonds and the Paying Agent is hereby authorized to authenticate and deliver the 2009 Bonds as directed by the Underwriter.

So long as the 2009 Bonds are in book-entry form, the following provisions will apply:

(a) The 2009 Bonds, upon original issuance, will be issued in the form of a single, fully registered bond for each maturity, in the denomination equal to the principal amount of 2009 Bonds maturing on each such date, and will be delivered to The Depository Trust Company, New York, New York ("DTC") or its nominee, Cede & Co. Each such 2009 Bond will be registered on the registration books kept by the Paying Agent, as registrar and transfer agent, in the name of DTC or, at DTC's option, in the name of Cede & Co., as nominee of DTC; provided that if DTC shall request that the 2009 Bonds be registered in the name of a different nominee, the Paying Agent shall exchange all or any portion of the 2009 Bonds for an equal aggregate principal amount of 2009 Bonds registered in the name of such nominee or nominees of DTC. No person other than DTC or its nominee shall be entitled to receive from the Township or the Paying Agent either a 2009 Bond or any other evidence of ownership of the 2009 Bonds, or any right to receive any payment in respect thereof unless DTC or its nominee shall transfer record ownership of all or any portion of the 2009 Bonds on the registration

books maintained by the Paying Agent in connection with discontinuing the book-entry system, as provided below or otherwise.

(b) The execution and delivery by the Township of the Blanket Letter of Representations (the "Representation Letter") shall not in any way create, expand or limit any undertaking or arrangement contemplated or provided for herein in respect of DTC or the book-entry registration, payment and notification system or in any other way impose upon the Township or the Paying Agent any obligation whatsoever with respect to beneficial owners having interests in the 2009 Bonds, any such obligation extending solely to DTC, as sole bondholder, as shown on the registration books kept by the Paying Agent. The Paying Agent shall take all action necessary for all representations of the Township in the Representation Letter with respect to the Paying Agent to be complied with at all times.

(c) So long as the 2009 Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all payments of principal or redemption price of, and interest on, the 2009 Bonds shall be made to DTC or its nominee in accordance with the Representation Letter on the dates provided for such payments under this Ordinance in immediately available funds. All payments made by the Paying Agent to DTC or its nominee shall fully satisfy the Township's obligations to pay principal and interest, and any applicable redemption premium, on the 2009 Bonds to the extent of such payments, and no beneficial owner of any 2009 Bond registered in the name of DTC or its nominee shall have any recourse against the Township or the Paying Agent hereunder for any failure of DTC or its nominee or any participant therein to remit such payments to the beneficial owners of such 2009 Bonds.

(d) If all or fewer than all 2009 Bonds of a maturity are to be redeemed, the Paying Agent shall notify DTC within the time periods required by the Representation Letter. If fewer than all 2009 Bonds of a maturity are to be redeemed, DTC shall determine by lot the principal of each DTC participant's interest in the maturity of 2009 Bonds to be redeemed. In the event of the redemption of less than all

of the 2009 Bonds outstanding, the Paying Agent shall not require surrender by DTC or its nominee of the Bonds so redeemed, but DTC (or its nominee) may retain such 2009 Bonds and make an appropriate notation on the 2009 Bond certificate as to the amount of such partial redemption; provided that in each case, the Paying Agent shall request, and DTC shall deliver to the Paying Agent, a written confirmation of such partial redemption, and thereafter the records maintained by the Paying Agent shall be conclusive as to the amount of the 2009 Bonds of such maturity which have been redeemed.

(e) The book-entry system for registration of the ownership of the 2009 Bonds may be discontinued at any time if either: (i) after written notice to the Township and the Paying Agent, DTC determines to resign as securities depository for the 2009 Bonds; or (ii) after written notice to DTC and the Paying Agent, the Township determines that continuation of the system of book-entry transfers through DTC (or through a successor securities depository) is not in the best interests of the holders of the 2009 Bonds. In either of such events, the Paying Agent shall cause certificates to be prepared for delivery to such beneficial owners, or their nominees, making such adjustments and allowances as it may find necessary or appropriate as to the date of such certificates, accrued interest and previous calls for redemption. The names, addresses of record and taxpayer identification numbers of the beneficial owners shall be furnished to the Paying Agent by DTC, or such other securities depository then acting as such, and the Paying Agent may conclusively rely upon such information in delivering certificates to beneficial owners. In such event, all references to DTC herein shall relate only to the period of time when DTC has possession of at least one 2009 Bond, and shall be applicable only to such 2009 Bond so held.

(f) In the event of a change in the identity of DTC, the Paying Agent shall request any successor securities depository to present to the Township and the Paying Agent written evidence satisfactory to the Township and the Paying Agent with respect to its ability to discharge its responsibilities. Any such successor securities

depository shall be a securities depository which is registered as such under the United States Securities Exchange Act of 1934, as amended, or other applicable statute or regulations, and has complied with all applicable requirements thereof (or, if there are no such requirements with respect to the 2009 Bonds, the Township may permit a successor securities depository with comparable qualifications, upon evidence satisfactory thereof being delivered to the Township and the Paying Agent). The Paying Agent, upon its receipt of a 2009 Bond certificate from DTC for cancellation, shall cause the authentication and delivery of 2009 Bond certificates to the successor securities depository (or its nominee) in appropriate denominations, and form as authorized hereunder.

**Section 7.** Until 2009 Bonds in definitive form are ready for delivery, the proper officers of the Township may execute, and upon their request in writing, the Paying Agent shall authenticate and deliver in lieu of the 2009 Bonds in definitive form and subject to the same provisions, limitations and conditions, one or more printed or typewritten bonds in temporary form, substantially of the tenor of the 2009 Bonds herein before described in fully registered form, without coupons and with appropriate omissions, variations and insertions. Such bond or bonds in temporary form may be for the principal amount of Five Thousand Dollars (\$5,000) or any whole multiple or multiples thereof, as such officers may determine. The aforesaid officers, without unnecessary delay, shall cause 2009 Bonds in definitive form to be prepared, executed and delivered to said Paying Agent, and thereupon, upon presentation and surrender of the bond or bonds in temporary form, said Paying Agent shall authenticate and deliver, in exchange therefor, 2009 Bonds in definitive form in authorized denominations for the same aggregate principal amount and bearing interest at the same rate per annum as the bond or bonds in temporary form surrendered. Such exchange shall be made by the Township at its own expense and without any charge therefor to the holders thereof. When and as interest is paid upon the bond or bonds in temporary form, the fact of

such payment shall be endorsed thereon. Until so exchanged, the temporary bond or bonds shall be in full force and effect according to its or their terms.

**Section 8.** The 2009 Bonds, as general obligations of the Township, shall be payable from unlimited ad valorem taxes on property in the Township taxable for Township purposes. The Township hereby covenants with the registered owners of the 2009 Bonds that the Township shall include the amount of the debt service on the 2009 Bonds for each fiscal year of the Township in which such sums are payable in its budget for such year, shall appropriate such amounts from its general revenues for the payment of such debt service, and shall punctually pay or cause to be paid from the Sinking Fund established for the 2009 Bonds hereunder or any of its other revenues or funds the principal of and interest on every 2009 Bond at the dates and places or in the manner stated in the 2009 Bonds, according to the true intent and meaning thereof, and for such budgeting, appropriation and payment, the Township hereby pledges its full faith, credit and taxing power. This covenant shall be specifically enforceable.

**Section 9.** If the Township shall fail or refuse to make any required deposit in the sinking fund established by Section 10 of this Ordinance, or to satisfy any of the covenants herein contained, the Paying Agent may, and upon request of the registered owners of 25% of the principal amount of the 2009 Bonds then outstanding, upon being furnished with indemnity satisfactory to it against the expenses and possible liabilities in connection with the duties thereby accepted, shall, exercise any remedy provided in the Act or at law or in equity for the benefit of all registered owners of the 2009 Bonds and shall disburse all funds so collected to the persons entitled to receive payments pursuant to the terms of the 2009 Bonds as provided in the Act, subject to any limitations contained in Subchapter D thereof. If the Paying Agent is willing at such time to serve and exercise the powers conferred upon a trustee appointed in the manner provided in Section 8263 of the Act, subject as aforesaid, such representation shall be exclusive for the purposes therein and in the Act provided.

**Section 10.** A sinking fund is hereby established designated "Sinking Fund - Township of Cheltenham General Obligation Bonds, Series of 2009" (the "Sinking Fund"), which shall be held by the Paying Agent segregated from all other funds of the Township. The Township, except as otherwise provided herein, shall deposit in the Sinking Fund, not later than 11:00 AM on the date at least five (5) days prior to the date when interest or principal is to become due on the 2009 Bonds, a sufficient part of each above-mentioned appropriation so that, on each such payment date, the Sinking Fund will contain, together with any other available funds therein, sufficient moneys to pay in full interest and principal then due on the 2009 Bonds. The Sinking Fund shall be secured and invested by the Paying Agent in securities or deposits authorized by the Act, upon direction of the Township, all as provided in the Act. Said deposits and securities shall be in the name of the Township, but subject to withdrawal or collection only by the Paying Agent, and said deposits and securities, together with the interest thereon, shall be a part of the Sinking Fund. The Paying Agent is authorized and directed to pay from the Sinking Fund the principal of and interest on the 2009 Bonds when due and payable.

**Section 11.** The Bank of New York, Malvern, Pennsylvania, is hereby appointed paying agent, sinking fund depository and registrar for the 2009 Bonds (the "Paying Agent"). The President or Vice President and Secretary of the Board are hereby authorized to contract with the Paying Agent for its services as Paying Agent, Sinking Fund Depository and Registrar pursuant to Section 8103(a)(2)(viii) of the Act. The Paying Agent is hereby authorized and requested, upon written order of the President or Vice President of the Board or other authorized officer of the Township, to authenticate the 2009 Bonds and deliver them to the purchaser thereof designated in such order.

**Section 12.** The Township covenants with the registered owners of the 2009 Bonds that (i) no part of the proceeds of the 2009 Bonds shall at any time be used directly or indirectly to acquire securities or obligations the acquisition of which would

cause the 2009 Bonds to be "arbitrage bonds" as defined in Section 103(b)(2) and Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or any similar statutory provision or any rule or regulation promulgated thereunder, such that the interest on the 2009 Bonds would no longer be exempt from Federal income tax and (ii) it will comply with each applicable requirement of the Code to the extent required to maintain the exemption from Federal income taxation of the interest payable on the 2009 Bonds under Section 103(a) of the Code, including, without intending to limit the generality of the foregoing, compliance with its obligations, if any, to rebate arbitrage profits applicable to the 2009 Bonds under Section 148(f) of the Code. The Township is authorized to comply with such procedures as may be recommended by its duly appointed bond counsel in complying with the provisions of such Section 148(f). This Ordinance and the Act as in force from time to time shall constitute a contract between the Township and the registered owners of the 2009 Bonds. Said contract may be modified with the consent of the registered owners of a majority in principal amount of the 2009 Bonds then outstanding, provided that no such modification may be made which would reduce the percentage required for consent or affect the rights of the registered owners of less than all of the outstanding 2009 Bonds or modify the terms of payment of or the rate of interest payable on the 2009 Bonds without the consent of the registered owners of all of the 2009 Bonds then outstanding.

**Section 13.** The Board hereby finds that a private negotiated sale is in the best interest of the Township.

**Section 14.** The proposal of PNC Capital Markets, Inc., Philadelphia, Pennsylvania, (the "Underwriter"), dated the date hereof, for the purchase of the 2009 Bonds at private negotiated sale, at the price and in accordance with the other terms and conditions contained in such proposal, is hereby accepted, and the 2009 Bonds are hereby awarded to the Underwriter, said acceptance and award being conditioned, however, upon all parts of this Ordinance becoming effective and the Department of Community and Economic Development of the Commonwealth of Pennsylvania

approving the incurrence of debt to be evidenced by the 2009 Bonds. As set forth in such proposal, the 2009 Bonds are purchased at a price of \$8,538,204.60 consisting of the par amount of the 2009 Bonds, plus accrued interest from March 1, 2009 until the settlement date in the amount of \$13,039.70, less net original issue discount of \$38,805.10 as well as Underwriter's discount of \$56,030.00 (such amount being 99.05% of the par amount thereof) with a "net interest cost" of \$1,750,932.50 and a "net interest rate" of 3.813% and assuming a settlement date of March 18, 2009. The officers of the Township are hereby authorized to endorse the acceptance of the Township upon such proposal, to deliver a copy, as so endorsed, to the Purchaser and to cause a copy of such proposal to be attached to this Ordinance.

The President or Vice President of the Board and their respective successors are further authorized and directed to deliver the 2009 Bonds to the Underwriter upon fulfillment of the aforementioned conditions and receipt of the purchase price payable under such proposal, and, in connection therewith, the proper officials of the Township are hereby authorized to execute the necessary affidavits and all such other papers, including the preliminary official statement and official statement of the Township, to pay the costs of issuing the 2009 Bonds, and otherwise take such other action as may be necessary or convenient to make settlement or as may be required in the issuance of the 2009 Bonds.

**Section 15.** In case any one or more provisions contained in this Ordinance or in the 2009 Bonds issued pursuant hereto 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 Ordinance or of said 2009 Bonds, and this Ordinance or said 2009 Bonds shall be construed and enforced as if such invalid, illegal or unenforceable provision were never contained therein.

**Section 16.** The Township designates the 2009 Bonds as qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Township reasonably anticipates that it will not, during the

calendar year in which the 2009 Bonds are issued, issue in excess of \$10,000,000 of tax-exempt obligations as calculated by and within the meaning of Section 265(b)(3) of the Code.

**Section 17.** The appropriate Township officials are hereby authorized and directed to enter into a program of continuing disclosure to and in compliance with Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934. The appropriate Township officials are hereby authorized to enter into a Continuing Disclosure Agreement in order to implement such program of continuing disclosure. The Township covenants and agrees that it will comply with and carry out all the provisions of the Continuing Disclosure Agreement.

**Section 18.** All ordinances or parts thereof insofar as they are inconsistent herewith are hereby repealed or rescinded.

**Section 19.** Any rating agency rating the 2009 Bonds must receive notice of each amendment to the Ordinance and a copy thereof at least fifteen (15) Business Days in advance of its execution or adoption.

**Section 20.** The 2009 Bonds, the Paying Agent's certificate of authentication, the endorsement and the form of instrument of transfer of the 2009 Bonds shall be substantially in the form shown as follows:

*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]*

[FORM OF BOND]

NO.

\$

UNITED STATES OF AMERICA  
COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF MONTGOMERY  
TOWNSHIP OF CHELTENHAM  
GENERAL OBLIGATION BOND, SERIES OF 2009

INTEREST RATE	MATURITY DATE	INITIAL DATED DATE	CUSIP
%	JULY 1, 2009	MARCH 1, 2009	

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The Township of Cheltenham, Montgomery County, Pennsylvania (the "Township"), for value received, hereby acknowledges itself indebted and promises to pay the Registered Owner hereof on the Maturity Date shown hereon, upon surrender hereof, the Principal Amount hereof unless this 2009 Bond shall be redeemable and shall have been duly called for earlier redemption and payment of the redemption price made or provided for, and to pay interest thereon, from March 1, 2009 or from the most recent Interest Payment Date (as defined below) to which interest has been paid or provided for until maturity or redemption prior to maturity as herein provided at the annual rate shown hereon. The Principal Amount of this 2009 Bond is payable upon presentation and surrender hereof at the corporate trust office of The Bank of New York, Malvern, Pennsylvania (the "Paying Agent").

Interest, calculated on the basis of a 360 day year of twelve 30-day months, is payable semiannually on January 1 and July 1 of each year (each an "Interest Payment Date") accrued at the Interest Rate set forth above from the Interest Payment Date to which interest has been duly paid or provided for next preceding the date of authentication hereof, unless the date of authentication: (i) is a date after a Record Date (hereinafter defined) and before the next succeeding Interest Payment Date, in which event this 2009 Bond shall bear interest from the next succeeding Interest Payment Date, or (ii) is an Interest Payment Date to which interest has been duly paid or provided for, in which event this 2009 Bond shall bear interest from the date of authentication hereof, or (iii) is prior to July 1, 2009, in which event this 2009 Bond shall bear interest from March 1, 2009 or unless, as shown on the records of the Paying Agent, interest on the 2009 Bonds shall be in default, in which event such 2009 Bond will bear interest from the date on which interest was last paid. Interest on this 2009 Bond will be paid on each Interest Payment Date by check drawn on the Paying Agent and mailed to the person in

whose name this 2009 Bond is registered on the bond registry books maintained by the Paying Agent as bond registrar, at the address appearing thereon, at the close of business on the fifteenth (15th) day (whether or not a business day) next preceding each Interest Payment Date (the "Record Date"), irrespective of any transfer or exchange of such 2009 Bond subsequent to the Record Date and prior to such Interest Payment Date unless the Township shall default in the payment of interest due on such Interest Payment Date. In the event of such default, such defaulted interest will be payable to the person in whose name the 2009 Bond is registered at the close of business on a special record date for the payment of the defaulted interest established by notice mailed or by or on behalf of the Township not less than fifteen (15) days preceding such special record date. Notice of the special record date will be mailed to the person in whose name the 2009 Bonds are registered at the close of business on the fifth (5th) day preceding such special record date. The principal of this 2009 Bond shall be payable to the registered owner, upon surrender hereof, at the corporate trust office of the Paying Agent. All payments of principal and interest shall be paid in such money of the United States of America as shall, at the time of payment, be legal payment of public and private debts. If any Interest Payment Date or the Date of Maturity is not a business day, payment shall be made on the next succeeding business day with the same force and effect as if made on the nominal date of payment.

REFERENCE IS HEREBY MADE TO THE FURTHER PROVISIONS OF THIS 2009 BOND SET FORTH ON THE REVERSE SIDE HEREOF, WHICH PROVISIONS SHALL HAVE THE SAME EFFECT AS IF SET FORTH IN FULL ON THE FACE SIDE OF THIS 2009 BOND AT THIS PLACE.

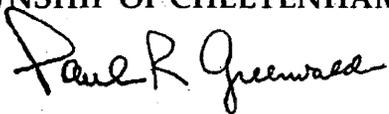
This 2009 Bond shall not be valid or become obligatory for any purpose until it shall have been authenticated by the certificate endorsed hereon, manually signed by the Paying Agent.

IN WITNESS WHEREOF, the Township of Cheltenham has caused this 2009 Bond to be executed by the facsimile signature of the President of the Board of Commissioners and a facsimile of its corporate seal to be hereunto affixed, duly attested by the facsimile signature of the Township Secretary.

Attest:

By:   
David G. Kraynik, Secretary  
Township of Cheltenham

TOWNSHIP OF CHELTENHAM

By:   
Paul R. Greenwald, President  
Board of Township Commissioners

**[REAR OF BOND]**

This bond is one of an initially authorized series of bonds of like date, amount or tenor, but differing as to maturity, interest rate and provisions for redemption, numbered from "1" consecutively upwards and in order of maturity, amounting in the aggregate to the sum of \$8,620,000 (the "2009 Bonds") issued without the assent of the electors in accordance with the provisions of the Local Government Unit Debt Act of General Assembly of the Commonwealth of Pennsylvania Act No. 1978-52 as re-enacted, amended and revised by Act No. 1996-177, as further amended and supplemented (the "Act"), and by virtue of an ordinance (the "Ordinance") of the Township duly enacted by the Board of Commissioners of the Township on February 17, 2009. The 2009 Bonds are issued for the purpose of providing funds for and toward the payment of costs for the purposes set forth in the Ordinance and the costs of issuing the 2009 Bonds. This bond is subject to redemption prior to maturity.

**OPTIONAL REDEMPTION**

The 2009 Bonds maturing on and after July 1, 2015 shall be subject to redemption, in whole or in part, in any order of maturity and any principal amount within a maturity, prior to their respective maturities at the option of the Township at any time on or after July 1, 2014 upon payment of a redemption price of 100% of the principal amount plus unpaid interest accrued to the date fixed for redemption.

**MANDATORY REDEMPTION**

The 2009 Bonds maturing on July 1 of the years of the years 2022 and 2024 are subject to mandatory redemption prior to maturity on by the Paying Agent by lot on July 1 of the years indicated in the following schedule from moneys to be deposited in the Sinking Fund provided for in the Ordinance at a redemption price equal to 100% of the principal amount thereof together with interest accrued to the date fixed for redemption. The 2009 Bonds which are subject to mandatory redemption prior to maturity will be selected by lot or by any other method deemed fair or appropriate by the Paying Agent, or as applicable, will be payable at maturity, by application of money available for the purpose in the Sinking Fund established under the terms of the Ordinance, upon payment of the principal amount thereof, together with accrued interest to the date fixed for redemption or upon maturing, as applicable, on July 1 of the following years in the following amounts:

**Sinking Fund Redemption**

<b><u>YEAR</u></b>	<b><u>PRINCIPAL AMOUNT</u></b>
	<b>July 1, 2022 Maturity</b>
2018	205,000.00

2019	210,000.00
2020	215,000.00
2021	230,000.00
2022 (maturity)	245,000.00
<b>July 1, 2024 Maturity</b>	
2023	1,570,000.00
2024 (maturity)	855,000.00

Any such redemptions, either in whole or in part, shall be made upon not less than thirty (30) days notice thereof sent by the Paying Agent by first class mail, postage prepaid, to the registered owners of the 2009 Bonds at the registered addresses as set forth on the bond registry books maintained by the Paying Agent, unless such notice is waived in writing by the registered owners for the 2009 Bonds so called for redemption. If the Township shall have caused notice of redemption to be so mailed (or if such notice shall have been so waived) and shall have deposited funds sufficient for redemption, the 2009 Bonds so called for redemption shall become due and payable on the date fixed for redemption, whether such 2009 Bonds shall be presented for payment or not.

Reference is hereby made to the Ordinance and the Act for a complete statement of the rights and limitations of rights of the registered owner hereof, to all of which the registered owners hereof, by acceptance of this 2009 Bond, assents.

It is covenanted with the registered owner of this 2009 Bond that the Township shall include the amount of the debt service on the 2009 Bonds for each fiscal year in which such sums are payable in its budget for that year, shall appropriate such amounts to the payment of such debt service, and shall duly and punctually pay or cause to be paid the principal of this 2009 Bond and the interest thereon at the dates and places and in the manner stated in this 2009 Bond, according to the true intent and meaning thereof, and for such budgeting, appropriation and payment, the Township has pledged, and does pledge, irrevocably, its full faith, credit and taxing power. This covenant shall be specifically enforceable.

**BOOK ENTRY ONLY:** Notwithstanding any other provisions of this bond to the contrary, so long as the 2009 Bonds are registered in the name of The Depository Trust Company, a New York corporation ("DTC"), or its nominee, or any other successor securities depository (collectively, the "Securities Depository"), to the extent available, the Paying Agent shall transfer: (i) on each interest payment date, the amount of interest due on each such date to the Securities Depository; and (ii) on each principal payment date, upon surrender of 2009 Bonds maturing on such date, the amount of principal due on such date to the Securities Depository, which amounts so transferred shall be, on the interest and principal payment date, at the principal office of the Securities Depository, either immediately available or "good funds next day". All

payments made by the Paying Agent to the Securities Depository shall fully satisfy the Township's obligations to pay the principal of and interest on the 2009 Bonds to the extent of such payments, and no beneficial owner of any interest in any 2009 Bond registered in the name of the Securities Depository shall have any recourse against the Township hereunder for any failure by the Securities Depository or any direct or indirect participant therein to remit such payments to any beneficial owner of such 2009 Bonds.

Unless this certificate is presented by an authorized representative of DTC to the Township or its agent for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

To the extent permitted and as provided in the Ordinance and the Act, modification of the contract created by the Ordinance and the Act and of the rights of the registered owners of 2009 Bonds thereunder may be made with the consent of the registered owners or a majority in principal amount of the 2009 Bonds then outstanding, provided that no such modification may be made which would reduce such percentage required for consent or affect the rights of the registered owners of less than all of the then outstanding 2009 Bonds or modify the terms of payment of or the rate of interest payable on the 2009 Bonds without the consent of the registered owners of all of the 2009 Bonds then outstanding.

The 2009 Bonds are issued in fully registered form and without coupons in denominations of \$5,000 or any integral multiples of \$5,000 thereof. This 2009 Bond may be transferred at the principal corporate trust office of the Paying Agent by surrendering this 2009 Bond for cancellation accompanied by a written instrument of transfer in form approved by the Paying Agent duly executed by the registered owner hereof or by his attorney authorized in writing or by his legal representative, and thereupon the Paying Agent shall issue in the name of the transferee or transferees and, after authentication, shall deliver in exchange a new 2009 Bond or 2009 Bonds in authorized denominations, for a like aggregate principal amount upon the payment of any taxes levied on such issuance. Such transfer shall be noted upon the bond registry book to be kept at the principal corporate trust office of the Paying Agent. The Township and Paying Agent may deem and treat only the person in whose name this 2009 Bond is registered as the absolute owners hereof for the purpose of receiving payment of or on account of the principal hereof and for all other purposes. Neither the Township nor the Paying Agent shall be affected by any notice to the contrary.

No recourse shall be had for the payment of the principal of or interest on this 2009 Bond, or for any claim based on any covenant or agreement contained herein or in the Ordinance, against any member of the Township Board of Commissioners or officer, agent or employee, past, present or future, of the Township in his individual capacity.

It is hereby certified that all acts, conditions and things required by the laws of the Commonwealth of Pennsylvania to have happened or to have been performed or to exist precedent to or with respect to the issuance of this 2009 Bond or in the creation of the debt of which this 2009 Bond is evidence have happened, have been performed and exist in due and regular form and manner as required by law; and that the debt represented by this 2009 Bond, together with all other nonelectoral debt of the Township, is not in excess of any constitutional or statutory limitation.

**[FORM OF PAYING AGENT'S CERTIFICATE OF AUTHENTICATION]  
CERTIFICATE OF AUTHENTICATION**

This Bond is one of the General Obligation Bonds, Series of 2009, described in the within-mentioned Ordinance. Printed on the reverse hereof is the completed text of the opinion of McTighe, Weiss, O'Rourke, Troncelliti & Morgan, P.C., Norristown, Pennsylvania, delivered and dated on the date of the original delivery of and payment for said Bonds, an executed original of which is on file with the undersigned.

\_\_\_\_\_  
**PAYING AGENT**

BY: \_\_\_\_\_  
Authorized Officer

Date of Authentication: \_\_/\_\_/2\_\_

[FORM OF INSTRUMENT OF TRANSFER]

ASSIGNMENT AND TRANSFER  
FOR VALUE RECEIVED

The Undersigned hereby sells, assigns and transfers unto \_\_\_\_\_  
the within-mentioned bond and all rights thereunder, and hereby irrevocably  
constitutes and appoints \_\_\_\_\_ Attorney to transfer said bond  
on the bond register of the within-named Paying Agent, with full power of substitution  
in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this Assignment  
must correspond with the name as it appears  
upon the face of the within bond in every  
particular, without alterations or enlargements  
or any change whatsoever.

**Section 21.** This Ordinance shall become effective on the earliest date permitted by the Act.

ENACTED AND ORDAINED this 17th day of February, 2009.

TOWNSHIP OF CHELTENHAM



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PAUL R. GREENWALD, PRESIDENT  
BOARD OF COMMISSIONERS



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DAVID G. KRAYNIK, SECRETARY

[SEAL]

