

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

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, February 11, 2009 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 (Gillies-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 outlined the procedures for the meeting which included a presentation on riparian corridors followed by questions and answers on that topic. The Board would then be open for all other matters of interest.

Mr. Harbison called on Robert Ryan, Ph.D., 6 Franklin Avenue. Dr. Ryan provided a brief explanation of his background as an environmental engineer with special interest in urban streams. Dr. Ryan provided a primer on riparian corridors and the use of land directly adjacent to streams. He indicated that the principle focus in developed areas is to move from turf style grasses and typical residential maintenance of these areas, to meadow grasses, bushes and trees.

Dr. Ryan focused his presentation on answering questions that were provided by Board members prior to the meeting. With regard to measurable scientific impact on the use of pesticides within the riparian corridor, Dr. Ryan indicated that due to the diversity of pesticides and their application, it is very difficult to measure the benefit. Organic materials are typically absorbed by plants, insects and animals. These organics are typically safer, though not safe. No use of pesticides is actually ideal. He noted that a variety of chemicals tested for the Philadelphia Water Department were all low in relation to the drinking water standards, but were present. Dr. Ryan indicated that the number one threat to drinking water is sanitary sewer plant discharge. Number two is urban runoff. With regard to the positive impact of planting vegetation near a dry stream, Dr. Ryan indicated that the benefits include the reduction of runoff, which equates to less erosion and more water that seeps into the soils. Mr. Dailey discussed the high percentage of stormwater that enters the drainage creeks by way of stormwater inlets as opposed to over land. Dr. Ryan acknowledged same and indicated that it is a very difficult issue to address stormwater discharge, but residents can make modest improvements to their properties that will incrementally benefit the environment. Related

to placing vegetation within the floodplain, and the impact on a 100 year storm event, Dr. Ryan stated that the vegetation would slow the flood waters and would help assist in downstream flooding.

In that regard, Mr. Gillies discussed the number of trees the draft ordinance would require to be planted within the riparian corridor and the practicality of actually being able to increase the vegetation to that extent, and how that vegetation might obstruct stormwater storage. Mr. Schaum asked if the benefit of a riparian corridor ordinance might be quantified and presented as a percentage of benefit vs. the impact on adjacent properties. He inquired whether an education program might be more beneficial than the ordinance.

Ms. Peirce and Mr. Heller discussed benefits of a riparian corridor, such as reduction of erosion, reduction in nutrients entering streams, flood control, water temperature and how that relates to the growth of algae. Mr. Dailey agreed with the concept of a Township-wide educational program and asked if there were no mandated improvements required of residents at the outset of the enactment of the ordinance, would there be any true benefit. Dr. Ryan indicated that if changes are never considered, then nothing would ever improve.

Dr. Ryan classified a stream that has no ground water present other than as a result of a rain event as an ephemeral stream. He also noted that the definition of a stream is not necessarily important to the environment, but to address all streams regardless of their characteristics is important.

Discussion ensued with regard to how to classify the concrete trapezoidal channel through the Flourtown Gardens and whether that is a stream that had been improved by man, or whether the ditch was merely a manmade drainage ditch.

Mr. Gillies stated his impression that the impact on the water quality appears to be de minimis as a result of the ordinance. He believes the proposed vegetation requirements in the ordinance would cost approximately \$1700 per home to create, he asked the commissioners to weigh the benefits of the ordinance on the 600 affected homes vs. the benefit to the entire community.

Mr. Lawrence, 1202 Malinda Road, asked if the Commissioners had considered health risks in creating the vegetation in the riparian corridor and discussed the overgrowth of vegetation which could create a habitat for unwanted pests. Mr. Lawrence suggested the Township should experiment in a Township park with a riparian corridor. He inquired whether a petition from the affected property owners will be beneficial to the deliberation process.

Mr. Stitzinger, 412 Hemlock Road, suggested that the riparian corridor concept should be considered on a watershed basis as opposed to individual communities. He also suggested starting more simply by asking residents to utilize rain barrels or disconnect their downspouts from the streets.

Mr. William Reid, of the Clean Water Action Fund, indicated that his organization was present at the meeting in order to show support of the enactment of the ordinance. Mr. Reid presented a fact sheet on the benefits of vegetated buffers within riparian corridors.

Mrs. Pattituci, 101 E. Wissahickon Avenue, asked if Springfield was liable for polluting the waters of other communities down stream. She generally supported the Board's review of the matter.

Ms. Dougherty, 910 Harston Lane, questioned the cost of establishing the vegetation and riparian corridor. She suggested that some of the vegetation might be available on other properties and can be transplanted. She asked if the Board might consider deferring the cost of installing the new vegetation over time.

Ms. McGettigan, 1605 Cherry Lane, discussed possible conflicts in the draft legislation as it relates to manmade ditches and creeks. She was also interested in how the ordinance would affect Country Clubs, particularly the Flourtown Country Club, and their use of pesticides and herbicides. Ms. McGettigan asked what the impact would be on individuals who currently maintain pools or storage sheds in their rear yards. Mr. Harbison discussed the appeal process that an individual property owner can take if they feel the application of the ordinance is unduly difficult to abide by.

Mr. Harkins, 1799 E. Willow Grove Avenue, indicated that he has a pond and a small stream on his property and inquired whether a pond would be subject to the regulations. It appears that the pond would indeed be included in the regulations.

Ms. Parsons, 1203 Susan Circle, indicated that her son owns a property directly adjacent to a stream. She inquired whether the Township or others had tested the water in those streams, and suggested that direct notification to the affected 600 homes should be considered when the matter is being discussed. She also agreed that environmental education on improvements around properties is advisable.

Mr. Honeywell, 1607 Cherry Lane, indicated he lives adjacent to the trapezoidal channel in Flourtown and is concerned with the effect of the ordinance on the maintaining his storage shed and yard equipment in that building. He agreed that education might be the best means to reduce concerns, and suggested that perhaps everyone consider planting trees adjacent to the stream with or without Township assistance.

Mr. Howell, 2005 Paper Mill Road, indicated his interest in maintaining his property properly, and would not be interested in leaving the 25 feet adjacent to the stream uncut as he has had a rodent problem in the past and does not want to revisit that experience.

Mr. Meyer, 1613 Cherry Lane, asked for a clarification on the “day one” implications of the ordinance. Mr. Harbison suggested that it was his intention not to impact anyone on day one, following the enactment of the ordinance. He hopes that the ordinance is written as clear as possible and that only after substantial changes to a resident’s property, would the provisions of the ordinance apply.

Ms. Parsons, 1203 Susan Circle, asked whether a \$1,000 fine was really necessary for violations of the proposed regulations.

Mr. Harbison indicated that many residents in the audience were also interested in the possible construction of trails within the Township. In order to begin those discussions, Ms. Peirce was asked to read a motion for discussion purposes. Ms. Peirce stated the Springfield Township Board of Commissioners acknowledges the importance of multi-purpose trails to the vitality of the community for both recreation and transportation uses. The Board is committed to bringing this benefit to enhance the quality of life in Springfield for its residents. The Board concurrently acknowledges its responsibility to the adjoining neighborhoods that trails must be responsible to cost, privacy, property owner rights, legal exposure, safety, lighting and access.

Mr. Gillies indicated that over the years, both as a Township Commissioner and a Planning Commission member, the issue of trails has been reviewed and approved by the Township on several occasions. Mr. Gillies cited specific trails on specific properties throughout the Township. Mr. Gillies also noted votes by the Board of Commissioners related to locally sponsored trails that have been supported on a bipartisan fashion. The Board demonstrated a commitment to trails when a specific and definitive plan had been presented. He did not believe a hypothetical vote on trails is necessary.

Ms. Harkins, 1799 E. Willow Grove Avenue, expressed her appreciation for trails in general, but with regard to the Cresheim Trail proposed directly adjacent to her property, she has been frustrated by the organizers not answering specific questions about the trails. She asked that personal notifications be provided when specific trails are discussed. Mr. Harbison inquired whether Ms. Harkins was aware of whether the developer of the Lloyd tract would provide an alternate location for the Cresheim trail. Ms. Harkins was not able to answer that question. Mr. Heller indicated that the Cresheim Trail is a matter that may come before the Board of Commissioners in the future, and it is that fact that has him interested in discussing trails well in advance of any specific trail to be presented to the Township.

Ms. Pattituci, 101 E. Wissahickon Avenue, discussed her proximity to the Flourtown Erdenheim Little League fields, and the effects of those activities on her property.

Mr. Harbison indicated that the Township, as a property owner of several properties on which a Flourtown trail was proposed, was supportive of the trail. The Board was generally in favor a connection between the Flourtown Gardens and the Black

Horse Inn over Township properties, but was not interested in the remaining portion of the Flourtown trail.

Mr. Jancola, 23 Glenn Circle, appreciated the Township's interest in reviewing trails.

Mr. Tomlinson, 27 Haws Lane, inquired as to the need for establishing a generic policy on trails. He noted that the Park and Recreation Comprehensive Plan included information on trails, and that the Board of Commissioners has supported specific trails when appropriate.

Alistair Howard, 917 Abington Avenue, discussed the benefits of biking along trails and the opportunities for individuals like himself to commute to and from work in Philadelphia.

Joan Parsons readdressed the Board and asked if the proposed trails would include horses and horse buggies. She inquired whether there would be a trail head in the Flourtown Gardens and finally expressed a general concern for costs to the Township for each mile of trail constructed.

Ms. Birnbaum, 115 West Mill Road, agreed the Township needs to be concerned with many issues surrounding trails, but the County had constructed a trail to the rear of her property and believes it is a great asset and appreciates the connections the trail provides through the community.

Mr. Sternfeld, 8828 Duveen Drive, indicated he was in favor of the Cresheim Trail and trails in general.

Mr. Simone, 8825 Patton Road, indicated that he has used the Schuylkill River trail on many occasions, and in the vicinity of Valley Forge Park, there are several homes that are very close to the trail. He indicated that if private property is respected, trails are of great benefit to the properties.

Mr. Hanson, 1513 Lucon Road, presented a master's thesis out of the University of Cincinnati, which he believes provides a fair analysis of the benefits and downsides of recreational trails. The thesis also attempts to create a mathematical quantification of property values adjacent to recreational trails.

Ms. Harkins, 1799 E. Willow Grove Avenue, readdressed the Board and indicated that not all portions of the proposed Cresheim Trail are along the abandoned railroad line, and that too many areas of the proposed trail are ill-conceived.

Mr. Benz, 8558 Trumbauer Drive, believes that evidence on trails overwhelmingly supports trails, and asked the Board to consider the greater good vs. individual rights associated with these improvements.

Mr. Karl, 7810 Pine Road, provided on-line resources to review the construction of trails. He stated his understanding of the concerns of nearby residents, but suggested that alternatives to the trails, including landscaping and fencing can be beneficial to the trails and surrounding properties.

Ms. French, 208 Suffolk Road, suggested that both the riparian corridor considerations and trails are important to the Springfield community.

Mr. Hines, 808 Wyndmoor Avenue, thanked the Board for its commitment to recreation in Springfield Township.

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

Motion (Harbison-Heller) carried unanimously to approve the January check reconciliation in the amount of \$728,041.96 and the February bill listing in the amount of \$364,563.43.

Mr. Harbison announced that during the month of January, Springfield Township residents recycled 195.7 tons of materials with a householder participation rate of 77.7%. The net savings for the month was \$482.35.

Mr. Harbison stated that the Board of Commissioners shares the concerns of most people that both 2009 and 2010 could be difficult financial years. In an effort to be better prepared, the Township staff was asked to review the approved 2009 budget and provide recommendations on how they might reduce the 2009 expenditures under two scenarios: (1) effective April 30, a 10% reduction, and (2) effective June 30, a 25% reduction. Mr. Harbison pledged that Township officials will carefully monitor the 2009 receipts and will work together to avoid significant long term impacts on the community.

Mr. Schaum, Co-Chairman of Public Safety Committee, reported:

Motion (Schaum-Gillies) carried unanimously to adopt Resolution No. 1196, a resolution urging the Pennsylvania General Assembly to amend the current Pennsylvania insurance laws that will permit insurance carriers to make a direct reimbursement to local ambulance companies for their costs associated with providing service to an insurance subscriber.

Mr. Gillies, Chairman of Library Committee, reported:

Motion (Gillies-Schaum) carried unanimously to appoint Joan Parsons, Susan Circle, to fill an unexpired term of service as a member of the Advisory Committee for the Free Library of Springfield Township. The unexpired term of service is due to expire December 31, 2010.

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

Mr. Standish stated that over the past several months, the Board of Commissioners has been considering the establishment of right of way regulations to assist the Township in managing its public rights of way with respect to telecommunication service providers. The Board of Commissioners will consider taking action of the regulations at the March 2009 meeting.

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

Motion (Peirce-Heller) that the Springfield Township Board of Commissioners acknowledges the importance of multi-purpose trails to the vitality of the community for both recreation and transportation uses. The Board is committed to bringing this benefit to enhance the quality of life in Springfield for its residents. The Board concurrently acknowledges its dual responsibility in alerting the adjoining neighbors and recognizing that trails must be responsible to cost, privacy, property owner rights, legal exposure, safety, lighting and access.”

Mr. Dailey apologized to the 34 residents who are affected by ongoing discussions by the Board on trails. He believes the matter is public convenience vs. private property rights. Mr. Dailey indicated that the discussion has been ongoing for five years, and he understands the residents are tired of discussing the issue of trails. He asked what the objective was of the motion presented. Mr. Dailey concluded by suggesting that when a pavilion was proposed in a Wyndmoor park, that matter was dropped when the adjoining property owners expressed their dissatisfaction with that proposal.

Mr. Heller indicated that he supported the motion as he does not believe the Township currently has a policy on trails, and that a policy and/or discussion on trails is needed. Discussions on specific trails in the future would also be required.

Mr. Gillies suggested that the Township may not have a policy on a variety of issues brought to the attention of the Board of Commissioners, but when specific matters are raised, the Board is able to address the issues based on the specifics of the topic.

Mr. Gillies suggested that the interested parties might wish to construct portions of the Cresheim trail in the vicinity of Mermaid Park to Philadelphia, where there are no adjoining dwellings.

Mr. Standish stated that it may not be necessary to have a policy, but no less important to discuss the concept of trails. He believes it is important to say that the Township appreciates the benefits of trails.

Mr. Schaum indicated that he plans to vote against the motion, as he believes the motion resolves nothing. The Township is no closer to a trail as a result of the

discussion, but he does appreciate that there are locations that may properly accommodate a trail.

Mr. Harbison indicated that he is generally in favor of trails, and believes trails do increase the quality of life in a community. The stated motion is not to hand string the Board, but to change the dialog from “if trails”, to “where trails”. The construction of a trail from Wyndmoor to the City of Philadelphia is an important feature as well as a trail in Flourtown to make a safer passage to Forbidden Drive in Philadelphia. Mr. Harbison believes trails are a safer means for children to go to and from school, but the use of eminent domain to cite the trail near the Flourtown Country Club may not be appropriate. Ms. Peirce agreed that the discussion of trails is not a discussion of whether trails should be constructed, but where, when and how.

A vote on the motion was 4-2. Opposed: Dailey and Schaum. Mr. Gillies did not cast a vote.

Mr. Dailey, Chairman of Zoning Committee, reported:

Mr. Dailey announced that the Zoning Hearing Board did not receive any applications for the month of February, and therefore, will not be conducting a meeting. The next scheduled meeting of the Zoning Hearing Board is Monday, March 16, 2009 at 7:00 PM.

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

Motion (Heller-Schaum) carried unanimously to enact Ordinance No. 896, an ordinance requiring the registration of a deed in the Township offices within two business days of recording a deed for the sale of real property in the offices of the Montgomery County Recorder of Deeds.

Mr. Heller announced that the Board received a letter from John Schaeffer resigning his position as a member of the Springfield Township Planning Commission. Mr. Heller announced the Board’s appreciation for Mr. Schaeffer’s years of capable service and leadership as a member, Vice Chairperson and Chairperson of the Commission. Mr. Gillies agreed with comments from Mr. Heller and also thanked Mr. Schaeffer for his service.

Motion (Heller-Standish) carried unanimously to appoint Joseph Devine of Elliston Drive to fill the unexpired term of service as a member of the Springfield Township Planning Commission. The term is due to expire February 16, 2010.

Motion (Heller-Gillies) carried unanimously to reappoint Angela Murray, George McDowell and David Sands to new four year terms of service as members of the Springfield Township Planning Commission. The new four year terms of service shall expire February 16, 2013.

Mr. Heller announced that for approximately two years, a dedicated group of residents, business owners, Township officials and consultants have been working to create a Bethlehem Pike Streetscape Master Plan to further advance the concepts developed in the Flourtown Erdenheim Vision Plan. The goal of constructing streetscape improvements within the corridor is to help create places that people will associate with the heart of Flourtown and Erdenheim, to make the public spaces an encouragement for pedestrian use, to improve pedestrian safety and provide a general blueprint for improvements along Bethlehem Pike. The Board of Commissioners will hold an open house on March 11, 2009 between 5:30 PM and 7:00 PM in the Township Building in order for residents and business owners to review the plans and meet the consultants who helped design the public improvements for Bethlehem Pike. The presentation by the consultant will be videotaped and aired subsequent to the telecast of the March 11, 2009 business meeting.

Mr. Lawrence, 1202 Malinda Road, suggested that the Board may wish to consider defining a trail, specifically, whether a trail is a simple footpath or is it a 15 foot wide paved road.

There being no further business, the meeting was adjourned at 11:25 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary