

MINUTES OF MEETING
BOARD OF COMMISSIONERS
SPRINGFIELD TOWNSHIP

The Board of Commissioners of Springfield Township met in regular monthly meeting on Tuesday evening, September 8, 2015, at 7:00 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. Dailey presided.

Mr. Dailey indicated that due to the Labor Day holiday coinciding with the regular workshop meeting, this evening's meeting will be a combined workshop and business meeting.

Mr. Dailey 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 preserve our safety.

Mr. Dailey led the Pledge of Allegiance.

Motion (Schaum-Gillies) carried unanimously dispending with the reading of the minutes of the previous meeting as written and recorded in the official minute book of the Township.

Wyndmoor Court LLC. Carl Weiner, Esq. addressed the Board of Commissioners on behalf of the owners of 7602 Pine Road who are proposing to redevelop the property with four single family dwellings. Mr. Weiner indicated that they plan to attend the upcoming Zoning Hearing Board meeting and have asked for a variance to be able to disturb more than the permitted percentage of slopes on the property. He noted that the slopes are, however, manmade and not natural. Mr. Dailey indicated that the Board of Commissioners previously took a position in opposition to the Zoning Hearing Board application and assumed the developer would like the Board to reconsider their position. Mr. Weiner agreed. Ralph Fey, architect, described the surrounding neighborhood and architecture and provided schematic plans of the proposed dwelling, expressing an opinion that the proposed dwellings would fit within the existing neighborhood. Bob Jordan, PE, indicated that once the developer builds a cul-de-sac compliant with Township specifications, retaining walls are necessary to support the steep slopes surrounding the proposed dwellings. With the variance, less retaining walls would be required and more usable ground would be available around the dwellings. Mr. Gillies suggested that one of the retaining walls was placed within the street right of way and it is his belief that three dwellings at this location could be built without special grading requirements or retaining walls. Mr. Standish asked if the lot was flat, would four homes be accommodated at this location. He was informed that four homes would be accommodated at this location and the only matter before the Zoning Hearing Board is the disturbance on the steep slopes. Mr. Dailey suggested that the Board may wish to conduct an executive session with Mr. Garrity on this topic and then vote publicly after the executive session. The applicant offered to

postpone the hearing before the Zoning Hearing Board if the Board of Commissioners requires additional time for the executive session.

Genie McClintock, Brookside Road, asked if the Township received any feedback on the Brookside Road drainage project. She was informed that the US Department of Housing and Urban Development has not ruled on the application made by Montgomery County, which includes the Springfield project. She also inquired whether the Township was going to move forward with modifying the Hillcrest Pond to provide stormwater management in the area. Mr. Dailey indicated that the Township reviewed several scenarios and there was not enough benefit to construct a stormwater detention facility at this location.

Joan Regan, 133 Orlemann Avenue, made comment with regard to the bus depot planned for the Tank Car property on Walnut Avenue. She indicated she is a fifteen year resident and walks for exercise along the quiet and safe streets in Oreland. With the addition of a bus depot, she believes that walking in the area will no longer be safe. She believes bicyclists will also have a difficult time on the Township streets as well. In addition to hundreds of school buses, there will also be additional traffic from the school bus drivers coming and going to the facility. In addition to the safety issues, there are nuisances of noise, exhaust and lighting to contend with. She asked that the Board of Commissioners deny both land development plans associated with Cheltenham Transportation.

Ms. Regan also read a statement from Christine Hesser, 127 Orlemann Avenue, who was unable to attend the meeting due to vacation. The statement expressed concerns for the expansion of the school bus depots in the community. She pointed to a lack of concern by the operator in working with the Township and Township residents. Ms. Regan submitted a petition and newspaper article opposing the bus depot land developments. Ms. Hesser noted that she made a choice to live where she does, but in doing so accepted living next to a landscaper but objects to living next to a bus depot. Ms. Hesser's letter pointed to several attempts by the Township to have the lighting adjusted at the existing bus depot, which has yet to be completely resolved. With 464 buses, which includes buses from both land developments of Cheltenham Transportation, there will be entirely too many buses in the neighborhood. She also pointed to the adverse effects on utilizing Sandy Run Park as well as the associated bicycle safety issues in the neighborhood, and asked that the Board of Commissioners deny the applications.

Joan Parsons, 37 Hawkswell Circle, asked for an explanation with regard to the letters of extension for the land development at 1725 Walnut Avenue. Mr. Dailey explained that the application requires that the municipality review the plans within 90 days. To the extent the plans are not in compliance with the Township Code, the applicant can extend the land development review process. Mr. Garrity added that if municipalities do not accept extensions, the Courts can consider that the municipalities are working in "bad faith". Ms. Parsons also asked if the parking spaces will be marked on the plans. Mr. Dailey indicated that was one of the comments placed in the review letter by the Township Engineer. Ms. Parsons also remarked that prior to buying her new home she sought to view the numbers of buses on the

site at the time. Ms. Parsons spoke of noise and other nuisances associated with the bus depot use, and believes the Township might want to consider amending the nuisance ordinance. She also asked for a confirmation on the zoning history of the bus depot use at 50 Oreland Mill Road. She expressed her understanding that the zoning officer originally ruled that the use was not permitted, but that the applicant went to the Zoning Hearing Board and was granted permission to use the property for a bus depot.

Karen Roberts, of Wyndmoor, indicated she is planning to move to one of the new townhouses adjacent to the bus depot and is concerned with the increase in the number of buses, safety and the nuisances associated with the use. She also believes that placing large vehicles on Pennsylvania Avenue is a dangerous situation. She inquired whether the Township is going to perform a traffic study, and whether Springfield had any influence over the future development across Pennsylvania Avenue in Upper Dublin Township. Her concern again was traffic safety.

Sara Morrison, 100 Orlemann Avenue, played an audiotape that was created at 7:20 AM on an unspecified day. Ms. Morrison alleged that the sounds heard on the tape were idling school buses.

Cheltenham Transportation - Oreland Mill Road

Motion (Standish-Gillies) carried unanimously to accept a letter from Michael J. Savona, Esq., counsel for Cheltenham Transportation, LLC, dated September 2, 2015, extending the 90 day land development plan review period for the land development of Cheltenham Transportation, 50 Oreland Mill Road, Oreland, through November 13, 2015.

Cheltenham Transportation - Walnut Avenue

Motion (Standish-Gillies) carried unanimously to accept a letter from Michael Savona, Esq., counsel for Cheltenham Transportation, LLC, dated September 2, 2015, extending the 90 day land development plan review period for the land development of Cheltenham Transportation, 1725 Walnut Avenue, Oreland, through November 13, 2015.

Condemnation - 1725 Walnut Avenue

Mr. Dailey read into the record Resolution No. 1357, a resolution authorizing the condemnation in fee simple of the entire property known as 1725 Walnut Avenue, Oreland, Springfield Township, Montgomery County, Pennsylvania, for the public purpose of making, establishing, enlarging and maintaining public parks, playgrounds and recreation areas and for other municipal purposes. The Board authorized the Township Solicitor to prepare and file the appropriate documents in order to accomplish the condemnation and the Township Manager was authorized to execute any documents necessary to accomplish same.

Motion (Dailey-Schaum) carried unanimously to adopt Resolution No. 1357.

Mr. Gillies commented that the acquisition of the property was a long time coming. Mr. Dailey indicated that the filing of the Declaration of Taking for eminent domain requires the establishment of just compensation for the property, which may require future discussions. He believes that the filing of the Declaration of Taking could be filed in less than a week. Mr. Harbison inquired as to the need to file the Declaration of Taking within a week. Mr. Garrity indicated that the filing terminates the existing ownership and for those in the audience interested in the land development it means that the current owner no longer has standing with regard to the land development application.

Sanitary Sewer System Sale. Scott Shearer, of Public Financial Management, and Gary Shambaugh, of AUS Consulting, made a presentation and discussed their work to date on behalf of the Township in order to consider the potential sale or concession lease of the Township sanitary sewer system. Some of the goals or purposes for the sale were discussed as follows: to generate proceeds to be applied to another long term capital need of the Township, that being the municipal campus renovation project; to eliminate personnel costs, maintenance responsibilities, and emergency response obligations associated with the operation of the system; to avoid the need to replace a 15 year old vehicle used to maintain the system; and due to the increasing regulatory complexities, to sell or lease to an experienced operator to provide more efficient management of the system for the benefit of the residents. The sewer system facilities were outlined as well as inter-municipal agreements with surrounding municipalities. The financial performance of the sewer system over the past several years was reviewed as well as the sewer conveyancing rates charges by the Township. Mr. Shambaugh noted that the Township sanitary sewer rates are well below industry levels for similar sewer services. The lower rates prohibit the Township from creating sufficient operating and capital reserves for the system. Customers should expect increases in the sewer rates regardless of ownership by the Township or a private entity due to the need to reinvest capital for renewals and replacements within the existing facilities. Mr. Shearer reviewed the pros and cons of both a sale and concession lease of the sewer system. AUS analyzed the value of the sewer system utilizing three different methodologies. The methodologies created a value between \$9 and \$13.5 million, principally depending on market conditions at the time of the sale. Mr. Dailey inquired how many municipalities were selling their sewer systems. The gentlemen indicated that many municipalities were considering selling their systems, but the economy stalled and consideration was put on the back burner. Now, more municipalities are reconsidering whether to sell their systems. Large municipal sewer systems tend to go through a concession lease and smaller systems tend to be sold. Mr. Dailey wished to confirm that the \$9 to \$13.5 million does not include the sanitary sewer reserve held by the Township. He asked if there was an option to control the rates. He was informed that the Township could control the rates but depending on the length, that could adversely affect the purchase price. Mr. Standish asked why companies look to purchase sewer systems. He was informed that the companies interested in the Springfield system are looking to create regional systems, and therefore, create economies of scale within their existing system, and any systems they may purchase.

The companies in the marketplace absorb the local risks over the entire system. Mr. Standish asked if there was an ability to lease-to-purchase. The gentlemen were not sure that was an option and were unaware of any past examples. Mr. Gillies inquired how many of the firms interested in the Springfield system wished to lease vs. the sale. He was informed that only one would consider a lease or sale. The others wish to only purchase the system. The gentlemen suggested that the Township is not under any obligation to accept a lease or sale offer, and if the Township rejects the proposals, they are not responsible for the costs incurred by the firms to create their responses to the RFP. The bidders will be required to make a good faith deposit at the time of their bid. Mr. Wilson asked the professionals if, from their review of the books, the Township was working efficiently. Mr. Shambaugh indicated that the Township was working efficiently, and in fact, perhaps too lean, in that the sewer rental did not permit capitalization of the system. Mr. Wilson then asked if the Township is not producing income, what type of rate increases would be required by private industry. Mr. Shambaugh indicated that there will certainly be rate increases but the private rate increases might be less due to the economy of scale of their entire system. Mr. Shambaugh suggested that at some point in the future, the Township will need to increase rates in order to capitalize the system for future improvements. Mr. Garrity inquired what would prevent one of the bidders to resell the system to less desirable operators. He was informed that this is not the business plan of any of the qualified bidders, and it appears that the bidders are interested in growing their regional systems as a part of their business plans. Mr. Wilson inquired what would prevent the new owner from wanting to bypass the Philadelphia fees and build a sewer treatment facility in Springfield Township. Both gentlemen indicated that it is very difficult to get an effluent discharge permit, particularly if the City of Philadelphia has capacity available.

Bonny Davis, as a Township resident, addressed the Board and suggested that the Township has not done their due diligence with regard to the sale. She suggested that she does not believe the Township will get the money they hope to get from the sale of the system. She was concerned with substantial increases in rates if sold to a private party. She also discussed her work as the Tax Collector, and concluded by suggesting the community does not need the money.

Tom Sadowsky, 29 Heritage Circle, was interested in how the consultants were being paid. He was informed that the consultants are being paid a flat fee and their fee is not based upon whether the deal moves forward. He was also interested in reviewing the qualifications of the bidders.

Joan Parsons, Hawkswell Lane, asked if the residents would be provided a chance to decide whether to sell the system. She was informed that was the responsibility of the elected representatives.

Deer Population. Bob Galdo, 8519 Patton Road, discussed the herds of deer that roam through his neighborhood damaging property and vehicles, and creating a health hazard to humans. Mr. Harbison indicated that the matter is important, and that the Board discussed the matter at a previous meeting. Hunting appears to be the best method to cull the herd, but the

problem is the area is too heavily populated to allow hunting. Mr. Wilson indicated that he was aware that Bucks County sponsored deer birth control stations in open areas in Bucks County.

Municipal Campus Renovation Project. Tom Daley, of Daley Jalboot Architects, and John Hartman, Construction Manager, of D'Huy Engineering, addressed the Board of Commissioners with the project estimates now at a point of 80% completion of the construction plans and documents. The initial cost estimate from Becker and Frondorff, construction estimators, was \$27,678,750 with a 30 month construction period. In March, D'Huy Engineering estimated the project at \$27,591,053 with a 24 month construction period. Now, at this point, D'Huy Engineering estimates the project value at \$27,559,458 with a 24 month construction period. The gentlemen also reviewed a list of ten bid alternates that are going to be a part of the bid packet. The alternates range from constructing the Township/Police building to finishes within the buildings. A member of the audience inquired who would inspect the project in light of the problems the School District had with Erdenheim Elementary School. The resident was informed that D'Huy Engineering, the construction manager, will perform all inspections. The resident also inquired whether the project included the rebuilding of the ambulance building. The resident was informed that it did not include the ambulance building, but there may be consideration in reconstructing the parking lot that sits in front of the ambulance building for future use. The project bidding schedule was also reviewed for those present.

Holy Martyrs Church. Theresa Melanson, of Burton Road, suggested the church was interested in installing two directional signs in the community, one on Pennsylvania Avenue and the other on Church Road. The Board indicated they would research the appropriateness of installing such signs and get back to Ms. Melanson.

MC Outdoor - Billboard. Mr. Berger reviewed the status of the two landscape buffers associated with the billboard along the route 309 expressway. With regard to the landscape buffer proposed at the billboard, the Township Engineer's office is in receipt of the structural wall plans and the review comments will be available within a few days. With regard to the landscape buffer adjacent to Sandy Hill Road, Aqua PA has objected to the placement of the structural planter boxes and the landscaping within an existing 20 foot easement adjacent thereto. MC Outdoor presented a proposal for living walls. This proposal was reviewed by the Board.

Charles Tucker, 900 Summit Lane, indicated that additional buffering is needed for the Summit Lane neighbors.

Ray Jackson, 908 Summit Lane, indicated that he was still getting a glare at his property from the billboard.

April Whitehead, 2000 Summit Lane, confirmed the statements of the two previous gentlemen. Mr. Dailey volunteered to visit the site and observe the conditions personally.

No decisions were made with regard to the living wall proposal for Sandy Hill Road.

Haws Lane Sidewalk Project. The Township's contractor has installed the required drainage pipe improvements in Haws Lane and has replaced the paving adjacent to the Erdenheim Elementary School. The curb and sidewalk portion of the project is proceeding.

Minimum Municipal Obligation. Joseph Duda, the Township's actuary, briefly reviewed the three MMOs for the three Township pension plans. Mr. Duda explained the process of calculating the MMOs and indicated the need to modify the mortality tables used by the previous consultant as they were outdated.

Defined Contribution Pension Plan Study. Mr. Duda also reviewed a defined contribution plan study for the non-uniformed employees. As a part of the study, he compared the MMO costs for the two non-uniformed plans if the Township negotiated a cap on the existing benefits at both a 60% and a 66% cap of final average salary. In both instances, in the salaried pension plan there were significant cost savings. The cost savings in the hourly plan were far less. Mr. Duda also presented the costs associated with establishing a new defined contribution plan, as well as comparing the benefit to an employee in both pension plans under the scenario of defined contribution and a defined benefit plan. Mr. Duda believes there are legal issues associated with modifying benefits of existing employees. Mr. Gillies expressed interest in discussing with employees: (1) a higher contribution to the defined benefit plan, (2) establishing a cap at perhaps 60% of final salary, and (3) establishing a defined contribution plan for new employees.

Motion (Gillies-Schaum) carried unanimously adopting Resolution No. 1359, a resolution establishing the minimum municipal obligations for the three Township pension plans for the year 2016.

Budget Schedule. Mr. Gillies announced the tentative meeting schedule through the adoption of the 2016 budget.

Municipal Campus.

Motion (Gillies-Schaum) carried unanimously to accept a letter from Joy Bergey resigning her position as a member of the Municipal Campus Advisory Committee. Mr. Gillies thanked Ms. Bergey for her years of service.

Bill Listing.

Motion (Gillies-Schaum) carried unanimously approving the August check reconciliation in the amount of \$859,363.16, and the September bill listing in the amount of \$828,823.27.

Township Manager's Report. The Board of Commissioners reviewed the Township Manager's Report and discussed in greater detail the prospects of renewing an agreement with Recyclebank to provide an incentive program for residents to recycle. Staff is concerned that costs associated with processing the recyclable materials will increase greatly in the coming years and asked whether the Recyclebank program should be included in the 2016 budget. The Board suggested getting costs associated with renewing the contract with Recyclebank and will discuss the budget later.

Brookside Road.

Motion (Schaum-Gillies) carried unanimously authorizing a letter be sent to the Pennsylvania Emergency Management Agency guaranteeing that the Township will not voluntarily withdraw from the Flood Mitigation Grant Program as it relates to 30 Brookside Road, Erdenheim. Related, the property owner of 30 Brookside Road issued a letter to the Board of Commissioners confirming that he too is committed to the implementation of the project.

Winter Maintenance.

Motion (Schaum-Samtman) carried unanimously to adopt Resolution No. 1358, a resolution authorizing the appropriate Township officials to execute an agreement with the Pennsylvania Department of Transportation for Springfield Township to provide winter maintenance on specified State highways within Springfield Township. The agreement is a five year agreement and provides reimbursement to the Township at \$1,100 per lane mile.

Traffic Study - Church Road/Sandy Hill Road/Willow Grove Avenue. Mr. Schaum noted that the Township solicited proposals from traffic engineers to study the Church Road/Sandy Hill Road/Willow Grove Avenue traffic corridor. The specific interests for a future study included: (1) the possibility of creating a left turn lane on westbound Church Road approaching Sandy Hill Road, (2) the reconfiguration of Sandy Hill Road into a one way street in an eastbound direction, and (3) phasing, timing and modifications to the existing traffic signal at Church Road and Willow Grove Avenue.

Motion (Schaum-Gillies) carried unanimously to engage the services of Horner and Canter Associates of Holicong, PA, to perform the aforementioned traffic study for a fee not to exceed \$4,900.

Planning Assistance.

Motion (Standish-Gillies) carried unanimously to authorize the engagement of the Montgomery County Planning Commission through a professional planning assistance contract for the years 2016 through 2018. The County provides planning assistance in review of all subdivisions and land developments and structured assistance as outlined

by the Township and suggested by the County. The costs associated with the contract are split 50% Montgomery County and 50% Springfield Township. The Township's share in 2016 is \$11,718, in 2017 it is \$11,844, and in 2018 it is \$11,970.

Recycling Report. Mr. Harbison announced that during the month of August 2015, Springfield Township residents recycled 186.2 tons of materials with a householder participation rate of 83%. The net cost for the month was \$10,994.61.

Total Maximum Daily Load - Wissahickon Creek. Mr. Berger briefly reviewed a memorandum with regard to efforts to address the TMDL for the Wissahickon Creek. The TMDLs address both creek sedimentation as well as nutrients, particularly phosphorous, that adversely affect the water quality of the Wissahickon Creek. It appears from all accounts, the TMDLs established by the US EPA are unattainable. Most of the suburban towns, the City of Philadelphia and four wastewater authorities are working together through the creation of an "alternate" methodology that would need to be approved by the US EPA. A second course of action being considered by the suburban municipalities is to formally question the appropriateness of the TMDLs placed on the Wissahickon Creek. This matter may require some litigation.

Community Day. Ms. Samtmann made an announcement with regard to the Springfield Township Community Day Festival and 5k run/1 mile walk which will be held on Sunday, October 11, 2015. The day will begin with the 5k run and 1 mile walk at 9:00 AM beginning at Cisco Park, winding through the Erdenheim neighborhood, and finishing at Cisco Park. The community day event will commence immediately following the race at approximately 10:00 AM. Ms. Samtmann provided information on how residents could secure additional information and also participate in the community day.

Susan G. Komen 3-Day.

Motion (Samtmann-Wilson) carried unanimously to permit the Susan G. Komen Breast Cancer Foundation to utilize Cisco Park on October 2, 2015 as a rest stop for their Walk for the Cure. The park will be utilized between 6:00 AM and 12:00 Noon.

Compost. Mr. Harbison asked if staff would determine if any other municipalities in the area collect compost from private property.

Bamboo. Mr. Wilson asked if staff would investigate whether other townships have an ordinance prohibiting or managing bamboo.

Oreland Fire Company.

Motion (Schaum-Samtman) carried unanimously to acknowledge that the Oreland Fire Company will be attending a 100 year anniversary celebration and parade in Beach Haven, Long Beach Island, on October 3, 2015. Mr. Schaum noted that the fire company would make the necessary arrangements for proper fire coverage.

Black Horse Inn. A prospective tenant asked if she could install a natural gas powered wood stove within the rental suite. The fire marshal indicated that the fire code did not necessarily prohibit such a use. Vote 5-2 not to permit the installation of the wood stove. Messrs. Standish and Gillies were not opposed to the installation.

Friends of Historic Bethlehem Pike. Staff was asked to contact the Friends of Historic Bethlehem Pike to see if there is any need to maintain the existing agreement between the Friends and the Board of Commissioners with regard to fundraising and renovations at the Black Horse Inn.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary