

MINUTES OF MEETING
BOARD OF COMMISSIONERS
OCTOBER 12, 2022

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday evening, October 12, 2022, at 7:30 PM at the Springfield Township Building for the purpose of transacting the general business of the Township. The meeting was also offered in a live streaming feature. Mr. Lee announced that the video would be made available on the Township's website beginning Thursday, October 13, 2022. All members of the Board were present. Mr. Lee presided.

Mr. Lee 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 at home and abroad.

Mr. Lee led the Pledge of Allegiance.

Motion (Wilson-Graham) 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. Lee noted the presence of former Commissioners Dailey and Gillies in the audience.

Mr. Lee announced that the Board of Commissioners conducted an executive session as part of their October 10, 2022 workshop meeting to discuss one personnel matter and three matters of litigation.

Mr. Lee announced that on October 10, 2022, the Board of Commissioners was informed that Commissioner Graham found it necessary to resign his position as the President of the Board of Commissioners, effective immediately. Commissioner Graham intends to continue serving the residents of Springfield Township as the duly elected representative for Ward #7 of Springfield Township. On behalf of the Board of Commissioners, Mr. Lee thanked Mr. Graham for his contributions as President of this Board.

Commissioner Graham addressed his fellow commissioners and the community with regard to his resignation. Mr. Graham named several black civil rights activists who were targeted, and in some cases murdered, simply for pointing out that something was not morally correct in their communities. Mr. Graham reflected on a personal attack he suffered as a child and how that experience defined the path he would take to address things that are morally wrong. Mr. Graham stated it wasn't just one incident that led him to resign as President. He cited several incidents that were offensive to him and to the Black community. In closing, Mr. Graham thanked his fellow commissioners for allowing him sit as the first black President of the Board of Commissioners, and urged all leaders to listen to the voices of black Americans.

Mr. Lee asked for nominations for the position of President of the Board of Commissioners. Mr. Wilson nominated Mr. Lee, seconded by Mr. Standish. There were no other nominations. Vote on motion to elect Mr. Lee as President: 6-0, Graham abstained.

Mr. Lee announced that he would accept nominations for the office of Vice President. Ms. Ratsavong nominated Mr. Standish, seconded by Mr. Maxwell. There were no other nominations. Vote on motion to elect Mr. Standish as Vice President: 6-0, Mr. Graham abstained.

Mr. Lee opened the meeting to public comment.

Cecelia Dougherty, Erdenheim, expressed her support for an ordinance banning single use plastic bags.

Ellen Stevenson, Flourtown, thanked Commissioner Graham for his leadership on the Board. Ms. Stevenson also expressed her support of the single use plastic bag ban, and referred to the results of a recent survey of the community supporting same.

Martin Ryan, Erdenheim, and an associate member of the Environmental Advisory Commission, stated he is in favor of banning single use plastic bags. Mr. Ryan noted that the proposed ordinance requires a one year education period prior to its effective date.

Angelina Banks, Wyndmoor, addressed the Board with regard to the single use plastic bag ban. Ms. Banks cited her experiences with such a ban in California where the ban opened the door to increased theft at the grocery stores. Ms. Banks is not against the ban but just cautioned the Board on additional impacts that such a ban may have on the community.

Alexandra Klinger, Wyndmoor, expressed her support for the proposed ordinance banning single use plastic bags.

Richard Metz, Erdenheim, referred to the efforts of 35 other municipalities in southeastern Pennsylvania to enact legislation banning the use of single use plastics, and encouraged the Board to authorize the advertisement of a proposed ordinance banning single use plastic bags.

Robert Gillies, Glenside, addressed the Board on the possible ban of single use plastic bags. He pointed out the Whole Foods recently conducted a study on the issue which concluded that the single use plastic bags have less of an impact on the environment than multiple use bags. Mr. Gillies is not necessarily for or against the ban but suggested the matter be studied more closely by the EAC. Mr. Gillies also expressed his displeasure that the trails meeting that was held on September 29 in the library was more of an open house than a meeting and that no one was there to answer any questions. Mr. Gillies also opined that it is outside of the Board's purview to order the Springfield Police Benevolent Association to change their logo, and therefore, he believes that each individual commissioner would be responsible to defend themselves if a lawsuit were to be brought against the Board.

Jim Dailey, Flourtown, complimented the Rotary Club, Wyndmoor Hose Company and the Police Benevolent Association for the community event held on October 8. Mr. Daily asked who would represent the Township in potential litigation with the PBA. Mr. Daily urged the Board to avoid litigating the matter, as it would negatively impact the morale in the department. Mr. Dailey also questioned the wisdom of utilizing taxpayer dollars to litigate against the members of the police department.

Kelly King, Oreland, thanked Mr. Graham for his leadership on the Board. Ms. King expressed her support for the police department and its officers, but believes the emblem utilized by the Police Benevolent Association should be changed because it offends people. She opined that the comments made by others about insurance coverage for individual commissioners in the event of litigation could be considered threats.

In response to inaudible comments from an audience member, Mr. Lee clarified that a majority of the Board feels that the current PBA logo is problematic and should be changed.

Kelly King, Oreland, noted that audience members and those at home cannot hear comments if individuals are not utilizing the microphone.

James Dailey, Flourtown, asked what expenditures are being made associated with the litigation. Mr. Garrity responded that there are no expenditures as there is no litigation.

Robert Gillies, Glenside, asked what happens next if the PBA refuses to change their logo. Mr. Garrity responded that if the PBA votes not to change their logo there will be consultation between him and the Board.

James Dailey, Flourtown, inquired of Mr. Garrity why discussions on the matter are held in executive session if there is no litigation. Mr. Garrity responded that because the Board is seeking advice of its solicitor the discussions can take place in executive session.

Gina Doyle, Flourtown, believes that Mr. Garrity previously noted that there was litigation related to the PBA logo. Mr. Garrity clarified that there is possible (emphasis added) litigation.

Lori Baskin, Oreland, asked if it was legally permissible for the Board of Commissioners to ask a private organization to change its logo. Mr. Garrity responded that the Board has asked him to research that matter.

Angelina Banks, Wyndmoor, expressed her frustration with the ongoing discussions on the PBA logo and disagreed with Mr. Graham that the logo was offensive to all members of the Black community. She urged the Board to focus their attention on more serious matters such as the increase in crimes being committed.

Linda Furlong, Oreland, questioned why the Board is going after the PBA. She asked if a survey was ever circulated asking for input from residents. Mr. Graham responded that he conducted a survey which found that an overwhelming number of people of color are offended by the logo. Mr. Graham noted his support of the Springfield Township police department. Mrs. Furlong compared the controversy surrounding the PBA logo with other “cancel culture” efforts.

Lori Baskin, Oreland, read a prepared statement regarding her belief of how the flag in question originated.

Steve Mancuso, Oreland, a Philadelphia Police Officer, asked Mr. Graham if he is offended by similar flags honoring other first responders and military personnel. Mr. Graham responded that the flag in question was created by a white supremacist in response to the Black

Lives Matter movement. Mr. Graham opined that the issue is that people don't recognize why the Black community is offended by the flag.

Mr. Lee commented that the flag in question has been banned by many other police departments across the country.

Ellen Stevenson, Flourtown, supports the Springfield Township Police Department. Ms. Stevenson said she associates the flag in question with the January 6 insurrection because that is the first time she ever saw it.

Jane Thomas, Oreland, read from a website stating that the flag has nothing to do with race or bigotry. Ms. Thomas stated her belief that contrary to what has been stated publicly, Mr. Graham does not support the Springfield Township Police Department.

Alexandra Klinger, Wyndmoor, expressed her opposition to the use of the PBA emblem.

Ray McMahan, Oreland, retired Springfield Township Police officer, opined that the matter has been mishandled. He believes the police were attacked on social media which has led to the current impasse. Mr. McMahan suggested the PBA performs good work for the community and should be judged on their actions, not a symbol.

Dan Bennett, Wyndmoor, thanked Mr. Graham for his resignation. Mr. Bennett read a quote from Mr. Graham: "nice white people who really aren't doing anything but being nice are racists". Mr. Graham denied saying or writing those words.

Kathy Trinkle, Flourtown, read a statement from Julian and Madeline Watson, of Wyndmoor. The Watsons believe flag issue is creating division among the community. The Watsons wished for all to know that they are a family of color and are not offended by the PBA emblem.

Joe Dowling, Wyndmoor, accused Mr. Graham of calling his wife a racist on social media. Mr. Graham denied making such comments.

Richard Metz, Erdenheim, expressed his belief that the PBA logo is offensive.

Mr. Lee, Chairman of Public Safety Committee, reported:

Mr. Lee announced that on several occasions in recent months, the Board has received comments from residents from both Springfield Township and the City of Philadelphia who are concerned about traffic speeds, motor vehicle crashes, and quality of life issues associated with living on or near Stenton Avenue.

Motion (Lee-Standish) carried unanimously to authorize a request for the Commonwealth of Pennsylvania Department of Transportation to study the feasibility of implementing a road diet or other traffic calming measures on Stenton Avenue in Wyndmoor.

On April 28, 2018, the Board of Commissioners entered into a Services Agreement with the Community Ambulance Association of Ambler to provide emergency medical services for

the Springfield Township community. The Agreement requires the Township to provide an annual operating contribution in the amount of \$60,000 that may be reduced by the amount that is raised by the Ambulance Association as part of any membership drive that is conducted in Springfield Township during the prior year. As part of the Ambulance Association's 2023 budget presentation to the Board of Commissioners, the Association proposed a modification to the financial terms of the Agreement and has requested a "flat" operating contribution in the amount of \$40,000 per year beginning in 2023.

Motion (Lee-Ratsavong) carried unanimously to authorize the execution of Amendment #1 to the Emergency Services Agreement by and between Springfield Township and the Community Ambulance Association of Ambler dated April 28, 2018 by modifying paragraph 4A of the Agreement to reduce the annual operating contribution paid by the Township to \$40,000.

Motion (Lee-Cobb) carried unanimously to adopt Resolution No. 1581, a resolution authorizing a grant application to be submitted to the Pennsylvania Commission on Crime and Delinquency Local Law Enforcement Support Program. Mr. Lee noted that if funding is received as requested, the Township proposes to purchase enhanced enforcement and information technology, forensics and investigation equipment, and to fund training and development opportunities.

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

Mr. Standish announced that due to the retirement of Bob Gutowski as a member of the Springfield Township Planning Commission, a vacancy presently exists as a member of the commission. The Board of Commissioners had the pleasure of meeting with six individuals who are interested in serving on the commission. While the Board found that each candidate was uniquely qualified to serve on the planning commission, it can only appoint one.

Motion (Standish-Wilson) vote 6-1, Graham opposed, to appoint Jeffrey T. Harbison, of Wyndmoor, to fill an unexpired term of service as a member of the Springfield Township Planning Commission. Mr. Harbison's term of service shall expire on February 16, 2024.

Mr. Cobb noted that all applicants were very talented and qualified for the position, however, he believes the Springfield Township community will be well-served by Mr. Harbison's experience.

Mr. Lee also noted that all the candidates were great, which made the decision very difficult for him. Mr. Lee encouraged those who were not selected to consider other opportunities that may arise in the future.

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

Mr. Wilson announced that during the month of September 2022, Springfield Township residents recycled 171.2 tons of materials with a householder participation rate of 69.3%. The net cost for the month was \$26,314.66.

Motion (Wilson-Lee) vote 3-4 (Cobb, Standish, Maxwell, Ratsavong opposed); the motion did not carry, to authorize the advertisement of an ordinance to regulate the use of single

use plastic carry out bags by adding findings, definitions, requirements, enforcement provisions, penalties and exemptions relating to the distribution and use of single-use plastic carry out bags.

Mr. Wilson commented on the eloquent testimony received on the subject. Mr. Wilson noted the hard work of the EAC, including the distribution of the survey to households and businesses, a majority of whom are in support of such an ordinance.

Mr. Lee noted that due to advertising obligations, the earliest the ordinance could be considered for enactment would be in December.

Mr. Cobb agreed there is a plastic problem but he is not convinced that a full ban on the carryout bags is the solution. He believes there are unintended consequences to banning the bags. He opined that economically it is not a good time for citizens or businesses to move forward with the advertisement of the proposed ordinance.

Mr. Standish commented that the mission of the Environmental Advisory Commission is to educate and not legislate. He would like to see more education on the subject, and would prefer that it be more of a volunteer effort than a mandate. Ms. Ratsavong echoed Mr. Standish's comments regarding more education on the matter.

Motion (Wilson-Ratsavong) carried unanimously to adopt Resolution No. 1578, a resolution authorizing a grant application to be submitted to the Pennsylvania Department of Environmental Protection Recycling Equipment Grant Program. The grant proposal is in the amount of \$350,000 and will be utilized to fund the replacement of the Township's 2006 tub grinder that is utilized to process leaf waste.

Motion (Wilson-Cobb) carried unanimously to adopt Resolution No. 1579, a resolution authorizing a grant application to be submitted on behalf of the Montgomery County Recycling Consortium to the Pennsylvania Department of Environmental Protection Recycling Equipment Grant Program. The grant proposal is in the amount of \$350,000 and will be utilized to purchase three trailers and a hauling vehicle. The equipment will be utilized to transport recyclable materials from the Consortium's transfer station to its designated recycling processor.

Mr. Graham, Chairman of the Cultural Resources Committee, had no report.

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

Mr. Maxwell announced that at the September 14, 2022 meeting of the Board of Commissioners, the Board authorized the sale of three used vehicles via the Municibid on-line auction site. One of the vehicles that was to be auctioned was a 2012 Chevrolet Tahoe police car. After listing the vehicle for sale in a "preview" mode on the auction website, the Township was contacted by the Chief of Police of Montpelier, VT with a request to purchase the vehicle directly. Section 1501.3(1) of the Pennsylvania First Class Township Code permits the direct sale of personal property by a Township to another municipality.

Motion (Maxwell-Cobb) carried unanimously to rescind the prior authorization to sell a 2012 Chevrolet Tahoe via the Municibid online auction site, and to authorize the sale of

the same vehicle to the City of Montpelier, Vermont Police Department for the sum of \$9,000.

Mr. Maxwell announced that on August 18, 2022, Springfield Township received bids for the Cisco Park/Carlisle Road Streambank Stabilization Project. One bid was received from Bill Anskis Company, Inc. of Elysburg, PA in the amount of \$585,060. Mr. Maxwell noted that the Township has received grant funding in the amount of \$510,424 from the Federal Emergency Management Agency and the Pennsylvania Emergency Management Agency, and will be responsible for \$74,636, or 12.8% of the total project cost.

Motion (Maxwell-Ratsavong) carried unanimously to award a contract to Bill Anskis Company, Inc. of Elysburg, PA for their low bid price of \$585,060 to perform the streambank stabilization project.

Motion (Maxwell-Cobb) carried unanimously to authorize the advertisement of bid specifications for the construction of the Burton Road Stormwater Improvements project. The scope of work for the project is the enlargement of an existing stormwater detention basin and berm located on the grounds of the Sandy Run Country Club to benefit properties located in the 400 block of Burton Road. The project also includes the construction of a relief swale between the properties located at 405 and 407 Burton Road, and associated pipe and concrete work.

Mr. Cobb praised the Township Engineer and staff for their efforts to secure the necessary access easements.

Mr. Cobb, Chairman of Administrative, Fiscal Affairs and Zoning Committee, reported:

Motion (Cobb-Ratsavong) carried unanimously to approve the September check reconciliation in the amount of \$619,609.64, and the October bill listing in the amount of \$1,386,932.87.

Mr. Cobb announced the 2023 budget meeting schedule as follows:

<u>Purpose</u>	<u>Date</u>	<u>Time</u>
Budget Workshop	10/19/2022	7:00 PM
Budget Presentation	11/9/2022	7:30 PM
Budget Hearing	12/14/2022	7:30 PM
Budget Adoption	12/14/2022	7:30 PM

All meetings will be held at the Springfield Township Building, 1510 Paper Mill Road, Wyndmoor PA 19038.

Motion (Cobb-Wilson) carried unanimously to adopt Resolution No. 1580, a resolution distributing the annual state allocation to the Springfield Township municipal pension plans in compliance with Pennsylvania Act 205 of 1984, the Municipal Pension Funding Standard and Recovery Act. Under date of September 28, 2022, the Township received \$497,323.37, which will be distributed into the Township's pension plans using a formula provided by the Township's pension actuary.

Motion (Cobb-Wilson) carried unanimously to reappoint Bee, Bergvall and Company, Certified Public Accountants, to serve as the Springfield Township Auditors to audit the Township's financial statements for the year ending December 31, 2022, consistent with the audit engagement letter dated September 28, 2022. The cost of the engagement is \$25,900.

Mr. Cobb announced that the Springfield Township Zoning Hearing Board will meet on Monday, October 24, 2022 at 7:00 PM at the Springfield Township Building. Mr. Cobb summarized the Zoning Hearing Board Agenda.

On March 28, 2022, the Zoning Hearing Board of Springfield Township granted several variances to 1110 Willow Grove Avenue, LLC, to permit the construction of twelve townhomes at the southeast corner of Willow Grove Avenue and Queen Street. The decision of the Zoning Hearing Board was subsequently appealed by a neighboring landowner. The Board of Commissioners, via the Office of the Township Solicitor, filed a Notice of Intervention and Entry of Appearance to become a party to the appeal process. 1110 Willow Grove, LLC and the appellant have negotiated the terms of a Stipulation Agreement to settle the appeal by providing increased front yard setbacks for several of the proposed townhomes, as well as the opportunity for the appellant to provide comment on the proposed landscaping for the development. The Board of Commissioners has reviewed the proposed Stipulation Agreement and finds the terms acceptable.

Motion (Cobb-Ratsavong) carried unanimously to authorize the Township Solicitor's office to execute the stipulation agreement in a form satisfactory thereto, as well as any other documents necessary for the stipulation to be appropriately filed and the case discontinued in the Court of Common Pleas

Mrs. Ratsavong, Chair of Parks and Recreational Resources Committee, reported:

Mrs. Ratsavong announced that the Board of Commissioners was recently informed that David Morris, the designated representative of the Friends of Hillcrest Pond on the Springfield Township Parks & Recreation Advisory Committee, has found it necessary to resign his position, effective immediately. The Friends of Hillcrest Pond voted unanimously to recommend Nick Matteo to serve as Mr. Morris's replacement.

Motion (Ratsavong-Wilson) carried unanimously to appoint Nick Matteo to fill an unexpired term of service as the designated representative of the Friends of Hillcrest Pond on the Springfield Township Parks & Recreation Advisory Committee. Mr. Matteo's unexpired term of service shall expire May 12, 2024.

Motion (Ratsavong-Cobb) carried unanimously to adopt Resolution No 1582, a resolution authorizing two grant applications to be submitted to the Pennsylvania Department of Conservation and Natural Resources Community Conservation Partnership Program. The grant applications request funding in the amount of \$25,000 to complete the Recreation Center Master Plan Study and \$199,275 to be utilized for the construction of Phase I of the Walnut Avenue Pedestrian Trail.

Motion (Ratsavong-Maxwell) carried unanimously to adopt Resolution No. 1583, a resolution authorizing a grant application to the Delaware Valley Regional Planning Commission Regional Trails Grant program. The grant application requests funding in the amount of \$100,000 to be utilized for the construction of Phase 2 of the Walnut Avenue Pedestrian Trail.

Mr. Cobb described the two different phases of the Walnut Avenue trail. Mr. Lee noted the efforts of Township staff to secure the aforementioned grants.

Mr. Lee opened the meeting to public comment.

Mr. Wilson read a statement from an unnamed individual. In part the statement said that none of the suburban communities who have passed a plastic bag ban have reported an increase in crime.

Mr. Cobb thanked all the volunteers who helped plan the annual Community Day event that unfortunately needed to be cancelled this year due to inclement weather. The 5K race and fun run did take place and a good time was had by all. Mr. Cobb expressed his gratitude for the incredible work of the Township Police Department. Their work to protect the residents of Springfield Township should not get lost in the debate over the PBA logo. In conclusion, Mr. Cobb stated that he welcomes additional debate on the subject, but urged everyone to find a way to turn down the temperature of the debate to avoid personal attacks.

Mrs. Ratsavong thanked Commissioner Graham for his leadership and mentorship. Ms. Ratsavong stated she agrees with Commissioner Cobb that the police do a great job. However, if the symbol is offensive to even one person, then the symbol must be removed. Ms. Ratsavong disagrees with the use of the PBA symbol because of the fear it creates for some.

Motion (Wilson-Ratsavong) carried unanimously to adjourn the meeting at 10:00 PM.

Respectfully submitted,

Michael Taylor
Secretary/Manager

