

September 15, 2010
Curtis Hall

The regular meeting of the **BOARD OF COMMISSIONERS** was held this evening, President Morton J. Simon, Jr. presiding. Members present were Commissioners Hampton, Haywood, McKeown, Sharkey and Swavola. Staff present were Bryan T. Havir, Assistant Township Manager; John O. Hoover, Jr., Director of Parks and Recreation; Rudy Kastenhuber, Public Works Coordinator; Mark McDonnell, Public Works Superintendent; Kevin O'Brien, Deputy Chief of Police; Joseph O'Neill, Fire Marshal; Carmen Reitano, Assistant to the Township Engineer; Ruth Littner Shaw, Main Street Manager; Joseph M. Bagley, Esq., Wisler, Pearlstine, LLP; and David G. Kraynik, Township Manager. A Public Attendance List is attached.

1. President Simon opened the meeting with the Pledge of Allegiance being led by Commissioner Swavola.
2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated August 18, 2010, 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 August, 2010, upon motion of Mr. Swavola, 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 August, 2010, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.

[Ms. Hampton joined the meeting at this time].

5. Mr. McKeown presented **Commendations** to the following members of the

Cheltenham Police Department:

Officer Thomas Byrne	Official Commendation of Bravery
Officer Ryan Ewald	Official Commendation of Bravery
Officer Kevin O'Donnell	Official Commendation of Valor
Officer Chad Smith	Official Commendation of Valor
Sergeant Joseph O'Neill	Unit Citation
Officer John McCabe	Unit Citation
Officer Michael Moore	Unit Citation
Officer Ryan Murray	Unit Citation
Officer Jason O'Keefe	Unit Citation
Officer Mark Bradbury	Unit Citation
Officer Matthew Gonglik	Unit Citation
Dispatcher Wallace Clark	Unit Citation

6. Mr. Simon presented **Commendations** to the following members of the

Philadelphia Police Department:

Detective Joseph Rovnan	Official Commendation of Merit
Dispatcher Ayana Henry	Official Commendation of Merit

7. Ms. Hampton presented a **Community Service Award** to Mary Santarelli for 32-years of service with the Parks and Recreation Department. Mr. Hoover expressed his gratitude to Ms. Santarelli for her service to many of his department's programs over the years.

8. Upon motion of Mr. Haywood, the Board of Commissioners unanimously awarded a Professional Services Contract to Arro Engineering & Environmental Consultants, Lancaster, PA 17601, in an amount not to exceed \$325,350 for engineering services for the development of a PADEP Act 537 Sewage Facilities Plan.

9. Upon motion of Mr. Haywood, the Board of Commissioners unanimously awarded a Professional Services Contract to DelVal Soil & Environmental Consultants, Inc, Doylestown, PA, in an amount not to exceed \$36,313 for the development and completion of a Hydrogeologic Evaluation/Groundwater Monitoring Study.

10. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved the 2010-2011 Montgomery County Snow and Ice Reimbursement Agreement in the amount of \$5351.94.

11. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved Cheltenham Township Development Application No. 10-0600 Record Plan ABVM Catholic Church-HVAC Units – 1206 Valley Road, subject to the following Condition and Waivers:

A. CONDITIONS

1. That the text “Cheltenham Township Development Application No. 10-0600” be added to the lower right hand corner of the plan.

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.C.(3) which requires that the plan be prepared by an Engineer or Surveyor be waived.
4. 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.
5. That the requirement of CCS 260-32.D.(1) for a property survey be waived.
6. That the requirement of CCS 260-32.D.(2) for depiction of Planimetric data within 400' of the site be waived.
7. 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.
8. That the requirement of CCS 260-32.D.(5) for depiction of topography of the site and within 400' of the site be waived.
9. That the requirement of CCS 260-32.D.(6) for the location, species and size of large trees standing alone be waived.

10. That the requirement of CCS 260-32.D.(7) for proposed contours and for the elevations for the building floors be waived.
11. That the requirement of CCS 260-32.C. (4) and CCS 260-32.E. (3) for notation of the Zoning District and Zoning Requirements be waived.
12. That the requirement of CCS 260.32.D. (7) for the notation of the structure first floor and basement elevations be waived.
12. Upon motion of Mr. Haywood, the Board of Commissioners unanimously

adopted **Resolution No. 39-10** authorizing the filing of an application for FY 2010 for a Public Library Facilities Grant administered by the PA Department of Education, Office of Commonwealth Libraries from the Pennsylvania Keystone Recreation, Park and Conservation Fund.

**TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 39-10**

**RESOLUTION AUTHORIZING THE FILING OF AN
APPLICATION FOR FY 2010 FOR A PUBLIC LIBRARY FACILITIES GRANT
ADMINISTERED BY THE PENNSYLVANIA DEPARTMENT
OF EDUCATION, OFFICE OF COMMONWEALTH LIBRARIES FROM
THE PENNSYLVANIA KEYSTONE RECREATION, PARK AND
CONSERVATION FUND**

WHEREAS, the Pennsylvania Department of Education, Office of Commonwealth Libraries, Bureau of Library Development has been allocated grant funds by the Commonwealth of Pennsylvania from the Keystone Recreation, Park and Conservation Fund for its 2010 Fiscal Year for small projects that meet the mini-grant program guidelines to improve the physical facilities of public libraries; and

WHEREAS, the Keystone Recreation, Park and Conservation Fund mini-grant program provides matching funds for up to \$12,500.00 or fifty (50%) percent of the total project cost not to exceed \$25,000.00, and the use of Keystone grant monies require dollar for dollar matching funds; and

WHEREAS, in order to be eligible for funding, a municipality must meet the definition requirements of Section 3.32 P.S. §2013 of the Keystone Recreation, Park and Conservation Fund Act and the program regulations of 22 PA Code §142.4; and

WHEREAS, in order to be eligible for funding, a municipality must also sponsor a public library and provide the service by including the public library within the municipal government structure or may delegate the responsibility for public library service to a board of directors; and

WHEREAS, it has been determined that the Township of Cheltenham, Montgomery County meets all of the program eligibility requirements, and provides library services with the responsibility for said services being delegated to a volunteer citizens committee in accordance with the Township Code and Home Rule Charter known as the Library Board, which is duly appointed by the Cheltenham Township Board of Commissioners; and

WHEREAS, the Township Administration and Staff, the Director of Township Libraries and the Library Board recommends that the scope of work under the mini-grant program support energy efficiency by upgrading the lighting in the main reading room on the upper level of the Glenside Free Library; and

WHEREAS, the Township Administration and Staff, the Director of Township Libraries and the Library Board have concluded that this scope of prioritized work is necessary in order to implement an energy efficiency lighting retrofit project, and the total project cost would be \$25,000.00, including consultant services for project bid document preparation and oversight, as referenced in the attached Appendix A; and

WHEREAS, the Township Administration and Staff, the Director of Libraries and the Library Board have also concluded that this scope of work cannot be fully completed in Fiscal Year 2010-2011 without the financial assistance from other entities such as the Keystone Recreation, Park and Conservation Fund; and

WHEREAS, the Cheltenham Township Board of Commissioners at a public meeting on September 7, 2010 and September 15, 2010 reviewed the scope of work, as outlined by the Township Administration and Library Staff, and gave the Township citizenry an opportunity to comment on the proposal as it relates to the program rules, regulations, and eligible activities promulgated by the Keystone Recreation, Park and Conservation Fund Act; and

WHEREAS, the Cheltenham Township Board of Commissioners have committed to fund the necessary fifty (50%) percent match of the total project cost related which equates to \$12,500.00 from its capital budget.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, that the Township Administration be authorized to submit a mini-grant application to the Office of Commonwealth Libraries for FY 2010 funding in the amount of \$25,000.00 for the work described herein.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, at its meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania 19095 on September 15, 2010.

TOWNSHIP OF CHELTENHAM



Morton J. Simon, Jr., President
Board of Commissioners

ATTEST



David G. Kraynik, Secretary/Manager

(SEAL)

APPENDIX "A"

**Pennsylvania Department of Education
Office of Commonwealth Libraries
Keystone, Recreation, Park and Conservation Fund**

Proposed Scope of Work for Glenside Free Library

DESCRIPTION OF WORK	Quantity	Unit Price	Unit	TOTAL AMOUNT
I. <u>Scope of Work</u>				
A. Furnish Energy Efficient Pediment Style Light Fixtures in Main Reading Room Area	8	\$1,855.	EA	\$14,840.
B. Labor to Remove Existing Fixtures, Install New Fixtures and New Wiring and Dispose Debris.	1	1	LS	\$ 8,850.
C. Touch-Up Repairs and Spot Painting of Acoustical Ceiling	1	1	LS	\$ 560.
II. <u>Professional Consultant Services</u> - Preparation of Plans/Bid Specs. - Bidding - Construction Observation	8	\$ 95.	HR	\$ 750.
TOTAL				\$25,000.00
50/50 FUNDING SCENARIO – GRANT REQUEST MUNICIPAL MATCH				\$12,500.00 \$12,500.00

13. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved a mechanical contract for Bid Item #1 (installation of a new boiler) for the Rowland Community Center Energy Efficiency Project to Air Control Technology, Inc., West Berlin, NJ 08091, in the amount of \$96,508.00 being the lowest qualified and most responsive bidder meeting Township specifications and being within budgetary limitations.

14. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved an electrical contract for the Bid Item #1 for the Rowland Community Center Energy Efficiency Project to Palman Electric, Inc., Huntingdon Valley, PA 19006, in the amount of \$40,300.00 being the lowest qualified and responsible bidder meeting Township specifications and being with budgetary limitations.

15. Upon motion of Mr. Haywood, the Board of Commissioners unanimously approved a contract for the Realignment of Old Soldiers Road to Bux-Mont Excavating, Inc., Doylestown, PA 18901, in the amount of \$101,106.00 being the lowest responsible bidder meeting Township specifications and being within budgetary limitations.

16. Mr. Haywood thanked Mr. Kraynik for his PowerPoint presentation of an update on the Sanitary Sewer System at the Public Works Committee meeting.

Upon motion of Mr. Haywood, and unanimously approved by the Board of Commissioners, the Public Works Committee Regular Meeting Minutes dated September 7, 2010 were received.

17. Mr. Simon reported that he has received comments from residents that the TransNet bus service for senior citizens has been very successful and is preferable to the previous bus service.

Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved an amended Agreement with Suburban Transit Network, Inc. (TransNet) and the Montgomery

County Office of Aging and Adult Services to December 31, 2010 in an amount not to exceed \$10,000.

18. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously rejected the bid of Til-Mar Design, Inc. for the Homeowner Housing Rehabilitation Program Phase III for LaMott, due to submission of an incomplete bid and not meeting the qualification standards as specified in the bid documents.

19. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously rejected the bid of Premier Builders and Remodeling for the Homeowner Housing Rehabilitation Program Phase III for LaMott, due to the bid exceeding budgetary limitations.

20. Upon motion of Mr. Sharkey, and unanimously approved by the Board of Commissioners, the Public Affairs Committee Regular Meeting Minutes dated September 1, 2010 were received.

21. The Board of Commissioners considered a recommendation from EMS to increase subscriber rates. Mr. Kraynik reported that the senior rate and senior family rate have been adjusted since the Public Safety Committee meeting.

Upon motion of Mr. McKeown, the Board of Commissioners unanimously approved an EMS Subscriber Rate Increase for 2011/2012 as follows:

	Family Rate	Senior Single Rate	Senior Family Rate	Single
Old Rate	\$35.00	\$15.00	\$30.00	\$25.00
Survey Average	\$59.29	\$34.29	N/A	\$44.17
New Rate 2011	\$45.00	\$20.00	\$40.00	\$35.00
Percent Increase 2011	22.0%	25%	25%	25.5%
New Rate 2012	\$60.00	\$25.00	\$50.00	25.5%
Percent Increase 2012	25%	20%	20%	12.5%

22. Mr. McKeown reported that he has received several compliments from residents about EMS.

Upon motion of Mr. McKeown, and unanimously approved by the Board of Commissioners, the Public Safety Committee Regular Meeting Minutes dated September 1, 2010 were received.

23. Upon review of the September 1, 2010 Building and Zoning Committee Minutes, Mr. Swavola asked that page 5, last paragraph, be amended to reflect that he believed the plan presented by Arcadia University appears to be a “broad rush” approach.

24. Upon motion of Mr. McKeown, and unanimously approved by the Board of Commissioners, the Building and Zoning Committee Regular Meeting Minutes dated September 1, 2010 were received, as amended.

25. Upon motion of Ms. Hampton, and unanimously approved by the Board of Commissioners, the Parks and Recreation Committee Regular Meeting Minutes dated September 7, 2010 were received.

26. Under New Business:

a. The Board of Commissioners considered a Resolution for a Traffic Signal Maintenance Agreement with PennDOT. Mr. Kraynik reported that it is a standard agreement that allows for PennDOT to install the signal, and the Township to maintain it. This is relative to SEPTA’s Ogontz Avenue bus depot reconstruction project.

Ms. Hampton asked about the size of the signal’s control box since she has received comments from residents about the large size of the control boxes at traffic signals, specifically at Glenside Avenue. Mr. Simon noted the larger box at Cedar Road and Township Line Road. Mr. Kraynik stated that the Township cannot control the size of the control boxes. The larger boxes are now necessary since they are battery backup-capable and have more complex controls.

Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted **Resolution No. 40-10**, approving a new Traffic Signal Maintenance Agreement.

CHELTENHAM TOWNSHIP

RESOLUTION NO. 40-10

BE IT RESOLVED by the BOARD OF COMMISSIONERS of the TOWNSHIP OF CHELTENHAM, in MONTGOMERY COUNTY, Pennsylvania, that the PRESIDENT OF THE BOARD OF COMMISSIONERS be authorized and directed to sign the attached Traffic Signal Maintenance Agreement and the TOWNSHIP MANAGER/SECRETARY be authorized and directed to attest and seal the same.

Date:

**ATTEST:
CHELTENHAM**

TOWNSHIP OF

(Home Rule Community)



David G. Kraynik
Township Manager/Secretary



Morton J. Simon, Jr.
President, Board of Commissioners

CERTIFICATION

I, David G. Kraynik, Township Manager, of Cheltenham Township, Montgomery County, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the TOWNSHIP OF CHELTENHAM at a regular meeting of the BOARD OF COMMISSIONERS held on the 15th day of September, 2010.

(SEAL)



David G. Kraynik
Township Manager/Secretary

DATE: September 15, 2010

Ogontz Avenue (SR 0309) and SEPTA Bus Loop Driveway

b. Mr. Simon announced a change to the Township's recycling program. Until now, only #1 and #2 could be recycled. Effective immediately, all items #1 through #7 can be recycled. Separation is not necessary. Mr. Kraynik stated that PVC pipes, plastic bags and styrofoam are not permitted.

c. The Board of Commissioners considered a Resolution authorizing the condemnation of a temporary easement and a temporary construction easement across certain private properties on Church Road. Mr. Simon stated that the Township is negotiating with the property owners but time is of the essence in order to proceed with the sewer rehabilitation project. A small section of the pipeline crosses these properties. The Township is under pressure from the Pennsylvania Department of Environmental Protection. Mr. Simon stated that the Township is not pleased that it has to take such action but it is what DEP expects, and the entire sewer pipe line project is dependent on this.

d. Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted **Resolution No. 41-10** authorizing the condemnation of a temporary easement and a temporary construction easement over and through certain parcels of land located at 218, 222 and 224 East Church Road.

**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION No. 41-10

**A RESOLUTION AUTHORIZING THE CONDEMNATION
OF A TEMPORARY EASEMENT AND A TEMPORARY
CONSTRUCTION EASEMENT OVER AND THROUGH
CERTAIN PARCELS OF LAND LOCATED AT 218, 222
AND 224 EAST CHURCH ROAD, CHELTENHAM
TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA
FOR A TEMPORARY, PUBLIC SANITARY SEWER
BYPASS SYSTEM**

WHEREAS, Cheltenham Township (hereinafter "Township") is the subject of a consent order with the Pennsylvania Department of Environmental Protection (hereinafter "DEP") in connection with certain hydraulic overloads of the Township's public sanitary sewer system; and

WHEREAS, the Township is also subject to a connection management plan approved by DEP; and

WHEREAS, as a result of recent storm sewer overflows in the vicinity of the Tookany Creek, and as directed by DEP, the Township has awarded a contract for a temporary sanitary sewer bypass system for a portion of the Township's public sewer system for a period of time during which certain repairs will be made to the Township public sewer system, in accordance with an approved and amended connection management plan; and

WHEREAS, the Township currently intends to remove the temporary sanitary sewer bypass system on or before September 30, 2015; and

WHEREAS, the Township has determined that it is necessary and desirable to acquire certain sanitary sewer easements and temporary construction easements ("Easements") through portions of 218, 222 and 224 East Church Road in order to implement the temporary sanitary sewer bypass system; and

WHEREAS, it is the judgment of the Township Board of Commissioners that it is not reasonably practicable to route the subject part of the sewer bypass system along the lines of public streets or highways; and

WHEREAS, the Board of Commissioners intends to authorize the temporary condemnation of certain Easements over and through 218, 222 and 224 East Church Road, Cheltenham Township.

NOW, THEREFORE, BE IT RESOLVED THAT the Township Board of Commissioners hereby authorizes the condemnation of portions of certain parcels of land located in the Township, which are listed below, for temporary sanitary sewer easements and temporary construction easements in order to locate the temporary sanitary sewer bypass system referenced above. Further, the Board authorizes the Township Solicitor to prepare and file the appropriate documents in order to accomplish same and the Township Manager is hereby authorized to execute any necessary documents to accomplish same.

Address	Tax Block No.	Unit No.	Record Owners
218 East Church Road	47	22	Robert and Joan Slutzky
222 East Church Road	47	3	David C. and Annika B. Bernstein
224 East Church Road	47	3	David C. and Annika B. Bernstein

ADOPTED, this 15th day of **September, 2010**. by Cheltenham Township, Montgomery County, in lawful session duly assembled.

**BOARD OF COMMISSIONERS OF
CHELTENHAM TOWNSHIP**

By: Morton J. Simon, Jr.
Morton J. Simon, Jr., President

Attest: David G. Kraynik
David G. Kraynik, Secretary

e. Mr. McKeown thanked the Police Department, Township Manager and Staff for all their efforts and hard work.

f. Mr. Swavola reminded employees of the Employee Anonymous Suggestion Box for any budget savings ideas.

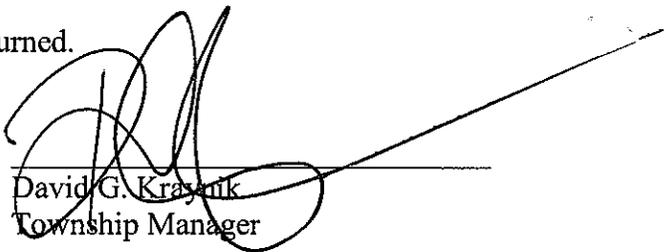
g. A representative of Arro Engineering thanked the Township for awarding his company the contract for engineering services for the development of a PADEP Act 537 Sewage Facilities Plan.

h. Mr. Bagley discussed appealing the Land Transfer Tax for the Land Conservancy of Elkins Park. He advised that the state is not going to take an appeal, and as a result of his research, he did not recommend the Township appeal it but did recommend appealing the annual real estate tax.

The Board of Commissioners recessed the meeting for further discussion of this matter in Executive Session.

i. The Board of Commissioners meeting reconvened, and Mr. Simon announced that the Township has decided not to appeal the Land Transfer Tax for the Land Conservancy of Elkins Park.

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



David G. Kraynik
Township Manager

as per Anna Marie Felix

