

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

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, November 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 led the Pledge of Allegiance.

Mr. Harbison asked 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 announced that the Board of Commissioners conducted a short executive session related to a legal matter just prior to the business meeting.

Mr. Harbison acknowledged the presence of former commissioner Jane Roberts in the audience.

Mr. Harbison announced that the Board of Commissioners would be conducting a public hearing to consider amendments to the AAA-Age Qualified-1 zoning district. The public hearing will be conducted as a part of the business meeting and therefore, in the event the Board of Commissioners wishes to take action with regard to the proposed amendments, a vote can take place. Residents in attendance at the business meeting who wished to make comment on the AAA Age Qualified zoning amendment were advised to hold those comments for the public hearing.

Mr. Harbison also announced that during the October meeting of the Board of Commissioners, several residents addressed the Board expressing concerns with the roadway maintenance project recently completed in a portion of Erdenheim. The Board asked representatives from the Pennsylvania Department of Transportation Local Technical Assistance Program and the Asphalt Institute to review the streets in question and make comment on whether the use of the Ralumac product was appropriate for residential streets, whether the application in 2009 was properly performed and whether there was a product or process the Township could consider to reduce the course nature of the Ralumac product. Both organizations agreed that the Ralumac type 2 micro-surface product is appropriate for installing on residential streets, and both agreed that the application in 2009 was completed properly. The Asphalt Institute also suggested the Township may wish to consider applying a type 1 slurry seal over the Ralumac if a less course surface is needed next Spring.

Sid Gosser, 707 Falcon Drive, expressed his disappointment for the manner in which 731 Falcon Drive is currently being maintained. The Board reviewed the condition of the property and the process by which the Township can effect certain changes to the property.

Nicolas and Lorita Grant, 733 Falcon Drive, provided photographs of 731 Falcon Drive and complained about the extensive vegetation and animals that inhabit 731 Falcon Drive.

Vince Richardson, 729 Flacon Drive, supported earlier comments by the neighbors related to vegetation, animals and general lack of maintenance of 731 Falcon Drive.

Motion (Harbison-Schaum) 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 Committees, reported:

Motion (Harbison-Schaum) carried unanimously to approve the October check reconciliation in the amount of \$953,642.16 and the November bill listing in the amount of \$1,038,105.56.

Mr. Harbison announced the upcoming budget meetings through to the adoption of the 2010 Budget:

<u>Purpose</u>	<u>Date</u>	<u>Time</u>
Budget Presentation	11/11/09	8:00 PM
Budget Hearing	12/9/09	8:00 PM
Budget Adoption	12/16/09	8:00 PM

Mr. Harbison presented the 2010 Budget by reading into the record the 2010 Budget Statement. In summary, the Board of Commissioners is proposing a balanced operating budget for 2010 of \$17,336,955, with a real estate tax rate of 3.370 mills, and an earned income tax rate of 1.0%. The 2010 budget proposes to maintain the real estate tax rate of 3.37 mills which is the same rate as in 2009. The refuse service fee will also remain unchanged at a discounted rate of \$183.46. The sanitary sewer rental will be increased by an average of \$87.24 per household due to a proposed increase of 37% by the City of Philadelphia related to their costs to convey and treat the wastewater from Springfield Township.

Mr. Harbison announced that during the month of October, Springfield Township residents recycled 191.2 tons of materials with a householder participation rate of 75.7 %. The net income for the month was \$143.81.

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

Motion (Schaum-Gillies) carried unanimously to authorize the proper Township officials to execute a Memorandum of Understanding By and Between the Township Police Department and the School District of Springfield Township as it relates to incidents which occur on school property, at a school-sponsored activity or involving school-provided transportation. The memorandum outlines the manner in which the Township and the School District will cooperate on matters of mutual interest.

Mr. Schaum provided a brief history of requests made for the installation of three stop signs throughout the Township. Mr. Schaum indicated that all three were reviewed and while they did not meet the PennDOT warrants, a traffic engineering study was conducted which identified grounds for installing two of the stop signs.

Motion (Schaum-Gillies) carried unanimously to amend the Springfield Township Code, Section 107-28, Schedule V, Stop Intersections, by authorizing the creation of a multi-way stop intersection at the intersection of Bruce Road at Garth Road.

Motion (Schaum-Peirce) carried unanimously to amend the Springfield Township Code, Section 107-28, Schedule V, Stop Intersections, by authorizing the creation of a multi-way stop intersection on Erdenheim Road at Yeakel Avenue.

Motion (Schaum-Peirce) to amend the Springfield Township Code, Section 107-28, Schedule V, Stop Intersections, to create a multi-way intersection on Glendalough Road at Terminal Avenue. Mr. Heller suggested that the Board may wish to move forward with installing the multi way stop intersection at this location due to site distance. Ms. Peirce agreed. Mr. Gillies suggested that neither the police department nor the traffic engineer indicated that this intersection should be a multi way intersection and is concerned for associated liability. Mr. Hoffmann was asked to express an opinion. Mr. Hoffmann suggested that the Township might lose certain immunities afforded the Township through the Tort Claims Act if the Board proceeded contrary to expert recommendations. Mr. Standish expressed his interest in trying to help residents by providing protection through the installation of the stop intersection. Vote 4-3; Gillies, Harbison, Schaum opposed.

Motion (Schaum-Heller) carried unanimously to amend the Springfield Township Code, Section 107-26, Schedule III, One-Way Streets, by installing one-way traffic on Thomas Road in a southbound direction between Germantown Avenue and Northwestern Avenue, and to amend Section 107-32, Schedule IX, Parking Prohibited, by restricting parking on the east side of Thomas Road from Germantown Avenue to Northwestern Avenue.

Motion(Schaum-Heller) carried unanimously to authorize the installation of a street light on Cresheim Valley Road on utility pole # 1446.

Mr. Schaum announced that there is still a vacancy on the Township Shade Tree Commission. Any resident interested in serving on the Shade Tree Commission should send a letter of interest or Resume to the Board of Commissioners.

Mr. Gillies, Chairman of Library Committee, reported:

Mr. Gillies asked if a motion would be required for the Township Solicitor and staff to take steps necessary to resolve the property maintenance violations at 731 Falcon Drive and 306 Station Avenue. Mr. Harbison indicated he would entertain such a motion.

Motion (Gillies-Peirce) carried unanimously requesting the Township Solicitor and staff to take the necessary measures to resolve the property maintenance violations at 731 Falcon Drive and 306 Station Avenue.

Mr. Gillies indicated that the Township has been working with a firm known as RecycleBank which provides municipalities with a unique incentive-based recycling rewards program designed to enhance residential curbside recycling, decrease waste disposal, increase recycling participation, and create local economic benefits through their coupon rewards program. Through a modest increase in the refuse fee charged, the Board may be in the position to bring the RecycleBank program to Springfield Township. Residents interested in additional information can secure same at www.RecycleBank.com.

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

Mr. Standish announced that the Township's leaf reclamation program is ongoing and shall continue through December 12, 2009. Mr. Standish provided guidance on how the leaves are to be prepared in order for the weekly curbside collection. The biodegradable bags can be purchased at the Flourtown Acme, Flourtown Genuardi's, Oreland Hardware and Wyndmoor Supply store.

Ms. Peirce stated she had an inquiry as to why the Township does not collect the loose leaves at curbside. Mr. Berger indicated that it is a matter of cost, a location to process the leaves, and safety while the leaves are left in the street. Ms. Peirce did note that the Township does provide collection of leaves in the street gutter that fall there naturally.

Ms. Peirce, Chairwoman, Communications and Cultural Resources Committees, reported:

Ms. Peirce announced that the Township is creating a Township website advisory committee. The purpose of the committee is to make recommendations on enhancing the Township website, assist in the implementation of improvements, and act as a facilitating group to assist the operating departments of the Township. Any resident with a particular interest or skill in website management or communications should send a letter of interest or resume to the Board of Commissioners.

Mr. Dailey, Chairman of Zoning Committee, reported:

Mr. Dailey stated that the Zoning Hearing Board would next meet on Monday, November 16, 2009 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-Gillies) to approve the land development of the Flourtown Shopping Center which consists of the renovation of several existing retail areas within the inline building portion of the shopping center, the construction of a new 5,400 sq. ft. retail building within the existing parking lot, and the renovation of a portion of the old K-Mart store. The subject land development plan is entitled "Preliminary/Final Plan, Flourtown Shopping Center" and dated July 29, 2009, last revised September 29, 2009. The approval was subject to the owner of the land development resolving all outstanding features with the land development plan as noted in a letter dated October 15, 2009 from the Township Engineer. It was also acknowledged that prior to any improvements associated with the proposed 5,400 sq. ft. retail building, the owner must secure the required approvals from Whitemarsh Township.

Mr. Heller was interested in understanding whether the immediate neighbors had concerns with the current proposal as the developer and the neighbors had an agreement related to the previous land development for this property. Mr. Heller suggested that the land development not move forward with approval. Mr. Harbison approved of the manner in which the land development was processed, but he too would like confirmation from the neighbors that they understand the changes to the land development. Mr. Gillies suggested that the issues of the neighbors in the past related to the one large use of Home Depot on the property.

Rob Lewis, counsel for the applicant, made the following comments: (1) he did not believe anything was done outside the normal land development process and did not do anything to exclude anyone from participating in the process, and (2) he acknowledged that the applicant would need a zoning change or variance from Whitemarsh Township in order to proceed with the 5,400 square foot building proposed for the parking lot. Mr. Dailey inquired of Mr. Lewis if his client reached out to the neighbors. Mr. Lewis said he did not reach out to the neighbors, but stated that they did not reach out the last time either but the concerned neighbors contacted the developer and together they worked through an agreement related to the Home Depot store. In conclusion, Mr. Lewis stated that his client would extend the 90 day land development review period until the next meeting of the Board of Commissioners and that they will reach out to legal counsel for the neighbors to confirm their interests. Both Messrs. Heller and Gillies agreed to withdraw the motion to approve the land development.

Motion (Heller-Schaum) carried unanimously to approve the Navo subdivision, a two lot residential subdivision located at 39 Springfield Avenue. The subject of the subdivision includes the construction of a single family dwelling on each of the two lots being created. The subdivision plan is dated June 5, 2009, last revised September 1, 2009. The approval of the subdivision plan included waivers to the following two sections of the Springfield Township Code: (1) Section 95-10.A, requiring a right of way of 50 ft. and a cartway of 30 ft., and (2) Section 95-10.I, which deferred the installation of sidewalks. The plan was approved subject to the applicant resolving, to the satisfaction of the Township Engineer, all matters outlined in a letter dated October 20, 2009 from the Township Engineer.

Motion (Heller-Peirce) authorizing the office of the Township Solicitor to attend all future Zoning Hearing Board meetings to present the interest of the Board of Commissioners in opposition to the petition of St. Paul's Church, Oreland, as it relates to variances desired to install an LED display message board as a part of the new ground sign at 800 Church Road, Oreland. Vote 2-5; Dailey, Gillies, Harbison, Schaum, and Standish opposed. The motion did not carry.

At this time in the meeting, the Board of Commissioners conducted a public hearing related to amending the Springfield Township Zoning Code by changing certain sections of the AAA-AQ-1 Age Qualified residential overlay district.

Motion (Harbison-Schaum) to enact Ordinance No. 898, an ordinance changing the occupancy age requirements for the dwelling units within the AAA-AQ-1 Age Qualified Residential Overlay District.

Mr. Harbison stated that the matter of the zoning change ran close in his mind as he appreciates the requested change is modest as to its impact on the community, yet the neighbors came to a consensus agreement on the previous proposal.

Mr. Standish indicated that he sympathized with the neighbors, but the zoning change made no substantive change to the development of the property.

Ms. Peirce indicated that she was never in favor of the original development and would not support this change.

Mr. Heller believed the developer and the neighbors had a deal on how the property was to be developed and stated the developer should maintain that position.

Vote 4-3; Harbison, Heller, Peirce opposed.

Brennan Preine, Northwestern Avenue, asked why Mr. Standish voted on this motion, but abstained from the last vote on the development. Mr. Standish indicated that at the time of the last vote, he was concerned that his firm might have been doing business with a Nolen-owned company. He was not sure it was the same Nolen, but abstained just

the same. Regardless, that business arrangement is no longer an issue, and he felt it was appropriate to vote on this amendment.

There being no further business, the meeting was adjourned at 10:10 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary