

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

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday evening, October 9, 2013 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. Gillies presided.

Mr. Gillies asked everyone to join the Board of Commissioners in a moment of silent reflection honoring the service men and women who have placed themselves in harm's way in order to help reserve our safety.

Mr. Gillies 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. Gillies noted that Mr. Standish was unable to attend this evening's meeting due to a previous conflict.

Rita Ford, Glenn Circle, asked for a clarification with regard to the Montgomery/Terminal Avenue drainage project as it related to the Rittenhouse Lumber Company property. Mr. Gillies indicated that the property owners of the lumber company asked that the Township relocate the proposed drainage pipe through their property so as to reduce conflicts with future redevelopment of the property.

Steven Steinbrook, 34 Whitemarsh Avenue, addressed the Board of Commissioners in regard to the Zoning Hearing Board application related to 9425 Stenton Avenue. Mr. Steinbrook asked how the Zoning Hearing Board would determine the minimum relief necessary when considering variances requested by the property owner of the subject property. Mr. Steinbrook reviewed his thoughts on how the parameters of the minimum relief necessary could be calculated. Mr. Dailey discussed the standards of variances and special exceptions when presented to the Zoning Hearing Board.

Roseanne Nyiri, 8614 Cheltenham Avenue, thanked the Board of Commissioners for their time and efforts with regard to creating a public sanitary sewer system to service the Caroline Drive neighborhood. Ms. Nyiri recited her understanding that the Board of Commissioners would move through the design of the project, bidding, construction and then consider enactment of an ordinance related to the financing of the project and how that would relate to both the Township and the neighborhood residents. Ms. Nyiri was told that her understanding of the project was correct as recited.

Matthew McNutt, E. Valley Green Road, reviewed a request from McNeil Healthcare, located in Whitemarsh Township, directly across the street from his residence in Springfield Township, with regard to their rezoning request to accommodate a solar panel array. He noted that both the Whitemarsh Township Planning Commission and Township Planner recommended to the Whitemarsh Township Supervisors that the rezoning be granted to McNeil. They did recommend that the first 200 feet of the McNeil property from E. Valley Green Road be deed restricted against industrial uses or buildings, and recommended significant buffering to the solar panels. Mr. Dailey indicated that the Township Solicitor will be authorized to work with McNeil and Whitemarsh Township to help protect the welfare of the Springfield Township residents.

Mr. Garrity was asked to provide the general content of a future ordinance outlining the conditions of a public sanitary sewer system for the Caroline Drive neighborhood as discussed by the Board of Commissioners at their October 7, 2013 meeting. Those provisions included:

(1) Springfield Township shall design, bid and construct the public sanitary sewer system and connection to the existing sanitary sewer system in the Stotesbury subdivision, (2) the Township will secure all requisite easements, (3) the sanitary sewer main will be constructed over four properties, but all seven Caroline Drive properties will ultimately have access to the sewer system, (4) the sewer main construction assessment will be divided by the five households, those being Nyiri, Billinski, Wells, Stretch and Weisner, (5) future construction of any sanitary sewer facilities to service the Whitlock and Spalding properties will be assessed solely upon those two households, (6) a recapture agreement will be recorded to provide for possible future reimbursement to the five initial households that will be assessed for the construction of the sewer when the two additional properties are connected to the main, (7) the Township shall waive the Township tap-in/connection fee for only those households that connect to the sanitary sewer main within six months of completion of the immediate sanitary sewer main project, (8) the Township will offer the Wells household low-interest financing for up to ten years. The Wells household has a PA DEP approved on-lot sanitary system, (9) the Township will offer the Billinski household low-interest financing for up to five years. The Billinski on-lot septic system is not PA DEP approved, (10) immediate connection to the new sanitary sewer system will not be required, but connection will be required at the time of the any of the following occurrences: (a) sale of the property, (b) refinance of the property, or (c) on-lot system failure – an annual certification from an independent sewage enforcement officer will be required for all on-lot systems without a valid PA DEP permit.

Mr. Gillies, Chairman of Internal Affairs Committee, reported:

Motion (Gillies-Schaum) carried unanimously to approve the September check reconciliation in the amount of \$583,691.15 and the October bill listing in the amount of \$1,164,856.03.

Mr. Gillies made an announcement with regard to the budget meeting schedule through the adoption of the 2014 budget:

<u>Purpose</u>	<u>Date</u>	<u>Time</u>
Budget Workshop Meeting	10/23/13	7:00 PM
Budget Presentation	11/13/13	8:00 PM
Budget Hearing	12/11/13	8:00 PM
Budget Adoption	12/18/13	8:00 PM

All meetings will be held in the Springfield Township Building.

Motion (Gillies-Dailey) carried unanimously to adopt Resolution No. 1308, a resolution distributing the State pension fund allocations to the three Township pension plans based on a formula provided by the Township actuary. The total 2013 State pension fund aid was \$365,129.70.

Motion (Gillies-Dailey) carried unanimously to authorize the execution of a Settlement Agreement in the case of Springfield Township vs. Cheltenham Transportation LLC and Tank Car Corporation of America, and in the matter of Cheltenham Transportation vs. Springfield Township. The purpose of the agreement is to draw a conclusion to two orders set forth by the Honorable Bernard A. Moore on August 28, 2013, and also sets forth terms whereby Cheltenham Transportation will be granted permission to utilize the Giuliani property, 50 Oreland Mill Road, Oreland, for a school bus depot on an interim basis as Cheltenham Transportation works through the conditions of the settlement agreement including a land development plan application.

Mr. Schaum, Chairman of Public Works and Safety Committees, reported:

Motion (Schaum-Bell) carried unanimously to appoint Robert Baiada to the position of Police Corporal. Mr. Schaum outlined the evaluation process for the position.

Motion (Schaum-Dailey) carried unanimously to extend a conditional offer of employment as a probationary police officer with the Springfield Township Police Department to Joseph DiSantis of Bala Cynwyd, PA. The conditions of the appointment include successfully passing a medical examination as well as a psychological examination.

Motion (Schaum-Bell) carried unanimously to amend the Springfield Township Code Section 107-28, Schedule V, Stop Intersections, by authorizing the installation of a stop sign on Schnell Avenue at College Avenue.

Motion (Schaum-Peirce) carried unanimously to participate in a public auction sponsored by the Montgomery County Consortium of Communities to be held on November 9, 2013 by professional auctioneer J. J. Kane at the Danella Company storage yard in Conshohocken. The Township will offer for sale three used police vehicles, a used pick up truck, a small used dump truck, a Savin photocopier, a power mig welder, 2 Lincoln Ideal Arc welders, and miscellaneous small vehicle parts.

Ms. Peirce, Chairwoman of Library Committee, had no report.

The Human Resources Committee had no report.

Mr. Dailey, Chairman of Zoning Committee, reported:

Mr. Dailey announced that the Zoning Hearing Board will next meet on October 28, 2013 at 7:00 PM in the Springfield Township Building. Mr. Dailey summarized the Zoning Hearing Board agenda.

Motion (Dailey-Peirce) carried unanimously to communicate to Robert Kerns Esq., counsel for the Township in the Zoning Hearing Board application involving 9425 Stenton Avenue, the concerns of the Board of Commissioners with the application. The concerns include: (1) the density of the housing proposed, (2) off-street parking for residents and visitors to the property, (3) yard setbacks to Stenton Avenue and other adjacent properties, and (4) landscape buffers on all perimeter property lines.

Motion (Dailey-Bell) carried unanimously to authorize the office of the Township Solicitor to work with counsel for McNeil Consumer Healthcare and Whitemarsh Township to help protect the health, safety and welfare of the Springfield Township community with regard to a rezoning request of McNeil Consumer Healthcare for a portion of their property adjacent to East Valley Green Road. In doing so, the Board of Commissioners recommends: (1) the first 200 feet of the right of way from E. Valley Green Road shall be subject to a deed restriction on the property prohibiting all industrial uses and industrial buildings. Single family detached dwellings, either existing or proposed, may be maintained in accordance with other applicable zoning requirements of Whitemarsh Township, (2) the next contiguous 200 feet shall be deed restricted for a use to accommodate only solar panels and associated equipment with a height not to exceed 8 feet, (3) the office of the Township Solicitor is also authorized to attend the October 24, 2013 public hearing in Whitemarsh Township to represent the interest of Springfield Township in the rezoning of a portion of the McNeil Consumer Healthcare property, and (4) to the extent the aforementioned conditions are not accepted by McNeil, the office of the

Township Solicitor is authorized to oppose the rezoning of a portion of the McNeil Consumer Healthcare property.

Mr. Harbison, Chairman of Cultural Resources Committee, reported:

Mr. Harbison announced that during the month of September, Springfield Township residents recycled 197.1 tons of materials with a householder participation rate of 79.1%. The net cost for the month was \$8,505.88.

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

Motion (Bell-Schaum) vote 5-1, Peirce opposed, to waive the formal land development review process for the demolition and reconstruction of an accessory storage building at the Flourtown Fire Company, 1526 Bethlehem Pike, Flourtown. The waiver is conditioned upon: (1) the representations made in a written proposal dated July 27, 2013 from the Flourtown Fire Company, (2) the Fire Company shall secure the requisite building permit, (3) the fire company shall construct stormwater management improvements required by the building permit, and (4) the fire company shall provide landscape improvements adjacent to the new structure to provide a visual buffer to surrounding properties.

Motion (Bell-Harbison) vote 5-1, Peirce opposed, to grant the request of Movie Tavern Inc. and Federal Realty Investment Trust (the "Applicants") for a waiver of the formal land development process for the construction of a Movie Tavern facility in the same footprint as the prior Giant/Genuardi Supermarket at the Flourtown Shopping Center subject to the following conditions:

1. Prior to receipt of a building permit, the Applicants shall provide the township with a detailed floor plan of the entire building which shall include (in addition to all normal building code requirements) all exterior exit locations. Applicants shall address (to the satisfaction of the Board of Commissioners) all comments on such plans received from the Springfield Township Emergency Management System.
2. Prior to receipt of a building permit, the Applicants shall provide the Township with façade, signage and lighting plans for the proposed building and shall discuss those plans at a public meeting of the Springfield Township Planning Commission. All lighting and signage shall comply with the applicable provisions of the Springfield Township Zoning Ordinance and the Springfield Township Subdivision and Land Development Ordinance.

3. If requested by the Township, at a date approximately 6 months from the delivery of a Use and Occupancy permit for the Movie Tavern Facility, the Applicants agree to meet with the Township to discuss the adequacy and functioning of parking in the Center during the first six months of the Movie Tavern occupancy.

Mr. Bell announce that the Springfield Township Planning Commission will begin the official review and comment period for the recently updated Comprehensive Plan for Springfield Township by presenting the Plan and accepting comments on the Plan as a part of their October 15, 2013 meeting. The meeting will be held in the Springfield Township Building beginning at 7:00 PM.

Motion (Bell-Peirce) carried unanimously to conduct a public hearing on December 11, 2013 beginning at 8:30 PM following the regular business meeting of the Board of Commissioners on that same date. The purpose of the public hearing is to receive a presentation and public comment on a request by the owners of the Tecce tract, 9303 Ridge Pike, to rezone a portion of their property closest to Ridge Pike from Residential to the Institutional zoning district.

Sara Gabriel, 1008 Fraser Road, addressed the Board and indicated her interest in expanding home based sustainable awareness. She is not looking for the Township to provide any services in this regard but wished to research opportunities for broad based composting. The Board of Commissioners wished her well in her endeavor.

There being no further business, the meeting was adjourned at 8:40 PM

Respectfully submitted,

Donald E. Berger, Jr.  
Secretary