

May 20, 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, Human Resources Director; Christopher Clewell, Public Works Superintendent; Alyson Elliott, Assistant Township Manager; Michael Fleming, Public Works Coordinator; Nancy Gibson, Public Information and Complaint Officer; Brian Hinson, 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 and 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 Commissioner Norris.

Mr. Portner announced that prior to the meeting, the Commissioners held an Executive Session to discuss pending litigation and a Collective Bargaining Agreement.

2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated April 15, 2015, upon motion of Mr. Sharkey, 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 April, 2015, upon motion of Mr. Sharkey, 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 April, 2015, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners.

5. Mr. Sharkey presented **Resolution No. 14-15** to Kathryn McDevitt upon the occasion of her retirement after six years of service as Secretary in the Manager's Office (see attached).

6. Mr. Sharkey presented a Community Service Award to Christine Gessler at the Fight Like Frank Foundation for the generous donation of a ballistic vest for K9 Odie.

7. Review of the Public Works Committee Regular Meeting Minutes dated May 13, 2015:

a. Regarding the Preliminary/Final Land Development Plan for Wawa, Mr. Bagley reported that the developer had requested an extension of time to June 20, 2015.

Upon motion of Mr. Sharkey, the Board of Commissioners unanimously tabled action on a Resolution approving the Wawa Preliminary/Final Land Development – Route 309 and Limekiln Pike, Plan No. 15-04.

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously awarded a Contract for the Road Milling and Resurfacing Project for 2015 to Joseph E. Sucher & Sons, Inc., in the total amount of \$409,248.15, being the lowest responsible bidder meeting Township specifications and being within budgetary limitations.

c. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously awarded Consortium contract for unit prices for Furnishing Biodegradable Paper Leaf & Grass Collection Bags to Dano Enterprises, Inc., 180 Harvard Avenue, Stamford, CT for:

10% BB/CC	Item #1 30 Gal. Bag (277,500)	Item #2 40 Gal. Bag (180,000)	Item #3 Printing & Art Work	Item #4 Printing & Art Work	Item #5 Sealing Strips
10%	\$0.366	\$0.522	NC	NC	NC
			\$360.00	\$360.00	

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

d. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application L15-143, 1812 Beech Avenue, La Mott, PA 19027, to prime and paint the exterior wood clapboard siding and trim elements, as well as to replace three exterior doors at the property, as recommended by the La Mott Board of Historical and Architectural Review.

e. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application L15-145, 7408 Cedar Lane, La Mott, PA 19027, for the replacement of the existing concrete and asphalt driveway, front and rear exterior stairs, and construction of a new rear fence, as recommended by the La Mott Board of Historical and Architectural Review.

f. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application L15-140, 1814 Beech Avenue, La Mott, PA 19027, for the construction of a new storage shed in the rear yard and the replacement of the roof of the property, as recommended by the La Mott Board of Historical and Architectural Review.

g. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application W15-144, 3 Greenwood Place, Wyncote, PA 19095 with the conditions that the applicant will only install a wood storm door of a style/color/glazing pattern that will match the existing exterior door, and that no shutters are installed on the dwelling, as recommended by the Wyncote Board of Historical and Architectural Review.

h. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved Change Order 2 from GoreCon, Inc. for John Russell Circle South Roadway Reconstruction Project in the amount of \$50,050.

i. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved Change Order #1 from Tri-State Grouting, dated May 8, 2015 for the Rock Creek Interceptor Project in the amount of \$5,820.00.

j. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously accepted the offer by Margaret Colbridge to purchase the 0.10 acres of the Township-owned property on Old Soldiers Road, Cheltenham in the amount of \$5,051.00, as per her submission to the Township's Request for Bids and contingent upon Ms. Colbridge preparing a lot consolidation plan.

k. The Board of Commissioners considered an Ordinance condemning a portion of two (2) properties for temporary construction easements. Mr. Bagley stated that the Township is still in negotiations with one of the property owners but he advised the Board to authorize advertisement of the Ordinance.

Upon motion of Mr. Sharkey, the Board of Commissioners unanimously authorized the future advertisement of an Ordinance condemning portions of two (2) properties located at 111 Ashmead Road and at 7600 Tookany Creek Parkway for required road right-of-way and temporary construction easements in connection the Ashmead Road Bridge Project.

l. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Resolution No. 15-15** fixing the amount of each Performance Bond provided to the Township in connection with competitive bidding at 100% of the amount of the liability under the contract where the Board does not specifically provide otherwise (see attached).

m. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously approved the renewal of a three (3) year lease agreement with the tenant at the Shovel Shop for the following terms:

Lease Term	Monthly Rent	Annual Rent
7/1/2015-12/31/2015	\$900.00	\$5,400.00
1/1/2016-6/30/2016	\$925.00	\$5,550.00
7/1/2016-6/30/2017	\$945.00	\$11,340.00
7/1/2017-6/30/2018	\$965.00	\$11,580.00

n. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously received the Public Works Committee Regular Meeting Minutes dated May 13, 2015.

8. Review of the Parks and Recreation Committee Meeting Minutes dated May 13, 2015:

a. Upon motion of Mr. McKeown, the Board of Commissioners unanimously extended the lease with the Cheltenham School District for playground equipment at Cedarbrook Middle School through December 15, 2015.

b. Upon motion of Mr. McKeown, the Board of Commissioners unanimously awarded a five (5) year Contract in the amount of \$21,475 for Transportation Services for the Parks and Recreation Summer Camp Programs to Tropiano Bus Company, 1256 Welsh Road, North Wales, PA 19454, being the lowest responsible bidder and being within budgetary limitations.

c. Ms. Rappoport noted that said Minutes state that she asked about Cheltenham Transportation for the Summer Camp Programs and wanted it clarified that she asked if the Township and the School District were coordinating bids.

d. Upon motion of Mr. McKeown, the Board of Commissioners unanimously received the Parks and Recreation Committee Meeting Minutes dated May 13, 2015.

9. Review of the Public Safety Committee Regular Meeting Minutes dated May 6, 2015:

a. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously adopted **Ordinance No. 2302-15** amending Chapter 285 of the Traffic Code entitled "Vehicles and Traffic" (see attached).

b. Upon motion of Mr. Sharkey, the Board of Commissioners unanimously received the Public Safety Committee Meeting Minutes dated May 6, 2015.

10. Review of the Public Affairs Committee Regular Meeting Minutes dated May 6, 2015:

a. Upon motion of Mr. McKeown, the Board of Commissioners unanimously authorized the publication of a Legal Notice advertising its intent to adopt an Ordinance authorizing the execution of the renewal of the Franchise Agreement with Comcast Cable Communications and granting a Non-Exclusive Franchise to Comcast Cable Communications Management to construct, reconstruct, operate, maintain and extend a cable communications system in the Township in accordance with the terms of said cable franchise agreement at the June 17, 2015 meeting of the Board of Commissioners (see attached).

b. Upon motion of Mr. McKeown, it is recommended to the Board of Commissioners the adoption of **Resolution No. 14-15** honoring Kathryn McDevitt upon the occasion of her retirement after 6-years of service as secretary in the Manager's Office (see attached).

c. Upon motion of Mr. McKeown, the Board of Commissioners unanimously adopted **Resolution No. 16-15** honoring the 10th Anniversary of the Tookany-Tacony Frankford Watershed Partnership ("TTF") (see attached).

d. Mr. McKeown announced that the Forsythe-Oldham-Griffith American Legion Post #497 will hold its Annual Memorial Day Service on Monday, May 25, 2015 commencing at 10:30 a.m. at the Gospel of Grace Cemetery on South Central Avenue (behind the Shovel Shop), parading east on Ashbourne Road to Central Avenue to the War Memorial on Tookany Parkway.

e. Upon motion of Mr. McKeown, the Board of Commissioners unanimously received the Public Affairs Committee Regular Meeting Minutes dated May 6, 2015.

11. Review of the Building and Zoning Committee Regular Meeting Minutes dated May 6, 2015:

a. Upon motion of Mr. Simon, the Board of Commissioners unanimously resolved to authorize publication of a Legal Notice scheduling a Public Hearing to consider and possibly adopt an Ordinance amending the Zoning Code by repealing Chapter 295, Article XXXIII, Age-Restricted Overlay Zoning District, at its meeting on Wednesday, June 17, 2015, at 7:30 p.m., at Curtis Hall, 1250 W. Church Road, Wyncote, PA.

b. Ms. Rappoport noted that for Appeal No. 15-3510, Salisbury Behavioral Health, Inc., for a Group Home at 333 Bent Road, Wyncote, she voted "Nay" to oppose said application at the April 1, 2015 meeting of the Building and Zoning Committee.

c. Upon motion of Mr. Simon, Board of Commissioners unanimously received the Building and Zoning Committee Regular Meeting Minutes dated May 6, 2015.

12. Upon motion of Mr. Portner, the Board of Commissioners unanimously received the Pension Board Regular Meeting Minutes dated May 1, 2015.

13. Under Old Business: None.

14. Under New Business: Mr. Havar announced that a Tentative Three (3) Year Contract Agreement has been reached with the Salaried Employees Association for 2014-2016, and it has been ratified by the membership. He discussed certain agreed upon concessions such as no salary increase for 2014 but a \$500 bonus payment in lieu; 3% salary increase for 2015; 3.5% salary increase for 2016; concessions on current and post-retirement healthcare and pensions.

Upon motion of Mr. Portner, the Board of Commissioners unanimously ratified a Collective Bargaining Agreement for the years 2014 through 2016 with the Township's Salaried Employees Association (see attached).

There being no further business, upon motion of Mr. McKeown, the meeting was adjourned at 8:00 p.m.



Bryan T. Havar
Township Manager

per Anna Marie Felix

*A Resolution No. 14-15
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep admiration and respect, honors **KATHY McDEVITT** on the occasion of her retirement after more than six years of dedicated service with Township; and

Whereas, **KATHY McDEVITT** joined the Cheltenham Township staff as Secretary to the Assistant Township Manager on February 2, 2009. This challenging position included assembling grant applications totaling in the millions of dollars; compiling and collating required documentation to close grants; taking and transcribing minutes for multiple citizen committees; assisting the preparation of numerous Requests for Proposals; sorting and prioritizing vast quantities of incoming messages to the Assistant Township Manager; and other essential secretarial support; and

Whereas, Among her career achievements, **KATHY McDEVITT** revolutionized the Township's records disposal procedure, significantly streamlining the process. Her unshakable professionalism, positivity and conscientiousness will be sorely missed by all of her friends and colleagues since her retirement on May 1, 2015.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Twentieth Day of May, A.D., 2015, does hereby officially honor **KATHY McDEVITT** for her dedicated service to the Cheltenham community and wishes her good fortune in all her future endeavors. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be presented to Ms. McDevitt.

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
Harvey Portner, President

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

**CHELTENHAM TOWNSHIP
BOARD OF COMMISSIONERS**

MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA

RESOLUTION NO. 15-15

**A RESOLUTION OF THE BOARD OF
COMMISSIONERS OF CHELTENHAM TOWNSHIP
FIXING THE AMOUNT OF EACH PERFORMANCE
BOND PROVIDED TO THE TOWNSHIP IN
CONNECTION WITH COMPETITIVE BIDDING AT
ONE HUNDRED PERCENT OF THE AMOUNT OF THE
LIABILITY UNDER THE CONTRACT WHERE THE
BOARD DOES NOT SPECIFICALLY PROVIDE
OTHERWISE**

WHEREAS, the Board of Commissioners of Cheltenham Township (“Board”) is authorized, in certain circumstances, to award bids for Township contracts to the lowest responsible bidder as more fully provided for in the First Class Township Code and in the Township Home Rule Charter; and

WHEREAS, the First Class Township Code further provides that the successful bidder under competitive bidding is required to furnish a bond guaranteeing the performance of the contract in an amount as determined by the Township Commissioners which shall be not less than ten percent (10%) nor more than one hundred percent (100%) of the amount of the liability under the contract; and

WHEREAS, the Board of Commissioners desires to fix the amount of performance bonds by the Board at one hundred percent (100%) of the amount of the liability under the contract where the Board does not specifically provide otherwise.

NOW, THEREFORE, it is hereby **RESOLVED** by the Cheltenham Township Board of Commissioners as follows:

1. The amount of each performance bond provided to the Township under the competitive bidding requirements of the First Class Township Code is hereby fixed by the Board at one hundred percent (100%) of the amount of the liability under the contract unless the Board specifically provides otherwise.

RESOLVED this 20th day of May, 2015 by the Board of Commissioners of Cheltenham Township, in lawful session, duly assembled.

CHELtenham TOWNSHIP

By: Harvey Portner
Harvey Portner, President
Board of Commissioners

Attest: Bryan T. Havir
Bryan T. Havir, Manager/Secretary

ORDINANCE NO. 2302-15

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 **DELETING** the following:

- | | | |
|---------------|-----|--|
| WILLOW AVENUE | (8) | HANDICAPPED PARKING, 1514 Willow Avenue. This addition is effective for the duration period that resident is eligible for a reserved handicaped parking space. |
| ERLEN ROAD | (8) | HANDICAPPED PARKING, 1725 Erlen Road. This addition is effective for the duration period that resident is eligible for a reserved handicaped parking space. |

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

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

ENACTED into an Ordinance this 20th day of May, 2015.

BOARD OF COMMISSIONERS
TOWNSHIP OF CHELTENHAM

By Harvey Portner
Harvey Portner, President

ATTEST: Bryan T. Havir
Bryan T. Havir, Township Manager

*A Resolution No. 16-15
of the Board of Commissioners of Cheltenham Township*

Whereas, THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with immense appreciation and respect, officially salutes the **TOOKANY/TACONY-FRANKFORD WATERSHED PARTNERSHIP, INC., (TTF)** occasion of its 10th Anniversary; and

Whereas, The Philadelphia Water Department first launched TTF in 2000 to develop a blueprint for restoring the urban stream and to meet the mandated requirements of the federal Clean Water Act. The groundbreaking effort connected diverse stakeholders as neighbors and stewards of the watershed. Five years later, TTF formally incorporated as an independent nonprofit organization with a Board of Directors representing environmental organizations, community groups, government entities across Montgomery and Philadelphia Counties, and other watershed stakeholders; and

Whereas, TTF hired its first full-time Executive Director in 2007, and now boasts a full-time staff of six. It adopted a Strategic Plan in 2013 and was awarded funding the following year through the William Penn Foundation's Delaware Watershed Conservation Program "to protect land, restore streams, [and] test innovative approaches in ecologically significant places." While fulfilling its mission, TTF has earned numerous awards for its outstanding work.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Twentieth Day of May, 2015, A.D., does hereby officially salute **TOOKANY/TACONY-FRANKFORD WATERSHED PARTNERSHIP, INC.** for its decade of immeasurable service to this region. 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 TTF at its Milestones Award Ceremony on May 13, 2015.

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
Harvey Portner, President

Attest: Bryan T. Havir

Bryan T. Havir
Township Manager and Secretary

**Contract Agreement Between
Cheltenham Township and the Cheltenham Township Salaried Employees Association**

1 Length of Contract: 3 years

2 Wages:

2014	0%	
2015	3%	wage increase, retroactive back to January 1, 2015 \$250 'Bonus payment' (taxed) not included in base salary, payable upon signing of a contractual agreement. An additional \$250 is to be added to the 2015 base wages as of December 31, 2015
2016	3.5%	wage increase using the 2015 base wage including the \$250 addition made as of 12/31/15, but not the \$250 bonus check paid at the time of contractual signing.

3 Health Insurance:

<u>Employee Contributions:</u>	HMO	PPO	
2015	1.5%	3.0%	effective upon signing of a contractual agreement
2016	1.5%	3.0%	

Healthcare Plan / Co-pays

Accepted pending Associations review of attached health plan summary. Association will e-mail signed approval of health plans.

4 Post Retirement Healthcare:

- No post retirement healthcare coverage for employees hired after 12/31/14
- Employees retiring after 12/31/14 will automatically be enrolled in the HMO plan
- Coverage for employees retiring after 12/31/14 shall be limited to: the employee, the existing spouse at time of retirement and dependents only.

5 Pension:

- All employees will contribute 5% of their gross yearly wages earned towards their pension retroactive to January 1, 2015.
- For employees hired after December 31, 2014 the Township Salaried Pension Plan shall provide a benefit of 1 ½ times years of service times the average pay in the last three years (36 consecutive months) of the employee's earnings. There shall be 100% pension vesting after five (5) years of credited service. For employees hired prior to December 31, 2014 the Township Pension plan shall continue to provide a benefit of 2 times years of service times the average pay in the last three years (36 consecutive months) of the employee's earnings.
- For each year of service in excess of twenty (20) years, an employee may retire one year earlier than the normal retirement age of 65. For employees hired after December 31, 2014 the minimum retirement age shall be set at age 60. The minimum age for retirement shall be age 55 for employees hired prior to December 31, 2014.
- The maximum pension payout benefit shall be capped at 100% of salary.

- 6 **Payroll:**
Bi-weekly payroll will be effective April 1, 2016
There will be no paychecks issued on April 1, 2016
The first bi-weekly check will be issued on April 8, 2016 and every two weeks thereafter.
- 7 **Perfect Attendance:**
An employee will be awarded one (1) day off for every six (6) months of perfect attendance in which an employee does not utilize a sick day, workers compensation or Short Term Disability. One (1) emergency Personal Day can be utilized without affecting Perfect Attendance.
- 8 **Residency:**
Remove all current requirements
- 9 **Consolidated Collective Bargaining Agreement:**
Collective Bargaining Agreement will be posted on the shared server in the Township Bldg, Police Dept & EMS Bldg by June 30, 2015 for all employees to view and print as needed.
- 10 **FMLA:**
The Township agrees not to force an employee to use any of their vacation days when they are out on an approved leave of absence for FMLA. FMLA will run concurrent with Worker's Compensation and Short Term Disability.
- 11 **Subpoenas:**
The Township shall have no responsibility to pay Association members for off duty subpoenas.
- 12 **Uniform Allowance:**
The Township will provide the Community Service Officer (CSO) an annual clothing allowance of \$300 to include the purchase of short sleeve shirts, long sleeve shirts, pants, jacket & boots.

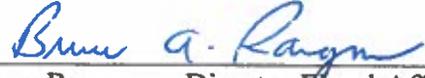
The Township will provide EMS Paramedics/EMTs with appropriate uniforms as deemed necessary. In addition, they will be entitled to an allowance of \$150 for uniform boots annually.
- 13 **Grievance:**
The existing grievance procedure shall be modified to add an additional step #5. Step #5 shall be either parties ability to appeal any grievance decision of the Civil Service Commission to AAA Arbitration. The parties shall split the cost of any arbitration fees. Discipline up to and including discharge shall be for just cause and subject to all steps of the grievance procedure.

ALL OTHER LANGUAGE SHALL STATY THE SAME.

Cheltenham Township

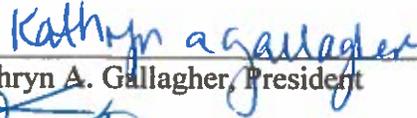


Bryan T. Havir, Township Manager



Bruce Rangnow, Director Fiscal Affairs

Salaried Employees Association



Kathryn A. Gallagher, President



Kathleen Tierney, Treasurer



Michael Riley, Member-at-Large

Dated: May 14, 2015

This tentative agreement is subject to ratification by the Cheltenham Township Board of Commissioners and the Cheltenham Township Salaried Association Membership.

**PUBLIC ATTENDANCE LIST
BOARD OF COMMISSIONERS MEETING**

Wednesday, May 20, 2015

**7:30 p.m.
Curtis Hall**

NAME <i>(Please Print Clearly)</i>	ADDRESS	E-MAIL/TELEPHONE
THOMAS G. ESTLOW	7423 BARCLAY RD CHETENHAM 19012	CTR05.4@ICLOUD.COM (267) 317-8281
Bob Colling	213 Barter Rd Wyncote PA	
S/VP Tony		