

MINUTES OF MEETING
BOARD OF COMMISSIONERS
SPRINGFIELD TOWNSHIP

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday evening, November 9, 2016 at 7:30 PM in the Springfield Middle School Library for the purpose of transacting the general business of the Township. All members of the Board were present. Mr. Harbison presided.

Mr. Harbison 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. Harbison led the Pledge of Allegiance.

Motion (Schaum-Wilson) 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 announced that the Board of Commissioners held an executive session with the Township Solicitor at the close of the workshop meeting of the Board on November 7, 2016 to discuss three legal matters.

Mr. Graham asked that he be permitted an opportunity to make a statement prior to the commencement of business this evening. Mr. Graham indicated that he loves Springfield Township and, as such, moved his most precious commodity, his family, to live here. While he is honored to be a part of the Board of Commissioners, he suggested that placing the interest of an outside company over the wellbeing of the residents is shameful. There comes a time when we have to realize that the interest of our community far outweighs the monetary value it may cost to defend it. He acknowledged the Board has been dealing with the billboard issue for quite some time and has attempted to compromise and rationalize the issue, but the Board does not have to deal with the intrusion personally. The Board was elected to represent its residents, not what the Board members feel is best for them, but to represent the households of every person. A compromise against that mandate is a travesty. Mr. Graham indicated that he personally felt that this was the reasoning for the constant rude interruptions when he attempted to make a point on the billboard. He suggested the interruptions reflected a lack or absence of reciprocity between Board members when differing opinions arise. Mr. Graham recognizes that he has only one vote, but wished to indicate that the Board is not fair to the affected residents. He believes that the residents within his ward should seek outside legal and peaceful remedies that may be available to deter this billboard company from infringing on their families. Mr. Graham offered a quote from Dr. Martin Luther King: "the ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands in times of challenging controversy". Mr. Graham stated that he stands for and with his neighbors. As a means of a peaceful protest, Mr. Graham indicated that he would be walking

out of the meeting as he also did on the preceding Monday night meeting to advocate that his voice may be heard uninterrupted and not disrespected by other members of the Board. Mr. Graham then excused himself from the meeting.

Janeen Crawford, 711 Sandy Hill Road, asked for a brief update on matters surrounding the billboard on route 309. Mr. Harbison indicated that the Board previously entered into a Court sanctioned agreement with the billboard company that would allow the billboard to operate between the hours of 6:00 AM and 11:30 PM. The Board does not believe that the billboard owner has lived up to the provisions of the agreement, and the owner has since tried to design a landscape buffer to the benefit of the residents. The Board does not believe the representations made during the process were true and, therefore, the Township brought suit against the billboard owner. Mr. Harbison went on to say that while the Township might win the lawsuit, the results may not secure any additional benefits for the residents. Therefore, the Board has been negotiating to secure benefits for the residents that may not be available through a successful lawsuit. He noted that during the current process the Township was made aware that the owner is attempting to sell several billboards, including the one of interest in Springfield. During negotiations, Commissioner Graham indicated that he believed the complaints were coming from the south side of the billboard and one thought was to reduce the time on the south side of the billboard and add more time on the north side of the billboard. A proposal was put forth to activate both sides of the billboard at 5:00 AM, but deactivate the south side at 8:00 PM, but permit the north side to continue to operate until 1:00 AM. While in Court, the solicitor asked the Township Manager to poll the Board to see whether such a modification would be satisfactory to the Board. Five of the seven commissioners indicated that it would be satisfactory. Messrs. Graham and Dailey were in opposition. Mr. Harbison repeated that while the Township might win the lawsuit, it may actually lose an opportunity to benefit the residents further than the current Court sanctioned agreement. Ms. Crawford stated that at one time, the billboard was turned off at 7:30 PM and she inquired why the sign was now on until 11:30 PM. Mr. Harbison suggested that that change occurred at the time the Township filed the litigation. Mr. Garrity added that in addition to the adjustment to the hours of operation as outlined by Mr. Harbison, the billboard owners would need to fully comply with the original settlement agreement plus install three additional trees at the billboard site. Ms. Crawford suggested that the lack of attendance at meetings does not mean that there is a lack of interest by the residents in this matter. She read the mission statement of the Township aloud to the Commissioners. Mr. Dailey provided an overview of the process of getting the sign turned off at 7:30 PM on both sides. It was his belief that there are 12 to 14 homes on the north side of the sign and his concern with the proposed modifications was that the residents on the north side would indicate their displeasure with the new hours in the future.

Robin Stovall, 910 Summit Lane, indicated that she lives just north of the billboard sign and can clearly see the sign. She asked for a clarification as to the three additional trees to be planted at the billboard site. Mr. Garrity indicated that two trees would be added on the north side of the billboard and one of the south side to help eliminate the glow of the sign. Ms.

Crawford stated her disappointment with the multitude of misrepresentations made by the billboard owner.

Mr. Grant, 1713 Newbold Lane, stated that he views the north side of the billboard and is concerned with the Township working with the poor information provided by the owner of the billboard.

Sam Greene, 902 Summit Lane, thanked the Board of Commissioners for their time and effort in addressing the concerns for the billboard. He indicated that he lives at the apex of the sign, and therefore, can see both sides. He does not believe there would be any benefit of turning off one side of the sign earlier in the evening and, therefore, would like to see the Township pursue the lawsuit.

Mr. Harbison reviewed his earlier comments on the risk of securing a winning decision from the Courts, but recognized that the neighbors appear to be willing to take the risk of pursuing the lawsuit.

Mary Harkins, 1799 E. Willow Grove Avenue, opined that the property values of the adjacent properties will be decreased due to the existence of the billboard. She also agreed with others that the representations made by the billboard owner throughout the process were not accurate.

Robert Gillies, 213 Woods Road, indicated that it was unfortunate that Mr. Graham left the meeting as he may have been able to clarify information being discussed, and the fact that the residents from that ward lost a valuable vote due to his absence. Mr. Gillies suggested that all other commissioners should view the effects of the billboard sign on the area if they had not done so. He inquired why the billboard owner previously volunteered to turn off the sign earlier in the evening. Mr. Harbison suggested that he did not know, but it could have been a good faith effort during the earlier negotiations. Mr. Gillies stated that a portion of the existing agreement between the Township and the billboard owner states that all aspects of the agreement must be performed to the satisfaction of the Board and, as such, he believes that means the sign needs to remain off until the Board is satisfied.

Mr. Garrity briefly acknowledged the issues discussed while working with the owner of the billboard to address concerns by the residents. It was acknowledged that the billboard owner offered additional landscaping to buffer the view of the billboard, but the neighbors were concerned with the effectiveness of the landscaping. Therefore, his office filed for a "Reformation" of the earlier settlement agreement so as to avoid winning in Court, but not achieving a better outcome for the residents. He noted that the hearing previously discussed was on the injunction for the sign to be turned off and not the merits of the actual case wherein the Township is seeking reformation of the previous agreement. Mr. Garrity also noted Mr. Graham's insistence that the sign be turned off at 7:00 PM, but the owners would not agree to that request.

Ms. Crawford, Sandy Hill Road, readdressed the Board and stated that the neighbors stayed in unity with regard to not accepting the additional landscaping that was offered as not all of the neighbors would benefit from the landscaping, and the neighbors wanted everyone to get relief.

Charles Tucker, 900 Summit Lane, stated that the representations made by the billboard owner were not at all accurate. He discussed personal conversations he had with the owner and did not believe the owner provided what was promised. Dr. Tucker believes the residents were manipulated by the presentations and representations made by the billboard owner and he would like the owner to fulfil his obligations.

Thomas Smith, 413 Ascot Road, asked for details related to the proposed local services tax ordinance as it relates to the funding necessary for the municipal campus renovation project. Mr. Harbison stated that the Board recently decided that the local services tax will not be considered for 2017, and then provided Mr. Smith with an overview of a local services tax.

Denise Quigg, 809 Gravers Lane, stated that she had questions regarding the local services tax and its impact on employers and employees. She also discussed the earned income tax and wished to confirm that the entire 1% paid by non-residents was paid to the Township only and was not split with the School District, which receives 50% of the tax on residents of the Township.

Janeen Crawford, Sandy Hill Road, readdressed the Board and asked when the Board would next discuss the Sandy Hill Road traffic configuration. Ms. Crawford was informed that a presentation will be made by the traffic engineer at the December workshop meeting of the Board. She also inquired about renting the Township's recreational hall for exercise classes. Ms. Crawford was referred to the Director of Parks and Recreation.

Mr. Dailey excused himself from the meeting for personal reasons.

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

Mr. Harbison made a motion that the Board of Commissioners approve an amendment to the Settlement Agreement between Springfield Township and MC Outdoor LLC dated July 28, 2014 related to the operation of a billboard owned by MC Outdoor LLC located on southbound route 309 expressway, south of Paper Mill Road. The key features of the amendment include: (1) activation of the billboard sign as follows: south face 5:00 AM to 8:00 PM; north face from 5:00 AM to 1:00 AM, (2) one additional evergreen tree will be placed at the end of the existing line of evergreen trees on the south-facing side of the billboard and two additional evergreen trees shall be placed at the end of the existing line of evergreen trees on the north-facing side of the billboard, and (3) all other terms and conditions of the Settlement Agreement of July 28, 2014 are hereby ratified and confirmed, and shall remain in full effect including, but not limited to performance requirements, and conditions and remedies to ensure the enforcement of the

amendment and the Settlement Agreement. A second to the motion was not received and no vote was taken.

Motion (Harbison-Schaum), vote 5-0, to approve the October check reconciliation in the amount of \$2,333,659.77 and the November bill listing in the amount of \$2,648,404.42.

Mr. Harbison announced that later this evening, the Board of Commissioners would present the preliminary 2017 budget. On December 14, 2016 at 7:30 PM the Commissioners will conduct a budget hearing and adopt the 2017 budget. The budget hearing and adoption meeting will be held in the Springfield Middle School library, 1901 Paper Mill Road, Oreland.

Mr. Harbison read the 2017 budget statement. The statement included the fact that the Springfield Township Board of Commissioners proposes a balanced operating budget for 2017 of \$16,645,394 with a real estate tax rate of 3.965 mills and an earned income tax rate of 1%. To summarize the impact on the typical taxpayer as a result of the 2017 budget projections, the taxpayer will realize a \$50.69 real estate tax increase and a \$10.13 refuse service fee increase, but the sanitary sewer rental will remain the same as in 2016. The 2017 budget was reduced by \$2,391,609 due to the sale of the sanitary sewer system to Bucks County Water and Sewer Authority. The receipts and expenditures for the sanitary sewer system operation were held separate from the Township general operations and therefore had no impact on the real estate taxes. The 7.9% increase in real estate taxes is principally due to an increase in debt service related to the municipal campus renovation project. Increases in costs associated with employee contracts, contributions to the volunteer fire companies, street resurfacing activities and insurance premiums also account for the increased costs. The typical household in Springfield Township with a \$175,400 property assessment will pay \$695.46 in real estate taxes in 2017. Copies of the Budget are available in the office of the Township Manager and the Township Library beginning at 5:00 PM on November 10, 2016. As mentioned previously, the Budget Hearing and Budget Adoption will be held on December 14, 2016 at 7:00 PM in the Springfield Middle School Library.

A resident inquired how the Bucks County Water and Sewer Authority establishes their rates. Mr. Harbison indicated that their rates are the same throughout the entire region and the rates are set at the annual meeting of the Authority which he plans to attend.

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

Motion (Schaum-Wilson), vote 5-0, that the Board of Commissioners authorize the Township Solicitor to initiate the process for the Township to install sidewalks and collect all costs incurred by the Township for the installation of sidewalks at 535 E. Willow Grove Avenue, Wyndmoor.

Mr. Schaum explained that 535 E. Willow Grove Avenue is the only property without sidewalks on Willow Grove Avenue and due to the high pedestrian activities in the area, the Board of Commissioners would like to improve the public safety through the installation of the

sidewalks. The Township contacted the property owners numerous times and there has been no indication that the property owners plan to proceed with the project and, therefore, the Township will move forward with the installation of the sidewalks.

Motion (Schaum-Maxwell), vote 5-0, to enact Ordinance No. 946, an ordinance updating the sewer chapter of the Springfield Township Code to provide a general update and to reflect the sale of the sanitary sewer system to the Bucks County Water and Sewer Authority.

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

Motion (Standish-Schaum), vote 5-0, to authorize the advertisement of a wireless communications facilities ordinance at such time as the Township Solicitor's office considers the ordinance suitable and ready for consideration. Mr. Standish explained that due to the rapid development of wireless communication technologies and the direct impact on Springfield Township, the Board of Commissioners believes that it is in the best interest of the Township to update the zoning code's treatment of the wireless communication facilities. The Board recognizes the important of wireless communication facilities and providing high quality communications services to its residents and businesses, but the Township also recognizes that it is an obligation to protect public safety and to minimize the adverse visual effects of such facilities through zoning and dimensional standards.

Motion (Standish-Schaum), vote 5-0, to accept a letter dated November 1, 2016, from Christen Pionzio, legal counsel for Skip DeMarco, owner of the proposed Wyndmoor Court subdivision plan on Pine Road, extending the 90 day subdivision/land development plan review period until December 31, 2016.

Motion (Standish- Maxwell), vote 5-0, to accept a letter dated November 1, 2016 from Sam Blake, owner of the proposed land development plan for the redevelopment of 1300 Bethlehem Pike, extending the 90 day subdivision/land development plan review period without limitation to time.

Motion (Standish-Schaum), vote 5-0, to approve the amended land development plan of the Allegheny East Conference Corp of Seventh Day Adventists located at 1331 Ivy Hill Road, Wyndmoor. The property consists of approximately five acres of land with a proposal to complete the construction of an existing partially constructed building and adding approximately 39,000 sq. feet of gross floor area to the building. The proposed use of the building located in the Industrial zoning district includes a church, school, child day care, and adult day care. The land development plan consists of a five sheet plan set for 1331 Ivy Hill Road prepared by Hibbeln Engineering Company LLC dated September 30, 2004, last revised October 20, 2016, and a copy of a stormwater management report for 1331 Ivy Hill Road prepared by Hibbeln Engineering Company LLC dated October 2016. The approval was subject to the applicant resolving all matters

identified in a letter dated November 7, 2016, from the Township Engineer to the Township Code Enforcement Officer and all conditions established by the Zoning Hearing Board Order and Decision regarding the Zoning Hearing Board application No. 2016-06 dated June 27, 2016.

Mr. Wilson inquired as to the use of the building expansion. Anthony Hibbeln, design engineer, indicated it was for the school and, in the future, the worship sanctuary. Mr. Harbison confirmed that the purpose of the land development was to finish the partially completed building. Mr. Wilson asked whether the enlargement would also be greater in height. Mr. Hibbeln indicated that the height would remain the same. Mr. Wilson also inquired whether a shuttle would be provided for the sanctuary use. Mr. Wilson was informed that when the sanctuary is finished in the future, indeed a shuttle service will be provided.

Mr. Standish noted that the Montgomery County Planning Commission recently completed a case study for the repurposing of institutional properties. The Springfield Township project to transition the former Seven Dolors Church to a temporary home for the Free Library of Springfield Township and administrative offices during the construction of a new municipal campus as well as the long term goal of converting the facility to future indoor recreational space for the community was recognized as an outstanding project.

Mr. Harbison reported for Mr. Dailey, Chairman of Zoning Committee:

Mr. Harbison announced that the next meeting of the Zoning Hearing Board would be held on Monday evening, November 28, 2016 at 7:00 PM at the Springfield Township Middle School Library. Mr. Harbison summarized the Zoning Hearing Board Agenda.

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

Mr. Wilson announced that during the month of October 2016 Springfield Township residents recycled 180.5 tons of materials with a householder participation rate of 79.3%. The net cost for the month was \$17,215.30.

Motion (Wilson-Maxwell), vote 5-0, to accept a letter from Derek Colquhoun, of Orelan, resigning his position as a member of the Springfield Township Environmental Advisory Committee. Mr. Colquhoun relocated to New Hampshire for a new teaching position. Mr. Wilson, on behalf of the Board of Commissioners, thanked Mr. Colquhoun for his service to the EAC and to the Springfield Township community.

Motion (Wilson-Standish), vote 5-0, to appoint Jeffrey Harbison as the alternate member of the Wissahickon Creek TMDL Alternative Planning Committee for Springfield Township. Mr. Wilson explained that the Township is participating in a regional program to improve the health of the Wissahickon Creek through the Wissahickon Creek Total Maximum Daily Load Alternative Planning Committee. Mr. Wilson is the primary representative participating on the Committee.

Mr. Harbison indicated that Mr. Graham, Chairman of Human Resources Committee, had no report.

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

Motion (Maxwell-Schaum), vote 5-0, to authorize a traffic and site study to be performed by the Springfield Township Police Department in order for the Board of Commissioners to consider establishing a 25 MPH speed limit on Paper Mill Road from Church Road to Golf Road.

Motion (Maxwell-Standish) vote, 5-0, to amend the Springfield Township Code, Section 107-28, Schedule V, Stop Intersections, be establishing stop intersections at the following locations:

1. On Suffolk Road, traveling in a southwesterly direction, at Wedgewood Road,
2. On Norfolk Road, traveling in a southwesterly direction, at Wedgewood Road,
3. On Wakefield Road, traveling in a westerly direction, at Norfolk Road,
4. On Wakefield Road, traveling in an easterly direction, at Suffolk Road,
5. On Larchwood Road, traveling in a westerly direction, at Norfolk Road,
6. On Larchwood Road, traveling in an easterly direction, at Suffolk Road.

It was explained that none of these intersections are multi-way stop intersections, and are all existing "T" intersections. The neighbors have expressed concerns with motorists traveling through the intersections without stopping for oncoming traffic.

Mr. Hodge, 606 Station Avenue, asked if the Township could collect bulk leaves placed at the curb line similar to many other municipalities in the area. Mr. Harbison indicated that the costs associated with that activity and the lack of space in order to process the leaves makes it difficult for the Township to do so.

There being no further business of the Board, the meeting was adjourned at 9:25 PM.

Respectfully submitted,

Donald E. Berger, Jr.
Secretary