

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

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday evening, July 10, 2019, at 7:30 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 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 acknowledged the attendance of State Representative Steve McCarter, District Justice Kate McGill and former Commissioners Jim Dailey and Bob Gillies.

Mr. Harbison recognized Chief Michael Pitkow and Magisterial District Justice Kate McGill. Chief Pitkow indicated that District Justice McGill will administer the oath of office to two new police officers who will swear to obey, support, and defend the Constitution and laws of the United States, the Commonwealth of Pennsylvania and Springfield Township. Judge McGill administered the oath of office individually to Ryan Brown and Brian Makowski.

Mr. Harbison invited John Gross, a retired Corporal of the Springfield Township Police Department, to join Commissioner Schaum at the front of the room, and asked Commissioner Schaum to read into the record Resolution No. 1478, a resolution honoring John R. Gross after 42 years of service to Springfield Township. Commissioner Schaum read into record Resolution No. 1478.

Motion (Schaum/Wilson) carried unanimously to adopt Resolution No. 1478. Mr. Gross thanked the Board of Commissioners for the recognition and remarked that he had a very rewarding career serving a fabulous community. Mr. Schaum presented Mr. Gross with the traditional retirement gift of a wristwatch with the Township seal on its face. Mr. Schaum then asked State Representative Steve McCarter to join him and Mr. Gross. Representative McCarter presented a citation from the House of Representatives acknowledging Mr. Gross' years of service. Representative McCarter remarked that Mr. Gross and likely crossed paths when Mr. Gross was employed as a Park Ranger at Valley Forge National Historic Park and Mr. McCarter was an educator who organized an archeological dig with his students at the park. Representative McCarter wished Mr. Gross many years of enjoyment in his retirement.

Mr. Harbison invited Elizabeth Maxwell to the front of the room to be recognized. Mr. Harbison announced that on July 4, Ms. Maxwell competed in the local Soap Box Derby race in Conshohocken where she placed first in the Super Stock division. As a result of this win, Ms.

Maxwell will be competing in the 82nd First Energy All-American Soap Box Derby at Derby Downs in Akron, Ohio on July 20. Ms. Maxwell will be competing against over 400 other youngsters from throughout the United States, Canada and Japan. The Board of Commissioners wished Ms. Maxwell good luck as she continued her quest for the national championship.

Mr. Harbison announced that the Board was now open to receiving public comment, and that the Board drew particular attention to those items listed on the agenda.

Dave DePolo, 302 Suffolk Road, addressed the Board of Commissioners regarding the proposed age restricted apartment complex that is the subject of a zoning petition filed by MEH Investments for the properties located at 380 and 402 Haws Lane. Mr. DePolo presented a statement of concerns related to the development that would impact the quality of life for the surrounding neighborhoods. Mr. DePolo cited child safety, increased demands on public infrastructure, environmental aesthetics and assurances that best practices for engineering and construction could be maintained as reasons the Board of Commissioners should oppose the petition.

James Dailey, 307 Penn Oak Road, commented on the recent retirements of former Township Manager Don Berger and the Director of Parks and Recreation, Charlie Carabba. Mr. Dailey noted the many accomplishments of the Township while both gentlemen were in the Township's employ. Mr. Dailey went on to compare the current petition of MEH Investments to that of the 2008 application of the Traditions of Springfield development involving the same tract of land. He recalled that the Board of Commissioners actually voted to oppose that application and was surprised that the Board was not inclined to oppose this petition as well. He concluded his public statements by submitting a request to be granted party status to the upcoming zoning hearing of MEH Investments.

Giuseppe Craney-Monticelli, of Oreland, stated his opposition to the proposed development of MEH Investments, and advocated for the Board of Commissioners to send the Township Solicitor in opposition to the zoning petition submitted by the applicant. Mr. Craney-Monticelli asked the Board to identify the names of the two police officers scheduled to be promoted to the rank of Corporal and Sergeant later this evening. He was advised that Corporal Wilbur and Officer Koenig were slated to be promoted to Sergeant and Corporal, respectively. Mr. Craney-Monticelli indicated that he did not know Officer Koenig but suggested that he was familiar with Corporal Wilbur and that he would be a good choice for Sergeant. He also requested and received an explanation of the responsibilities of the civil service commission.

Stephanie Kerr, 415 Norfolk Road, stated her concerns for the stormwater impacts that would occur as a result of the proposed development on Haws Lane. She also advocated for the Board of Commissioners to oppose the project and asked if it would be possible to find out who the investors for the project are.

Richard Metz, 910 Bent Lane, stated his opposition to the proposed development of MEH Investments principally due to the loss of over 1.5 acres of woodlands. He noted the many benefits of trees for the community and environment, and suggested that grant funds may be available from the Commonwealth and Natural Lands Trust to purchase and preserve the site from future development.

Ellen Stevenson, 18 Rose Lane, asked if an environmental impact statement was required for the MEH Investments project and stated her concerns for global warming as a result of development.

Bob Boland, 34 Haws Lane, noted that he and his wife moved to Springfield Township two years ago in order to reside closer to family members. Shortly after moving to the Township he initiated a construction project that required a percolation test and discovered that the soils on his property did not allow for adequate stormwater infiltration. As a result, he had to construct a small rain garden. Therefore, based upon his experience he suggested that a geological study should be performed to confirm that adequate stormwater controls can be incorporated as part of any development at 380 -402 Haws Lane. He concluded his statements by comparing the proposed development of MEH Investments to the Penn's Woods development, and opined that the proposed development is not consistent with the surrounding neighborhood.

Michael Grothusen, 909 Fraser Road, stated his opposition to the proposed MEH Investments project based upon aesthetics. He indicated that the latest project rendering identifies a stormwater detention basin to be constructed along the Haws Lane frontage of the property, and that such a feature was not aesthetically pleasing.

Paul Boles, 1413 Church Road, asked the Board if a traffic impact study was required as part of the zoning application. Mr. Garrity stated that it was not a requirement but may be offered by the applicant. Mr. Boles suggested that numerous crashes have occurred at the intersection of Haws Lane and Church Road.

Dave Fecak, 203 Suffolk Road, introduced himself to the Board of Commissioners as the author of an e-mail that was previously distributed to the Board stating his opposition to the proposed MEH Investments project. He re-stated his concerns for stormwater and traffic that would be exacerbated as a result of the proposed development, and suggested that the Board needed to take a hard line with developers.

Maureen Baskin, 419 Haws Lane, stated her concerns for stormwater management and traffic impacts on Haws Lane that will arise as a result of the proposed MEH Investments project.

Robert Gillies, 213 Woods Road, addressed the Board regarding the operation of the Flourtown Country Club by the Halligan family. He asked if the arrangements that were recently made by the Halligans to secure a caterer for all banquet functions constituted a lease, to which the Mr. Garrity responded in the negative. Mr. Gillies stated that the lease with the current operator of the country club would be expiring in the near future and suggested that the Board should begin planning for a new lease now. He concluded his discussion on this point by indicating that it was inappropriate for MEH Investments to maintain an office at the Flourtown Country Club building. Mr. Gillies changed topics back to the Haws Lane zoning petition by drawing a distinction between a variance for a yard encroachment and one for a use that is not otherwise permitted. He suggested that there are a number of expressly permitted uses available to MEH Investments in the Institutional zoning district and that it was not necessary to an additional use by granting the requested variance. He concluded his statements by advocating for his previous suggestion to consider the proposed development by way of a zoning change to be decided by the Board of Commissioners.

Cecilia Dougherty, 910 Bent Lane, stated her opinion that the operation of the Flourtown Country Club by the Halligan family at a time when their company, MEH Investments, is proposing such a significant project that will require approvals from the Township, appears inappropriate.

Dawn Snider, 380 Haws Lane, addressed the Board as one of the heirs to the estate that controls the properties at 380 and 402 Haws lane. She noted that both her father and mother are recently deceased and that the properties must be sold in order to settle the estate. She suggested that MEH Investments was selected by her and her brother from a number of other possible developers because they were locally-based and are believed to have the best interests of the community in mind. She stated that if MEH Investments does not purchase the property, it would be sold to another developer.

Ann Lannak, 518 Coursey Road, indicated that she attended this evening's meeting to learn more about the concerns with the proposed development and as a result of statements heard this evening she has confirmed her opposition to the project.

B.J. Bear, 1209 Greenhill Road, referenced Ms. Snider's earlier comments regarding MEH Investments as a local developer with the best interests of the community at heart by suggesting that they are doing just the opposite by proposing a development that is out of character with the neighborhood.

Mr. Schaum requested the opportunity to read an email from a resident who was unable to attend the meeting. Joan Parsons, 37 Hawkswell Circle, suggested that a modern, age-restricted apartment complex with amenities such as that proposed by MEH Investments is desired by many in the community, and suggested that there are numerous problems associated with assisted living communities that are otherwise permitted by right in the Institutional zoning district.

Mr. Harbison, Chairman of Internal Affairs and Library Committees, reported:

Motion (Harbison-Schaum) carried unanimously to approve the June check reconciliation in the amount \$715,072.70 and the July bill listing in the amount of \$390,020.51.

Mr. Harbison announced that due to the retirement of Don Berger last month, TD Ameritrade, administrators of the township's four employee pension plans, has requested a letter designating the new Township Secretary/Manager as an authorized signer to issue instructions to the bank in order to discharge its obligations.

Motion (Harbison-Schaum) carried unanimously authorizing the execution of a letter adding Michael Taylor, Township Secretary/Manager, as a trustee/authorized signer for the four pension plans held at TD Ameritrade, and removing Donald E. Berger, Jr. as an authorized signer.

Mr. Schaum, Chairman of Public Works and Facilities Committee, had no report.

Mr. Standish, Chairman of Community Development Committee, had no report.

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

Mr. Wilson announced that in response to expressions of concern from residents whose neighbors had taken to cultivating bamboo in their yards, as well as the invasive nature of bamboo, the Board of Commissioners asked the Township Planning Commission to consider regulations to manage bamboo within the Township. The Planners, with the assistance of the Township Engineer's office, created an ordinance to manage bamboo.

Motion (Wilson-Cobb) carried unanimously to authorize the advertisement of an ordinance prohibiting the growing or planting of bamboo.

Mr. Wilson announced that during the month of June 2019, Springfield Township residents recycled 186.64 tons of materials with a householder participation rate of 82.2%. The net cost for the month was \$19,818.53.

Mr. Wilson announced that the Wissahickon Clean Water Partnership consists of 12 municipalities and 4 waste water treatment plant operators located within the Wissahickon Creek watershed. The Partnership was created for the purpose of creating a water quality improvement plan that addresses the requirements of the Clean Water Act. As a member of the partnership, Springfield Township shall designate one primary voting representative and one alternate member to serve on the management committee. Commissioner Harbison currently serves as the Township's alternate member of the management committee. However, due to other commitments, it is his desire to step down from his position and Commissioner Standish has agreed to take his place.

Motion (Wilson-Schaum) carried unanimously to designate Commissioner Baird Standish as the Township's alternate member of the management committee of the Wissahickon Creek Clean water Partnership.

Mr. Graham, Chairman of Parks and Recreational Resources Committee, had no report.

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

Motion (Maxwell-Cobb) carried unanimously to waive section 3303.1 (12) of the Springfield Township Fire Prevention Code in order that the North Hills Country Club may conduct a professional fireworks display on Sunday evening, September 1, 2019 at approximately 8:15 PM as part of the Club's annual Labor Day celebration. The approval is conditioned upon the following: 1) the pyrotechnical firm and North Hills Country Club shall add Springfield Township as an additional insured on their certificates of insurance for the event; and 2) the pyrotechnical firm and the North Hills Country Club shall work closely with the Springfield Township Fire Marshal to help prevent an accident and to create a plan of action in the event that an accident does occur during the activity.

Motion (Maxwell-Wilson) vote 6-1, Graham opposed, to promote police corporal Christian Wilbur to the position of police sergeant effective July 22, 2019. Mr. Maxwell noted that Sergeant Wilbur was evaluated through a written examination and oral interview conducted by Safe City Solutions LLC and also received an outstanding performance evaluation from the Chief of Police.

Mr. Graham explained his vote to oppose the promotion by suggesting that he is an advocate for diversity in the police department and that a female candidate for the same position exhibited a higher written test score and received more commendation letters than the candidate recommended for the promotion.

Mr. Harbison explained the civil service testing procedures and weighted scoring measures used to evaluate all police candidates for promotional consideration and entry level hires.

Motion (Maxwell-Wilson) carried unanimously to promote police officer Mark Koenig to the position of police corporal effective July 22, 2019. Corporal Koenig was evaluated through a written examination and oral interview conducted by Safe City Solutions LLC and also received an outstanding performance evaluation from the Chief of Police.

Mr. Maxwell stated that the two promotions will fill vacancies which occurred as a result of the retirement of a corporal in May 2019, and the reassignment of a sergeant from the patrol division to the Traffic Safety unit.

Mr. Maxwell announced that the Commonwealth of Pennsylvania is the only state in the nation that prohibits municipal police from using radar and LIDAR which are considered the safest, most efficient, and most economical speed-timing devices for law enforcement. He noted that in Springfield Township, speeding motorists on local roads are one of the most common safety concerns voiced by constituents to the Springfield Township Board of Commissioners. Recently, the Pennsylvania State Senate passed, by a vote of 49 – 1, Senate Bill 607, authorizing the use of radar and LIDAR by local police departments to enforce speed limits. The companion bill (House Bill 1686) is now before the State House of Representatives for consideration.

Motion (Maxwell-Schaum) carried unanimously to authorize a letter to be sent to State Representative Steve McCarter endorsing the local use of radar for speed enforcement activities.

Motion (Maxwell-Schaum) carried unanimously to reappoint Aimee Samtmann to a new, six-year term of service as a member of the Police Civil Service Commission. The new, six-year term of service shall expire July 16, 2025.

Motion (Maxwell-Standish) carried unanimously to reappoint Ann Breen and Edward H. “Ted” Bell to new, three-year terms of service as members of the Shade Tree Commission. The new, three-year terms of service for each member shall expire July 13, 2022.

Mr. Cobb, Chairman of the Zoning Committee, reported:

Mr. Cobb announced that National Night Out is an annual community building campaign that enhances the relationship between neighbors and law enforcement while bringing a true sense of community. It’s a chance to bring neighborhoods together with the men and women who protect them. National Night Out promotes the police-community partnership and camaraderie to make our Township a better and safer place to live. Mr. Cobb invited all

members of the Springfield Township community to join the Springfield Township Police Department and other first responders at the Township's first annual National Night Out on Tuesday, August 6, 2019 from 6 – 9 pm at the Flourtown Country Club, 150 McCloskey Road, Flourtown, PA.

Mr. Cobb announced that there will be no meeting of the Springfield Township Zoning Hearing Board during the month of July as there were no new petitions received by the Zoning Hearing Board. He indicated that the next meeting of the Zoning Hearing Board will be on Monday, August 26, 2019 at 7:00 PM in the Springfield Township Building.

Mr. Cobb reported that on April 29, 2019, an application seeking zoning relief for the properties located at 380 and 402 Haws Lane was filed with the zoning officer requesting multiple variances to be granted in order to construct a 4-story, 100-unit multi-family, age-qualified residential building for persons age 55 and older. The applicant, MEH Investments, subsequently granted an extension of time by which the Township must act on the application through September 30, 2019.

Motion (Cobb-Wilson) vote 6-1, Cobb opposed, to authorize the office of the Township Solicitor to represent the interest of the Board of Commissioners in opposition to the Zoning Hearing Board application of MEH Investments as it relates to the construction of a 4-story, 100-unit multi-family, age-qualified residential building located at 380 and 402 Haws Lane, Erdenheim.

Mr. Cobb explained that his vote to oppose the motion was made out of concern that the current developer will not proceed with the project, and that it will be sold to another developer who will construct the approved assisted living facility. It was his opinion that the approved use is less desirable for the community than the proposed age-qualified apartment building, and that the zoning hearing board was qualified to decide the matter without influence from the solicitor's office. He encouraged the community to start a dialogue with MEH Investments to achieve a plan that both the neighbors and developer can live with, and would be better than other approved institutional uses.

Mr. Harbison thanked the community members for their research on the subject and efforts to educate the Board on their concerns.

There being no further business, the meeting was adjourned at 9:32 PM.

Respectfully submitted,

A. Michael Taylor
Secretary

