

July 17, 2007
Curtis Hall

The regular meeting of the **BOARD OF COMMISSIONERS** was held this evening, President Michael J. Swavola presiding. Members present were Commissioners Gerhard, Greenwald, Muldawer, Portner and Simon. Staff present was Charlyn Battle, Human Resources Coordinator; Bryan T. Havir, Assistant Township Manager; John O. Hoover, Jr., Director, Parks and Recreation; Rudy Kastenhuber, Public Works Coordinator; David M. Lynch, Director, Engineering, Zoning and Inspections; Michael Moonblatt, Fire Marshal; John J. Norris, Chief of Police; Ruth Littner Shaw, Main Street Manager; Andrew B. Cantor, Esq., Wisler, Pearlstine, Talone, Craig, Garrity & Potash; and David G. Kraynik, Township Manager. A Public Attendance List is attached.

1. President Swavola opened the meeting with the Pledge of Allegiance being led by Mr. Simon.
2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated June 19, 2007, upon motion of Mr. Gerhard, 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 June 2007, upon motion of Mr. Gerhard, 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 June 2007, upon motion of Mr. Gerhard, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.

5. Mr. Muldawer presented a Certificate and Pin to Andrew Swartz recognizing 20-years of service to the Cheltenham Township Emergency Medical Service.

6. Mr. Portner presented a 2007 Essay Contest Award to Maggie Shotzbarger, a 6th grade student at Ancillae Assumpta Academy, on behalf of the Drug, Alcohol and Mental Health Committee.

7. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved a deadline of 90-days to the George B. Heidmann, Jr. Trust, owner, to remove the buses from the Parking lot on the southeast corner of Rices Mill Road and Glenside Avenue in accordance with Cheltenham Township Zoning Decision No. 725.

8. Upon motion of Mr. Greenwald, the Board of Commissioners unanimously adopted **Resolution No 29-07** calling upon the Pennsylvania Department of Transportation (PennDOT) and the Secretary of Transportation of the Commonwealth of Pennsylvania to undertake the repair and maintenance of all state highways and their appurtenances within Cheltenham Township at the sole cost and expense of the Commonwealth of Pennsylvania.

TOWNSHIP OF CHELTENHAM

RESOLUTION NO. 29-07

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA, CALLING UPON THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION (PENNDOT) AND THE SECRETARY OF TRANSPORTATION OF THE COMMONWEALTH OF PENNSYLVANIA TO UNDERTAKE THE REPAIR AND MAINTENANCE OF ALL STATE HIGHWAYS AND THEIR APPURTENANCES WITHIN CHELTENHAM TOWNSHIP AT THE SOLE COST AND EXPENSE OF THE COMMONWEALTH OF PENNSYLVANIA

WHEREAS, pursuant to §670-401 of the State Highway Act of 1945, 36 P.S. §670-401, the Department of Transportation (hereinafter referred to as “PennDOT”), is mandated to maintain and repair all the State highways (hereinafter referred to as “State Highways”) forming part of the State-mandated system of State Highways within the counties and townships of the Commonwealth of Pennsylvania, at the cost and expense of the Commonwealth; and

WHEREAS, as part of the responsibility of such maintenance is the maintenance and repair of the appurtenances constructed as part of the State Highways along the corridors of the State Highways, said appurtenances included but not limited to the cart ways, road surface, curbs, sidewalks, stormwater management structures and basins, bridges, culverts and swales forming a part of the design of the State Highway at their various locations and positions within local municipalities and political subdivisions within the Commonwealth of Pennsylvania; and

WHEREAS, PennDOT retains unto itself the prerogative of review and approval of all proposed entries upon State Highways by requiring any entrant to obtain a PennDOT Highway Occupancy Permit; and

WHEREAS, within Cheltenham Township (a political subdivision of the Commonwealth of Pennsylvania organized and existing under the First Class Township Code of the Commonwealth of Pennsylvania) there are several State Highways, including SR 2025 (Ashbourne Road, Central Avenue); LR Route 46122 (Cedar Road); SR 2035 (Cheltenham Avenue); SR 0073 (Church Road, Township Line Road); SR 2054 (Greenwood Avenue); SR 0152 (Limekiln Pike); SR 2027 (Mt. Carmel Avenue); SR 2060 (New Second Street); SR 2062 (Oak Lane Road); SR 309 (Ogontz Avenue); SR 0611 (Old York Road); SR 2056 (Washington Lane); SR 2034 (Willow Grove Avenue); and

WHEREAS, Cheltenham Township does not have the financial ability or the manpower and material at its disposal to undertake the repair and maintenance of the State Highways and their appurtenances situate within Cheltenham Township, nor does it believe that it is the responsibility of Cheltenham Township, by law, to perform those services to State Highways situate within the Township;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP THAT

CHELTENHAM TOWNSHIP hereby calls upon the Commonwealth of Pennsylvania, Department of Transportation (PennDOT) to undertake all the necessary repairs and maintenance to the various State Highways and their appurtenances situate within Cheltenham Township, County of Montgomery, Commonwealth of Pennsylvania, at the sole and exclusive cost and expense of the Commonwealth of Pennsylvania.

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 July 17, 2007.

TOWNSHIP OF CHELTENHAM



Michael J. Swavola, President
Board of Commissioners

ATTEST



David G. Kraynik, Secretary/Manager

(SEAL)

9. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. L819 to Trina Gooding, owner of 1817 Chelsea Avenue, LaMott, relating to the removal of the concrete steps in front of the rear sidewall entrance and the construction of a deck with steps, posts and gate as recommended by the LaMott Board of Historical and Architectural Review.

10. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. L821 to Parthenia Moore-Bunch, owner of 8 ½ Latham Parkway, LaMott, relating to the replacement of the existing roof, the front bay window and all gutters and downspouts as recommended by the LaMott Board of Historical and Architectural Review.

11. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W781 to Linda and George Lowe, owners of 318 Bent Road, Wyncote, relating to the replacement of the wood trim façade, existing windows, rear door, downspouts and gutters, installation of new screen door in front of rear entrance, repair damaged roof areas, restoration of front door and installation of new screen doors in front of the main entry doors as recommended by the Wyncote Board of Historical and Architectural Review.

12. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W782 to Calvary Presbyterian Church owner of 217 Fernbrook Avenue, Wyncote, relating to the installation of air conditioning units and landscape buffering around the equipment as recommended by the Wyncote Board of Historical and Architectural Review.

13. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W783 to 128 Greenwood, LLC, relating to the installation of a new free standing sign as recommended by the Wyncote Board of Historical and Architectural Review.

14. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously awarded a Professional Services Contract for Architectural Services to Campbell Thomas and Company for Phase II of the LaMott Homeowner Housing Rehabilitation Program in an amount not to exceed \$18,000.

15. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously awarded a Professional Services Contract for Historic Preservation Consultation services to the LaMott and Wyncote BHARs to Heritage Conservancy in an amount not to exceed \$15,400.

16. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously adopted *Resolution No. 31-07* honoring Jack Wilbur on the occasion of his retirement after 37-years of service in the Public Works Department. Said Resolution will be presented at the August 21, 2007 meeting of the Board of Commissioners.

17. Upon motion of Mr. Gerhard, and unanimously approved by the Board of Commissioners, the Public Works Committee Regular Meeting Minutes dated July 10, 2007, were accepted.

18. Upon motion of Mr. Simon, the Board of Commissioners unanimously adopted *Resolution No. 30-07* authorizing the filing of a DCED Elm Street Grant Application for street trees in Glenside and Melrose Park, Phase III.

**TOWNSHIP OF CHELTENHAM
RESOLUTION NO. 30-07**

RESOLUTION AUTHORIZING THE FILING FOR IMPLEMENTATION FUNDS FROM THE ELM STREET RESIDENTIAL REINVESTMENT PROGRAM OF THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, COMMONWEALTH OF PENNSYLVANIA FOR PHASE III – GLENSIDE, MELROSE PARK AND LAMOTT STREET TREE PLANTING PROJECT

WHEREAS, in 1998, the Township of Cheltenham, Montgomery County, Pennsylvania, became an active participant in the Commonwealth of Pennsylvania Main Street Commercial Reinvestment Program administered by the Pennsylvania Department of Community and Economic Development, herein referred to as “the Department;” and since that time, adopted a Commercial District Enhancement Plan and a Community Revitalization Plan, which identifies five commercial districts for the Cheltenham Township Main Street Program, which outlines a list of revitalization and reinvestment strategies both in the commercial districts, as well as the residential districts surrounding the commercial areas; and

WHEREAS, numerous public meetings and visioning sessions were held over a two year period during the planning process in order to obtain feedback from the citizenry and assist the Board of Commissioners, Township Administration, and the Economic Development Task Force in the preparation of the ten-year enhancement and revitalization plans, including the formation of priority goals, objectives, projects, and funding strategies; and

WHEREAS, the Board of Commissioners of Cheltenham Township, is desirous of filing a FY 2008 Elm Street Residential Reinvestment implementation grant application to obtain additional matching funds from the Department in the amount of \$50,000 for the purpose of furnishing, installing and maintaining up to an additional 115 street trees; and

WHEREAS, this will allow the Township to continue its street tree replacement and planting program, which commenced in 2005 in the residential neighborhoods surrounding the Main Street areas of the Glenside Commercial District in Glenside Census Tract 2026.03, and the residential neighborhoods surrounding the East Cheltenham Avenue Commercial District in the Melrose Park Census Tract 2024.02, Block Groups 1, 2, 3, and 4, and LaMott Census Tract 2024.02, Block Groups 5 & 6, which are part of the Cheltenham Township Revitalization Plan, dated March 2002 for reinvestment in the residential areas contiguous to its Main Street Program; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of Cheltenham Township will assume the provision of the full local matching share of project costs.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Cheltenham Township will reimburse the Commonwealth for the State’s share of any expenditure found by the Department to be ineligible.

BE IT FURTHER RESOLVED, that the Township Manager/Secretary of the Township of Cheltenham is directed to execute a certificate attesting to the adoption of this Resolution and to furnish a copy of the Resolution to the Department of Community and Economic Development.

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 public meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania, 19095 on **Tuesday, July 17, 2007**.

TOWNSHIP OF CHELTENHAM



Michael J. Swavola, President
Board of Commissioners

ATTEST



David G. Kraynik, Secretary/Manager

(SEAL)

19. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Public Affairs Committee Regular Meeting Minutes dated July 3, 2007, were accepted.

20. Upon motion of Mr. Muldawer, the Board of Commissioners unanimously adopted *Ordinance No.* 2138-07 amending Chapter 285 of the Township Code entitled “Vehicles and Traffic”.

**CHELTENHAM TOWNSHIP
ORDINANCE NO. 2138-07**

**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:

- | | | |
|------------------|-----|---|
| FAIRVIEW ROAD | A. | NO PARKING, east side, Nassau Road to Township Line Road. |
| FAIRVIEW ROAD | B. | NO PARKING, east side, Nassau Road to Church Road. |
| HIGH SCHOOL ROAD | (3) | NO PARKING, west side, Church Road to 200 feet north. |
| HIGH SCHOOL ROAD | (9) | NO PARKING, west side, 200 feet north of Church Road to 325 feet north. |

SECTION 2. The Code of the Township of Cheltenham, Chapter 285, Article IV, entitled Schedule of Traffic Regulations, Section 285-43 thereof is hereby amended by **ADDING** the following:

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|------------------|------|---|
| BRIDLE ROAD | A. | STOP STREET at Custis Road. |
| COVENTRY AVENUE | (8) | NO PARKING, west side, Cheltenham Avenue to 45 feet north. |
| FAIRVIEW ROAD | A. | NO PARKING, east side, Church Road to Township Line Road. |
| HIGH SCHOOL ROAD | (3) | NO PARKING, west side, Church Road to 325 feet north. |
| HIGH SCHOOL ROAD | (12) | HIGH SCHOOL PARK PARKING LOT. Two hour parking, south side, 560 feet east of Montgomery Avenue to 610 feet east of Montgomery Avenue. |

SECTION 3. That in all other respects Chapter 285 of the Code of the Township of Cheltenham is hereby approved and accepted as amended, and shall continue in full force and effect.

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

ENACTED into an Ordinance this **17th day of July, A.D., 2007.**

TOWNSHIP OF CHELTENHAM



Michael J. Swavola, President
Board of Commissioners

ATTEST



David G. Kraynik, Secretary/Manager

(SEAL)

21. Mr. Simon asked that the Public Safety Committee Minutes of July 3, 2007 be amended to delete the sentence “The addition of “No Parking “restrictions on Fairview Road and on High School Road are new.” Said restrictions consolidate existing ordinances.

Upon motion of Mr. Muldawer, and unanimously approved by the Board of Commissioners, the Public Safety Committee Regular Meeting Minutes dated July 3, 2007, were accepted, as amended.

22. Upon motion of Mr. Greenwald, the Board of Commissioners unanimously approved a Stipulated Settlement of Zoning Hearing Board Appeal No. 3023: Lubin-Walsh, 7656 New Second Street (MCCCP Docket No. 2004-20748).

23. Mr. Cantor noted that he did not attend the Building and Zoning Committee meeting on July 3, 2007, and asked that said Minutes be amended to delete his name and add Mark Hosterman, Esq.

Upon motion of Mr. Greenwald, and unanimously approved by the Board of Commissioners, the Building and Zoning Committee Regular Meeting Minutes dated July 3, 2007, were accepted, as amended.

24. Upon motion of Mr. Greenwald, the Board of Commissioners unanimously denied the request for a waiver of penalty for real estate taxes on the property located at 24 Chelfield Road, Glenside, as requested by the owner, Mr. Peter Doyle. However, if Mr. Doyle’s original check is received, and it is postmarked by the due date, the penalty is to be refunded.

25. Upon motion of Mr. Greenwald, and unanimously approved by the Board of Commissioners, the Finance Committee Regular Meeting Minutes dated July 10, 2007, were accepted.

26. Under Citizens Forum:

a. Patrick McFadden, 244 Brookdale Road, expressed concern about an uncovered storm sewer pipe in the vicinity of Stanley Avenue and Brookdale Avenue. He was told that the Public Works Department would investigate it.

b. Some residents were present to voice concern about the Laidlaw Bus Company parking the school buses at the lot on the north side of Glenside Avenue.

Joanne Blurton, 817 Glenside Avenue, was concerned that since the school buses will no longer be parked at the lot on the southeast corner of Rices Mill Road and Glenside Avenue, Laidlaw would over-crowd the remaining parking lot on the north side of Glenside Avenue, near her and her neighbors' homes. In her opinion, the school buses should be parked at the high school parking lot near Route 309. According to Ms. Blurton, she was told that they [Laidlaw] would park as many buses as possible on said lot. She reported offensive language and speeding by drivers.

Damon Moreland, 807 Glenside Avenue, reported how the buses speed and was concerned about possible over-parking on said lot. He recommended that the School District park its buses at the high school parking lot.

Residents asked about the School District's plans for relocation of the buses. Upon recommendation of Mr. Gerhard, the Commissioners unanimously agreed to invite representatives of the School District and Laidlaw Bus Service to the September 4, 2007 meeting of the Building and Zoning Committee for an update.

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

David G. Kraynik
Township Manager

per Anna Marie Felix

