

January 21, 2015  
Curtis Hall

A regular meeting of the **BOARD OF COMMISSIONERS** was held this evening, President Harvey Portner presiding. Members present were Commissioners Holland, McKeown, Norris, Rappoport, Sharkey, and Simon.

Staff present were Charlyn Battle, Director of Human Resources; Christopher Clewell, Superintendent of Public Works; Alyson Elliott, Assistant Township Manager; Michael Fleming, Public Works Coordinator; Nancy Gibson, Public Information and Complaint Officer; Brian Hinson, Acting Director of Parks and Recreation; John J. Norris, Chief of Police; Joseph O'Neill, Fire Marshal; Bruce Rangnow, Director of Fiscal Affairs; Henry Sekawungu, Director of Planning/Zoning; and Bryan T. Havir, Township Manager. Also present was Joseph M. Bagley, Esq., Township Solicitor. A Public Attendance List is attached.

1. The meeting commenced at 7:30 p.m. with the Pledge of Allegiance being led by Mr. Holland and an announcement by Mr. Portner that prior to the meeting, the Commissioners held an Executive Session to discuss acquisition of real property. .

2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated December 17, 2014.

Ms. Rappoport wanted it clarified that in the Organization Meeting Minutes, her objection to the word "obstructionists" stems from its usage in the President's 2015 Budget Message and asked that the minutes be amended in this respect.

Upon motion of Mr. McKeown, the Organization Meeting Minutes dated January 5, 2015, were unanimously approved by the Board of Commissioners as amended.

3. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of December, 2014, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners.

4. Each member having received a copy of the Accounts Paid Report for the month of December, 2014, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners.

5. On behalf of the Board of Commissioners, Mr. Portner, presented **Resolution No. 50-15** and a chair to former Commissioner Art Haywood who was recently elected as State Senator honoring his tenure as Commissioner of Ward 2 (see attached).

6. State Representative Stephen McCarter presented a Proclamation from the Pennsylvania House of Representatives newly elected State Senator Art Haywood.

7. Mr. Sharkey presented **Resolution No. 51-15** to the Booker and Baird families, owners of the Wesley Pharmacy, honoring said pharmacy for 50-years of business in the Township and the Glenside community.

8. Review of Public Works Committee Minutes dated January 14, 2015:

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W15-129 to Mr. Mark Ainsworth, owner of 328 Greenwood Avenue, Wyncote, relating to the replacement of two (2) windows on the basement level facing rear and one (1) window on east side of home facing Robinson Park. The proposed new replacement windows are to be fiberglass Marvin® units whose glazing patterns match those on the original drawings, as submitted with the application.

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W15-130 to Mr. Victor Morozov, owner of 209 Greenwood Avenue, Wyncote, relating to the installation of a new railing on an open porch; the railing style and type to be determined.

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W15-131 to Ms. Dabney Mojisola, owner of 3 Greenwood Place, Wyncote, relating to the removal of a brick walkway to be replaced with a crushed stone (red) driveway that will measure 17 ½ feet wide by 74 feet along the side of the dwelling. The crushed red stone is the common color being used throughout the neighborhood. A sidewalk curb cut will not be required. The building will not be altered.

d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W15-132 to Mr. Matthias Hufnagel, representative for SEPTA, owner of 2 Greenwood Avenue, Jenkintown-Wyncote Train Station, Jenkintown, regarding the replacement of canopy roofing, replacement of damaged wood soffit, painting of wood soffit and steel structure, repairs to rainwater drainage system, installation of new canopy light fixtures and repair of cracks at stone wall and replacement of deteriorated stones.

e. Review of CTDA 14-0514-04, Arcadia University. Ms. Rappoot stated that since the documentation from the Zoning Hearing Board on this appeal was not received on a timely basis, she abstained from a vote at the Public Works Committee meeting and will do so again this evening.

Upon motion of Mr. Sharkey, the Board of Commissioners approved with conditions CTDA #14-0514-04, Arcadia University – Kaname Tract Land Development for 450 South Easton Road, including the requested waivers. (Ayes – Holland, Norris, McKeown, Portner, Sharkey, Simon; Abstention – Rappoport).

f. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously authorized the execution of a Release Agreement with Montgomery County in the amount of

\$205,178.21, which is the Township's proportionate share of assets to the Waste System Authority of Eastern Montgomery County owed to said Authority upon its dissolution in December 2014 (see attached).

g. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously authorized Request for Proposals for the disposition of the Township-owned property located on the east side of Old Soldiers Road, between Tookany Creek and 131 Old Soldiers Road, being identified as tax parcel #31-00-21523-001, Tax Map 71, Lot 012.

Ms. Rappoport noted that in the Public Works Committee meeting minutes, it was not stated that she asked that the motion allow for the consideration of an alternative use for said property, and not for restrictions on the property and that said minutes be amended accordingly.

h. Mr. Sharkey noted the lengthy discussion about a proposed Ordinance providing for a sewer charge adjustment for water, which is used but does not enter the Township's Sanitary Sewer System. An amended version of said Ordinance will be reconsidered in February 11, 2015 meeting of the Committee for recommendation to the Board of Commissioners at its February 18, 2015 meeting.

i. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Works Committee Meeting Minutes dated January 7, 2015 as amended.

9. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Safety Committee Meeting Minutes dated January 7, 2015 as amended.

10. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the Public Affairs Committee Meeting Minutes dated January 7, 2015 as amended.

11. Upon motion of Mr. Simon, the Board of Commissioners unanimously accepted the Building and Zoning Committee Meeting Minutes dated January 7, 2015 as amended.

12. Under New Business: The Board of Commissioners considered whether or not to adopt an Ordinance amending the Cheltenham Township Code, Chapter 295, thereof, entitled "Zoning" by adding a new zoning district entitled R3-A and enacting required area and bulk regulations; and amending Article XXIV Preservation Overlay District, and an Ordinance amending the Zoning Map of the Township, attached to and incorporated in Chapter 295, Section 4, of the Township Code, by changing the zoning classification of Parcel Nos. 31-00-29050-007, 31-00-29053-004, 31-00-29056-019 and 31-00-29056-001 from the R3 Residential District to R3-A Residential District. Said Ordinance pertains the property known as Falcon Hill (formerly Laverock Hill) on Willow Grove Avenue, Laverock, owned by Hansen properties.

Mr. Bud Hansen addressed the Board as follows: He reviewed the process that his company has taken over the past seven (7) years, the several changes to the plan, including reaching out to the Laverock Hill Steering Committee ("SC") of neighbors to reach a fair resolution. Since 2009 the SC has not entered into any discussions despite his open offer. He

felt it was time to clarify the facts. He reminded everyone that there is a 'buy right' plan for the 10-acres in Cheltenham for 216 units. His rights for under R-3 Zoning were by-passed. There is another plan pending that is in accordance with the then enacted age-qualified overlay district, which will allow the development of 216 multi-family units in the Township. It is a marketable concept and will yield higher profits than the 18 single family homes currently being proposed but he preferred to find a fair compromise and numerous lower-density plans were presented.

The current compromise is less than 1/10 the density allowed by-right. Under the R-3 Zoning, he could build 14 single family homes that would eliminate all open space and all of the existing greenery along Willow Grove Avenue, buffer, and the brick wall. The RA-3 Ordinance has conditions that are in no other Township Ordinance. It has architectural standards, limits building height, requires a buffer off of a state road, requires a buffer from the neighboring community, has impervious coverage requirements, has pedestrian trails and sidewalks open to the public.

He reviewed the Township's Planning Commission ("PC") recommendation of denial contained in its January 26, 2015 meeting minutes, which he believed was based on a lack of a second means in ingress/egress off of Ranch House Lane and removal of the mansion. Springfield Township unequivocally will not allow the use of Ranch House Lane for anything other than emergency exits. The PC was not informed of the previous ideas for the mansion that were denied. The PC dismissed the buffer as a concern because it believed it to be a land development matter. Mr. Hansen asserted that PC member Scott Laughlin was on the SC and a leading opponent of the project. Mr. Laughlin recused himself from participation but at the PC meeting, he announced that he was no longer on the SC and could vote on the matter. The buffer issue had nothing to do with the PC's denial.

The buffer language in the R3-A Ordinance is the same as the SC's position. Until 2009, the SC provided opinions that were incorporated into the plan and the proposed Ordinance, including recommendations relating to the setbacks of buildings being built near properties on Newbold Lane and Willow Grove Avenue. Since 2009, no two-way discussion has occurred. It was Mr. Hansen's opinion that the SC wants to deny development as much as possible and minimize density.

The proposed homes are what today's buyers want – large living spaces with small lots to maintain. This plan accomplishes everyone's goals. The opposition has not offered alternative acceptable plans to them. All neighbors' ideas up until 2009 have been considered and included. He noted all concessions. He noted a written agreement with the neighbor most impacted.

He questioned whether or not there is a difference between 14 single family homes and 18 single family homes. The property will be developed but it remains how it will be developed. He questioned if this plan was worth the hassle of maintaining the wall and buffer and putting that burden on a homeowners association or just moving forward with 14 units or pursuing 216 units.

Mr. Hansen asked if there were any other changes that the Commissioners' could recommend. He noted page 3 of the Ordinance, Section 1, 295-261(b) and asked if the word "building" is changed to "lot" could that change opinion.

Mr. Norris asked what it would mean. Mr. Hansen stated that no building could be within a 50-foot buffer and the feasibility for the Township to monitor and enforce this if someone wanted to place something in their backyard that is in the buffer. If “building” was changed to “lot” there would be no lot that would be a part of the buffer.

Mr. Bagley stated that the Commissioners discussed these changes a few months ago and the wording of “building” to “lot line” actually moves the buffer further away especially the one lot that would have to be eliminated or moved. He advised that if that change was made to the Ordinance, it would be a substantial change, and the Ordinance would have to be re-advertised.

### Public Comment

Wendy Blutstein, a neighbor, stated that Mr. Hansen mischaracterized the neighbors group, which has been actively involved at all times and what happened at the PC meeting; Mr. Hansen never intended to save the mansion, and there were no alternatives for reuse. This is a bad plan, disrespectful to the environment, historic resources, to the neighbors, and dangerous to residents. The plan is dense. The buffer is not protective. The Township PC and the MONTCO PC have given reasons why the plan is bad. She is not trying to stop the development and resented the implication. She believed it to be spot zoning.

Mr. Bagley noted that Mr. Hansen’s option to amend the Ordinance was one that she originally suggested. Ms. Blutstein stated that said option was part of her suggestion, and she also suggested taking two units in Cheltenham and six units in Springfield. Mr. Hansen declined due to losing money on the investment. She felt that Cheltenham was accepting too many units. Mr. Bagley said that Cheltenham cannot control what Springfield wants to do. Mr. Bagley asked if Ms. Blutstein would accept the latest proposed changes that was just amide. Ms. Blutstein responded that she would have to discuss it the neighbors.

Joel Perlstein did not feel it was appropriate to discuss this now. Cheltenham cannot regulate Springfield but will get all the Springfield traffic. There has been cooperation and dialogue between both Townships for a unitary property, and it should continue.

Mr. Bagley advised the Board of its options, i.e. to either reject the Ordinances or to make a change to the Ordinance and re-advertise it, or do nothing, take no action, and allow the Ordinance to expire.

### Comments from the Board

Mr. Holland. As the newest Commissioner, he stated that he reviewed the data on this project; spoke with stakeholders, and toured the property. He understands neighbors’ concerns about traffic. He did not believe that said Ordinance needed to move forward and felt it could be developed under an R3 Ordinance. He believed the property should and would be developed but with a better plan.

Mr. Norris. Believed a solution was close by all parties, and it seems the issue is with one Unit #11 and the 50-foot buffer. He felt said unit should be pulled since it did not meet the 50-foot buffer. He questioned what the proposed word change means as it relates to his objection.

Mr. Bagley responded that the change would cause one of the developer's units to be moved. The developer had questions about whether the area to which it would be moved would have steep slopes. This would require an engineering interpretation.

Mr. Hansen stated that said lot would not exist. Any other unit would have to fit on the site. No lots would exist within the buffer meaning the difference between the plan we had and this is that you would have within the 50-feet you would have the buffer at only 50-feet from the right-of-way. Moving to the lot, not only will there be a 50-foot buffer but also a 25-foot rear yard setback at a minimum. What you are really getting is a minimum of 75-feet to any building from the right-of-way. With this change, there may be only 17 units.

Mr. Norris was disappointed that one unit could deny the Ordinance.

Mr. Simon. Concerned about the number of units and the number being tossed around for Cheltenham is a maximum of 18 and could be reduced to 17. It seems that there is a possibility of adding a unit by putting another unit somewhere else and it seems Hansen felt that would allow an 18 or 19 units. Is there anything that would entitle you in this Ordinance to add a unit not contemplated in the 18 or 17 number and if so would you be agreeable to another change that would mean that in fact the number would be a maximum of 18.

Ross Weiss, Esq. Disagreed with Mr. Simon. He believed that the Ordinance states that the number of units is driven by units per acre, and the Cheltenham Tract is a finite number of acres, and the Ordinance states there can only be one unit per 1.9 acres so the number of units per acres could not change. An existing building could create an 19<sup>th</sup> lot but the developed position has always been that of the existing buildings, we will try to reduce them and that is where we get 88. The proposal for the total number of units in both Townships is 84 but there are 4 existing houses that could be reused and that is where the additional lot comes from but they are in Springfield, not Cheltenham. All of the traffic would come out onto Cheltenham but the number of units is less in Cheltenham because Springfield is taking more units. The trade-off that Springfield has accepted this provided that they would not go on Ranch House Lane. A unit is important to the developer because infrastructure expenses are the same whether it is 84 lots or 75 lots. With 84 lots, the expense can be divided and share the burden and make the lot more attractive in price. Loading the expense into lesser number of units, increases the price of the house. Mr. Weiss felt that the traffic study has proven there will not be an undue burden as long as Ranch House Lane is the emergency egress. He felt the positives outweighed the negatives of the plan.

Mr. Simon asked about the status in Springfield of limiting to 66 units. Mr. Weiss stated that a plan was presented to Springfield but an Ordinance was not, however, one is prepared because Springfield wants it resolved in Cheltenham first. Springfield will not amend its

Ordinance if it has not been amended in Cheltenham. Mr. Simon asked if the Ordinance submitted to Springfield would contain a total of 66 units plus the existing houses. Mr. Weiss responded yes. Mr. Simon asked if the unit built on the tennis court was included in the 66 units plus 4 existing units. Mr. Weiss stated that nothing is being built on the tennis courts or anywhere else. The numbers we have are from the Cheltenham planner and our several meetings. Mr. Simon clarified that the bottom line is either 84 or 83 units in the two Townships depending on what the engineering study on whether the 18<sup>th</sup> lots is workable plus 4 in the existing properties, and the idea of an extra unit taking it to 64 plus 4 is wrong. Mr. Weiss agreed.

Mr. McKeown. Believed the project has become smaller over the years. The developer has tried to accommodate both Townships. He accepted the plan as presented.

Mr. Sharkey. Believed that the change Mr. Hansen proposed this evening makes the plan acceptable.

Ms. Rappoport. Very sympathetic to the compromises. The changes to the lot rather than the building was one of the reasons, and she appreciated that change but was not in favor of the plan even with this change. She did not favor Mr. Amey's plans. Her concerns include the welfare of the Township and for the portion in Cheltenham, and the traffic to be piled up for that entire complex is a safety issue, congestion and a detriment to those property values. She was not a fan of eliminating the preservation overly that addresses the repurposing of the mansion, which she believed was a part of the physical assets that needed to be repurposed in a way that provides additional leverage and ongoing respect some of the Township's historical assets.

Mr. Weiss stated that the equity investors have pressured Hansen because the plan keeps moving forward without any resolution. He requested that if the Ordinance was not being approved this evening that the Board authorize advertisement at the next available date and that Hansen be allowed to present the amended Ordinance to the Township's PC at its next meeting and to the MONTCO PC for review.

Mr. Bagley disagreed with Mr. Weiss. He advised that the Ordinance has to be re-advertised. There are certain timing restrictions, one of which is that the PC has to be given 30-days to review it. Court cases are very clear on "substantial" amendments, this would be a substantial amendments, and the process has to be repeated.

In response to a question from Mr. Holland, Mr. Weiss explained what the developer could develop under R3 Zoning vs. R3-A Zoning. Mr. Hansen stated that the Preservation Overlay District would allow 216 units by right. Springfield was not eager to go from 32 to 66 units but would do it if Cheltenham did not have 216 units on the front of their property. Mr. Holland noted that Springfield will not get any traffic impact. Mr. Hansen explained that Springfield will take 66 units if the 216 unit plan does not move forward, and if we move forward not to exceed 18 units in Cheltenham. If we went with R-3, the buffers and wall would not exist and every inch of the 10-acres in Cheltenham would be laid out. In the R3-A plan, not all the acreage is laid out, open space, buffer, wall, trees are being left.

Discussion concluded.

Upon motion of Mr. Sharkey, the Board of Commissioners authorized the scheduling of a Public Hearing on March 18, 2015, at 7:30 p.m., at Curtis Hall, to consider and could vote to adopt an Ordinance amending the Cheltenham Township Code, Chapter 295, thereof, entitled "Zoning" by adding a new zoning district entitled R3-A and enacting required area and bulk regulations; and amending Article XXIV Preservation Overlay District, and an Ordinance amending the Zoning Map of the Township, attached to and incorporated in Chapter 295, Section 4, of the Township Code, by changing the zoning classification of Parcel Nos. 31-00-29050-007, 31-00-29053-004, 31-00-29056-019 and 31-00-29056-001 from the R3 residential district to R3-A residential district, as amended this evening (Ayes: Holland, McKeown, Norris, Portner, Sharkey; Simon; Abstain: Rappoport).

13. Under New Business:

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

Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved the reorganizations as submitted by the Board President (see attached).

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

  
\_\_\_\_\_  
Bryan T. Havir  
Township Manager

as per Anna Marie Felix

*A Resolution No. 50-15  
of the Board of Commissioners of Cheltenham Township*

*Whereas,* THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with immense appreciation and respect, honors **ART HAYWOOD** of Wyncote for his outstanding service to the Cheltenham Township community; and

*Whereas,* After election in 2009, **ART HAYWOOD** officially joined the Board of Commissioners on January 2, 2010 to represent Ward 2. During his five-year tenure, he served two years as Board President and in various years chaired the Building and Zoning Committee, Public Works Committee, Sinking Fund Commission and Pension Board; and

*Whereas,* His leadership helped the development a Sustainability Plan and the launch of Sustainable Cheltenham; the adoption of semi-automated recycling collection; the engagement of the U.S. Army Corps of Engineers to address flood damage reduction and other flood mitigation efforts; the construction of SEPTA's Cheltenham-Ogontz Bus Depot; and the creation of a tutoring program for students at Cedarbrook Middle School. His thoughtfulness, dedication and commitment will be greatly missed after **ART HAYWOOD** retires from the Board of Commissioners on December 31, 2014, to assume the new challenge of serving as the Senator in the Pennsylvania Legislature 4th Senatorial District, representing Cheltenham Township.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Seventeenth Day of December, A.D., 2014, does hereby officially honor and thank **ART HAYWOOD** for his five years as a Commissioner in Cheltenham Township and extends its best wishes for his future success in his new role as State Senator. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be conveyed to Mr. Haywood.

IN WITNESS WHEREOF, WE, his fellow COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set our hands and caused the Seal of the Township of Cheltenham to be made a part thereof. DONE AT ELKINS PARK, PENNSYLVANIA, in the year of the Township of Cheltenham, the one hundred and fifteenth.

**BOARD OF COMMISSIONERS  
OF CHELTENHAM TOWNSHIP**

*Harvey Portner*

By: \_\_\_\_\_  
Harvey Portner, President

*Morton J. Simon, Jr.*

Attest: \_\_\_\_\_  
Morton J. Simon, Jr., Vice President

*Charles D. McKeown*

Attest: \_\_\_\_\_  
Charles D. McKeown, Commissioner

*Ann L. Rappoport*

Attest: \_\_\_\_\_  
Ann L. Rappoport, Commissioner

*Drew Sharkey*

Attest: \_\_\_\_\_  
Drew Sharkey, Commissioner

*Daniel B. Norris*

Attest: \_\_\_\_\_  
Daniel B. Norris, Commissioner

*Bryan T. Havir*

Attest: \_\_\_\_\_  
Bryan T. Havir  
Township Manager and Secretary

*A Resolution No. 51-15  
of the Board of Commissioners of Cheltenham Township*

*Whereas,* THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with a great sense of pride and admiration, salutes **WESLEY PHARMACY** for over 50 years of service to the Glenside community; and

*Whereas,* Anthony and Catherine Baird, along with sons Terry and Larry, started an over-the-counter health and beauty supply store at 112 S. Easton Road in 1962. In 1964, they opened the Wesley Apothecary at 11 Wesley Avenue and hired their first employee – pharmacist David A. Tedesco – who continues to work at **WESLEY PHARMACY** to this day. In 1969, the Baird family purchased the old Ben Franklin Five and Dime on 108 S. Easton Road, which is the site of the pharmacy today. In the late 1970s, the business expanded to include durable medical goods, forming the Wesley Medical Equipment division; and

*Whereas,* Although three of the original founders are now sadly gone, new family members have joined the enterprise, which continues as a family-owned and operated business and now spans four generations. They all proudly retain the founders' philosophy of treating customers like people, not dollar signs.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Twenty-First Day of January, A.D., 2015, does hereby officially **WESLEY PHARMACY** for over 50 years of valuable service to the Cheltenham community. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be presented to the Baird family.

IN WITNESS WHEREOF, I, HARVEY PORTNER, President of the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set my hand and caused the Seal of the Township of Cheltenham to be made a part thereof. DONE AT ELKINS PARK, PENNSYLVANIA, in the year of the Township of Cheltenham, the one hundred and sixteenth.

**BOARD OF COMMISSIONERS  
OF CHELTENHAM TOWNSHIP**



By: \_\_\_\_\_  
Harvey Portner, President



Attest: \_\_\_\_\_  
Bryan T. Havir  
Township Manager and Secretary

## RELEASE

THIS AGREEMENT (the "Agreement"), made as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between THE COUNTY OF MONTGOMERY, (the "County"), and \_\_\_\_\_ ("Municipality").

### **BACKGROUND**

1. In 1989, due to a critical shortage of solid waste disposal capacity, the County created the Waste System Authority of Eastern Montgomery County (the "Waste System Authority") pursuant to the Pennsylvania Municipal Authorities Act of 1945 (Act of May 2, 1945, P.L. 382, as amended), to operate and administer the County's solid waste management and disposal system, and to finance the development and construction of the trash-to-energy facility located in Plymouth Township.
2. The Waste System Authority has represented approximately two dozen municipalities in the eastern portion of the County, which are located in a geographically convenient location to utilize the Plymouth facility.
3. The bonds which were issued to pay for construction of the Plymouth Facility have been repaid, and the contract with the facilities operator will terminate at the end of 2014.
4. Given these changed conditions, it was determined that the Waste System Authority is no longer necessary, and the decision was made to terminate the Waste System Authority, and wind down the Authorities operations, and a resolution from the Authority Board requesting and authorizing such a dissolution was adopted on December 18, 2014.

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises hereinafter set forth, the parties hereto, intending to be legally bound hereby, covenant and agree as follows:

1. **Incorporation of Background.**

The Background is incorporated by reference herein.

2. **Release.**

In consideration of the payment of \$205,178.21 the receipt and sufficiency of which is hereby acknowledged by the Township of Cheltenham, the Township of Cheltenham does hereby remise, quitclaim, release and forever release and discharge the County and the Waste System Authority, including any officials, agents, employees, successors or designees of the County or the Waste System Authority, from any and all liabilities or obligations arising out of the formation, operation, or dissolution of the Waste System Authority, including the disbursement of assets thereof. This release shall include any and all manner of actions and causes of action, suits, claims and demands whatsoever in law or in equity which the Municipality may now, or at any point in the future claim against the County or the Waste System Authority relating in any way to the formation, operation, or dissolution of the Waste System Authority.

IN WITNESS WHEREOF, Landlord and Tenant have caused this Lease to be duly executed by their respective authorized officers as of the day and year first above written.

COUNTY OF MONTGOMERY, PENNSYLVANIA

By: \_\_\_\_\_  
Josh Shapiro  
Chairman

Attest: \_\_\_\_\_  
Lauren Lambrugo  
Chief Operating Officer

By: \_\_\_\_\_  
Leslie R. Richards  
Commissioner

Approved as to Form:

\_\_\_\_\_  
County Solicitor's Office

By: \_\_\_\_\_  
Bruce L. Castor, Jr.  
Commissioner

[MUNICIPALITY]

By: \_\_\_\_\_

ATTEST: \_\_\_\_\_

## 2015 CITIZEN COMMITTEES

<b>COMMITTEE</b>	<b>REAPPOINTED INCUMBENTS</b>	<b>NEW APPOINTMENT</b>
Civil Service Commission	Robert C. Gerhard, Jr.	
Economic Development Task Force	David L. Cohen	
	Brad M. Pransky	
	Maureen B. Haff	
	David Rosenberg	Laurie L. Hawkins
Environmental Advisory Council	Lorna Rosenberg	
	Yuri Berg	
	Linda A. Foggie	
	Thomas McHugh	
Historical Commission	James McCann, III	
	John F. Washington, Sr.	
	Herschel Elias	
	John F. Washington, Jr.	
	Lenore L. Davies, AIA	
	Cynthia Breen	
Human Relations Commission	Rabbi Seymour Rosenbloom	
	Joel I. Fishbein	
	David K. Flaks	
La Mott Board of Historical and Architectural Review	Darlene Melton	
La Mott Community Center	Cynthia Mayes	
Library Board	Barbara Kotzin	
	Myron Goldman	
		Elizabeth A Saccardi
		Lyn Church
Planning Commission	William Winneberger	
	J. Scott Laughlin	
Shade Tree Advisory Commission	Gail F. Middleton	
Substance Abuse and Mental Health Committee	Olga S. McHugh	
	Barbara Holder	
	Lewis Goodman	
	Howard H. Covitz, Ph.D.	
	Sheva Coleman Cohen	
	Fredericka E. Waugh	
		Dyanne L. Dunlap
Wyncote Board of Historical and Architectural Review	Paula O'Connor Suss	
	Rev. Mark Ainsworth	
	Melanic Vallerio	
Zoning Hearing Board	Peter R. Labiak	



PUBLIC ATTENDANCE LIST



# Board of Commissioners Meeting

Wednesday, January 21 @ 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
Deb McCarter	211 W. Waverly Rd		deb.mccarter@gmail.com
Donna Powell			dunpowell@hotmail.com
JOANNE PACKER			packah@comcast.net
Wendy Blotstein			
Sanya Lockett	8001 Newbold Lane		
Ivan Sleet	8001 Fenton Rd		
Guyson Lockett	8001 Newbold Ln		
Leonard & Robin Eisenman	7808 Frockel RD	215-636-7698	leonadm47@gmail.com
S Strehs	CC		