

**UPPER MORELAND TOWNSHIP  
BOARD OF COMMISSIONERS**

**REGULAR MEETING**

*November 13, 2007*

**CALL TO ORDER** – Comm. Crilly, President of Board of Commissioners of Upper Moreland Township called a Regular meeting of the Board of Commissioners to order at 7:06 p.m.

**A MOMENT OF SILENCE WAS FOLLOWED BY THE PLEDGE OF ALLEGIANCE**

**PRESENTATIONS/ANNOUNCEMENTS:**

There was none at this time.

**PUBLIC HEARING #1825 – Unified Development Commercial District Ordinance:**

The Public Hearing began at 7:08 and ended at 8:15 p.m.

**REGULAR MEETING**

Comm. Crilly opened the Regular Meeting at 8:16 p.m.

**COMMUNITY DEVELOPMENT & PUBLIC WORKS COMMITTEE:**

Ordinance No. 1549:

Comm. Martin made a MOTION, seconded by Comm. Booth to adopt Ordinance No. 1549 Unified Development Commercial District.

Comm. Martin said the process for the creation of this new ordinance started 11 months ago, and we have followed a fair, understandable and transparent review process. Our job as Commissioners is to promote a public review process to protect the public's interest along the way.

This is a draft ordinance that will create a UDC, a Unified Development Commercial District. The APA and the MCPC gave excellent advice as we consider the exact language to use in our ordinance. We can approve the ordinance and make any necessary changes later.

We had pre-application meetings that our Solicitor attended along with the property owner, the petitioner and the applicant. Then the public process began with the Board of Commissioners. Our Township professional staff, Community Development Committee, the APA, and the MCPC reviewed the ordinance and recommended approval provided that we review their comments to our satisfaction. The MCPC reviewed the language in the ordinance twice with two different plans so we have two review letters that were submitted. The APA met on November 8<sup>th</sup> and carefully considered each comment and we have an amendment dated November 13<sup>th</sup> that our Solicitor prepared in response to the comments. He is in favor of approving this ordinance tonight.

Comm. Booth said the first review made by the MCPC was in December, 2006. This is a wonderful piece of property for Upper Moreland Township, and we appreciate that Abington Hospital decided to develop it on a commercial basis. It will be meaningful to the Township not only from a tax point of view, but it will also provide jobs for our residents and amenities to those who visit this area. This is a gateway to the center part of Willow Grove and will be a nice development. Mr. Goodman and Mr. Gallub have discussed the idea about making a connecting road, which will enhance both of their properties and it will help the Township by taking excess traffic off of Maryland Road. He is in favor of it.

Comm. Romaniello said she knows that Mr. Goodman will do a great job on that corner, but her job is to make sure that the new zoning ordinance that will be applied will work for the best of the community in other locations. A commercial needs analysis that was asked for by the county a year ago was not conducted and should have been. In the county's review letter, five out of six comments were not addressed. We have a property owner who came to the Township and developed an ordinance that will become part of our Township code and what type of precedent are we setting. She believes a development on this corner will be productive and worthwhile and there will be sufficient tax revenues for the Township, but we need to understand what the negative impact from this development will be. Assuming this passes tonight, she hopes the applicant will address some of the concerns during the land development process.

Comm. Crilly asked for any public comments. There were none.

Comm. McKenna said looking at this from an economic standpoint; this closes a chapter for the George Washington Motor Lodge. This is a valuable property and has tremendous potential. No one has developed this property for 15 years and the time has come. This will increase the value of the Home Depot lot and this will bring more businesses to our community. He is in favor of it.

MOTION was ADOPTED 6-1. Comm. Romaniello opposed.

Comm. Efkowitz said now that this ordinance has been adopted, we will make sure the map reflects that change; will this ordinance be filed in the Law Library at the County?

Solicitor Kerns replied yes, all procedural aspects of the ordinance will be taken care of.

Ordinance No. 1550 Rezoning 2560 Maryland Road from Institutional to Unified Development Commercial District:

Comm. Martin made a MOTION, seconded by Comm. Efkwitz to adopt Ordinance No. 1550 which will rezone 2560 Maryland Road from Institutional to Unified Development Commercial District.

Comm. Martin said the whole purpose of creating this ordinance, which changes this parcel to UDC, is to maximize our community's benefits and it also maximizes our control over what is built there with each conditional use hearing. Each use has to be approved and each project will go through our land development process. The Board has an opportunity to facilitate a new area with superb public amenities and more traffic improvements are expected in this congested area. A change in zoning could lay the groundwork for a high density entranceway to our Township. Right now, we receive zero taxes from this institutional use, but a change in zoning will create a great source of tax revenue for our Township, minimizing the tax burden on our residents. It has been a transparent process and he congratulated our Township Manager and Solicitor for working closely with the applicant.

Comm. Crilly asked for any public comments. There were none.

MOTION was ADOPTED 6-1. Comm. Romaniello opposed.

**PUBLIC HEARING #1828 – Conditional Use Application submitted by Abington Hospital for property located at 2560 Maryland Road:**

The Public Hearing began at 8:30 p.m. and was continued until December 17, 2007.

**PUBLIC HEARING #1829 – Revisions to Cell Tower Ordinance:**

The Public Hearing began at 9:55 p.m. and ended at 10:00 p.m.

**ROLL CALL** – Mr. Crawford took roll call. Present: Commissioners Michael Crilly, President of Board of Commissioners, Richard Booth, Vice President, Stacey Efkwitz, James Martin, James Hotchkiss, James McKenna and Lisa Romaniello.

**PUBLIC COMMENTS – NON AGENDA ITEMS ONLY:**

Nick Scull, President of the Friends of Boileau, 507 Inman Terrace, gave copies of a letter, dated November 12, 2007, to the Board that he wrote and read into the record. (See attached to minutes).

Kevin Spearing thanked Commissioners Jim Martin, Michael Crilly and Richard Booth for their years of dedicated service. They have made significant contributions to this community and he knows their work is appreciated Townshipwide and beyond. They have left really big shoes to fill and he hopes that their replacements are up to the challenge.

**TREASURER’S ACTIVITY REPORT – October, 2007:**

Comm. Booth made a MOTION, seconded by Comm. Efkwowitz to approve the Treasurer’s Activity Report for October 2007.

Comm. Crilly asked for any Commissioner comments. There were none.

Comm. Crilly asked for any public comments. There were none.

MOTION was ADOPTED 7-0.

**APPROVAL OF MINUTES – October 1, 2007 Regular Meeting:**

Comm. Efkwowitz made a MOTION, seconded by Comm. Booth to approve the minutes of the October 1, 2007 Regular Meeting as amended.

The following corrections were noted:

Comm. Efkwowitz noted that she was not in attendance at this meeting so the roll call should reflect that and all motions adopted should indicate 6-0.

Comm. Romaniello noted that on Page 15, 16, 17, and 19 where it indicates Comm. Martin’s comments; it should be Comm. McKenna not Comm. Martin. Also on Page 20 the word “order” should be changed to “odor”.

Comm. Crilly asked for any public comments. There were none.

MOTION was ADOPTED 7-0.

**FINANCE & ADMINISTRATIVE COMMITTEE:**

Appointments:

Comm. McKenna made a MOTION, seconded by Comm. Romaniello to reappoint Dr. Murrell Dobbins to the Upper Moreland Historical Commission for a three-year term to expire on 9/9/2010.

Comm. McKenna said he is interested in historical houses and he would be a great person to serve on this commission.

Comm. Booth said he is very interested in historic things so he is great person for the Historic Commission.

Comm. Crilly agreed, and commented that he is the President of the Commission at the present time. He asked for any public comments. There were none.

MOTION was ADOPTED 7-0.

Comm. McKenna made a MOTION, seconded by Comm. Efkwitz to reappoint Marvin B. Clymer to the Parks & Recreation Advisory Council for a two year term expiring on 12/31/2009.

Comm. Efkwitz thanked Mr. Clymer for his service and dedication for serving another two years.

Comm. Booth added that he is on the PRAC too, and Marvin never misses a meeting and participates in all activities. He is also involved with the Pennypack Park.

Comm. Crilly asked for any public comments. There were none.

MOTION was ADOPTED 7-0.

Comm. McKenna made a MOTION, seconded by Comm. Hotchkiss to appoint Dan Fannon to alternate position on the Zoning Hearing Board with a term to expire on 4/5/08.

Comm. McKenna said he reviewed his resume and it is very impressive.

Comm. Booth added that part of Mr. Fannon's job is dealing with local, state and federal regulations so he has appeared before numerous Boards. He has an education of a B.A. in Biological Science and has lived in the Township for 24 years.

Comm. Martin commented that he has known Dan for eight years and he would like to serve the Township and his neighbors on the ZHB. He would like to use his experience as a compliance expert at Polysciences in Warrington. He will be a great asset to the ZHB and he recommends him highly

Comm. Crilly asked for any public comments. There were none.

MOTION was ADOPTED 7-0.

List of Bills Payable:

**General Fund Checks:**      Beginning Check #83295  
Ending Check #83639  
General: \$1,660,621.14  
Debt:      \$373,569.52      (Check #'s 83295 and 83549)  
Total:    \$2,034,190.66  
Voids:    None

**Escrow Fund Checks:**      Beginning Check #6779  
Ending Check #6796

Total: \$19,868.46  
Voids: None

**Liquid Fuel Fund Checks:**    Beginning Check #1740  
Ending Check #1746

Total: \$26,464.14  
Voids: None

**Revolving Funds Checks:**    Beginning Check #1735  
Ending Check #1739

Total: \$11,684.95  
Voids: None

Comm. Crilly asked for any comments from Commissioners.

Comm. Efkwitz asked about a bill from Justice Investigations for hours and miles for a month.

Mr. Crawford replied that was the investigation and background checks for the Police Chief candidate.

Comm. Crilly asked for any public comments. There were none.

MOTION was ADOPTED 7-0.

**OTHER ITEMS:**

Comm. McKenna made a MOTION, seconded by Comm. Romaniello to approve the distribution of excess interest awarded by Pension Plan (Non-Uniformed Employees) and the distribution of excess interest awarded by Pension Plan (Firefighters).

Mr. Crawford said our funds are measured on actuarial assumptions. If we exceed the actuarial assumptions; it is an actuarial gain. It is his recommendation that we use a small portion of the shares to increase the cash value to all of the participants to the plan and nothing is given to supplemental pension benefits.

Comm. Crilly asked for any comments from Commissioners.

Comm. Booth asked Mr. Crawford how he made the distribution between what will be left in the plan and what will be distributed.

Mr. Crawford replied we have the option to accept it or not accept it.

Comm. Booth asked is it solely up to the Board of Commissioners to make this decision?

Mr. Crawford replied yes.

Comm. Crilly asked for any public comments. There were none.

**COMMUNITY DEVELOPMENT & PUBLIC WORKS COMMITTEE:**

**Ordinance No. 1551 Cell Tower Revision:**

Comm. Martin made a MOTION, seconded by Comm. Booth to adopt Ordinance No. 1551 Cell Tower Revision.

Comm. Crilly asked for any comments from Commissioners.

Comm. Martin said the Finance & Administrative Committee recommend that we approve the revisions of the cell tower ordinance. The APA and MCPC recommend approval as well. The revisions will significantly restrict permissible locations of cell tower sites.

Comm. Crilly asked for any public comments. There were none.

MOTION was ADOPTED 7-0.

**PARKS & RECREATION COMMITTEE:**

*There were no action items at this time.*

**PUBLIC HEALTH & SAFETY COMMITTEE:**

*There were no action items at this time.*

**REDEVELOPMENT COMMITTEE:**

Resolution R-2007-27:

Comm. Romaniello made a MOTION, seconded by Comm. Efkwitz to adopt Resolution R-2007-27 approval of crosswalk maintenance agreement with PennDOT.

Comm. Crilly asked for any comments from Commissioners.

Comm. Romaniello said this is an agreement between our Township and PennDOT that the Township will install and maintain the crosswalk at the intersection of Rt. 611 and Easton Road.

Comm. Crilly asked for any public comments.

Kevin Spearing commented PennDOT's crosswalks are stamped in concrete and macadam and were recently installed in Hatboro. They indicate the crosswalk will be 20 ft. wide, which seems very wide to him.

Comm. Efkwitz replied that is likely a PennDOT standard.

MOTION was ADOPTED 7-0.

**NEW BUSINESS:**

There was no New Business at this time.

**COMMISSIONER COMMENTS:**

Comm. Efkwitz said Solicitor Kerns put out a letter regarding listing of properties on the website.

Solicitor Kerns replied we should discuss it in committee.

Comm. Efkwitz said she sits on the State Association Executive Committee, and we work with lobbyists for Township issues. She will give a copy of the DCED Countywide Earned Income Tax Collection Proposal to the Board. It is House Bill 1599 and Senate Bill 1063.

Comm. Booth suggested that the Finance & Administrative Committee discuss it in committee.

Mr. Crawford noted that the Finance Office is against this legislation in its present form and he hopes that it fails.

Regular Meeting

November 13, 2007

**ADJOURNMENT:** 10:37 p.m.

Respectfully submitted,

S. Elizabeth Vile