

May 18, 2011
Curtis Hall

The regular meeting of the **BOARD OF COMMISSIONERS** was held tonight, Harvey Portner, President, presiding. Members present were Commissioners Hampton, Haywood, McKeown, Sharkey, Simon and Swavola. Staff present were Joseph Galdo, Fiscal Affairs Director; Bryan T. Havir, Assistant Township Manager; Rudy Kastenhuber, Public Works Coordinator; David Lynch, Director of Engineering, Zoning & Inspections; Mark McDonnell, Public Works Superintendent; John J. Norris, Chief of Police; Kevin O'Brien, Deputy Chief of Police; Joseph O'Neill, Fire Marshal; Joseph Bagley, Esq., Wisler, Pearlstine, LLP; and David G. Kraynik, Township Manager. A Public Attendance List is attached.

1. President Portner opened the meeting with the Pledge of Allegiance being led by Commissioner Hampton.
2. Mr. Portner stated that prior to the meeting, the Commissioners held an Executive Session to discuss personnel matters.
3. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated April 20, 2011, upon motion of Mr. McKeown, the Minutes were unanimously approved by the Board of Commissioners.
4. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of April, 2011, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.
5. Each member having received a copy of the Accounts Paid Report of the Manager/Secretary for the month of April, 2011, upon motion of Mr. Haywood, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.

6. Mr. Sharkey presented Certificates and Pins to Sgt. Michael Eves and Officer Thad Hoppe for 20-years of service to the Cheltenham Township Police Department.

7. Upon motion of Mr. Haywood, the Board of Commissioners unanimously concurred with the Montgomery County Consortium Contract made by the Abington Township Board of Commissioners for Furnishing Street Sign Posts and Material Unit Prices, for a one year period from May 15, 2011 through May 15, 2012, to Chemung Supply Corp., Garden State Highway Products, Hall Signs, Inc., Rocal, Inc. and U.S. Municipal Supply Company.

8. Upon motion of Mr. Haywood, the Board of Commissioners unanimously awarded a Professional Services Contract for On-Call Inspections, Land Development Projects and for Public Improvements Projects to KCI Technologies, Inc. as per the following billing rates and being within budgetary limitations:

Project Manager	\$110.40/Hr.
Transportation Construction Manager	\$ 78.75/Hr.
Transportation Construction Inspector Supervisor	\$ 62.30/Hr. (ST) \$74.80/Hr. (OT)
Transportation Construction Inspector	\$ 52.16/Hr. (ST) \$63.16/Hr. (OT)

9. Upon motion of Mr. Haywood, the Board of Commissioners unanimously awarded a Consortium Contract for Furnishing Biodegradable Paper Leaf & Grass Collection Bags to Dano Enterprises, Inc., 76 Progress Drive, Stamford, CT 06907 for:

Approximately 352,000 thirty (30) gal. bags	@	\$0.322/ea.
Additional price for thirty (30) gal. bags	@	NC
Approximately 186,900 forty (40) gal. bags	@	0.458/ea
Additional price for forty (40) gal. bags	@	NC
Print lettering on thirty/forty (30/40) gal. bags	@	NC
– One time charge \$300		
(This charge is only applicable to Townships and/or Boroughs that do not have their “Art Work” currently on file with Dano Enterprises, Inc.)		
Peel and Seal Adhesive Strips, 2 per bag	@	0.002/Bag
Excludes all federal excise and PA sales taxes.		

being the lowest responsible bidder meeting Township specifications and being within budgetary limitations.

10. Upon motion of Mr. Haywood, the Board of Commissioners unanimously awarded a contract for Furnishing Rates for Concrete Curb and Sidewalk Replacement to Ditri Construction Inc., Philadelphia, PA for:

CURB 0 TO 50 LF X 50 51 TO 100 LF X 100 101 TO 200 LF X 600	SIDEWALK 0 TO 80 SF @ 300 SF 4" SW @ 300 SF 6" DW	SIDEWALK 81 TO 400 SF @ 400 SF 4" SW @ 100 SF 6" SW	SIDEWALK OVER 400 SF @ 2000 SF 4" SW	DETECTABLE WARNING SURFACE 15 +/-	TOTAL
\$ 40.00 = \$ 2,000.00 \$ 40.00 = \$ 4,000.00 \$ 35.00 = \$21,000.00	\$ 8.00 = \$ 2,400.00 \$10.00 = 3,000.00	\$ 8.00 = \$ 3,200.00 \$10.00 = 1,000.00	\$ 7.00 = 14,000.00	\$300.00 = \$4,500.00	\$55,100.00

being the lowest responsible bidder meeting Township specifications and being within budgetary limitations.

11. Upon motion of Mr. Haywood, the Board of Commissioners unanimously awarded a contract for the Sanitary Sewer Corrective Action Plan Rehabilitation Phase 2 to Video Pipe Services, Inc., Newfield, NJ 08344, in the amount of \$2,304,550.55 being the lowest responsible bidder and being within budgetary limitations.

12. Upon motion of Mr. Haywood, and unanimously approved by the Board of Commissioners, the Public Works Committee Regular Meeting Minutes dated May 11, 2011, were accepted.

13. Upon motion of Mr. McKeown, and unanimously approved by the Board of Commissioners, the Public Affairs Committee Regular Meeting Minutes dated May 4, 2011, were accepted.

14. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Ordinance No. 2220-11** amending Chapter 285, thereof, entitled "Vehicles and Traffic".

ORDINANCE NO. 2220-11

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CHELTENHAM, CHAPTER 285 THEREOF, ENTITLED VEHICLES AND TRAFFIC, BY AMENDING CERTAIN STREET AND PARKING REGULATIONS.

The Board of Commissioners of the Township of Cheltenham hereby ordains:

SECTION 1. The Code of the Township of Cheltenham, Chapter 285, Article IV, entitled Schedule of Traffic Regulations, Section 285-43 thereof is hereby amended by **ADDING** the following:

- | | | |
|----------------|-----|---|
| BROOKSIDE ROAD | (5) | NO PARKING, east side, Waring Road to 67 feet south. |
| BROOKSIDE ROAD | (6) | NO PARKING, east side, Shoemaker Road to 50 feet north. |
| BROOKSIDE ROAD | (7) | NO PARKING, west side, Shoemaker Road to 50 feet north and 42 feet south. |

SECTION 2. That in all other respects Chapter 285 of the Code of the Township of Cheltenham is hereby approved and accepted as amended, and shall continue in full force and effect.

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

ENACTED into an Ordinance this **18th day of May, A.D., 2011.**

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM

Harvey Portner

By _____
Harvey Portner, President

ATTEST: *David G. Kraynik*

David G. Kraynik, Secretary

15. Upon motion of Mr. Sharkey, and unanimously approved by the Board of Commissioners, the Public Safety Committee Regular Meeting Minutes dated May 4, 2011, were accepted.

16. Discussion ensued regarding the scheduling of a Public Hearing to create an Age Restricted Overlay District Ordinance. There was extensive discussion about it at the May 4, 2011 meeting of the Building and Zoning Committee.

Mr. Simon asked that the Minutes of said meeting be amended because they do not reflect his exact question regarding age restriction for such communities. He asked if it could be required that more than 80% of the residents in an age-restricted development be over the age of 55 as defined by Federal statute. Mr. Simon suggested that it might be set at 95% with a little bit of wiggle room. He raised for discussion the question of raising it materially above 80%. His perception of an age-restricted facility is that it is substantially age-restricted and should not have 20% leeway. It was Mr. Bagley's opinion that the age requirements could be set at any percentage. Said restriction is at the discretion of the Commissioners.

Mr. Haywood was not clear about the Commissioners limits to make further changes. Mr. Bagley advised said the limits are set when it is published and when it is submitted to the Planning Commissions of the Township and the County. If the Board makes a substantial change after the draft Ordinance is submitted to said commissions, the changed Ordinance has to be resubmitted to said commissions. In his opinion, changing said percentage would be a substantial change.

Mr. Portner asked for opinions from the Commissioners. Mr. Sharkey asked that if the hearing was scheduled this evening as planned if there would still be time to discuss it at the June 1, 2011 meeting of the Building and Zoning Committee. Mr. Kraynik explained that it is

possible, and he explained the window of time. Mr. McKeown noted that said Ordinance does not have any affect on past approved projects.

Upon motion of Mr. Swavola, the Board of Commissioners unanimously agreed to table approval of a Public Hearing on Wednesday, September 21, 2011, to amend the Zoning Code, Chapter 295 thereof, entitled "Zoning" by creating an "Age Restricted Overlay District" and to further discuss the proposed Ordinance as it relates to age restriction at the June 1, 2011 meeting of the Building and Zoning Committee.

17. Upon motion of Mr. Swavola, the Board of Commissioners unanimously adopted **Resolution No. 20-11** amending the Township's "Official Sewage Facilities Plan" to provide sewage capacity for a proposed adaptive reuse of the property at 545 Jefferson Avenue, Cheltenham.

**TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 20-11**

**RESOLUTION FOR PLAN REVISION
FOR NEW LAND DEVELOPMENT**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF CHELTENHAM, MONTGOMERY COUNTY, PENNSYLVANIA (hereinafter “the Municipality”).

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the “Pennsylvania Sewage Facilities Act”, as Amended, and the Rules and Regulations of the Pennsylvania Department of Environmental Protection (Department) adopted thereunder, Chapter 7: of Title 25 of the Pennsylvania Code, require the Municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for new land developments conform to a comprehensive program of pollution control and water quality management; and

WHEREAS, Thomas W. Cochrane has proposed the development of a parcel of land certified as 545 Jefferson Avenue, Cheltenham, PA 19012 (a/k/a “545 Jefferson Avenue Condominiums”) into twelve (12) Condominium Units within an existing warehouse and proposes that such development be served by a sewer tap-in; and

WHEREAS, the Township of Cheltenham finds that the development described in the attached Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Cheltenham, hereby adopts and submits to the Department of Environmental Protection for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

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 W. Church Road, Wyncote, Pennsylvania 19095 on April 20, 2011.

TOWNSHIP OF CHELTENHAM

Harvey Portner

Harvey Portner
President
Board of Commissioners

ATTEST:

David G. Kraynik

David G. Kraynik, Secretary/Manager

18. Upon motion of Mr. Swavola, and unanimously approved by the Board of Commissioners, the Building and Zoning Committee Regular Meeting Minutes dated May 4, 2011, were accepted, as amended.

19. Mr. Simon informed the Commissioners that at the May 6, 2011 meeting of the Pension Board, PFM Advisors recommended that a portion of each pension plan be invested in emerging markets. Since there was not a quorum at said meeting, Mr. Simon asked the Commissioners to make a decision this evening. Mr. Haywood asked if said fund was a growth fund. Mr. Simon responded that it was especially when compared to a fixed income fund. Investing in a broad international equities fund versus a narrower emerging markets fund was discussed.

Upon motion of Mr. Simon, the Board of Commissioners unanimously approved the investment of 2.5% of each pension plan's portfolio in Emerging Market Equities with Oppenheimer Funds, Inc. Developing Markets by transferring .5% from Fixed Income and 2% from International Equities.

Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Pension Board Regular Meeting Minutes dated May 6, 2011.

20. Upon motion of Ms. Hampton, and unanimously approved by the Board of Commissioners, the Parks and Recreation Committee Regular Meeting Minutes dated May 11, 2011, were accepted.

21. Under New Business:

In accordance with the Code of the Township of Cheltenham and Article XIII, Section 1302, of the Home Rule Charter, the President of the Board presented new committee appointments for the advice and consent of the Board of Commissioners.

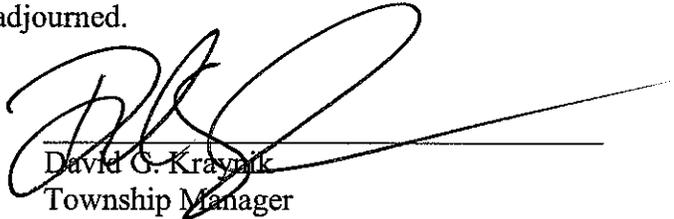
Upon motion of Mr. Swavola, the Board of Commissioners unanimously approved the following appointment as submitted by the Board President:

<u>Name</u>	<u>Committee</u>	<u>Term Expiration</u>
Mark B. Tucker	Economic Development Task Force	January 1, 2012
Asteria Vives	La Mott Board of Historical and Architectural Review	January 1, 2012

22. Under Citizen Forum:

Gail Schlosser and Theresa Mallory, representatives of the LaRouche Political Action Committee, asked the Commissioners to consider supporting H.R. 1489: Return to Prudent Banking Act of 2011, which is currently in the federal legislative process to repeal certain provisions of the Gramm-Leach-Bliley Act and revive the separation between commercial banking and the securities business, in the manner provided in the Banking Act of 1933, the so-called "Glass-Steagall Act", and for other purposes. They distributed information regarding the legislation and asked that the Commissioners contact their congressional representatives to co-sign the bill.

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



David G. Kraynik
Township Manager

as per Anna Marie Felix



PUBLIC ATTENDANCE LIST



Board of Commissioners Meeting

Wednesday, May 18, 2011 @ 7:30 P.M.

Curtis Hall

1250 W. Church Road, Wyncote, PA 19095

(Please Print Clearly)

Print Name	Mailing Address	Telephone Number	E-mail Address
Shari Reed	608 Auburn Rd		
Heidi Morein	518 Boyer Rd		
Gail D. SCHLOSSER	39 Johns Rd.		
Therese Mallory	Guest Speaker		
Dan Norris	236 Barclay Cir		
Pamella M Davis	158 Bickley Rd		
Joe Lewis	1408 W 1st St		
Heidi M. Morein	618 Boyer Rd	215 692 2378	waterofleith@aol.com
Heidi Morein			