

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

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, October 10, 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 asked all to join the Board of Commissioners in 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 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 recording in the official minute book of the Township.

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

Motion (Harbison-Peirce) carried unanimously approving the September check reconciliation in the amount of \$800,936.26 and the October bill listing in the amount of \$920,427.46.

Mr. Harbison announced that during the month of September, Springfield Township residents recycled 207.4 tons of materials with a householder participation rate of 80.0%. The net cost for the month was \$2,639.31.

Mr. Harbison announced the schedule of meetings through the adoption of the 2009 budget:

<u>Purpose</u>	<u>Date</u>	<u>Time</u>
Budget Workshop	10/22/08	7:00 PM
Budget Presentation	11/12/08	8:00 PM
Budget Hearing	12/10/08	8:00 PM
Budget Adoption	12/17/08	8:00 PM

All meetings will be held in the Springfield Township Building.

Motion (Harbison-Standish) carried unanimously to adopt Resolution No. 1184, a resolution distributing the State aid to the three Township pension plans as set forth in the schedule within Resolution No. 1184. The total financial aid received from the Commonwealth was \$315,446.65.

Motion (Harbison-Schaum) carried unanimously to accept the engagement letter from the Township Auditor, Bee Bergvall & Co., to perform the annual audit for year ending 2008 as set forth in the draft engagement letter dated August 7, 2008. The cost for the auditing services is \$16,100.

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

Mr. Gillies, Chairman of Library Committee, reported:

Mr. Gillies announced that on Friday, October 10, 2008, at 10:00 AM, the Flourtown Fire Company would be presenting a fire safety program at the Free Library of Springfield Township. On Sunday, October 12, 2008, at 1:00 PM in the Library, the film "Latcho Drom" will be shown, which follows the Rom people during their path of migration in Northwestern India in about 1000 AD, following their migration westward featuring their music and dance. A discussion will follow the film for those wish to stay. On Sunday, November 2, 2008, at 2:30 PM, a presentation on Hollywood's Greatest Musicals will be presented by Paul Sofian. Some of the movies include "Singing in the Rain", "Oklahoma", "West Side Story", "The Sound of Music", and "My Fair Lady".

Mr. Gillies asked if Mr. Harbison had secured a written opinion from the office of the Township Solicitor with regard to a possible conflict of interest between Commissioner Heller and one of the Commissioner Heller's sons. If Mr. Harbison did secure a written opinion, Mr. Gillies asked for a copy of same. Mr. Harbison explained that one of Mr. Heller's sons works for the Delaware Valley Regional Planning Commission, and the Planning Commission was performing a traffic taming study for Springfield Township. It was Mr. Harbison's understanding that the Solicitor did not believe there was a conflict of interest as the Township did not vote to engage the Planning Commission, nor were funds expended by the Township for the traffic study, and therefore, there was no benefit realized by Mr. Heller or his son. Mr. Hoffmann indicated that he would make his written opinion available to Mr. Gillies and the rest of the Board on this matter.

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

Mr. Standish announced that beginning September 29, 2008 and continuing through December 12, 2008, all leaf and yard waste must be separated from the regular household refuse. The leaf and yard waste includes leaves, grass clippings, pine needles, tree trimmings, shrubbery and other similar garden residue. All materials must be placed in an approved biodegradable paper bag or bundled and placed at the curb by 7:00 AM on the morning of your regular refuse collection day. 15 bags of leaves will be collected on a regular basis. To the extent there are additional bags for collection, the Township will make a reasonable effort to remove them in a timely manner. The biodegradable leaf bags can be purchased at the Flourtown Acme, Flourtown Genuardi's, Oreland Hardware and the Wyndmoor Supply store. In 2007, approximately 500 tons of yard waste was recycled into mulch resulting in a cost savings of \$33,700 in refuse disposal fees.

Motion (Standish-Schaum) carried unanimously for the Commissioners to find that LJ McConnell Electric of Chester Township, PA, was not the lowest responsible bidder for the phase 2A electrical contract at the Black Horse Inn. LJ McConnell Electric is unable to secure the specified "Labor and Material" bond as set forth in the bid specifications. In addition, the motion awarded a contract to LJ Electra, of Franklinville, NJ, for their bid price of \$38,160 to perform the electrical work as a part of the phase 2A construction project at the Black Horse Inn. The motion authorized Township staff and the office of the Township Solicitor to pursue the bid bond posted by LJ McConnell Electric in order that the price difference of \$2,170 between the bid of LJ McConnell and the bid of LJ Electra be financed through the McConnell bid bond.

Motion (Standish-Peirce) carried unanimously to award a contract to Rogers Mechanical Company of Boyertown, PA, the lowest responsible bidder, in the amount of \$19,500, for the specified mechanical improvements as set forth in the Black Horse Inn phase 2A mechanical construction specifications. The Township received five other bids on October 3, 2008. The Township received a lower bid than the Rogers Mechanical bid, however, the lowest bid was disqualified because the proposal was not submitted on the proper form, a bid bond was not provided, and the bidder did not demonstrate their understanding of the bid specifications. In fact, it was noted that the low bidder never secured a copy of the bid specifications.

Ms. Peirce, Chairwoman of Communications and Cultural Resources Committee, had no report.

Ms. Peirce wished to thank everyone who was involved with the recent Heritage Day Celebration which was held at the Black Horse Inn. It was noted that the weather did not cooperate with the celebration, but everyone appeared to enjoy the event. She also wished to thank Commissioner Heller for his personal involvement in the planned activities. Mr. Dailey agreed with comments made by Ms. Peirce and noted that indeed it was a nice event. He also wished to thank the taxpayers of Springfield Township who advanced the cost of the celebration. Mr. Heller thanked the local businesses that contributed services or supplies to help make the day a success.

Mr. Dailey, Chairman of Zoning Committee, reported:

Prior to his report, Mr. Dailey noted that he took an opportunity to review reports provided by staff on the open space projects that the County is currently reviewing. Specifically, he expressed his concern for the position taken by the County Open Space Board on the pocket park planned for the Black Horse Inn. Mr. Dailey expressed his displeasure that the Open Space Board conditioned a future positive recommendation for the pocket park at the Black Horse Inn with a trail from the Black Horse Inn through the Bysheer Avenue ballfields and Flourtown Country Club, and connecting to the Flourtown Gardens. Mr. Dailey viewed the two projects as mutually exclusive. He does not want

the Township to indirectly provide approval to related trails without further input on the trail concept by the general public.

Motion (Dailey-Gillies) to direct the Township staff to contact the Montgomery County Open Space Board to communicate the displeasure of the Board of Commissioners with the condition that the pocket park at the Black Horse Inn would not be considered without the construction of a connecting trail through the neighborhood. Mr. Standish asked if the motion might be tabled to provide the Board of Commissioners an opportunity to discuss a detailed strategy in this regard, including that the Township consider constructing the pocket park at the Black Horse Inn with Township funds alone. Mr. Harbison agreed with Mr. Dailey's concern that the procedure was not properly vetted including securing public input. Mr. Dailey was asked to modify his motion to soften the comments made to the Montgomery County Open Space Board. Mr. Dailey asked that a vote be held on the original motion. Vote: 3 in favor, 4 opposed (Heller, Peirce, Harbison, Standish). The motion did not carry.

Mr. Dailey announced that the Zoning Hearing Board would next meet on October 20, 2008 at 7:00 PM in the Springfield Township Building. Mr. Dailey summarized the Zoning Hearing Board Agenda.

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

Motion (Heller-Schaum) carried unanimously to approve the land development plan for the School District of Springfield Township related to the demolition of the existing Erdenheim Elementary School and reconstruction of a new elementary school with off-street parking facilities at the existing site on Haws Lane adjacent to the route 309 expressway. The proposed building is one story in height, 53,988 sq. ft. in size, with four parking areas totaling 159 off street parking spaces. The plans were prepared by Barry Isett & Associates Inc. dated August 3, 2007, last revised September 19, 2008. Plan approval includes waivers to the following Code Sections: Section 95-11.E(2)(b) related to land to be offered to the Township for park and recreation space; Section 95-11.I(3)(b) pertaining to landscaping within the parking areas; and Item C of the subdivision and land development checklist is waived which would require existing features within 200 feet of the site to be shown on the plans. The plan approval is conditioned upon all construction complying with the Pennsylvania Uniform Construction Code and International Building Code, that the School District shall enter into a developer's agreement with Springfield Township, post the required financial security for improvements required by the developers agreement, and the School District will secure a stormwater management permit and enter into any related agreements for stormwater management.

Mr. Dailey expressed his concern with a future trail on the site of the Erdenheim Elementary School as it relates to stormwater management. Mr. Berger indicated that

any future trail would need permission from the School District, plus would need to comply with all the Township stormwater management requirements.

Motion (Heller-Peirce) carried unanimously to approve the land development plan for the University of Pennsylvania, Morris Arboretum as it relates to the construction of a horticultural center on the Bloomfield Farm portion of the Morris Arboretum. The plan is dated August 15, 2008 and includes a perimeter landscape plan dated October 8, 2008 and a planting plan update also dated October 8, 2008. The proposal includes a carpentry shop of 2,626 sq. ft., office space of 5,424 sq. ft., four vehicle storage buildings ranging from 1,776 sq. ft. to 3,529 sq. ft. and includes 72 offstreet parking spaces, 44 of which will be constructed and 28 placed in reserve. The plan approval includes waivers to the following code sections: (1) Section 95-7.I requiring the conduct of a traffic impact study, (2) Section 95-10.A is deferred, which requires a minimum 30 feet cartway on all suburban and city-type highways, which would require construction of improvements to both Northwestern Avenue and Stenton Avenue, (3) Section 95-10.A is deferred, which requires sidewalks to be provided on streets which are 30 feet in width, this requirement would apply to both Stenton Avenue and Northwestern Avenue, although it is duly noted that there is a substantial trail existing along Northwestern Avenue, (4) Section 95-11.E.(2)(b) as it pertains to the Arboretum offering land for park and recreation use and the alternatives specified by the Code section, (5) Section 95-11.I(1) landscape buffering along the side and rear boundaries of the tract; the existing buffers are found to be acceptable, (6) Section 95-11.I(2) requires street trees along all existing streets, the existing trees meet the intent of the stated Code section, (7) Section 95-11.I(6)(a) is waived as it relates to the species and size of certain plant materials which will permit the Arboretum the opportunity to utilize this project to experiment with different species under the conditions surrounding the planned improvements. Furthermore, the land development plan approval is conditioned upon all construction being in compliance with the Pennsylvania Uniform Construction Code and the International Building Code, that the Arboretum enter into a developers agreement with Springfield Township, post the required financial security for improvements required by the developers agreement, and that the Morris Arboretum secure a stormwater management permit and enter into any related agreements for stormwater management.

Mr. Schaum asked if the concern of the Springfield Township Emergency Management Systems for the increase in the water main size to six inch minimum was conveyed to the Arboretum. Mr. Berger indicated that a letter from STEMS was transmitted to the Arboretum and the Arboretum agreed to upgrade the water main from a 2" size to 6" in diameter. Mr. Harbison opined that the Morris Arboretum is a wonderful neighbor and a world renowned resource in our community.

Motion (Heller-Schaum) vote 6-1, Gillies opposed, to authorize Michael Baker Jr., Inc. to amend the current Bethlehem Pike streetscape project plans to be in compliance with the new PennDOT ADA curb and sidewalk ramp design

standards for a lump sum fee of \$18,918. Messrs. Harbison and Heller explained the fact that recent litigation related to the design standards for the ADA curb ramps caused PennDOT to amend their specifications for curb and sidewalk ramp design standards. Since the Township streetscape improvement project had not been approved, the project will need to comply with the new regulations. Mr. Gillies suggested that since the engineer recommended moving forward with plan submission under the old design, and PennDOT rejected the old design, perhaps the design engineer should share in the cost of the design since it was their recommendation.

Mr. Heller announced that on November 12, 2008 between 4:30 and 6:30 PM, Springfield Township, in cooperation with the Delaware Valley Regional Planning Commission, will host an educational open house on modern methods of taming traffic in communities, and the host of benefits derived from implementing the methodologies.

There being no further business, the meeting was adjourned at 9:00 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary