

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

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, March 14, 2007 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. Mrs. Lunn presided.

Mrs. Lunn opened the meeting with the Pledge of Allegiance.

Motion (Harbison-Peirce) carried unanimously 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.

Mrs. Lunn acknowledged past Commissioner Michael Cassidy in the audience.

Special Reports - None.

Correspondence - None.

Judy Novey, Eagle View Drive, suggested that the value of reconstructing the Flourtown Country Club parking lot was a large expenditure when comparing the Township Budget to the actual bids received. Ms. Novey suggested that a study be conducted on the need of the improvements at the parking lot. Mr. Schaum asked Ms. Novey if she had any recommendations on what was necessary at the parking lot. Ms. Novey had no recommendations, but suggested hiring an engineer to help study the conditions.

Janice McGrane, 110 West Wissahickon Avenue, suggested that if the Township's senior citizen population was in the vicinity of one-third of the total population, then reaching out to accommodate those with disabilities is a good idea. When contemplating improvements at the Country Club, the Board should consider installing an elevator. Mr. Dailey asked whether providing curb cuts in and around the parking lot was a good idea to assist those with handicaps. Ms. McGreene agreed that would be a good idea.

Vince Reilly, 62 Wissahickon Avenue, indicated that he was a strong supporter of trails. He believes the enhancement of the sidewalks along Wissahickon Avenue would be a great safety improvement. He reminded those present that Montgomery County residents voted for the open space program and the use of some of that money for trail improvements.

Mr. Kilkenny indicated that the Board of Commissioners had discussed liability issues associated with community trails at their workshop meeting. He indicated that his

research, which included a review of the Pennsylvania Recreational Use and Water Act, seems to indicate the legislative desire is to encourage public use of recreational facilities and trails by extending tort immunity to both municipalities and individual property owners, when the trail is over private property. The tort immunity makes it very difficult for a suit to prevail against the municipality or a property owner. Mr. Dailey appreciated Mr. Kilkenny's research and provided case law on the definition of "improvement of land". Mr. Dailey was concerned that a paved trail is indeed an improvement of land and therefore may not be protected by tort immunity. Mr. Kilkenny suggested he does not believe a trail is an improvement, but clearly buildings or other structures in a recreational area would be viewed as an improvement. Mr. Kilkenny agreed to verify his position with the County Solicitor's office, who has experience in this area. Mr. Gillies asked Mr. Kilkenny to consider when a sidewalk may be considered a trail, or when it might still be viewed as a sidewalk.

Ms. Lunn, Chairwoman of Internal Affairs and Environmental Resources Committees, reported:

Motion (Lunn-Schaum) carried unanimously to approve the February check reconciliation in the amount of \$779,258.51 and the March bill listing in the amount of \$464,443.55.

Ms. Lunn reported that Springfield Township residents recycled 195.3 tons of materials with a householder participation rate of 75.8%. The net cost for the month was \$6,980.92. Ms. Lunn asked Mr. Berger to explain the meaning of net cost. Mr. Berger provided an explanation of the receipts vs. expenditures in order to conduct the recycling program. Once the costs are deducted from the receipts, that creates a net income or net cost for the month.

Motion (Lunn-Peirce) carried unanimously to appoint Joy Bergey, of College Avenue, and Mara Baird, of Elm Avenue, to fill two unexpired terms of service as members of the Springfield Township Environmental Advisory Commission. Ms. Bergey's term of service shall expire June 14, 2007, and Ms. Baird's term shall expire June 14, 2009.

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

R. E. Gillies, Chairman of Library Committee, reported:

Mr. Gillies announced that the Board of Commissioners is in the process of scheduling interviews to fill two vacancies on the Township Library Advisory Committee.

Mr. Standish, Chairman of Community Development Committee, reported:

Motion (Standish-Gillies) carried unanimously to approve the two lot residentially zoned/institutionally used subdivision of LaSalle College High School entitled "Karr Tract Athletic Fields" dated January 19, 2007. The parcel is approximately

30 acres in size and LaSalle plans to divide the property into two lots. Lot A consists of 1.5 acres and is proposed to be conveyed to Springfield Township, and Lot B consists of 28.4 acres and shall be retained by LaSalle for use as athletic fields. As a part of the plan approval, the Board of Commissioners waived the requirement to widen the roadway width of Paper Mill Road, and also waive the requirement to install curbs and sidewalks along Paper Mill Road. LaSalle shall also resolve all outstanding issues as set forth in a letter dated February 5, 2007 from the office of the Township Engineer to the Code Enforcement Officer prior to the plans being recorded.

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

Ms. Peirce indicated that the Board of Commissioners is in the process of increasing information coming from the Township and participation in the activities of the Township. Two areas being considered are the televising of the business meeting of the Board of Commissioners, and an updated webpage. Residents are also encouraged to submit any ideas they may have to improve communications between the Township and the residents.

Motion (Peirce-Harbison) carried unanimously to award a contract to Lou Biase, of Telford, PA, to cut the grass in specified Township parks for their low bid price of \$18,080 for the year 2007, and \$18,622.40 in the year 2008. On March 1, 2007, the Township received five proposals to perform the lawn cutting services.

Mr. Dailey, Chairman of Zoning Committee, reported:

Mr. Dailey announced that the Zoning Hearing Board will next meet on Monday evening, March 19, 2007, at 7:00 PM. Mr. Dailey summarized the Zoning Hearing Board Agenda.

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

Motion (Harbison-Standish) to reject all bids received on February 8, 2007 related to the reconstruction of the Flourtown Country Club parking lot, and the realignment of Chestnut Lane and McCloskey Road. Mr. Harbison indicated the Board received seven bids. The base bid proposals ranged from a low of \$411,214 to a high of \$598,782.

Mr. Gillies indicated that the decision on the bids was delayed for one month in order to review alternative plans, but no other alternatives were considered. He would like the Board of Commissioners to consider moving forward with the award as the plan eliminated illegal cut-thrus through the area, brings the parking lot into compliance with the Code, and physically improves the parking lot. Furthermore, Mr. Gilles was concerned for increased engineering fees to rebid the project and increased costs for a less effective set of improvements. Mr. Gillies

also indicated that the monies were available in the Township's capital reserve account.

Ms. Peirce suggested that the parking lot need not be code compliant given the continuation of existing uses. Mr. Gillies agreed that may be true, however, the Township requires similar improvements of developers in the same situation.

Mr. Dailey outlined his concerns for safety within the parking lot and the desire to help eliminate that liability. All of the desired objectives of the Board of Commissioners, including safety, stormwater management, landscaping and the like, continue to add to the scope of the project and cost thereof.

Mr. Kilkenny suggested the Township is always open to liability, however, the Township is normally only responsible in the case of negligence. Ms. Peirce was curious as to the frequency of accidents in or around the Country Club parking lot.

Mr. Schaum suggested that previously, the Board of Commissioners started with objectives to accomplish with regard to repairs at the parking lot and thought perhaps the Board should set a budget number and work into the objectives from the budget number. Mr. Gillies thought that the overall project was subject to land development approval. Mr. Kilkenny agreed given the building addition currently under construction.

Ms. Lunn asked if staff could perform some value engineering to help understand the accomplishments desired at the parking lot. Mr. Gillies suggested if the Township's capital reserve fund for the Country Club is not going to be utilized, then it should have been returned to the taxpayers. Ms. Peirce stated the capital reserve was not only for parking lot improvements, but any other improvements at the Club that are the responsibility of the Township.

Mr. Schaum suggested that the Board consider extending the review of the quotations in order for the Board to consider discussions. Mr. Standish indicated that over the nine months or so, the parking lot project seemed to grow, and the Board established priorities and identified improvements to address these. The parking lot improvements do not necessarily relate directly to the lease, but cover maintenance improvements and safety improvements for the community.

Motion (Harbison-Standish) amending the original motion to extend the viability of the bid quotations for the Flourtown Country Club parking lot improvements subject to the bidders agreeing to extend their bid quotations. Vote 6-1, Lunn opposed. Ms. Lunn suggested that the extension was not appropriate given the price of the improvements and the unlikelihood that the Board of Commissioners will be able to move forward with the project.

Motion (Harbison- Schaum) carried unanimously to award a contract to Winter Engine-Generator Service Inc., of York, PA, to supply and install a specified diesel generator for the price of \$26,650. The generator will be utilized at the Public Works facility.

Janice McGrane, West Wissahickon Avenue, asked the Board if they had given any other consideration to the RecycleBank proposal to provide coupon incentives to households for their recycling efforts. Mr. Berger and members of the Board indicated that they were awaiting additional information from RecycleBank which is currently not available to them due to their desire to change some of their technology. There was also a concern for the costs associated with purchasing the collection carts.

Robert McGrory, 501 E. Mill Road, noted that the Board of Commissioners had analyzed the expense side of making improvements at the Flourtown Country Club and asked if they had considered the potential increase in income that the improvements might generate for the Township. Mr. McGrory suggested his concern in the Township's ability to recover funds invested in the Black Horse Inn. However, unlike the Black Horse Inn, the Flourtown Country Club can eventually generate revenue from investment in the facility.

There being no further business, the meeting was adjourned at 9:20 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary

DEB:cmh
4/3/07