

**MINUTES OF MEETING
BOARD OF COMMISSIONERS
SPRINGFIELD TOWNSHIP**

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, May 10, 2006 at 8:00 PM in the Springfield Township Building for the purpose of transacting the general business of the Township. All members of the Board were present, with the exception of Ms. Peirce. Ms. Peirce joined the group via a teleconference call. Mr. Standish presided. Mr. Standish opened the meeting with the Pledge of Allegiance.

Motion (Gillies-Schaum) dispensing with the reading of the minutes of the previous meeting and approving same as written and recorded in the official minute book of the Township.

During the comment period, Mr. Dailey read into the record a letter dated May 10, 2006 that read in part that Mr. Dailey wished the letter to be accepted as written evidence of his recusal from voting and participating in substantive deliberations surrounding the lease of the Flourtown Country Club. Said letter was to be incorporated into the minutes of any meetings of the Board of Commissioners in January, February, or March 2006.

Motion (Dailey-Gillies) carried unanimously to amend the minutes of the previous meetings as requested by Commissioner Dailey. The previous motion made by Mr. Gillies to accept the underlying minutes of the April 12, 2006 meeting was carried unanimously.

Mr. Standish recognized past Commissioner James Selsor and asked Mr. Selsor to approach the front of the room. Commissioner Schaum read into the record Resolution No. 1134 honoring Mr. Selsor's service to Springfield Township. Motion (Schaum-Gillies) carried unanimously to adopt Resolution No. 1134.

Mr. Selsor thanked the Board of Commissioners for the Resolution and made a few comments on his experiences in Springfield Township and how he looks forward to his future and relocation from Springfield. Mr. Gillies personally thanked Mr. Selsor for being his mentor and friend.

Mr. Standish noted that there were no special reports or correspondence to report. He did note that the Board of Commissioners held two executive sessions since the last meeting. One was held on April 26, 2006 and the other on May 10 just prior to the beginning of the business meeting. Both executive sessions were related to personnel issues.

Mr. Gillies inquired whether Commissioner Peirce was going to participate and vote via the teleconference. Mr. Gillies suggested that the matter was discussed at the last business meeting and the Board should refer to the minutes of the meeting on how

this issue was to be resolved. Mr. Dailey also discussed the past meetings and recalled the Board expressed interest in establishing a policy on this issue. He noted information provided by the Township Solicitor on the issue noted that school boards had indeed established policies on participating in public meetings via a teleconference. His one concern was to avoid votes that would be appealed based upon the participation via a teleconference. Mr. Kilkenny indicated that he was not aware of any municipality having to deal with this issue, but believes the Pennsylvania Milk Marketing Commission case law would apply to municipalities. Mr. Dailey did not necessarily agree with Mr. Kilkenny's legal opinion but felt it appropriate to discuss the issue and create a policy. He was not interested in disenfranchising anyone from the meeting. Mr. Harbison suggested the Pennsylvania Supreme Court interpreted the actions of the Milk Marketing Commission and believed that it applied to municipalities

Ms. Peirce explained that her absence from the meeting was due to accepting the current business engagement prior to her election. One other absence related to an emergency requirement of her employer. Mr. Gillies urged that the Board of Commissioners create parameters for such an activity, such as the number of commissioners required to attend the meeting and how often the commissioner might be permitted to participate via a teleconference. He also noted the importance of attending the meetings in order to accept visual presentations to the Board. Further discussion ensued as to the application of the Pennsylvania Milk Marketing case and intervention of the State Legislature.

Motion (Lunn-Harbison) vote affirmative Harbison, Lunn, Standish, Peirce; opposed Gillies, Schaum, Dailey, that consistent with the Pennsylvania Milk Marketing Commission case, a Commissioner not present at a meeting may vote as long as the Commissioner could participate, hear and comment on the business before the Board.

Bernard Hyder, 8715 Marshall Road, suggested that the Board of Commissioners disband the Township Police force, and eliminate the position of the Township Manager. Mr. Hyder expressed his concern with Comcast as well as the rate increase from Aqua PA.

John Hoban, 114 Atwood Road, inquired of Commissioner Peirce how many meetings of the Board of Commissioners did she not attend since being elected. Ms. Peirce believed she had missed two workshop meetings, two business meetings and one special meeting of the Board. Mr. Hoban was interested in who would be paying the telephone bills for Ms. Peirce to participate. Mr. Kilkenny indicated that the Township can pay for it, but Ms. Peirce offered to pay for the expense.

Cindy Hamilton, 8123 Eastern Avenue, representing the Springfield Township Historical Society, asked that the Board consider an earlier letter from the Historical

Society dated April 17, 2006 requesting that the Board of Commissioners table any discussions on the Boorse development until all the regulatory agencies have weighed in on the appropriateness of the development.

Joan Parsons, 1203 Susan Circle, expressed her disappointment in the manner in which Ms. Peirce and Ms. Lunn addressed issues surrounding the Flourtown Country Club lease. Ms. Parsons also expressed her disappointment in the disrespectful comments made by Anthony Quinn, a school board member, towards a district justice who ruled in favor of Joseph Halligan related to activities that took place in his restaurant. Ms. Parsons also made generic comments related to political activities of various Board members related to the Flourtown Country Club lease. Ms. Parsons did thank the members of the Board of Commissioners for other work that they have done for the community.

Michael Cassidy, Esq., of the Howland Hess law firm, representing the Danny Jake Corporation, indicated that his client was extending the subdivision plan review period in order for the Board of Commissioners to consider the reduction of setback requirements for the development. Mr. Cassidy noted that a majority of the Planning Commission expressed their favor in reducing the setback requirements to the road and railroad, and his client is working with the Township Engineer on setback reductions to the floodplains and wetlands area. Various members of the Board suggested the importance of the Township Engineer to express a position on the setbacks to the floodplains and wetlands, the need to determine the extent of historic preservation or documentation of the historic resources on site, and the identification of the thresholds when the Pennsylvania Historic and Museum Commission reviews would be required.

Liz Jarvis, of the Springfield Township Historical Society, indicated that an earlier offer by the developer of the Boorse tract to pay for the documentation of historic structures was not sufficient and that the Historical Society secured an estimate to perform this work. Admittedly, the cost estimate was rather high, but it demonstrated that the developer's offer was insufficient.

Mr. Standish, Chairman of Internal Affairs Committee, reported:

Motion (Standish-Gillies) carried unanimously to approve the April check reconciliation in the amount of \$1,283,976.60 and the May bill listing in the amount of \$666,423.60.

Motion (Standish-Lunn) carried unanimously to reappoint Daniel Johnson and Michael Sokel to new three year terms of service as members of the Springfield Township Open Space Planning Committee. The new terms of service shall expire May 12, 2009.

Motion (Standish-Gillies) carried unanimously to appoint Steve Steinbrook and William Kratz to fill two unexpired terms of service as members of the

Springfield Township Open Space Planning Committee. The unexpired terms of service shall expire May 12, 2007 and May 12, 2008, respectively.

Mr. Schaum, Chairman of Public Safety Committee, had no report.

Mr. Gillies, Chairman of Library Committee, reported:

Motion (Gillies-Lunn) carried unanimously to appoint Ann Zeger to fill an unexpired term of service as the alternate member on the Board of Directors of the Free Library of Springfield Township. The unexpired term of service shall expire December 31, 2008.

Mr. Gillies reported for Ms. Peirce, Chairwoman of Communications and Cultural Resources Committee:

Mr. Gillies announced that the Board of Commissioners is in the process of forming an ad hoc communications committee to provide for more timely and interactive communications between the Township and the community. The Committee will help create a means to increase awareness of Township issues and concerns. Residents interest in serving on the committee should forward a letter of interest or resume to the Board of Commissioners.

Motion (Gillies-Schaum) carried unanimously to reappoint Tom Bell, Rhonda McLaughlin and Sue Herwig to new three year terms of service as members of the Springfield Township Park and Recreation Advisory Committee. The new terms of service shall expire May 12, 2009.

Motion (Gillies-Peirce) carried unanimously to accept the proposal for architectural services for the rehabilitation of the Black Horse Inn from Seiler & Drury Architecture, of Norristown, PA, dated March 24, 2006. The cost of the architectural services is \$40,200 for interior rehabilitation design, and time and materials to provide construction administration for the exterior renovations and fundraising assistance.

Mr. Gillies announced that the rabies clinic program sponsored by the Montgomery County Department of Health would be conducted at several locations throughout Montgomery County. Mr. Gillies provided some convenient locations and times for Springfield Township residents.

Ms. Lunn, Chairwoman of Community Development and Environmental Resources Committee, reported:

Ms. Lunn announced that the Board is still accepting letters or resumes from residents interested in serving as members of the newly created Environmental Advisory Commission. Residents can forward their letters or resumes to the Board of Commissioners, c/o Township Manager. The new Commission is designed to advise the

Board of Commissioners and other township boards on environmental management, promotion, education, protection and conservation of natural resources in Springfield Township.

Ms. Lunn announced that Springfield Township residents recycled 217.6 tons of recyclable materials with a householder participation rate of 78.9%. The net cost for the month was \$5,157.08.

Motion (Lunn-Gillies) carried unanimously to accept a letter dated May 9, 2006 from Michael W. Cassidy, Esq., counsel for the Danny Jake Corporation, extending the 90 day subdivision review period until June 15, 2006. The Danny Jake Corporation subdivision is also known as the Boorse tract, 10 Camp Hill Road.

Motion (Lunn-Gillies) carried unanimously to accept a letter dated May 6, 2006 from Richard E. Buck, counsel for the Altomare family, extending the 90 day land development review period without limitation to time. The Altomare land development is located at 1210 E. Mermaid Lane.

Motion (Lunn-Schaum) carried unanimously to accept a letter dated May 9, 2006 from Ross Weiss, counsel for Maryann Frampton and Frederick Tecce, owners of the Squire's Ridge Subdivision, extending the 90 day subdivision review period until June 30, 2006. The Squire's Ridge subdivision is also known as the Tecce tract, 9303 Ridge Pike.

Ms. Lunn announced that the annual household hazardous waste and computer collection program sponsored by Montgomery County will be held at various locations throughout Montgomery County. Ms. Lunn provided locations and dates convenient to Springfield residents.

Motion (Lunn-Harbison) carried unanimously to appoint George McDowell to fill an unexpired term of service as a member of the Springfield Township Planning Commission. The unexpired term of service shall expire December 16, 2009.

Ms. Dailey, Chairman of Zoning Committee, reported:

Mr. Dailey announced that the Zoning Hearing Board did not receive any petitions for the month of May and therefore will not meet during May. In the future, the Zoning Hearing Board will meet on the third Monday of each month at 7:00 PM in the Springfield Township Building.

Motion (Dailey-Harbison) carried unanimously to appoint James Curtis to fill an unexpired term of service as the alternate member on the Springfield Township Zoning Hearing Board. The unexpired term of service shall expire December 31, 2006.

Mr. Harbison, Chairman of Public Works and Facilities Committee, reported:

Motion (Harbison-Peirce) carried unanimously to engage EMG, of Hunt Valley, Maryland, to formulate a building condition report and create a capital improvement budget for the Flourtown Country Club, for their proposal price of \$5,500. The purpose of the report is to provide the Board of Commissioners a more detailed strategy in preparing for any capital repairs at the Flourtown Country Club.

Motion (Harbison-Schaum) carried unanimously to award a contract to Glasgow Inc., of Glenside, to mill and resurface specified streets for their low bid price of \$159,022.

Motion (Harbison-Gillies) to amend the “Rules and Regulations” of the lease with TJKFCC, LLC to operate the Flourtown Country Club by modifying the number of golf members at the Club from 400 to 450 for the current year, provided that no non-residents are admitted as new members. Mr. Dailey inquired of Mr. Kilkenny whether he should abstain from this vote. Mr. Kilkenny advised that it might be appropriate. Vote 6-0-1, Mr. Dailey abstained, to approve the motion. Mr. Dailey provided an explanation on his need to abstain from voting on issues surrounding the Flourtown Country Club. He also wished to applaud a letter to the editor from Messrs. Harbison and Standish on the activities surrounding the vote for the management of the Flourtown Country Club. Ms. Peirce informed all that she received favorable responses to her letter to the editor on the same subject.

There being no further business, the meeting was adjourned at 9:50 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary