

SEPTEMBER 8, 2015

REGULAR MEETING

The Regular Meeting of the Board of Commissioners was called to order by President Rudolph at 8:00 p.m. on Tuesday, September 8, 2015 in the Township Building.

ROLL CALL

The following Commissioners were present: Mrs. Sage, Messrs. Rudolph, Janiczek, Kelly, Wechsler, Layden and Lanciano. Also present were Mr. Byrne and Mrs. Warner.

INVOCATION

The Invocation was given by Reverend James Anderman of Covenant Methodist Church and was followed by the Pledge of Allegiance.

MILLER'S INC.

Mr. Rudolph announced that anything related to the Miller's property is going to be postponed until the next Board of Commissioners meeting. Mr. Byrne explained that the applicant failed to give proper notice of the Planning Commission meeting with respect to the lot consolidation and a Zoning Map change in connection with the project at Miller's. He suggested postponing the matter until the Board's October 13<sup>th</sup> meeting and that way we can be certain everyone who has an interest in the project has an opportunity to be heard.

Several residents of West Avenue expressed their opposition to Miller's application.

Mr. Byrne asked the applicant to notify the residents living in the area of Miller, Inc. of the next meeting. Mr. Byrne explained the process of the lot consolidation land development application which has a specific timeframe and process for the Zoning Map change application.

PRESENTATION

Mr. Layden presented lifesaving awards to three lifeguards; Chris Fecca, Camille Woodward and Alyssa Decker, in recognition for their actions when each successfully assisted a swimmer in distress.

MINUTES

On motion of Mrs. Sage, the minutes of August 11, 2015, were approved as transcribed. Seconded by Mr. Wechsler and carried.

Mr. Rudolph asked if anyone in the audience wished to comment on any of the agenda items.

Christina Gentile-Paytas, 201 Avon Road, commented on the cost of the Springfield Country Club Pool rates and asked when next year's will be determined. M. Rudolph replied that the rates are reviewed annually. The Commissioners on the Pool Committee and Country Club Director will review the rates in March. She asked that the rates be reviewed in January.

Mr. Byrne announced that there are three matters on the agenda that are going to be heard tonight with respect to land development (Enterprise Leasing, Scott Kia and Jamgochian.) If anyone is interested in those matters, he suggested public comment on these issues at this time.

Joe Organtini, 414 Saxer Avenue, raised his concerns regarding the proposed application for the development of seven homes at 500 Saxer Avenue. He stated the increased impervious surface will create water drainage problems. He stated Saxer Avenue is a snow emergency route and it is his understanding that the owners of the properties will be permitted to park on Saxer Avenue. He feels this will become a potential safety hazard since Saxer Avenue intersects with Bennett Road at this location.

Mr. Victor Intintolo, 418 Saxer Avenue, stated the water drainage issue is the number one problem that the neighbors are worried about. He requested the number of houses proposed be lessened to five.

Mr. Rudolph called for Committee Reports.

Mr. Kelly reported total rounds for the month of August was 2,971 bringing the year-to-date total to 15,693. Total revenue for the month of August was \$111,233, bringing the year-to-date revenue total to \$662,195. The total merchandise sales was \$11,006, bringing the year-to-date total to \$70,640.

PUBLIC COMMENT

COMMITTEE REPORTS

Golf Course

Parks

Mr. Kelly read the Parks Department maintenance report for August. The crew continues with the weekly football and soccer field maintenance, installed new dugouts to the baseball field at Netherwood Park, trimmed up the woods line along Memorial Park Drive, installed a new toddler swing set in Indian Rock Park and installed new wood carpet under the playground equipment at several parks.

Zoning

Mrs. Sage announced the Zoning Hearing Board will meet on September 24<sup>th</sup> to review the following zoning applications: variances/special exception to construct a Wawa convenience store and bank building, 675 Baltimore Pike, a sign variance for Five Below, 400 S. State Road and a resident seeking a dimensional variance to permit the widening of an existing common driveway at 500 E. Scenic Road.

Planning

Mr. Wechsler reported the Planning Commission met on September 2<sup>nd</sup> and reviewed land development applications for Enterprise Leasing, Scott Kia, Miller, Inc. and 500 Saxer Avenue owned by Mary & Pearl Jamgochian. Approval was recommended by the Planning Commission for Enterprise Leasing and Scott Kia. The lot consolidation plan for Miller, Inc. was recommended to move forward and the Subdivision/Land Development Application for 500 Saxer Avenue was denied due to stormwater management considerations.

Library

Dr. Janiczek reported that the Library's Youth Programs Fall 1 Session began today and will run through October 16. He announced that the Springfield Library will hold their fall book sale on September 12, 13 and 14 at the Township Building. He stated the Library provides a homebound delivery service for residents. Delivery services is provided by the Women and Junior Women's Clubs.

Public Works

Dr. Janiczek reported the Public Works Department is in the process of patching, sealing and line painting streets throughout the township. Due to the Columbus Day holiday

on Monday, October 12, 2015, trash and recycling will not be collected.

Mr. Layden reported the Ice Skating Rink will open on Monday, September 14<sup>th</sup> for hockey and lessons. Public skating will begin on Friday, October 16<sup>th</sup>.

Ice Rink

Mr. Layden thanked Pool Manager, Christina Hess, lifeguards and staff for a successful season. He reported total pool revenue for the month August was \$35,547.50, bringing the year-to-date revenue totals to a record number of \$449,489.00. During the 2015 pool season there were three lifeguard saves.

Pool

Mr. Lanciano reported the goal is to reduce the amount of trash and to increase the amount of recycling. For the month of August, the Township collected 785 tons of trash versus 854 tons in August 2014. Again, for the month of August, the Township collected 95 tons of paper versus 49 tons in 2014. Plastic single stream pick up was 65 tons versus 55 tons in 2014.

Environmental

Mr. Rudolph stated with schools now open, he asked drivers to obey the school speed limits and be alert when children are exiting the school bus.

Public Safety

Mr. Rudolph announced the Township is holding their third and final movie night for the season on Friday night, September 18<sup>th</sup> at 7:30 p.m. at the amphitheater.

Movie Night

Mr. Wechsler moved that all bills approved for payment by the appropriate chairperson be paid. Seconded by Mr. Lanciano and carried.

**BILLS SUBMITTED**

On motion of Dr. Janiczek, seconded by Mr. Layden, the the Treasurer's Report for August 2015 was accepted and ordered filed.

TREASURER'S REPORT

SEPTEMBER 8, 2015

ORDINANCE #1560  
Code-Fee Schedule

Mr. Kelly moved for the adoption of Ordinance #1560 which brings various chapters of the Township Code regarding license and permit fees in accordance with the fees listed in Chapter 40 "Consolidated Fee Schedule." Seconded by Mr. Lanciano and carried.

ORDINANCE #1561  
Recyclables

Mr. Lanciano moved for the adoption of Ordinance #1561 amending Chapter 54-13.E. which would require commercial, municipal and institutional establishments to be responsible for collecting plastics #1 through #7 in their recycled material. Currently only plastics #1 and #2 are required. Seconded by Dr. Janiczek and carried.

PROPOSED ORDINANCE  
Rescind Obsolete  
Ordinances

Mr. Layden read a proposed ordinance rescinding various chapters of the Township Code determined to be obsolete. He moved that the proposed ordinance be approved for its first reading and advertised. Seconded by Mr. Lanciano and carried.

PROPOSED ORDINANCE  
Planning Commission

Mr. Wechsler read a proposed ordinance repealing the present Section 93-2, entitled "Planning Commission Members," by insertind a new Section 93-2, "Planning Commission Members," setting procedures for membership, appointments, terms and vacancies for the Planning Commission. He moved that the proposed ordinance be approved for its first reading and advertised. Seconded by Mrs. Sage and carried.

MINIMUM MUNICIPAL  
OBLIGATION

Mr. Kelly moved to authorize the approval of the Township's 2016 Minimum Municipal Obligation for the Police and Civilian Pension Plans. The Police Pension Plan has been budgeted at \$1,607,635. The Civilian Pension Plan has been budgeted at \$331,803, and \$27,317 for the Defined Contribution Plan. The state contribution should be approximately \$540,000. Seconded by Mr. Lanciano and carried.

LAND DEVELOPMENT  
Enterprise Leasing

Mr. Byrne explained that Enterprise Leasing Land Development has been before the Zoning Hearing Board, the Planning Commission and the Delaware County Planning

Commission and received the appropriate approvals from each governing body and that Enterprise Leasing has agreed to some additional conditions which will be incorporated into the final approval documentation.

In regard to complaints from the residents of Rambling Way about Enterprise Leasing employees parking on their street, Joseph Damico, Esq. stated that all present employees and future employees must sign a statement that they will not park on Rambling Way.

Mrs. Sage moved to approve the Final Land Development Plan of Enterprise Leasing, 436-444 Baltimore Pike, subject to the comments of the Planning Commission, Zoning Hearing Board and the Township Engineer's letter of August 31, 2015. Seconded by Mr. Layden and carried.

Mark Damico, Esq., representing Scott Kia of Springfield, 321 Baltimore Pike, commented that the applicant has received the necessary approvals for construction of a new auto dealership building. Dr. Janiczek moved to approve the Final Land Development Plan of Scott Kia of Springfield, contingent upon addressing the comments of the Township Engineer's letter of August 31, 2015, specific conditions requested by the Planning Commission and that the plans be recorded, as per Springfield's Subdivision/Land Development procedures. Seconded by Mr. Layden and carried.

Mark Damico, Esq., representing Mary & Pearl Jamgochian, stated their proposed application is to subdivide 500 Saxer Avenue into seven lots to allow for the construction of seven single family dwellings. He noted that individual stormwater management facilities are proposed for each lot.

Dennis O'Neill, P.E., MacCombie Engineering, representing the applicant, summarized the latest version of the plan addressing stormwater management. He stated each lot will have a subsurface basin, which will collect and infiltrate additional run-off. A larger stormwater infiltration

LAND DEVELOPMENT  
Scott Kia

PRELIMINARY  
SUBDIVISION/LAND  
DEVELOPMENT PLAN  
Jamgochian

basin will be placed on lot 2. This will address and manage the stormwater run-off from the overall subdivision.

Mr. Wechsler's provided the following comments and concerns regarding stormwater run-off.

- obtaining an easement to go over the Township's sewer line through Evans Road,
- egress to lot 2 to maintain the basin,
- easements or a homeowners association agreement that would specify how the basin on lot 2 will be maintained,
- would the drainage area map or proposed drainage improvements change if the homeowner on lots 5, 6 or 7 were to regrade their land for landscaping,
- parking on Saxer Avenue (with input from PennDOT)

Mr. O'Neill indicated the map would be changed if the homeowner would regrade the property. The owner would have to apply for a grading permit and would fall under the Township auspices to make sure that the drainage pattern doesn't change. Each basin on a lot will collect essentially 60% of water run-off, and the purpose of the larger basin being added to lot 2 is to collect run-off from the driveway of lot 2 and the rear yard area along the back of the lots.

Mark Damico stated as a condition of approval of the plan, declaration of covenants and restrictions could be imposed that would include the access and maintenance responsibility issue for the basin on lot 2, and it could include that the homeowner will not be allowed to change their grading or erect fences. This could be addressed if the applicant would agree as a condition that a declaration be submitted for the approval by the Township's Engineer and Solicitor.

Mr. Layden asked how to get access to the easement if the home homeowner surrounds the house with shrubbery. Mr. O'Neill stated a truck would not need to go to the back of lot 2 for maintenance of the basin. A shovel is only needed to clean in inlet.

Mr. Lanciano suggested the water be conveyed into the Township's stormwater line on Evans Road.

Mr. O'Neill replied that they do not want to go across other residential properties in order to connect into the line on Evans Road. He said the Township Engineer suggested a stormwater conveyance system to the Saxer Avenue storm sewer may be more appropriate.

Mr. Organiti, 414 Saxer Avenue, stated water run-off comes behind the neighbor's house and flows onto his property then continues to the adjoining property on Boxwood Lane.

Mr. Byrne stated the Board needs to make a decision on the Preliminary Plan application this evening as the timeline is expiring. He suggested the Board recess in Executive Session to discuss any legal matters relating to the application.

Mr. Damico stated they are seeking a decision tonight on the Preliminary Plan and will still need to submit a final plan. The Final Plan will have to again be reviewed by the Delaware County Planning Commission, the Township's Planning Commission and then to the Board of Commissioners seeking final approval. He noted the Plan has no deficiencies to the Township's Zoning Ordinance or SALDO and it is a by-right plan. For Final Plan approval, they will explore conveying the water run-off to Evans Road, but that would require the cooperation of a private property owner. He noted the additional engineering and the infiltration bed is above and beyond what is required by ordinance and at a significant cost to the developer. This will solve the run-off problem from this property. It is a major improvement to address the run-off concerns of the neighbors. The Board convened in Executive Session.

The Board reconvened 14 minutes later and Mr. Rudolph called for a vote.

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Dr. Janiczek moved to deny the Preliminary Subdivision/ Land Development Plan of Mary & Pearl Jamgochian, 500 Saxer Avenue. Seconded by Mr. Kelly. A roll call vote was taken:

Mr. Kelly – aye, Mrs. Sage – aye, Mr. Wechsler – aye, Dr. Janiczek, - aye, Mr. Layden – aye, Mr. Lanciano – aye. The motion was carried for denial of the Preliminary Plan. Mr. Byrne stated a formal letter will be sent to the applicant within the fourteen day time period.

PUBLIC COMMENT

Mr. John Houton, 646 Prospect Road, raised questions and gave comments regarding the Springfield Country Club Pool. He also suggested that there be an advisory board to get pool members involved.

Mr. George Miller, 311 Alliston Road, reiterated his concerns about the concrete problems at the Pool and commented on the Township's recycling program.

ADJOURNMENT  
(10:00 p.m.)

Dr. Janiczek moved that the meeting be adjourned. Seconded by Mr. Layden and carried.