

September 18, 2007  
Curtis Hall

The regular meeting of the **BOARD OF COMMISSIONERS** was held this evening, President Michael J. Swavola presiding. Members present were Commissioners Gerhard, Greenwald, McKeown, Muldawer, Simon and Portner. Staff present was Joseph Bagley, Esq., Wisler, Pearlstine, Talone, Craig, Garrity & Potash; Charlyn Battle, Human Resources Coordinator; Bryan T. Havir, Assistant Township Manager; John O. Hoover, Jr., Director, Parks and Recreation; Rudy Kastenhuber, Public Works Coordinator; Mark McDonnell, Public Works Superintendent; Michael Moonblatt, Fire Marshal; John J. Norris, Chief of Police; Rosemary Poppert, Director of Fiscal Affairs; Ruth Littner, Main Street Manager and David G. Kraynik, Township Manager. A Public Attendance List is attached.

1. President Swavola opened the meeting with the Pledge of Allegiance being led by Mr. Portner.
2. Each member having received a copy of the Commissioners' Regular Meeting Minutes dated August 21, 2007, upon motion of Mr. Greenwald, the Minutes were unanimously approved by the Board of Commissioners.
3. Each member having received a copy of the Executive Summary Financial Report of the Manager/Secretary for the month of August, 2007, upon motion of Mr. McKeown, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.
4. Each member having received a copy of the Accounts Paid Report for the month of August, 2007, upon motion of Mr. Gerhard, the Report was unanimously approved by the Board of Commissioners and ordered spread in full upon the Minute Book.

5. Mr. Muldawer presented *Certificates* and *Pins* honoring members of the Police Department for 20-years of service. Also presented were plaques from the Police Department to members as follows:

Lt. Kevin O'Brien  
Lt. John Weed  
Sgt. Fred Benincasa  
Sgt. James Slavin  
Officer James Howard  
Officer John McCabe

6. Mr. Portner presented *Certificates* honoring the following volunteers for ten (10) years of service:

10 years	Phyllis Breen	-	Elkins Park Library
	Elizabeth Cataldi	-	Drug, Alcohol and Mental Health Committee
	Stanley Ellenberg	-	Citizens Advisory Committee
	Peter Labiak	-	Zoning Hearing Board
	Reg Tickell	-	Friends of Glenside Library

Mr. Swavola presented *Certificates* honoring the following volunteers for twenty (20) years of service:

20 years	Barbara Bartlett	-	Citizens Advisory Committee
	Lois Hirsch	-	Historical Commission
	Mildred Serody	-	Elkins Park Library
	Dorothy Spruill	-	Historical Commission
	Mary Washington	-	Historical Commission

7. Upon motion of Mr. Swavola, the Board of Commissioners unanimously adopted a *Resolution No. 38-07 honoring the Moore-Triplett American Legion Post #451* with the assistance of the Westbrook-RockHill Foundation for the Post's flood relief contribution to Cheltenham, England. Said Resolution was presented to representatives of both organizations as follows:

Harold Case, Commander, Moore-Triplett American Legion Post  
William Chambres, Westbrook-RockHill Foundation  
Genevieve Christopher, Moore-Triplett American Legion Post  
Fred Triplett, Moore-Triplett American Legion Post  
Norman Triplett, Moore-Triplett American Legion Post

Mr. Triplett gave a brief history of the Post and the members who served in war time. He hoped that they set an example of giving back to the community, not just with money but with service and time.

**RESOLUTION NO 38-07**  
*of the Board of Commissioners of Cheltenham Township*

*Whereas,* THE BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, Montgomery County, Pennsylvania, with deep appreciation and esteem, salutes the **MOORE-TRIPLETT AMERICAN LEGION POST #451** for its donation of \$1,000 to the Cheltenham UK Flood Relief Fund; and


*Whereas,* Gloucestershire, Cheltenham UK's home county, experienced its worst flooding in 60 years this summer. An estimated 4,000 homes were affected, forcing roughly one in six people to move from the homes because of the devastating flooding. Damage estimates have exceeded \$3 billion US; and

*Whereas,* The US and UK Cheltenham's have enjoyed a decades-old bond of friendship that culminated in an official "twinship" in 2003. The Westbrook-RockHill Foundation of LaMott, which has a long history with the **MOORE-TRIPLETT AMERICAN LEGION POST #451** and a connection to the local Twinning Committee, approached the post about donating to the UK flood relief efforts. The post proudly responded with a sizeable donation to assist the people of our sister community in their time of need and further cement our bond of friendship.

NOW, THEREFORE, BE IT RESOLVED that the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, duly convened in regular session this Eighteenth Day of September, A.D., 2007, does hereby officially recognize the **MOORE-TRIPLETT AMERICAN LEGION POST #451** for its generous contribution to the people of Cheltenham UK. It is further directed that this Resolution be spread in full upon the minutes of this meeting and that a copy thereof be conveyed to representatives of the post.

IN WITNESS WHEREOF, I, MICHAEL J. SWAVOLA, President of the BOARD OF COMMISSIONERS OF CHELTENHAM TOWNSHIP, have hereunto set my hands and caused the Seal of the Township of Cheltenham to be made a part thereof. DONE AT ELKINS PARK, PENNSYLVANIA, in the year of the Township of Cheltenham, the one hundred and eighth.

**BOARD OF COMMISSIONERS  
OF CHELTENHAM TOWNSHIP**

By:   
President

Attest:   
Township Manager and Secretary

8. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved a Certificate of Appropriateness for Application No. W786 to John and Susan Lee, owners of 147 Fernbrook Avenue, Wyncote, relating to the replacement of the existing porch in-kind including decking, support beams, railing, stairs, lattice and the replacement of the existing aluminum louvered shutters with wood paneled shutters as recommended by the Wyncote Board of Historical and Architectural Review.

9. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved the final construction plans for Cheltenham Township Development Application No. 06-03 Record Plan Wister Lea Development Group, LLC – 925 Gilbert Road.

10. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved Cheltenham Township Development Application No. 07-07 Record Plan HVAC Units – 141 E. Glenside Avenue subject to the following Conditions and Waivers:

A. CONDITIONS

1. That the text “Cheltenham Township Development Application No. 07-07” be added to the lower right hand corner of the plan.
2. That the Township is in receipt of the Montgomery County Planning Commission Review of this Subdivision/Land Development.
3. That, in the Township Approval Notation, the text “County, within” be replaced with the text “County within.”
4. That the notation “Cheltenham Township Development Plan No. 07-\_\_” be struck from the plan.

B. WAIVERS TO BE GRANTED BY THE BOARD OF COMMISSIONERS

1. That the requirement of CCS 260-15. for sidewalks be waived.
2. That the requirement of CCS 260-30. for an Environmental Impact Study be waived except for Subsection D. relating to noise.
3. That the requirement of CCS 260-32.C.(3) which requires that the plan be prepared by an Engineer or Surveyor be waived.

4. That the requirement of CCS 260-32.C.(6) for a note stating the elevation datum is based upon the Cheltenham Township Sanitary Sewer Datum be waived.
5. That the requirement of CCS 260-32.D.(1) for a property survey be waived.
6. That the requirement of CCS 260-32.D.(2) for depiction of Planimetric data within 400' of the site be waived.
7. That the requirement of CCS 260-32.D.(4) for the location, size and ownership of all underground utilities and any rights-of-way within the property be waived.
8. That the requirement of CCS 260-32.D.(5) for depiction of topography of the site and within 400' of the site be waived.
9. That the requirement of CCS 260-32.D.(6) for the location, species and size of large trees standing alone be waived.
10. That the requirement of CCS 260-32.D.(7) for proposed contours and for the elevations for the building floors be waived.
11. That the requirement of CCS 260-32.C.(4) and CCS 260-32.E.(3) for a notation on present Zoning Classification, Zoning Requirements and existing proposed setbacks be waived.
12. That the requirement of CCS 260-32.D.(2) for the location of adjoining property lines and the names of adjoining Owners be waived.

**11.** Upon motion of Mr. Gerhard, the Board of Commissioners adopted *Resolution No. 39-07* initiating action to create a neighborhood business improvement district in the Cheltenham Avenue area to be known as the “Greater Cheltenham Avenue Business Improvement District.”

## Township of Cheltenham

### Resolution No. 39-07

**INITIATING ACTION TO ESTABLISH A NEIGHBORHOOD IMPROVEMENT DISTRICT IN AN AREA THAT GENERALLY INCLUDES THE NORTH SIDE OF CHELTENHAM AVENUE FROM 1300 TO 3000 AND CERTAIN BLOCKS OF STREETS THAT INTERSECT WITH PORTIONS OF CHELTENHAM AVENUE, TO BE KNOWN AS THE GREATER CHELTENHAM AVENUE BUSINESS IMPROVEMENT DISTRICT, AND FOR WHICH THE GREATER CHELTENHAM AVENUE BUSINESS IMPROVEMENT DISTRICT, INC., IS A PENNSYLVANIA NONPROFIT CORPORATION, WOULD SERVE AS THE BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, APPROVING A PRELIMINARY PLAN AND REPORT CONCERNING THE DISTRICT, AND AUTHORIZING THE CHELTENHAM TOWNSHIP ADMINISTRATION AND OFFICE OF THE TAX COLLECTOR, TO TAKE ALL ACTIONS THAT ARE REQUIRED BY THE COMMUNITY AND ECONOMIC IMPROVEMENT ACT PRIOR TO ENACTMENT OF AN ORDINANCE THAT WOULD FORMALLY ESTABLISH THE DISTRICT.**

**WHEREAS**, the Cheltenham Township Board of Commissioners is authorized by the Community and Economic Improvement Act (“Act”) (53 P.S. §18101 *et. seq.*) to establish by ordinance neighborhood improvement districts and to designate certain entities to administer programs and services within such districts in order “to promote and enhance more attractive and safer commercial, office, residential and mixed-use neighborhoods; economic growth; increased employment opportunities; and improved commercial activities, business districts and business climates”; and

**WHEREAS**, before an ordinance establishing a neighborhood improvement district is enacted, the Act requires that a preliminary plan for the district be mailed to property owners within the district, and that a public hearing be held on the preliminary plan; and

**WHEREAS**, the purpose of this resolution is to initiate action to create a neighborhood improvement district in the Cheltenham Avenue area, to be known as the “Greater Cheltenham Avenue Business Improvement District,” and to ensure that all actions required by the Act to establish such a district are taken prior to enactment of an ordinance formally establishing the district.

**NOW, THEREFORE, BE IT RESOLVED**, the Township of Cheltenham Board of Commissioners, Montgomery County, Pennsylvania, hereby initiates action to establish a neighborhood improvement district in an area that generally includes the north side of Cheltenham Avenue from the 1300 to 3000 blocks and on certain other streets that intersect that portion of Cheltenham Avenue, including Easton Road, Ogontz Avenue, Washington Lane, and Penrose Avenue, to be known as the “Greater Cheltenham Avenue Business District.” The Commissioners of Cheltenham Township hereby approves the preliminary plan for the Greater Cheltenham Avenue Business Improvement District, attached as Exhibit “A”, and the Commissioners adopts the Intermunicipal Steering Committee’s report concerning the Greater Cheltenham Avenue Business Improvement District, included as part of the final plan.

**BE IT FURTHER RESOLVED**, that the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, hereby authorizes and directs the Township Administration and the Office of the Tax Collector to take all actions required by the Community and Economic Development Act (“Act”) prior to enactment of an ordinance formally establishing the Greater Cheltenham Avenue Improvement District, including the holding of any and all public hearings required by the Act. The Township Administration and the Office of the Tax Collector shall arrange for all mailings and publication of all notices required by the Act, as directed by the Township Manager.

**BE IT FURTHER RESOLVED**, that the Secretary of the Township of Cheltenham is directed to execute a certificate attesting to the adoption of this Resolution and to furnish a copy of the Resolution to the City of Philadelphia Clerk of City Council and Director of Commerce.

**DONE IN ELKINS PARK, PENNSYLVANIA**, under my hand and the Seal of the Township of Cheltenham, this **18<sup>th</sup> day of September A.D., 2007**, in the year of the Township of Cheltenham the one hundred seventh.


**RESOLVED THIS 18<sup>th</sup> DAY OF SEPTEMBER, 2007.**

TOWNSHIP OF CHELTENHAM



Michael J. Swavola, President  
Board of Commissioners

ATTEST



David G. Kraynik, Secretary/Manager  
(SEAL)

12. Upon motion of Mr. Gerhard, the Board of Commissioners unanimously approved the scheduling of a Public Hearing for October 16, 2007, regarding the adoption of an Ordinance creating the Greater Cheltenham Avenue Business Improvement District in accordance with the Pennsylvania Community and Economic Improvement Act.

13. Upon motion of Mr. Gerhard, and unanimously approved by the Board of Commissioners, the Public Works Committee Regular Meeting Minutes dated September 11, 2007, were accepted.

14. Upon motion of Mr. Simon, and unanimously approved by the Board of Commissioners, the Public Affairs Committee Regular Meeting Minutes dated September 4, 2007, were accepted.

15. Upon motion of Mr. Muldawer, the Board of Commissioners unanimously adopted *Ordinance No.* 2140-07 amending Chapter 285 of the Township Code entitled “Vehicles and Traffic”.

**ORDINANCE NO. 2140-07**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CHELTENHAM, CHAPTER 285 THEREOF, ENTITLED VEHICLES AND TRAFFIC, BY AMENDING PARKING METER ZONES AND CERTAIN STREET AND PARKING REGULATIONS.**

The Board of Commissioners of the Township of Cheltenham hereby ordains:

**SECTION 1.** The Code of the Township of Cheltenham, Chapter 285, Article II, entitled Parking Meter Zones, Section 285-20 thereof is hereby amended by **ADDING** the following under Two Hour Parking Zones:

HIGH SCHOOL ROAD	South	85 feet east to 285 feet east of Montgomery Avenue.
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**SECTION 2.** The Code of the Township of Cheltenham, Chapter 285, Article II, entitled Parking Meter Zones, Section 285-21 thereof is hereby amended by **ADDING** the following under Twelve Hour Parking Zones:

HIGH SCHOOL ROAD	South	285 feet to 405 feet east of Montgomery Avenue.
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**SECTION 3.** The Code of the Township of Cheltenham, Chapter 285, Article IV, entitled Schedule of Traffic Regulations, Section 285-43 thereof is hereby amended by **DELETING** the following:

HIGH SCHOOL ROAD	(8)	NO PARKING, south side, Montgomery Avenue to 35 feet east.
STETSON ROAD	A.	NO PARKING, north and south sides, Old York Road to 40 feet west.
STETSON ROAD	B.	STOP STREET at Juniper Avenue.

**SECTION 4.** The Code of the Township of Cheltenham, Chapter 285, Article IV, entitled Schedule of Traffic Regulations, Section 285-43 thereof is hereby amended by **ADDING** the following:

HIGH SCHOOL ROAD	(8)	NO PARKING, south side Montgomery Avenue to 85 feet east.
MONTGOMERY AVENUE	(26)	STOP STREET at High School Road.
SPRING AVENUE	(16)	NO PARKING, north side, Elkins Avenue to Old York Road.
STETSON ROAD	A.	NO PARKING, south side, Old York Road to 76 feet west.


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| STETSON ROAD | B. | NO PARKING, north side, Old York Road to 67 feet west. |
| STETSON ROAD | C. | STOP STREET at Old York Road; at Juniper Avenue.       |
| STETSON ROAD | D. | 25 MPH, Old York Road to Juniper Avenue.               |


**SECTION 5.** That in all other respects Chapter 285 of the Code of the Township of Cheltenham is hereby approved and accepted as amended, and shall continue in full force and effect.

**SECTION 6.** This Ordinance shall take effect and be in force from and after its approval as required by law.

**ENACTED** into an Ordinance this **18th day of September, A.D., 2007.**

BOARD OF COMMISSIONERS  
TOWNSHIP OF CHELTENHAM

By   
Michael J. Swavola, President

ATTEST:   
David G. Kraynik, Secretary

**16.** Upon motion of Mr. Muldawer, and unanimously approved by the Board of Commissioners, the Public Safety Committee Regular Meeting Minutes dated September 4, 2007, were accepted.

**17.** Upon motion of Mr. Greenwald, and unanimously approved by the Board of Commissioners, the Building and Zoning Committee Regular Meeting Minutes dated September 4, 2007, were accepted.

**18.** Upon motion of Mr. McKeown, the Board of Commissioners unanimously awarded a Professional Services Contract to Forbes Environmental & Land Use Planning in the amount of \$25,000 for the preparation of a Master Plan for High School Park, being the responsible bidder meeting Township specifications and being within budgetary limitations, as recommended by Staff and the Friends of High School Park.

**19.** Upon motion of Mr. McKeown, the Board of Commissioners unanimously awarded a Unit Price Contract for Renovations to Glenside Hall in the amount of \$70,743, contingent upon the approval of the Pennsylvania Historical and Museum Commission to Donald E. Reisinger, Inc. being the lowest responsible bidder meeting Township specifications and being within budgetary limitations.

**20.** Upon motion of Mr. McKeown, and unanimously approved by the Board of Commissioners, the Parks and Recreation Committee Regular Meeting Minutes dated September 11, 2007, were accepted.

There being no further business, upon motion of Mr. Greenwald, and unanimously approved by the Board, the meeting was adjourned, and the Commissioners commenced an Executive Session to discuss real estate matters.

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David G. Kraynik  
Township Manager

per Anna Marie Felix

