

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

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, February 13, 2008 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. Mr. Harbison presided. Mr. Harbison opened the meeting asking for a moment of silence honoring the service men and women who have placed themselves in harm's way in order to help preserve our safety. Mr. Harbison then led the Pledge of Allegiance.

Motion (Schaum-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.

Mr. Harbison introduced Jeffrey Hoffmann, Esq., of the Township Solicitors' office, who was representing the Solicitor's office at the meeting.

Special Reports

Mr. Harbison noted that Springfield Township recently received copies of the feasibility study for the Cresheim Trail. The trail feasibility study was designed to investigate the feasibility of a multi-purpose recreation trail linking portions of Montgomery County to Philadelphia County. The trail is a privately sponsored initiative. Campbell Thomas Architects, lead consultants of the project, has scheduled a meeting in Cheltenham Township and will follow up with a meeting in Springfield and Chestnut Hill. To date the Board of Commissioners has not taken a position regarding the trail and will reserve comments on the trail until they have had an opportunity to review the report and participate in the upcoming meetings sponsored by the private committee.

Mr. Harbison introduced Ann Toole, of Toole Recreation Planning, who was engaged by the Board of Commissioners to assist the Township Park and Recreation Department to create a comprehensive plan for the Township's park and recreation system. Ms. Toole has been working with the Recreation Department, the Advisory Committee and a special task force assembled for the purpose of drafting a plan for the Township. One key element of the comprehensive plan is the creation of a public opinion survey. Ms. Toole has compiled and analyzed the results from the survey, and was present at the meeting to present the preliminary information. A few of the key points provided by Ms. Toole included the 44% return on the community survey, the high level of support for the parks and recreation programs, 62% of those surveyed would consider paying another \$6 – \$10 of additional real estate taxes annually for an improved parks and recreation system. The survey indicated the importance of balancing the preservation of natural resources with improving programs, parks and recreation facilities. 70% of the respondents listed the desire for an indoor recreation facility as a

priority with a focus on senior adults, teens and wellness programs. 67% of the respondents had a favorable impression of the Township parks. Additional programs might be considered in the area of exercise, adult classes, nature study, and arts. Additional focus in the area of promotions and communications for existing and future programs was desired. Mr. Charles Carabba, Director of Parks and Recreation, was recognized in the audience.

Michael Harkins, 1799 E. Willow Grove Avenue, addressed the Board of Commissioners on the proposed Cresheim Trail. Mr. Harkins indicated that he was not necessarily opposed to the trail, but thought time was needed to fully discuss issues surrounding the trail. Mr. Harkins indicated that due to construction of the Route 309 expressway project, assumptions made early in the planning process for the trail need to be re-addressed. He expressed his concern that issues previously raised with the planning consultant for the trail have yet to be fully addressed. Mr. Harbison thanked Mr. Harkins for addressing the Board and acknowledged his concerns. Mr. Harbison clarified the Township's support of the grant application for the feasibility study but that the Board had not necessarily endorsed the actual trail.

Mr. Gillies opined that the trail planning continues to move forward and to the extent anyone has significant issues related to the trail, he believed it would be appropriate to discuss those concerns with the private trail committee now rather than wait for a future meeting.

Linda Young, 400 Hemlock Road, stated that it was her understanding that the Hugg report related to the Axford/Treml complaint is completed. She asked the Board to consider providing more than a simple statement related to the completion of the report and to make comment on whether appropriate actions were taken by those involved on key points reviewed in the report.

Mr. Harbison, Chairman of Internal Affairs and Environmental Resources Committees, reported:

Motion (Harbison-Schaum) to approve the January check reconciliation in the amount of \$355,787.94 and the February bill listing in the amount of \$934,384.77. Mr. Gillies questioned various charges within the Solicitor's monthly invoice. Some projects were being invoiced at \$130 per hour, and others \$140 per hour. Messrs. Hoffmann and Berger indicated that the \$130 per hour fee related to general assignments of the Solicitor's office, and \$140 per hour related to matters of litigation. Mr. Dailey questioned a memorandum of law related to the reappointment of Mr. Fox to the Zoning Hearing Board and the timing of the invoice for that work. Mr. Hoffmann agreed to check the posting of the work to the specific invoice. The vote on the motion was 4-3, Dailey, Gillies, Schaum opposed. The motion carried.

Mr. Harbison announced that during the month of January Springfield Township residents recycled 289.98 tons of materials with a householder participation rate of 75.9%. The net savings for the month was \$1,652.25.

Mr. Harbison explained that the Board of Commissioners normally appoints the Township Solicitor during their organization meeting in January. The Commissioners discussed issues raised at that time and announced they intended to make an appointment at the January business meeting. That did not occur either.

Motion (Harbison-Peirce) to appoint Jeffrey R. Hoffmann of the Friedman Schuman law firm, Elkins Park, as the Township Solicitor, and to authorize the execution of a letter of engagement dated February 12, 2008.

Mr. Gillies inquired whether the Commissioners were appointing Mr. Hoffmann or engaging the firm. Furthermore, if Mr. Hoffmann left the firm, would the Township be able to appoint another Solicitor. Mr. Gillies inquired whether the Township is receiving the requisite service level, given the limited municipal experience of Mr. Hoffmann. Mr. Gillies did praise Mr. Hoffmann for his good service when representing the Township through the Flourtown Country Club lease arrangements. He questioned the proposed rate by the Solicitor's office of \$130 - \$135 per hour, when a newly engaged client of the Solicitor's office, Hatfield Township, is being charged \$100 per hour. Mr. Dailey questioned the legal advice from the Friedman Schuman law firm related to whether the statute of limitations on criminal charges continued to run as it related to the Axford/Treml complaint because special counsel hired by the Board indicated that the statute of limitations may still be open. Mr. Dailey also expressed disappointment with the Solicitor's office as it related to zoning law pertaining to the Zoning Hearing Board application for 9425 Stenton Partners. Mr. Dailey noted his ongoing interest to interview other candidates for this position. Mr. Schaum noted his disappointment in Mr. Kilkenny's poor business decision to accept an engagement with another community, when that community's meeting date conflicted with Springfield Township's business meeting. He believed the Township Solicitor should have experience with the business of first class townships. Mr. Gillies indicated his understanding that the Township secured outside counsel for the Axford/Treml complaint as there was no specific experience within the Friedman Schuman law firm to attend to this business. He also noted his interest in exploring opportunities of other experienced solicitors who may be available for Springfield Township.

Mr. Standish expressed his appreciation for the service provided to the Township from the Friedman Schuman law firm. He noted that it may be a quirk of the law that an individual must be appointed as the Township Solicitor, but believes it is important to have a strong team, such that is available through the Friedman Schuman law firm. Mr. Standish noted that in the past he was not involved in the appointment of the Township Solicitor. Mr. Gillies asked why interviews were not conducted back in November if some of the Commissioners knew then of the meeting conflict of the Township Solicitor.

Vote on the motion 4-3, opposed Dailey, Gillies, Schaum. The motion carried.

Mr. Schaum, Chairman of Public Safety Committee, had not report.

Mr. Gillies, Chairman of Library Committee, reported:

Motion (Gillies-Peirce) carried unanimously to appoint Dr. Jean Brodey, Maple Lane, Flourtown, to fill the unexpired term of service as the alternate member on the Library Advisory Committee for the Free Library of Springfield Township. Dr. Brodey's term of service shall expire December 31, 2008.

Mr. Gillies stated that the Library is conducting a large variety of activities and suggested that everyone visit the library and meet with the new Librarian.

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

Motion (Standish-Peirce) carried unanimously to award a contract to Herman Construction, of Maple Glen, PA, to demolish and remove all debris, as specified, for the property at 1504 Paper Mill Road, for their low bid price of \$11,444. On February 4, 2008, the Township opened a total of 3 bids for this project.

Mr. Standish announced that on February 11, 2008 the Township opened bids to purchase a 2009 International truck chassis that will be utilized as a refuse truck. The Township received one bid from DeVal International, of Montgomeryville, for the price of \$87,690. The Director of Fleet Services requested an opportunity to review the bid to assure compliance with the Township's specifications.

Motion (Standish-Heller) carried unanimously to award a contract to Ply-Mar Construction Company, of Plymouth Meeting, to reconstruct the parking lot at the Flourtown Country Club and realign the two adjacent roadways into the parking lot for the low bid price of \$483,432. This award included the base bid, plus bid alternates 1, 2, 3 and 5. On February 5, 2008, the Township opened ten bids for this project. Mr. Harbison noted that as a part of the lease arrangement for the Country Club, the Township had responsibilities to resurface the parking lot and make other improvements. He was voting for the project because he believes it is money well spent and it will address safety and stormwater runoff issues. Mr. Harbison acknowledged that the Halligan partnership spent additional funds beyond their obligations to improve the Flourtown Country Club facility. Mr. Harbison opined that the Country Club is a wonderful facility with golf and swimming opportunities, and a banquet facility which is available without membership to the Club. Joseph Halligan and Bunny Doyle, of the Flourtown Country Club, were recognized in the audience.

Mr. Standish announced that it is the intention of the Board of Commissioners to conduct a public hearing on March 12, 2008 at 8:00 PM to receive public comment and endorse an application to the Montgomery County Green

Fields/Green Towns Open Space Program. Mr. Standish reviewed the six green infrastructure projects and the plans to purchase two properties within the 300 block of Oreland Mill Road as a part of the open space program. It was noted that the Township still had nearly one million dollars available for the acquisition of open space and attempted to solicit interest in property owners holding ten acres of land or greater, but the property owners were not interested.

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

Motion (Peirce-Schaum) carried unanimously to appoint Gloria Thompson, of Wyndmoor, to fill an unexpired term of service as a member of the Park and Recreation Advisory Committee. The new term of service shall expire May 12, 2010.

Ms. Peirce announced that various Spring sports leagues, including the little leagues, are currently in the registration process and encouraged residents to participate in the programs.

Mr. Dailey, Chairman of Zoning Committee, reported:

Mr. Dailey announced that the Zoning Hearing Board was scheduled to meet on Monday, February 25, 2008 at 7:00 PM in the Springfield Township Building. Mr. Dailey noted that the meeting was rescheduled from the normal meeting night due to the Presidents Day holiday. Mr. Dailey summarized the Zoning Hearing Board agenda.

Motion (Dailey-Gillies) carried unanimously to authorize the office of the Township Solicitor to appear at the aforementioned meeting of the Zoning Hearing Board in opposition to the application of Wordsworth Academy, 200 Camp Hill Road, Fort Washington, as it relates to their request to modify the terms of the special exception granted December 23, 1969 to allow the conversion of 2000 sq. ft. of existing office space to classroom use.

Ms. Peirce inquired whether the zoning petition related to a proposed bakery in Oreland would adversely affect any of the improvements recently completed in the business district of Oreland. Mr. Schaum did not believe any of the matters before the Zoning Hearing Board would adversely affect the site improvements.

Mr. Dailey noted that the Board of Commissioners had been in contact with Congresswoman Schwartz' office to request that the Congresswoman intervene on behalf of the Board of Commissioners related to the services of the Flourtown Post Office. While some of the stated services may be returned to Flourtown, the Board of Commissioners wishes to be assured that all services are returned and asked for the Congresswoman to continue to work on behalf of the Township in this regard.

Mr. Dailey inquired whether the fees of the office of the Township Solicitor litigating matters associated with the Zoning Hearing Board were reimbursable. Mr.

Berger indicated that those fees were not reimbursable but services provided related to a land development were indeed reimbursable.

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

Motion (Heller-Peirce) carried unanimously to reappoint Joseph Gerber, Robert Gutowski, and Mary Holland to new four year terms of service as members of the Springfield Township Planning Commission. The new terms of service shall expire February 16, 2012.

There being no further business, the meeting was adjourned at 9:35 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary