

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

The Board of Commissioners of Springfield Township met in regular monthly meeting on Wednesday, September 15, 2021, 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, with the exception of Mr. Harbison. Mr. Standish presided.

Mr. Standish announced that the meeting is being offered in a live streaming feature, and will be made available on the Township's website beginning Thursday morning, September 16. Mr. Standish announced that comments will not be accepted remotely, but that instructions for submitting public comment prior to the meeting were provided as part of the posted agenda.

Mr. Standish 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. Standish led the Pledge of Allegiance.

Motion (Wilson-Graham) vote 6-0, dispensing with the reading of the minutes of the previous meeting as written and recorded in the official minute book of the Township.

Mr. Standish announced that Commissioner Harbison was not in attendance due to a previous engagement.

Mr. Standish noted that former Commissioner Glenn A. Schaum was in attendance.

Mr. Standish announced that the Board of Commissioners conducted an executive session following the workshop meeting held on September 13, 2021 to discuss one matter of continued litigation.

Mr. Standish announced that the Springfield Township Community Day celebration will take place on Sunday, October 3, 2021, from 10 AM to 1 PM at Cisco Park, and will be preceded by the Erdenheim Civic Association 5K Race and Fun Run, beginning at 9 AM. Food, entertainment, fishing, fire equipment displays, and a petting zoo will be provided free of charge.

With regard to the potential development of 380-402 Haws Lane, Mr. Standish explained the three ways that a project may secure zoning approvals from the Township: (1) comply with underlying zoning, (2) seek relief via a variance or special exception from the zoning hearing board, or (3) a text, map or overlay amendment to the zoning code. Mr. Standish briefly discussed the difference between zoning and planning when proceeding through the approval process. Mr. Standish concluded his statement by offering a brief history of the property

located at 380-402 Haws Lane, including a previously-approved institutional use, a subsequent proposal to construct an age restricted apartment complex, and the most recent plan for townhouses.

Mr. Standish invited Don Sirianni, retired Public Works Director, to the front of the room to be joined by Commissioner Lee. Commissioner Lee read into record Resolution No. 1544, a resolution honoring Donald G. Sirianni, Jr. for 46 years of service to the Springfield Township Community.

Mr. Sirianni thanked the Board for their support over the years, and thanked the Public Works employees for all their hard work. Mr. Sirianni also thanked his family for their support and understanding when he had to be away from them during emergency situations.

Commissioner Lee thanked Mr. Sirianni for his help personally.

Motion (Standish-Graham) vote 6-0, to adopt Resolution No. 1544.

Glenn Schaum, former Commissioner, was invited to the front of the room to be joined by Commissioner Maxwell. Mr. Maxwell stated he considers Glenn a friend and mentor, and was honored to read into the record Resolution No. 1545. Mr. Maxwell then read into the record Resolution No. 1545, a resolution honoring Glenn A. Schaum for 22 consecutive years of service as a member of the Board of Commissioner of Springfield Township.

Mr. Schaum commented that the 22 years he served as a Commission did not seem that long as they went by so quickly. He thanked the Board of Commissioners and former Township Manager Don Berger for their assistance and support during the years he served.

Motion (Standish-Cobb) vote 6-0, to adopt Resolution No. 1545.

Mr. Standish invited Don Berger, retired Township Manager, to the front of the room to be joined by Commissioner Graham. Commissioner Graham stated that he considered Don Berger a close personal friend. He thanked Don for helping him over the years, especially when he first began serving as a Commissioner. Commissioner Graham then read into record Resolution No. 1546, a resolution honoring Donald E. Berger Jr., for 39 years of service to the Springfield Township Community.

Motion (Standish-Maxwell) vote 6-0, to adopt Resolution No. 1546.

Mr. Graham unveiled a portrait of Mr. Berger, and noted that it would be displayed in the lobby of the Township Administration Building, adjacent to his mentor, James R. Fulginiti, who served as Township Secretary and Manager from 1949-1989.

Mr. Berger thanked present and past members of the Board for their support over the years. Mr. Berger commented that the employees and staff always practiced teamwork no matter what the task was, and thanked all township employees for their efforts to make Springfield Township what it is today.

Mr. Garrity stated that he represents many townships throughout the Delaware Valley and no matter where he is when he tells someone he represents Springfield Township, Montgomery County, he always gets the same response: “You have Don Berger, the best there is!”

Mr. Cobb stated that the Township is fortunate to have had three such knowledgeable, dedicated and experienced individuals serving the Township community at once, and the Township is a better place for it. He thanked Messrs. Sirianni, Schaum and Berger.

Mr. Standish opened the meeting to public comment. No public comment was received

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

Motion (Standish-Lee) vote 6-0, to adopt Resolution No. 1541, a resolution approving an amendment to the record plan for the “Laverock Springfield” subdivision. The subject of the amended plan is for the limited purpose of adjusting the lot line between Lot #1, and the common open space for the development. The lot line adjustment will allow the rear yard for Lot #1 to align with the adjacent lots numbered 26 through 32, and is possible due to the relocation of the emergency access driveway as requested by the Township.

Mr. Standish announced that the Fralic/501 Birch Lane subdivision is a two-lot subdivision/lot line change that increased the size of the parcel located at 8700 Montgomery Avenue to 1.63 acres, and decreased the size of the property located at 501 Birch Lane to 0.98 acres. As part of the subdivision, the Fralics, owners of both parcels, agreed to dedicate to the Township, a 25-foot ultimate right of way measured from the centerline of Birch Lane.

Motion (Standish-Graham) vote 6-0, to adopt Resolution No. 1542, a resolution accepting the deeds of dedication for additional right of way along the East Birch Lane frontage of 8700 Montgomery Avenue, as well as 501 East Birch Lane, Wyndmoor.

Motion (Standish-Cobb) vote 6-0, to authorize the engagement of the Montgomery County Planning Commission through a professional planning assistance contract for the years 2022-2024. Mr. Standish explained that the County provides planning assistance for the review of all subdivision and land development applications, as well as structured assistance as requested by the Township and recommended by the County. The 2022-24 Contract includes continued assistance to update the Township’s subdivision and land development ordinance, as well as the development of a Trail Network Plan, and to begin to update the 2014 Comprehensive Plan. The costs associated with the contract are

shared equally by Springfield Township and Montgomery County. The Township's share in 2022 is \$14,847, in 2023 is \$12,852, and in 2024 is \$12,978.

Mr. Cobb commented that the renewed contract with the Montgomery County Planning Commission will include an update to the existing Township Comprehensive Plan, with a focus on township-wide trails.

Mr. Lee asked if there are municipalities in the county that do not have a contract with the County Planning Commission. Mr. Taylor responded that he is not aware of any municipality that does not engage the County Planning Commission in some capacity. Mr. Taylor recited some of the benefits of the assistance rendered to the Township by the County planning commission.

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

Motion (Wilson-Graham) vote 6-0 to approve the August check reconciliation in the amount of \$561,766.30, and the September bill listing in the amount of \$542,737.67.

Mr. Wilson announced the 2022 budget meeting schedule as follows:

<u>Purpose</u>	<u>Date</u>	<u>Time</u>
Meetings with Support Agencies	Wednesday, Sept.22, 2021	7:00 PM
Budget Workshop	Wednesday, Oct. 20, 2021	7:00 PM
Budget Presentation	Wednesday, Nov. 10, 2021	7:30 PM
Budget Hearing	Wednesday Dec. 8, 2021	7:30 PM
Budget Adoption	Wednesday, Dec. 8, 2021	7:30 PM

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

Mr. Wilson stated that the Board of Commissioners has a statutory obligation to adopt a resolution setting forth the minimum municipal obligations to properly fund the Township's employee pension plans, and to incorporate the minimum municipal obligations into the succeeding year Township budget.

Motion (Wilson-Lee) to adopt Resolution No. 1543, a resolution establishing the 2022 pension fund minimum municipal obligations for the three defined benefit and one defined contribution pension plans.

Motion (Wilson-Graham) vote 6-0 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, 2021, consistent with the audit engagement letter dated September 7, 2021. The cost of the engagement is \$23,500, which is 2.1% more than in 2020.

Mr. Wilson announced that on May 18, 2021, the Honorable Jeffrey S. Saltz, Judge of the Court of Common Pleas for Montgomery County, Pennsylvania, issued a decision in the matter involving Springfield Township's condemnation of property owned by Tank Car Corporation of America, 1725 Walnut Avenue, Oreland. The Court's decision established the just compensation and fee reimbursement required to be paid by Springfield Township, as Condemnor, to Tank Car Corporation of America, as Condemnee, pursuant to the Eminent Domain Code. Tank Car Corporation of America subsequently appealed the Court's decision to the Commonwealth Court.

Motion (Wilson-Lee) vote 6-0 to authorize the Township Solicitor to file a cross appeal in response to the appeal filed by Tank Car Corporation of America on such issues as the Township Solicitor shall deem appropriate.

Mr. Cobb asked Mr. Garrity to explain what a cross-appeal to an appeal means in this case. Mr. Garrity explained that the May 18, 2021 decision of Judge Saltz was in the township's favor. Tank Car then appealed that decision to the Commonwealth Court, and now the Township will file a cross appeal to Tank Car's appeal in the just compensation matter, and any other matters deemed appropriate by Mr. Garrity.

Motion (Wilson-Lee) vote 6-0 to authorize the appropriate Township officials to arrange to pay into Court the amount of the just compensation and fee reimbursement awarded by the Court's May 18, 2021 decision in order to prevent any claim for additional compensation for delay in payment in accordance with the Eminent Domain Code.

Mr. Cobb asked Mr. Garrity if there was an expectation as to when these appeals will be finalized. Mr. Garrity opined it could take anywhere between 9 and 12 months.

Mr. Graham asked Mr. Garrity when delay damages would stop accruing. Mr. Garrity responded that the date the money is put into court is when delay damages would stop accruing.

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

During the month of August 2021, Springfield Township residents recycled 160.38 tons of materials with a householder participation rate of 69.5%. The net cost for the month was \$15,153.53.

Mr. Graham, Chairman of the Parks & Recreation Committee, reported:

Motion (Graham-Wilson) vote 6-0 to adopt Resolution No. 1547, a resolution authorizing a grant application to be submitted to the PECO Green Region grant program in an amount up to \$5,000. The purpose of the grant is to conduct a Township-wide trail study.

Mr. Standish commented that the grant would cover the mapping expenses in the contract with the Montgomery County Planning Commission.

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

Motion (Maxwell-Cobb) vote 6-0 to extend a conditional offer of employment as a probationary police officer in the Springfield Township Police Department to Yelidsa Torres, of Deveraux Avenue, Philadelphia, effective October 11, 2021. The condition of employment is successfully passing a physical and psychological examination. Ms. Torres has been employed as a police officer with the Philadelphia Police Department since 2017, where she is a member of the Major Incident Response Team, and has completed specialized training in crisis intervention and hazardous material operations.

Mr. Graham wished to thank Chief Pitkow for his efforts to recruit police officers that reflect the diversity of the community.

Motion (Maxwell-Wilson) vote 6-0 to adopt Resolution No. 1548, a resolution authorizing the execution of a Township-wide Traffic Signal Maintenance Agreement with the Pennsylvania Department of Transportation. The Agreement applies to all traffic signals owned and maintained by the Township.

Motion (Maxwell-Graham) vote 6-0 to adopt Resolution No. 1549, a resolution confirming a Disaster Declaration issued by the Emergency Management Coordinator in association with the remnants of Hurricane Ida on September 1, 2021.

Motion (Maxwell-Lee) vote 6-0 to grant permission to both the Flourtown and Oreland Fire Companies to attend the Pennsylvania State Fireman's Association parade in Limerick, PA on Saturday, September 25, 2021. Permission was sought by the fire companies pursuant to Section 34-2.1(K) of the Springfield Township Code, which requires the fire companies to secure permission from the Township when their activities take them further than a 20-mile radius of the Township. The permission relates to insurance coverages provided by the Township to the fire companies. The two fire chiefs have made arrangements to ensure proper fire coverage.

Mr. Wilson asked if the parade is open to the public. Mr. Maxwell answered that it is indeed open to the public and it is a very nice family event. Mr. Maxwell suggested that it is possible that the upcoming parade may be the final parade organized by the state association.

Mr. Cobb, Chairman of Zoning Committee, reported:

Mr. Cobb announced that the Springfield Township Zoning Hearing Board will meet on Monday, September 27, 2021 at 7:00 PM in the Springfield Township Building. Mr. Cobb summarized the Zoning Hearing Board Agenda. Mr. Cobb stated that copies of the applications

and plans are on file with the Code Enforcement Office and may be viewed during normal business hours.

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

Mr. Lee announced that this year's Community Day Celebration will feature a dunk tank. Mr. Lee informed all that he will be in the dunk tank for 30 minutes, and he encouraged other commissioners to participate in the same manner.

Motion (Lee-Wilson) vote 6-0 to authorize the appropriate Township officials to execute a Trail Maintenance Agreement with Troy and Deborah Dobson, 1110 Church Road, Oreland. The Agreement permits the Township to construct a paved pedestrian trail along the frontage of the Dobson property and in exchange, the Dobsons have agreed to maintain, repair, and replace the trail, including the removal of snow and ice, and the trimming of any vegetation.

Mr. Lee commented that construction of the new trail is directly related to the School District's project to demolish the old Enfield Elementary School. Additionally, the trail will provide connectivity to and from the adjacent neighborhood.

Motion (Lee-Wilson) vote 6-0 to authorize the execution of a lease agreement between Springfield Township and Sevenwall Financial, LLC, Flourtown, PA to lease Suite F (second floor rear) of the Black Horse Inn, pursuant to the conditions set forth in the lease agreement. The base rent is \$1,000 per month including utilities.

Motion (Lee-Graham) vote 6-0 to authorize the execution of a lease agreement between Springfield Township and Jeffrey Dean LTD, Lafayette Hill, PA, to lease Suite B (first floor, south) of the Black Horse Inn, pursuant to the conditions set forth in the lease agreement. The base rent is \$1,100 per month plus utilities.

Mr. Standish opened the meeting to public comment. No public comments were received.

Commissioner Maxwell thanked Commissioner Standish for summarizing the history of the property located at 380-402 Haws Lane. Mr. Maxwell stated that it has been a lengthy and often confusing process. He stated the residents in the area of the subject property are not in agreement as to their preference for development, which makes a decision by the Board difficult. Mr. Maxwell stated his preference for the scaled back townhouse development. He does not believe an institutional use would be appropriate for the property.

Mr. Wilson stated that there is no clear picture as to what the proposed institutional use may look like, or what the actual use may be and, therefore, questioned how anyone can make an informed decision for one type of development over another.

Mr. Graham stated he represents the will of the residents who elected him into office and he will vote for what the majority of the residents want.

Mr. Garrity explained provisions of the Pennsylvania Municipalities Planning Code and how they apply to this particular property.

There being no further business, the meeting was adjourned at 9:00 PM.

Respectfully submitted,

A. Michael Taylor
Secretary/Manager