

Cheltenham Township, believing that public input is appropriate on any items coming before the Commissioners, will recognize any citizen wishing to address a specific item prior to the vote on that issue. In order to be recognized, please raise your hand.

PUBLIC AFFAIRS COMMITTEE

Kathy A. Hampton, Chairperson
J. Andrew Sharkey, Vice Chairperson
Charles D. McKeown, Member
Daniel B. Norris, Member
Harvey Portner, Member
Morton J. Simon, Jr., Member
Art Haywood, Ex-Officio Member

Wednesday, February 1, 2012

7:30 p.m.


Curtis Hall

AGENDA

1. Receipt of the Report of the Property Supervisor for the month of January, 2012 (see attached).
2. Receipt of the Report of the Public Information and Complaint Officer for the month of January, 2012 (see attached).
3. Receipt of the Twinning Committee Meeting Minutes dated January 4, 2012.
4. Receipt of the Staff Meeting Minutes dated January 10, 2012.
5. Receipt of the Historical Commission Meeting Minutes dated January 12, 2012.
6. Receipt of the Economic Development Task Force Meeting Minutes dated January 17, 2012.
7. Receipt of the Substance Abuse and Mental Health Committee Meeting Minutes dated January 19, 2012.
8. Review and discussion of the ballot tabulation for the Glenside Business Improvement District ("BID") and proposed Ordinance (see attached).
9. Review and discussion of a draft anti-discrimination Ordinance (see attached).
10. Quarterly Report from Library President Carrie Turner.
11. Continued discussion of a fee increase for pension investment consulting services by the PFM Group (see attached).
12. Consider recommending to the Board the adoption of a Resolution authorizing the filing of a grant application for exterior rehabilitation at the Cheltenham Art Center (see attached).

AGENDA – PUBLIC AFFAIRS COMMITTEE MEETING
February 1, 2012
Page Two

13. Old Business.
14. New Business.
 - a. Appointment of a Commissioner to the Sustainability Committee.
15. Citizens' Forum.
16. Adjournment.



David G. Kraynik
Township Manager

Township of Cheltenham

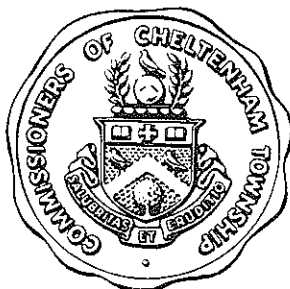
Montgomery County, Pennsylvania

Board of Commissioners

Art Haywood, President
Harvey Portner, Vice President
Kathy A. Hampton
Charles D. McKeown
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Morton J. Simon, Jr.

Township Manager

David G. Kraynik



Administration Building

8230 Old York Road
Elkins Park, PA 19027-1589

Phone: 215 887-1000
FAX: 215 887-1561
Website: cheltenhamtownship.org

MEMORANDUM

DATE: January 26, 2012
TO: Public Affairs Committee
FROM: Joseph Dunleavy, Property Supervisor
SUBJECT: Report of Property Department – January 2012

The following is an outline of work performed during the month of January 2012:

- A. Professional Contractors
1. Administration Building
 - Pitney Bowes' technician installed printer for mail machine.
 2. Brookdale Pump Station
 - E.T. Electric's technician repaired power box for sump pump.
 3. District Justice Cerski's Office
 - Green Eagle Enterprise submitted an estimate for insulation.
 - Reilly Insulation Inc. submitted an estimate for insulation.
 - TRIAC submitted an estimate for auxiliary heat.
 4. Richard Wall House Museum
 - Minter Claims Service Adjuster checked the damage reported on the third floor roof and is coordinating an insurance claim.
 - Masonry Preservation Group submitted a quote for masonry repair and Schwartz Masters submitted a quote for interior repairs.
- B. Richard Rone, my assistant, and I have accomplished the following:
1. Administration Building
 - Posted outgoing mail.
 - Took mail to post office.
 - Recycled three times a week.
 - Kept copy paper stocked.
 - Took storage boxes to archive area from several departments.
 - Set boardroom up for several meetings.

- Replaced light bulbs, as needed.
 - Cleaned front porch patio.
 - Cleaned roof drains.
 - Continued to scrutinize third floor tiles and glued loose ones.
 - Delivered agendas to Curtis Hall for various meetings.
 - Collected trash from all offices on Tuesdays and Thursdays.
 - Cleaned restrooms on first and second floors on Tuesdays and Thursdays.
 - Supplied restrooms with paper goods on Tuesdays and Thursdays.
 - Adjusted and repaired shelves holding paper supply in the mail room.
 - Began installing new light fixtures in the basement.
 - Posted 9000 pieces of mail for Tax Department.
 - Installed new printer on mail machine.
 - Repaired door lock on janitor's closet in the closet.
 - Removed and replaced broken chair in Building & Zoning Department.
 - Brought up supply of new calendars for Public Information Office.
 - Picked up new office chair for Accounting Department.
 - Received and stored XPEDX order of paper supplies.
 - Repaired lock on Accounting Department's door and had keys made.
 - Updated mail machine with new postage.
 - Installed a new towel dispenser in ladies room near the lobby and in the restroom near the boardroom.
 - Repaired toilet in the second floor ladies room.
 - Took down holiday tree and stored in basement.
 - Replaced light ballast in Building & Zoning Department.
2. Brookdale Pump Station
- Cleaned pit area and flood gates.
 - Installed new batteries in the rain gauge.
 - Repaired drain pipe on the sump pump.
 - Assisted E.T. Electric's technician in repairing power box for sump pump.
3. Police Administration Building
- Recycled three times a week.
 - Replaced light bulbs, as needed.
 - Kept copy paper stocked.
 - Cleaned roof drains.
 - Collected trash on Tuesdays and Thursdays.
 - Cleaned cells and restrooms on first floor and basement.
 - Supplied restrooms with paper goods on Tuesdays and Thursdays.
4. District Justice Cerski's Office
- Recycled three times a week
 - Replaced light bulbs, as needed.
 - Cleaned roof drains.
 - Emptied outside trash can.
 - Collected trash on Tuesdays and Thursdays.
 - Cleaned restrooms on Tuesdays and Thursdays.
 - Supplied restrooms with paper goods on Tuesdays and Thursdays.

5. EMS Building
 - Repaired both exit doors on the side of the building.

 6. Public Works Facility Building/Emergency Operations Center
 - Recycled.
 - Kept copy paper stocked.
 - Replaced light bulbs, as needed.
 - Cleaned roof drains.
 - Repaired heater fan motor in Parks' Garage
 - Repaired heating unit in dog kennel area.
 - Repaired the light fixture in the storage area of the leaf site.
 - Repaired the door closer on the front door of the EOC.
 - Repaired overhead garage door #3 in the garage area.
 - Repaired the toilet in the ladies room near the lobby.

 7. Rowland Community Center
 - Delivered copy paper.
 - Cleaned roof drains
 - Cleaned all roofs with leaf blower.
 - Replaced broken tiles in the gym ceiling.

 8. Richard Wall House Museum
 - Picked up ten new bookcases from Home Depot and delivered them to the Springhouse for storage.
- C. Miscellaneous
- Continued monitoring and recording rain gauge measurements.
 - Called for pricing and generated purchase orders, as needed.
 - Generated purchase orders for emergency repairs throughout all my buildings.
 - I have contacted and/or met with the following contractors:
 - a) Contractors for pre-bid meeting for Mold Abatement throughout the Police Administration Building.

JJD:mr

xc: David G. Kraynik, Township Manager
Bryan T. Havir, Assistant Township Manager

Township of Cheltenham

Montgomery County, Pennsylvania

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January 27, 2012

Memo to: Board of Commissioners
Public Affairs Committee

Attn: David G. Kraynik, Township Manager
Bryan T. Havir, Asst. Township Manager

RE: January 2012 Monthly Report

1. PUBLICITY PROJECTS

Electronic BillboardClean Water Tip #9
Release/Website/Channel 42/E-BlastPublic Works Facilities Weekend Hours Resume
Photo and Caption/Website.....10-Year Volunteers Honored
Photo and Caption/Website.....20-Year Volunteers Honored
Release/Website/Channel 42/E-BlastBasketball Programs at Community Centers
Release/Website/Channel 42/E-BlastTalent Show Auditions
Release/Website/Channel 42/E-BlastBlack History Month Activities
Release/Website/Channel 42/E-BlastFebruary Meetings in Cheltenham
Release/Website/Channel 42/E-BlastFirst Friday in Downtown Glenside in February
Release/Website/Channel 42/E-BlastMaple Sugaring Event
Release/Website/Channel 42/E-BlastMaking a Difference Award Nominations
Release/Website/Channel 42/E-BlastBlack History Month Activities in La Mott
Website/Channel 42/E-Blast.....Arcadia E-Waste, Shredding and Re-Purposing
Event
Channel 42Cheltenham Little League Registration
Website/Channel 42Public Safety Drill at Arcadia
Website/Channel 42/E-Blast.....Public Works Committee Meeting Canceled
Website/Channel 42/E-Blast.....Keep the Parade Running
Channel 42Women's League of Voters Representative Meeting

2. **PRINT JOBS**

- A. *MS4 Fliers with Business Privilege Tax Mailing:* I updated last year's MS4 fliers and designed a Business Practices Survey for Cleaner Water to mail with this year's business privilege tax mailing to both continue to educate and help assess the effectiveness of the education campaign.
- B. *Requests for 2012 Information:* I updated the DCED Municipal Report of Elected and Appointed Officials and the Montgomery Bar Association Directory.
- C. *Essay Contest and Making a Difference Nominations:* I reviewed and photocopied fliers for the Substance Abuse and Mental Health Committee's Essay Contest and Making a Difference Award for distribution at area schools.
- D. *New Resident Package Fliers:* I updated the refuse/recycling flier for single-stream recycling and new weekend hours and the Cheltenham-Only TransNet flier for 2012.

3. **WEBSITE**

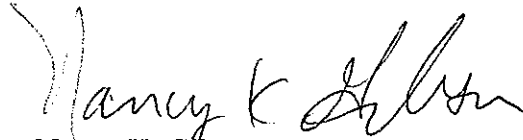
I added press releases, 2012 meetings in the calendar section, 2012 final budget, Glenside BID documents, First Friday in February, Making a Difference nomination form, 2012 Essay Contest flier, and Board President's Remarks for 2012. I updated the business directory, Public Works facility hours and roadwork pages. I responded to eight concerns reported via the website.

4. **COMMUNITY PROJECTS/INFORMATION REQUESTS**

- A. I attended the January 4, 2012, meeting of the Twinning Committee as Township staff liaison.
- B. I attended the January 19, 2012, meeting of the Substance Abuse and Mental Health Committee as Township staff liaison.
- C. I prepared 24 new resident packages, which were given to EMS for delivery.
- D. I received and/or responded to four Right-to-Know Law requests, as appropriate.
- E. For the Cheltenham-only service, TransNet reported 313 trips in December resulting in a charge of \$1,169.21 to the Township. The total charges for 2011 were \$13,246.64.
- F. I contacted numerous communities to research options for broadcasting Township Commissioner meetings on the cable access Channel 42. I also contacted several vendors for cost estimates, to encompass both Curtis Hall and the Township Administration Building.

- G. Eight requests for Township information or services were received directly by this office. Responses were made to all requests, as appropriate.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nancy K. Gibson". The signature is written in black ink and is positioned above the printed name and title.

Nancy K. Gibson
Public Information Officer

ORDINANCE NO. ____-11

AN ORDINANCE OF THE TOWNSHIP OF CHELTENHAM, MONTGOMERY COUNTY, PENNSYLVANIA (THE "TOWNSHIP") AMENDING THE CODE OF THE TOWNSHIP OF CHELTENHAM, CREATING A NEW CHAPTER ____ THEREOF, ENTITLED "THE GLENSIDE BUSINESS IMPROVEMENT DISTRICT," BY ESTABLISHING A NEIGHBORHOOD IMPROVEMENT DISTRICT IN AN AREA THAT GENERALLY INCLUDES ALL REAL PROPERTIES THAT FRONT ON EASTON ROAD BETWEEN MOUNT CARMEL AND WAVERLY ROAD, ALL REAL PROPERTIES THAT FRONT ON EAST AND WEST GLENSIDE AVENUE BETWEEN CLAYTON ROAD AND KESWICK AVENUE, ALL REAL PROPERTIES THAT FRONT ALONG THE KESWICK AVENUE BETWEEN PARKSIDE LANE AND PAXSON AVENUE, AND ALL REAL PROPERTIES THAT FRONT ALONG WESLEY AVENUE BETWEEN EASTON ROAD AND BICKLEY AVENUE, TO BE KNOWN AS THE "DOWNTOWN GLENSIDE BUSINESS IMPROVEMENT DISTRICT" (THE "DGBID"); DESIGNATING THE DOWNTOWN GLENSIDE BUSINESS IMPROVEMENT DISTRICT, INC., A PENNSYLVANIA NONPROFIT CORPORATION, AS THE NEIGHBORHOOD IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION FOR THE DGBID; APPROVING A PLAN FOR THE DGBID, INCLUDING A LIST OF PROPOSED IMPROVEMENTS AND THEIR ESTIMATED COSTS; PROVIDING FOR ASSESSMENT FEES TO BE LEVIED ON PROPERTY OWNERS WITHIN THE DISTRICT; AUTHORIZING THE TAX COLLECTOR, ON BEHALF OF THE TOWNSHIP, TO EXECUTE AN AGREEMENT WITH THE DOWNTOWN GLENSIDE IMPROVEMENT DISTRICT, INC. RELATING TO THE COLLECTION OF FEES FOR THE DISTRICT; AND AUTHORIZING THE DOWNTOWN GLENSIDE IMPROVEMENT DISTRICT, INC., TO ASSESS PROPERTY OWNERS WITHIN THE DISTRICT A SPECIAL PROPERTY ASSESSMENT FEE TO BE USED IN ACCORDANCE WITH THE PLAN APPROVED HEREBY; ALL IN ACCORDANCE WITH THE PROVISIONS OF THE NEIGHBORHOOD IMPROVEMENT DISTRICT ACT, AND UNDER CERTAIN TERMS AND CONDITIONS.

WHEREAS, pursuant to the Pennsylvania Neighborhood Improvement District Act, 73 P.S. §§ 831 *et seq.* (the "Act"), municipal corporations (as defined in the Act) are authorized to designate limited geographic areas within a municipality, other than tax-exempt property, comprised of real property which is used for any for-profit activity involving trade and traffic, or commerce in general, as a business

improvement district for the purpose of promoting the economic and general welfare of the district and the municipality (an "BID"); and

WHEREAS, the Board of Commissioners (the "Board") of the Township of Cheltenham, Montgomery County, Pennsylvania (the "Township") may establish within the Township an area designated as an BID; and

WHEREAS, the Board of the Township may establish a neighborhood improvement district management association ("NIDMA") to administer the BID and has established the Downtown Glenside Business Improvement District, Inc., for such purposes; and

WHEREAS, the Board of the Township may collect special property assessments on behalf of the NIDMA levied on designated properties within the BID and employ any legal methods to ensure collection of the assessments; and

WHEREAS, the Act requires the Township to notify all affected property owners within the proposed Downtown Glenside Business Improvement District ("DGBID") and allow them thirty (30) days to review a Preliminary Plan, to comment upon the Preliminary Plan during an advertised public hearing, to revise the Preliminary Plan accordingly if required, to allow them to review the Final plan for an additional thirty (30) days, to comment upon the Final Plan during an advertised public hearing, and to vote upon the Final Plan, and the Township has complied with all timelines required for passage; and

WHEREAS, the affected property owners in the DGBID were given an opportunity to file objections in writing with the Secretary of the Board of the Township within forty-five (45) days of presentation of the Final Plan; and

WHEREAS, the Secretary of the Board of the Township has received _____ written objections to the Final Plan and has determined that such number is less than 40%, in numbers, of the owners of benefited properties within the proposed DGBID; and

WHEREAS, the Final Plan has therefore been satisfactorily approved by at least sixty percent (60%) of the affected property owners within the DGBID and is attached hereto; and

WHEREAS, the owners of the benefited properties within the boundaries of the DGBID support the establishment of a BID and the listed programs and services as provided by the Final Plan which is attached to this Ordinance; and

WHEREAS, in the case of default in the payment of any installment and interest for a period of ninety (90) days after the payment becomes due, the Act allows the Township to assess and enforce penalties as described in Section 2 within this Ordinance; and

WHEREAS, the Board of the Township may include a sunset provision of no less than five years in this Ordinance and in the contract with the NIDMA.

Be it resolved by the Board of Commissioners of the Township of Cheltenham, Montgomery County, Pennsylvania as follows:

Section 1. The Board of the Township hereby establishes the Downtown Glenside Business Improvement District and enacts the DGBID Final Plan (attached hereto as Exhibit "A" and incorporated herein) as shown on the map attached as Exhibit 1 to the DGBID Final Plan. The Board hereby approves the DGBID Final Plan attached hereto as Exhibit "A" and incorporated herein.

Section 2. The Board designates the Downtown Glenside Business Improvement District, Inc. as the neighborhood improvement district management association, authorizes the Downtown Glenside Business Improvement District, Inc. to assess property owners within the DGBID a special property assessment fee in accordance with the provisions of this Ordinance and the Act, and also authorizes the Township Manager and the Township Finance Director to enter into an agreement with the Downtown Glenside Business Improvement District, Inc. detailing the respective duties and responsibilities of the Township and the Downtown Glenside Business Improvement District, Inc. (the "Agreement").

Section 3. The Agreement to be entered into between the Township Manager and the Township Finance Director and the Downtown Glenside Business Improvement District, Inc. detailing the respective duties of the parties after creation of the DGBID shall include an indemnity provision indicating that if any claim should arise alleging that the Board of the Downtown Glenside Business Improvement District, Inc. acts or has acted as an agent of the Township, the Board of the Downtown Glenside Business Improvement District, Inc. will indemnify, defend and hold the Township harmless from all claims, judgments and costs arising out of actions taken by the Board of the Downtown Glenside Business Improvement District, Inc. in furtherance of the services and improvements described herein.

Section 4. Claims to secure the assessments shall be entered in the Prothonotary's Office of Montgomery County by the Township at the same time and in the same manner of form and shall be collected in the same manner as municipal claims are filed and collected, except the following shall apply:

(a) In the case of default in the payment of any installment and interest for a period of ninety (90) days after the same shall become due, then the entire assessment, with accrued interest and penalties, shall become due and become a lien from the due date of the installment. Interest shall be calculated at the repayment rate of interest, not to exceed 10%, from the date of any default in payment on any installment due, plus an additional 10% shall be added to the amount due and payable for the costs incurred by the Township in collection of the entire assessment amount.

(b) Any owner of property, against whom an assessment has been made, may pay the same in full, at any time, with the accrued interest and costs thereon, and such payment shall discharge the lien of such assessment or installments then constituting a lien, and shall also release the claim to any later installments.

Section 5. The DGBID shall terminate on _____. The DGBID may be continued beyond such date, provided this Ordinance is reenacted following a review by the Board of the Township of the DGBID and the Downtown Glenside Business Improvement District, Inc. programs and services provided within the DGBID.

Section 6. The Secretary of the Board of the Township shall keep on file and make available for inspection by the public during regular business hours the DGBID Final Plan attached hereto as Exhibit "A" and all accompany exhibits referenced therein.

Section 7. Nothing in this Ordinance or in the Code of the Township of Cheltenham shall be construed to affect any suit or proceeding in any Court, and rights acquired or liability incurred, any permit issued or any cause or causes of action existing under the said Code prior to the adoption of this Ordinance.

Section 8. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provisions hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not be included herein.

Section 9. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED into an ORDINANCE this ____ day of _____, 2011.

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**

By: _____
Harvey Portner, President

ATTEST:

By: _____
David G. Kraynik,
Secretary and Township Manager

(SEAL)

Exhibit "A"

DOWNTOWN GLENSIDE BUSINESS IMPROVEMENT DISTRICT FINAL PLAN

1) Map indicating the boundaries, by street, of the Downtown Glenside Business Improvement District (the "DGBID"): Attached hereto as Exhibit 1.

2) Detailed Report from the Municipality:

i) Name: The District shall be designated the Downtown Glenside Business Improvement District (the "DGBID").

ii) Service Area of the DGBID: The service area of the DGBID are set forth as follows:

All real properties that front on Easton Road between Mount Carmel and Waverly Road;

All real properties that front on East and West Glenside Avenue between Clayton Road and Keswick Avenue;

All real properties that front along the Keswick Avenue between Parkside Lane and Paxson Avenue; and

All real properties that front along Wesley Avenue between Easton Road and Bickley Avenue.

Assessed properties shall include those property that are commercial as defined by the Pennsylvania Neighborhood Improvement District Act, 73 P.S. §§ 831 *et seq.* (the "Act") and residential properties containing five (5) or more residential units. Tax-exempt properties located within the DGBID are permitted and encouraged to provide in-kind services or a financial contribution to the Downtown Glenside Improvement District, Inc. in lieu of a property assessment fee.

iii) List of Properties to be Assessed: Attached hereto as Exhibit 2.

iv) List of Proposed Improvements Within the DGBID and their Estimated Cost: Within the DGBID, the following improvements, programs and services shall be provided at the estimated cost:

Year One:

Administration	\$45,000
Beautification	\$15,000
Marketing/Economic Development	\$30,318

Year Two

Administration	\$46,000
Beautification	\$15,000
Marketing/Economic Development	\$40,423

Years Three – Five

Administration	\$47,000
Beautification	\$15,000
Marketing/Economic Development	\$50,530

vi) Proposed Budget for the First Fiscal Year, Including Revenue Sources for Financing All Proposed Improvements:

A) Proposed Revenue Sources for Financing All Proposed Improvements, Programs and Services:

(1) **Annual Assessments.** All benefited properties located within the boundaries of the DGBID shall pay an annual assessment as follows:

Year One: 1.5 mills on each dollar of assessed valuation

Year Two: 2 mills on each dollar of assessed valuation

Year Three – Five: 2.5 mills on each dollar of assessed valuation

Residential properties are hereby exempt from paying the annual DGBID assessment.

The set millage shall generate an annual revenue of the following amounts in each year:

Year One:	\$33,138
Year Two:	\$44,424
Years Three-Five:	\$55,530

(2) **Arcadia Annual Contribution.** Arcadia University has agreed to partner with the Downtown Glenside Business Improvement District, Inc. to improve the business environment within the DGBID. Arcadia University has therefore agreed to contribute an annual amount of \$20,000 to the budget of the DGBID. The contribution shall be paid to the Downtown Glenside Business Improvement District, Inc. no later than March 1st of each year.

(3) **Event Sponsorships.** The Downtown Glenside Business Improvement District, Inc. shall garner support from corporations and foundations to assist in sponsoring special events in the DGBID. The Downtown Glenside Business Improvement District, Inc. shall attempt to annually raise \$10,000 in event sponsorships to assist in paying for proposed improvements within the DGBID.

(4) **Advertising Co-ops.** The Downtown Glenside Business Improvement District, Inc. shall structure annual advertising campaigns that provide an opportunity for co-operative advertising campaigns. The Downtown Glenside Business Improvement District, Inc. shall formulate annual campaigns that seek to generate \$ 12,000 annually.

(5) **Township Contribution.** The Township shall annually contribute \$15,000 in either monetary funds or in-kind services to assist the Downtown Glenside Business Improvement District, Inc. in implementing the beautification program.

B) Uses: The proposed budget for the first fiscal year is \$90,318 and is attached hereto as Exhibit 3.

vii) Estimated Time for Implementation and Completion of All Proposed Programs and Services: The plan anticipates these programs and services shall be provided on an annual basis within the first year of operation through year five.

viii) The Administrative Body Which Will Govern and Administer the BID: The Downtown Glenside Business Improvement District, Inc., shall be incorporated as a 501(c)(3) corporation created and designated as the NIDMA for purposes of governing and administering programs and services within the DGBID.

ix) Powers and Duties of and the Method for Making Decisions by the NIDMA: The Downtown Glenside Business Improvement District, Inc. will make decisions according to the bylaws created and attached hereto as Exhibit 4 and be incorporated under the articles of incorporation created and attached hereto as Exhibit 5.

The Board of the Downtown Glenside Business Improvement District, Inc. shall consist of nine members that are property or business owners within the DGBID who shall be appointed in a manner consistent with the bylaws of the Downtown Glenside Business Improvement District, Inc. The Board shall include one (1) representative of Arcadia University and one (1) representative of the Township.

x) Method of Determining the Assessment Fee to be Levied on Property Owners within the DGBID under the Act: The programs and services shall be financed by an annual assessment of all commercial benefited properties located within the following boundaries:

All real properties that front on Easton Road between Mount Carmel and Waverly Road;

All real properties that front on East and West Glenside Avenue between Clayton Road and Keswick Avenue;

And all real properties that front along the Keswick Avenue between Parkside Lane and Paxson Avenue; and

All real properties that front along Wesley Avenue between Easton Road and Bickley Avenue.

All aforesaid properties shall be assessed at the following rates in each respective year:

Year One: One and one-half (1.5) mill for each dollar of assessed value

Year Two: Two (2) mills for each dollar of assessed value

Year Three: Two and one half (2.5) mills for each dollar of assessed value

Year Four: Two and one half (2.5) mills for each dollar of assessed value

Year Five: Two and one half (2.5) mills for each dollar of assessed value

xi) Appointment Initial Board Members. The following persons shall be appointed to serve as initial board members of the Downtown Glenside Business Improvement District, Inc.:

a)

b)

c)

d)

e)

f)

g)

The following person shall be appointed as the Township of Cheltenham Representative:

a)

The following person shall be appointed as the Arcadia University Representative:

a)

3) Additional Requirements under the Act:

i) Specific Duties and Responsibilities of Both the Downtown Glenside Business Improvement District, Inc. and the Township of Cheltenham with respect to the DGBID.

1) The Downtown Glenside Business Improvement District shall:

- (1) Seek grant funding for all physical improvements identified within the Plan.
- (2) Seek additional financial support for the DGBID from area residents and corporations.
- (3) Implement and oversee the programs and services identified within the Plan.
- (4) Send invoices to all owners of property listed in Section 2)iii) above that are located within the DGBID.
- (5) Send notices of both delinquencies and requests for lien removal to the Township.
- (6) Collect revenues pursuant to section 2)vi) above.
- (7) Submit an annual audit of all income and expenditures to the Commonwealth of Pennsylvania, Department of Community and Economic Development and to the Township of Cheltenham. Said audits shall be submitted within one hundred twenty (120) calendar days after the end of the fiscal year.

2) The Township of Cheltenham shall:

- (1) File liens:
 - (a) Claims to secure the assessments shall be entered in the Prothonotary's Office of Montgomery County
 - (b) Bills for lien costs shall be sent to the Downtown Glenside Business Improvement District, Inc.
- (2) Work with the Downtown Glenside Business Improvement District, Inc. in securing funding for physical improvements identified within this Plan.
- (3) Work with the Downtown Glenside Business Improvement District, Inc. in planning and implementing physical improvements identified within this Plan.

ii) Requirement for a Written Agreement be signed by the Township and describing in detail their respective duties and responsibilities: Within ninety (90) days of the passing of the Ordinance

creating the DGBID, the Downtown Glenside Business Improvement District, Inc. and Township shall enter into a written agreement (the "Agreement") describing in detail the respective duties and responsibilities of the Township and the Downtown Glenside Business Improvement District, Inc.

iii) Municipal Programs and Services: For the Agreement referred to in Section 3)ii herein, it is acknowledged that the Agreement shall require the Township to maintain the same level of municipal programs and services provided within the DGBID before DGBID designation as after DGBID designation, to the extent that municipal programs and services directly relate to this Plan. The Township may include in the Agreement a sunset provision of no less than five years for renewal of the Agreement. Under the Agreement, the Township will be responsible for the collection of all property assessment fees levied within the DGBID.

iv) Sunset Provision: The DGBID shall automatically terminate on _____, unless continued or extended by subsequent action of the Board of the Township of Cheltenham in accordance with the provisions of the Act.

v) Defeat of Establishment of DGBID. A negative vote of at least forty percent (40%) of the property owners within the DGBID shall be required to defeat the establishment of the DGBID by filing objections with the Secretary of the Board of the Township within forty-five (45) days of presentation of this Final Plan where the Board of the Township is inclined to establish the DGBID.

Township of Cheltenham

Montgomery County, Pennsylvania

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Phone: 215 887-1000
FAX: 215 887-1561
Website: cheltenhamtownship.org

January, 2012

PROPOSED GLENSIDE BUSINESS IMPROVEMENT DISTRICT (BID)

Dear Property Owner:

As you may know, the public hearing on the proposed Glenside Business Improvement District (the "BID") was held and concluded on November 16, 2011. Twenty interested parties, including property owners and business owners, attended the public hearing and offered their input. A copy of the verbatim transcript can be reviewed on the Township's website at www.cheltenhamtownship.org under Business>Main Street Program.

In accordance with Pennsylvania Neighborhood Improvement District Act 73 P.S. Section §831, we have ended the 45-day comment period since the public hearing. We received written comments from some property owners and we are taking the comments and suggestions under advisement. If the BID moves forward and becomes law, the newly created non-profit BID Board of Directors will be given an opportunity to review and address the comments and determine, which if any, it wants to incorporate. It would only be fair to allow the nine (9) member BID Board, which will have a majority representation of commercial property owners, be charged with making those decisions on behalf of all the property owners' interests in the BID rather than the Township. However, before that can be decided, there needs to be a vote taken by the property owners within the proposed BID boundaries "in favor" or "against" creating the new BID, the Plan and its governing board.

For your convenience, and to facilitate the procedures required by law to establish the BID, we are providing the enclosed ballot for you to indicate your approval or disapproval of the plan and to return to the Township by February 1, 2012. If 40% or more of the property owners within the proposed boundaries of the BID disapprove of the establishment of the BID by submitting the enclosed postcard, the BID plan will be defeated.

A tally of votes received will be taken and reported at the Public Affairs Committee meeting of the Board of Commissioners on February 1, 2012. Formal adoption of the Ordinance to enact the BID is scheduled for consideration by the Board of Commissioners on February 15, 2012. If there is enough support to create the BID and the legislation is adopted by Ordinance on

**OFFICIAL BALLOT FOR ESTABLISHMENT OF THE GLENSIDE BUSINESS
IMPROVEMENT DISTRICT (BID)**

I _____ Approve / _____ Disapprove (Please Check One)

the establishment of the Glenside Business Improvement District based upon the plan presented to the Board of Commissioners of Cheltenham Township on November 16, 2011.

Signature of Property Owner: _____

Property Owner Name: _____

Address of Property: _____

Additional Written Comments: _____

(Ballot must be received by 4 PM on February 1, 2012 to be counted.)

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CHELTENHAM, ADDING CHAPTER 47, TO PROVIDE FOR THE CREATION OF THE CHELTENHAM TOWNSHIP HUMAN RELATIONS COMMISSION, AND TO PROHIBIT DISCRIMINATION IN HOUSING ACCOMMODATIONS, COMMERCIAL PROPERTY, EMPLOYMENT AND PUBLIC ACCOMMODATIONS ON THE BASIS OF ACTUAL OR PERCEIVED RACE, COLOR, AGE, RELIGIOUS CREED, ANCESTRY, SEX, NATIONAL ORIGIN, HANDICAP OR DISABILITY, USE OF GUIDE OR SUPPORT ANIMALS AND/OR MECHANICAL AIDS BECAUSE OF THE BLINDNESS, DEAFNESS OR PHYSICAL HANDICAP OF THE USER OR BECAUSE THE USER IS A HANDLER OR TRAINER OF SUPPORT OR GUIDE ANIMALS, OR BECAUSE OF AN INDIVIDUAL'S ACTUAL OR PERCEIVED SEXUAL ORIENTATION, GENDER IDENTITY OR GENDER EXPRESSION; PROVIDING DEFINITIONS AND EXCEPTIONS; AND PROVIDING PENALTIES AND REMEDIES

WHEREAS, the public policy of the United States of America, and the Commonwealth of Pennsylvania is grounded in the concept that all individuals are entitled to equality and equal protection under law, United States Constitution, Amendment 14; Constitution of the Commonwealth of Pennsylvania, Article I, §§ 26, 28; and

WHEREAS, the Board of Commissioners of Cheltenham Township finds that the population of the Township is reflective of the general population of the United States, in that it consists of a diverse array of persons representing different characteristics based upon actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap, disability or use of guide or support animals and/or mechanical aids because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

WHEREAS, the Township prides itself on the diversity of its citizens and residents, and the harmonious relations which have been fostered in the Township by a widely practiced and recognized attitude of respect among all citizens of Cheltenham Township; and

WHEREAS, the Board of Commissioners finds that the direct and secondary negative effects of discrimination and discriminatory practices involving the personal characteristics described above in matters of employment, housing accommodations, commercial property and public accommodation are well known and have been extensively studied, documented and demonstrated; and

WHEREAS, the practice or policy of engaging in discrimination or discriminatory practices against any individual or group, because of actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap, disability or use of guide or support animals and/or mechanical aids because of blindness, deafness or physical handicap of the user

or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression is a matter of highest public concern, and constitutes a paramount threat to the rights, privileges, peace and good order of the citizens of Cheltenham Township and to visitors of Cheltenham Township, that undermines the basic tenants of our freedom as citizens of the United States, and is utterly without place in this Township, which has a storied tradition of fiercely defending the individual rights of its citizens; and

WHEREAS, the Board of Commissioners desires to establish and adopt an official policy of non-discrimination in Cheltenham Township, in all matters involving employment, housing accommodations and commercial property, and public accommodation;

NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Commissioners of the Township of Cheltenham as follows:

SECTION I Short Title.

This Ordinance shall be known as the "Cheltenham Township Human Relations Ordinance. "

SECTION II Purpose and Declaration of Policy.

A. Cheltenham Township finds that it is vital to adopt appropriate legislation to insure that all persons, regardless of actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap, disability, or use of guide or support animals and/or mechanical aids because of blindness, deafness or physical handicap of the user or the user is a handler or trainer of support or guide animals, or sexual orientation, gender identity or gender expression enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing and public accommodations and in publicly offered commercial property transactions.

B. The Board of Commissioners of Cheltenham Township hereby declares it to be the public policy of the Township to foster equality and equal opportunity for all citizens, regardless of actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap, or use of guide or support animals and/or mechanical aids because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression in all matters affecting employment, housing and public accommodations, and in publicly offered commercial property transactions and to safeguard the right of all persons to remain free of discrimination or discriminatory practices in any of the foregoing aspects of their lives.

C. Nothing in this Ordinance shall be construed as supporting, endorsing or advocating any particular doctrine, point of view; or religious belief. On the contrary, it is the express purpose and intent of this Ordinance that all persons be treated fairly and equally, and that all persons in Cheltenham Township shall be guaranteed fair and equal treatment under law.

D. This Ordinance shall be deemed an exercise of the police power of the Township of Cheltenham, as provided for under the Pennsylvania First Class Township Code and the Cheltenham Township Home Rule Charter and the Pennsylvania Human Relations Act, for the protection of the public welfare, prosperity, health and peace of the community of Cheltenham Township.

SECTION III Definitions.

The following words and phrases, when appearing in this Chapter, shall have the meanings given to them under this Section.

1. **BOARD OF COMMISSIONERS:** The Board of Commissioners of Cheltenham Township, Montgomery County.

2. **COMMERCIAL PROPERTY:** (1) Any building, structure or facility, or portion thereof, which is used, occupied or is intended, arranged or designed to be used or occupied for the purpose of operating a business, an office, a manufactory or any public accommodation; and (2) any vacant land offered for sale, lease or held for the purpose of constructing or locating thereon any such building, structure, facility, business concern or public accommodation.

3. **DISCRIMINATION:** Except as otherwise provided herein, any discriminatory act(s) taken by any person, employer, entity, employment agency, or labor organization, with respect to or involving a transaction related to employment, public accommodations, or commercial property or housing accommodations on the basis of a person's actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap, disability or use of guide or support animals and/or mechanical aids because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression. Age discrimination, however, shall not apply to public accommodations.

4. **DISCRIMINATORY ACT(S):** All acts or actions defined in the Pennsylvania Human Relations Act as unlawful discriminatory practices as related to employment, public accommodations, publicly offered commercial property or housing accommodations because of actual or perceived race, color, age, religious creed, ancestry, sex, national origin, handicap, disability or use of guide or support animals and/or mechanical aids because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's actual or perceived sexual orientation, gender identity or gender expression.

5. **EMPLOYEE:** The term does not include any individuals who, as a part of their employment, reside in the personal residence of the employer.

6. **EMPLOYER:** The term includes the Commonwealth or any political subdivision or board, department, commission or school district thereof and any person employing four or more persons within the Commonwealth, but except as hereinafter provided, does not include religious, fraternal, charitable or sectarian corporations or associations, except such corporations or associations supported, in whole or in part, by governmental appropriations. The term "employer" with respect to discriminatory practices based on race, color, age, sex, national

origin or non-job related handicap or disability, includes religious, fraternal, charitable, and sectarian corporations and associations employing four or more persons within the Commonwealth.

7. **EMPLOYMENT:** The opportunity for an individual to obtain employment for which he or she is qualified, or, once hired or in conjunction with being hired, to receive compensation, tenure, terms, conditions and privileges of employment and to not be terminated on the basis of discrimination.

8. **GENDER IDENTITY OR EXPRESSION:** Self-perception, or perception by others, as male or female, including an individual's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or assigned sex at birth, and shall include, but is not limited to, persons who are undergoing or who have completed sex reassignment, are transgender or gender variant.

9. **HOUSING ACCOMMODATIONS:** (1) Any building, structure, mobile home site or facility, or portion thereof, which is used or occupied or is intended, arranged or designed to be used or occupied as the home residence or sleeping place of one or more individuals, groups or families whether or not living independently of each other; and (2) any vacant land offered for sale, lease or held for the purpose of constructing or locating thereon any such building, structure, mobile home site or facility. The term "housing accommodation" shall not include any personal residence offered for rent by the owner or lessee thereof or by his or her broker, salesperson, agent or employee, provided that such person does not own more than three (3) such single-family houses at any one time.

10. **ORDINANCE:** This Ordinance, which shall be referred to as the "Cheltenham Township Human Relations Ordinance" or "this Chapter".

11. **PERSON:** One or more natural persons, fraternal, civic or other membership organizations, corporations, general or limited partnerships, proprietorships, limited liability entities, or similar business organizations, including the Township, its departments, boards and commissions, and any other for-profit and nonprofit organization.

12. **PUBLIC ACCOMMODATION:** Any accommodation, resort or amusement which is open to, accepts or solicits the patronage of the general public, including but not limited to inns, taverns, roadhouses, hotels, motels, whether conducted for the entertainment of transient guests or for the accommodation of those seeking health, recreation or rest, or restaurants or eating houses, or any place where food is sold for consumption on the premises, buffets, saloons, barrooms or any store, park or enclosure where spirituous or malt liquors are sold, ice cream parlors, confectioneries, soda fountains and all stores where ice cream, ice and fruit preparations or their derivatives, or where beverages of any kind are retailed for consumption on the premises, drug stores, dispensaries, clinics, hospitals, bathhouses, swimming pools, barber shops, beauty parlors, retail stores and establishments, theatres, motion picture houses, airdromes, roof gardens, music halls, race courses, skating rinks, amusement and recreation parks, fairs, bowling alleys, gymnasiums, shooting galleries, billiard and pool parlors, public libraries, kindergartens, primary and secondary schools, high schools, academies, college and universities, extension courses and all educational

institutions under supervision of this Commonwealth, nonsectarian cemeteries, garages and all public conveyances operated on land or water or in the air as well as the stations, terminals and airports thereof, financial institutions and all Commonwealth facilities and services, including such facilities and services of all political subdivisions thereof, but shall not include any accommodations which are in their nature distinctly private.

13. SEXUAL ORIENTATION: Actual or perceived homosexuality, heterosexuality and/or bisexuality.

14. TOWNSHIP: The Township of Cheltenham, Montgomery County, Pennsylvania.

15. Any terms of this Chapter not expressly defined herein shall be construed in a manner consistent with the Pennsylvania Human Relations Act.

16. Nothing in this act limits the applicability of the Fair Housing Act and reasonable state or local restrictions on the maximum number of occupants permitted to occupy a dwelling or a reasonable restriction relating to health or safety standards or business necessity. Owners and managers of dwellings may develop and implement reasonable occupancy and safety standards based on factors such as the number and size of sleeping areas or bedrooms and the overall size of a dwelling unit so long as the standards do not violate the Fair Housing Act or state or local restrictions

SECTION IV Unlawful Practices.

1. Discrimination in employment, housing accommodations, publicly-offered commercial property transactions or any public accommodation is prohibited under this Chapter.

2. Retaliation against any individual because such person has opposed any practice prohibited by this Chapter, or because such person has made a charge, testified, or assisted in any manner in any investigation or proceeding under this Chapter is prohibited under this Chapter.

3. Aiding, abetting, inciting, compelling or coercing the doing of any act declared by this Chapter to be an unlawful practice, or obstructing or preventing any person from complying with the provisions of this Chapter is prohibited under this Chapter.

SECTION V Exceptions.

1. Prohibitions against sex discrimination in employment and discrimination in housing accommodations shall not bar any religious or denominational institution or organization or any charitable or educational organization which is operated, supervised or controlled by or in connection with a religious organization or any bona fide private or fraternal organization from giving preference to persons of the same religion or denomination or to members of such private or fraternal organization or from making such selection as is calculated by such organization to promote the religious principles or the aims, purposes or fraternal principles for which it is established or maintained.

SECTION VI Establishment of Human Relations Commission

1. Pursuant to the authority set forth under §12.1 of the Pennsylvania Human Relations Act, 43 P.S. § 962.1, there is hereby established a Human Relations Commission in and for the Township of Cheltenham, which shall be known as the "Cheltenham Township Human Relations Commission."

2. The Cheltenham Township Human Relations Commission shall consist of nine (9) members, who shall be appointed to terms of three (3) years by the Board of Commissioners. The terms of the members of the Commission shall be staggered, such that the term of at least three (3) members of the Commission shall expire each year. All members of the Commission shall be residents and registered voters of the Township of Cheltenham and shall serve without compensation. No member of the Commission shall hold office in any political party, or be an employee or elected official of the Township or Cheltenham Township School District.

3. The Commission shall have jurisdiction over Discriminatory Acts and Discrimination committed within the Township.

4. The Commission shall, annually, designate one member to serve as Chairperson of the Commission. The Chairperson shall be responsible for coordinating the activities, meetings, and operations of the Commission, as set forth under this Chapter. The Chairperson shall also report, from time to time, to a standing committee of the Board of Commissioners regarding the activities of the Commission.

5. The Chairperson of the Commission will designate one member as needed to receive the complaint and conduct an intake meeting with the complainants. The member charged with this duty shall not participate in any mediations involving parties to the complaint for which they handled the intake nor shall this member vote on complaints brought before the Commission.

6. Members of the Commission shall, as soon after their appointment as practical, attend such training and education seminars or sessions as deemed necessary to acquaint themselves with the functioning of the Cheltenham Township Human Relations Commission under this Ordinance, as well as the terms, conditions and provisions of the Pennsylvania Human Relations Act, and the operation of the Pennsylvania Human Relations Commission. Such training and education shall be as directed by the Chairperson, and shall be performed in conjunction with the Pennsylvania Human Relations Commission.

7. The Cheltenham Township Human Relations Commission shall have all of those powers necessary to execute the duties set forth under this Chapter, provided that such powers shall not exceed those exercised by the Pennsylvania Human Relations Commission under the Pennsylvania Human Relations Act except as otherwise expressly set forth herein.

8. The Cheltenham Township Human Relations Commission shall operate within the scope of funds which may be allocated, on an annual basis, by the Board of Commissioners and shall not exceed the annual allocation in any year, except upon prior approval by the Board of Commissioners. In adopting this Ordinance, the Board of Commissioners hereby expresses its

intention that the operation of the Cheltenham Township Human Relations Commission under this Ordinance shall be supported by volunteers, unpaid staff, and volunteer efforts and shall be as close to "zero cost" to the Township as reasonably feasible.

9. The Board of Commissioners hereby grants to the Commission, with respect to Discriminatory Acts and Discrimination as defined herein, all of the powers necessary for the execution of its duties as set forth herein.

10. The Commission shall be empowered to promulgate such additional procedures to those set forth herein as it determines to be necessary or desirable to implement the intent of this chapter subject to the review and approval of the Board of Commissioners.

SECTION VII Complaint and Procedures for Filing Complaints.

1. Complaints

A. Any person claiming to be aggrieved by a practice which is made unlawful under this Chapter may make, sign and file a verified complaint, as provided under paragraph B of this Section, alleging violations of this Ordinance. Such complaint shall, at a minimum, contain the following information:

- i. The name, mailing address and email (if applicable) of the aggrieved person(s);
- ii. The name, mailing address and email (if applicable) of the person(s) alleged to have committed the prohibited practice;
- iii. A statement of the particulars of the facts, including pertinent dates, time, locations, people, and acts involved constituting the alleged discriminatory practice;
- iv. If applicable, the address and a description of any housing accommodation or commercial property which is involved; and
- v. Such other information as may be required by the Commission.

B. Complaints may be filed in person at the office of the Township Manager, or by mailing such complaints to the Township offices, to the attention of the Township Manager or to the Chairperson of the Commission. All such complaints must be received by the Township within one hundred eighty (180) days of the occurrence of the last act giving rise to the complaint or such complaint shall be dismissed as untimely. The time limits for filing any complaint shall be subject to waiver, estoppel and equitable tolling.

C. The Township Manager shall transmit all complaints received to the Chairperson of the Commission not later than ten (10) days after receipt of the complaint. The Township Manager shall conspicuously mark the face of the complaint with the date the document was first received in the Township offices.

D. The Commission may promulgate forms for use by persons wishing to file a complaint, however, complaints which are prepared without the use of an approved form shall be deemed acceptable under this Ordinance so long as the facts set forth under Paragraph A of this Section can be clearly determined from the document submitted as a complaint. Complaints received without the use of an approved form shall include the verification referred to above in Subsection 1.A.

E. The Commission may provide for a process by which persons seeking to file a complaint may consult with a volunteer or other staff person affiliated with the Commission who is trained to assist the prospective complainant in discerning the facts relevant to the prospective complaint. Such process shall also include referral of additional information to the prospective complainant concerning the content of this Ordinance, the content of the Pennsylvania Human Relations Act, and the availability of the Pennsylvania Human Relations Commission as an additional venue within which the prospective complainant may seek redress when possible.

F. With the exception of assigning an investigator or a mediator from the Commission, as provided herein, or sending the notices referred to in this Section, the Chairman shall not take any further steps or have any contact with the parties until the commencement of the public hearing, if any.

2. Notifications and Answer

A. Within thirty (30) days of receipt of a complaint, the Commission shall:

- i. Send a copy of the complaint to the person(s) charged with a discriminatory act or practice under this Ordinance (the "respondent"), together with a copy of this Ordinance.
- ii. Send a notice to the complainant, informing them that the complaint has been accepted and processed by the Commission. If the complaint alleges discrimination on a basis proscribed under Federal or state law, the Notice shall also inform the complainant of their right to file a complaint with the Pennsylvania Human Relations Commission or the Federal Equal Employment Opportunity Commission as well as the U.S. Department of Housing and Urban Development, where applicable.
- iii. The Commission shall notify the Pennsylvania Human Relations Commission of the filing of any complaint that may be deemed to be within the jurisdiction of that Commission, as required under the Human Relations Act.
- iv. The Commission shall also include a notice to both the complainant and the respondent(s) of their option to elect to proceed to voluntary mediation in order to resolve the matters giving rise to the complaint.

B. The respondent(s) shall file a written verified answer to the complaint within thirty (30) days of service of the complaint. An answer shall be filed in the same manner as a complaint. The answer shall be conveyed by the Township Manager to the Chairperson of the

Commission within ten (10) days of its receipt by the Township Manager. The Commission shall promptly send a copy of the answer to the complainant.

3. Mediation

A. After the answer has been received:

- i. The Commission shall, within 15 days, invite the parties to voluntarily participate in the mediation of their dispute. The parties shall respond to the invitation to mediate within 15 days of being invited to mediate. Mediation shall be conducted in accordance with procedures promulgated by the Commission and approved by the Board of Commissioners.
- ii. If mediation is elected by the parties, the parties may jointly select a mediator, in which case they shall be jointly responsible for all financial costs and expenses associated with mediation and may allocate the costs of mediation as they agree. If the parties do not jointly select a mediator, or agree to allocation of costs pursuant to procedures promulgated by the Commission and approved by the Board of Commissioners, the Chairperson of the Commission shall select a mediator, who may be either a member of the Commission or a volunteer from the community.
- iii. The parties shall notify the Commission as to whether the mediation successfully resolved the complaint. Mediation proceedings shall otherwise be confidential. Neither the results thereof nor any record made in connection therewith shall be made public unless agreed to in writing by both parties to the dispute.
- iv. Dismissal of the Complaint Following Mediation.
 - (a) If the mediation has successfully resolved the complaint, the Commission shall promptly notify the parties that it has dismissed the complaint, reserving the right to reactivate the complaint if there is non-compliance with the agreement..
 - (b) If the mediation has not successfully resolved the complaint, and if the complaint alleges a violation of this Ordinance which is also proscribed under the Pennsylvania Human Relations Act, the Commission shall notify the parties that the complaint has been dismissed, and refer the complaint to the Pennsylvania Human Relations Commission for further proceedings provided that the Complaint is filed with the Pennsylvania Human Relations Commission.

B. If the mediation has not successfully resolved the complaint, and only if the complaint alleges a violation of this Chapter which is not otherwise proscribed under the Pennsylvania Human Relations Act and over which the Pennsylvania Human Relations Commission does not have jurisdiction, the Commission shall proceed as follows:

- i. Investigation. The Commission shall, in a timely fashion, investigate the allegations of an Unlawful Practice set forth in the complaint by designating an investigator, who may be a member of the Commission. The Commission may, in the conduct of such investigation and upon review, issue subpoenas to any person charged with an Unlawful Practice, commanding such person to furnish information, records or other documents, as necessary to assist in the Commission's investigation.
- ii. Finding of No Cause. If it shall be determined after the Commission's investigation that there is no probable cause for the allegations of the complaint, the Commission shall cause to be issued and served upon the parties written notice of such determination and dismissal of the complaint. This notice shall inform the person aggrieved that he/she has the right to pursue the matter in court.
- iii. Conciliation. If the Commission, after investigation, determines that probable cause exists for the allegations of the complaint, the Commission shall immediately endeavor to eliminate the Unlawful Practice complained of by persuasion, conference and conciliation. If it determines that conciliation may be a useful approach, the Commission shall designate one of its members as a conciliator, who shall undertake conciliation following approved procedures of the Commission.
- iv. Public Hearing.
 - (a) If the Commission finds it is not possible to eliminate the Unlawful Practice by persuasion, conference and conciliation, the Commission, shall cause to be issued and served a written notice scheduling a public hearing before the Commission at a time and place to be specified in such notice.
 - (b) The Commission may designate one or more of its members to preside at such a public hearing before a quorum of the Commission or it may, at its election, conduct such hearing *en banc*. A quorum of the Commission shall consist of no less than five (5) members unless otherwise agreed to by complainant and respondent(s). Any Commission member who acted as a mediator, investigator or conciliator shall not participate in such public hearing except as a witness to present the results of the investigation. Any Commission member with a conflict of interest shall not participate in such a public hearing except as a witness.
 - (c) At the public hearing, both the complainant and the respondent shall be given the opportunity to appear, with or without counsel, to provide sworn testimony and submit evidence. Formal rules of evidence shall not apply, but irrelevant or unduly repetitious evidence may be excluded by the Commission in its discretion. In addition, both the complainant and the respondent may introduce the testimony of additional witnesses and may submit documentary evidence. All witnesses are subject to cross-examination by the parties to the hearing.

- (d) A court reporter shall make a formal record of the proceedings.
 - (e) The Commission shall keep records, in the custody of the Township Manager, of its prior decisions and, together with judicial decisions decided under the Pennsylvania Human Relations Act, shall use and rely upon such decisions for their precedential value.
 - (f) The Chairperson of the Commission, and in his or her absence, the Vice-Chairperson, shall have the authority to issue subpoenas, rule on evidence and regulate the course of the hearing.
 - (g) The transcript of testimony and exhibits together with the complaint and any written response shall constitute the exclusive record for decision. *Ex parte* contacts with the members of the Commission, except those members of the Commission participating in mediation, conciliation or investigation, are prohibited.
- v. Findings and Award. If upon all the evidence at the hearing the Commission shall find that a respondent has engaged in or is engaging in any Unlawful Practice as defined in this Chapter, the Commission shall state its findings of fact and shall issue and cause to be served on such respondent a written decision and order requiring such respondent to cease and desist from such Unlawful Practice and to take such affirmative action, including, but not limited to: hiring, reinstatement or upgrading of employees, admission or restoration to membership in any respondent labor organization, the making of reasonable accommodations, and/or selling or leasing specified Housing Accommodations or publicly offered commercial property upon such equal terms and conditions as was available to other persons at the time of the Unlawful Practice.
 - vi. Finding of No Discrimination. If upon all the evidence the Commission shall find that a respondent has not engaged in any unlawful Discriminatory Act, the Commission shall state its findings of fact and shall issue and cause to be served on the parties a written decision and order dismissing the complaint as to such respondent.
 - vii. Appeal. Any final order of the Commission may be appealed to the Court of Common Pleas of Montgomery County within 60 days of its date as provided by law for a *de novo* hearing.
 - viii. Enforcement. When the Commission has heard and decided any complaint brought before it, enforcement of its order shall be initiated by the filing of a petition in court, together with a transcript of the record of the hearing before the Commission, and issuance and service of a copy of said petition as in proceedings in equity.

SECTION VIII Disclaimer.

Nothing in this Ordinance shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the Township's Code of Ordinances prior to the adoption of this amendment.

SECTION IX Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Commissioners that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

SECTION X Effective Date.

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

SECTION XI Non-limitation of Remedies.

Nothing contained in this Ordinance shall be deemed to limit the right of an aggrieved person to recover under any other applicable law or legal theory.

SECTION XII Multiple Filings.

This Ordinance shall have no jurisdiction over matters which are the subject of pending or prior filings made by an aggrieved person before any state or federal court or agency of competent jurisdiction.

SECTION XIII Penalties and Remedies; Miscellaneous.

1. Any person who shall violate any provision of Section IV of this Ordinance may be subject by the Commission to the penalties and remedies enumerated in Sections 9(f)(1&2) (f.1) and (f.2), Sections 9.2, 9.3, and Sections 10 & 11 of the Pennsylvania Human Relations Act. The penalties contained in this ordinance shall be reviewed by the Board of Commissioners following each future change and amendment to the Pennsylvania Human Relations Act as adopted by the General Assembly and approved by the Governor on an amendment-by-amendment basis.

2. This ordinance extends the protections of the Pennsylvania Human Relations Act to include actual or perceived sexual orientation, gender identity or gender expression.

3. All penalties included in the Pennsylvania Human Relations Act shall be extended to include all protected classes enumerated in the Cheltenham Township Human Relations Ordinance.

SECTION XIV Repealer.

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION XV Effective Date.

This Ordinance shall be effective immediately.

ORDAINED and ENACTED this _____ day of _____, 2012.

**BY THE BOARD OF COMMISSIONERS OF
CHELTENHAM TOWNSHIP**

, President

ATTEST:

, Secretary



The PFM Group

Public Financial Management, Inc.
PFM Asset Management LLC
PFM Advisors

Two Logan Square
Suite 1600
18th & Arch Streets
Philadelphia, PA
19103-2770

215 567-6100
215 567-4180 fax
www.pfm.com

January 27, 2012

Memorandum

To: Cheltenham Township Board of Commissioners
From: Marc Ammaturo, PFM Advisors
Re: REVISED - Fee Increase for Investment Consulting Services

As a result of our meeting on January 4, 2012 with the Board of Commissioners, PFM has re-evaluated our fee adjustment. We propose that PFM Advisors' annual fee for investment consulting services to the Township be increased from \$25,000 to \$35,000. In addition, we propose a \$5,000 charge per money manager search compiled. This fee is largely a result of new legislation, PA Act 44 of 2009, which mandates an open, competitive selection process for any and all professional service contracts when the PA municipal pension system is a party. More specifically, a Request for Proposal needs to be compiled, advertised and reviewed before selecting a new separate account money manager.

As mentioned at our meeting on January 4th, Cheltenham's adjusted fee would still be significantly lower than fees charged to our other Pennsylvania municipal clients. Thank you for your consideration of this matter.

Cc: David G. Kraynik
Attached: Fee Increase for Investment Consulting Services



The PFM Group
Public Financial Management, Inc.
PFM Asset Management LLC
PFM Advisors

Two Logan Square
Suite 1600
18th & Arch Streets
Philadelphia, PA
19103-2770

215 567-6100
215 567-4180 fax
www.pfm.com

August 8, 2011

Memorandum

To: Cheltenham Township Board of Commissioners
From: Tom Conroy, PFM Advisors
Re: Fee Increase for Investment Consulting Services

As a result of discussions that John Spagnola and I have had with Dave Kraynik, we are writing this memorandum to propose that PFM Advisors' annual flat fee for investment consulting services to the Township be increased from \$25,000 to \$40,000. Our current fee has remained unchanged since mid-2005, which coincided with your decision to allocate a significant portion of the Township's pension assets to CS McKee. However, during that period, the combined market value of the Township's four pension plans have increased by 29% as the combined market value was \$33.5 million as of June 30, 2005 and \$43.1 million as of June 30, 2011. In addition, since inception, our role has been more involved than originally intended. Moreover, during the last few years as outlined below, we have systematically accelerated our efforts for the Township.

Since our role changed in 2005, PFM Advisors has served as an independent third party to assist the Commissioners in fiduciary duties for the Township pension plans on several important fronts. Our investment consulting services have included the following:

- Provided a comprehensive quarterly report on total fund and individual manager investment performance as compared to performance benchmarks as well as compliance with the investment policy statement.
- Continued to monitor and evaluate the contract with the Hartford Insurance Company and its credit rating.
- Assisted in the rebalancing of the portfolio between Hartford, CS McKee and other investments.
- Attended each quarterly Finance Committee Meetings as an active participant.
- Recommended investment managers and asset classes outside of CS McKee's purview for investment consideration when appropriate.

In addition to the above investment consulting services, we have been appropriately active in recommending and implementing the following activities outside of CS McKee's purview:

- 2007 – Prepared an asset allocation analysis that resulted in an increased target allocation to REIT's.
- 2007 – Revised the Investment Policy Statements for all four plans, including new target allocations for REIT's.



- 2008 – Recommended reduced tactical allocations to equities in anticipation of significant negative corrections in global equity markets.
- 2009 – Recommended full rebalancing toward target equity allocations in anticipation of the strong snapback in global equity markets.
- 2009 – Prepared a search to replace T Rowe Price REIT resulting in the selection of Cohen & Steers.
- 2010 – Prepared an asset allocation analysis that resulted in new target allocations to Commodities and changes in other asset classes.
- 2010 – Prepared addendums to the Investment Policy Statements for all four plans, approving the commodity investments and changes in other asset classes.
- 2011 – Recommended expanding the allocation to International Equity to include emerging markets.
- 2011 - Prepared a search for emerging market equities resulting in the selection of the Oppenheimer Emerging Markets Fund.

Our activities outlined above have resulted in increased diversification for the Township's pension plans, which are expected to increase performance and reduce risks. The plans are less reliant on the concentrated efforts and security selections of CS McKee. For example, as of December 31, 2005, CS McKee controlled 84.2% of the Cheltenham Police Pension Plan. As of June 30, 2011, this concentration was reduced to 78.0%. In addition, the McKee allocation is about 70% for the Salaried and Hourly Plans. Lastly, the allocations to Commodities for all plans are expected to increase later in 2011 further reducing the reliance on CS McKee.

We hope that you will consider this proposal and look forward to discussing it further with you. Thank you for your consideration of this matter.

Cc: David G. Kraynik

TOWNSHIP OF CHELTENHAM

RESOLUTION NO. -12

A RESOLUTION AUTHORIZING THE FILING OF A FY 2012 KEYSTONE HISTORIC PRESERVATION GRANT APPLICATION TO THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION (PHMC) FOR GEORGE K. HELLER SCHOOL (A/K/A CHELTENHAM CENTER FOR THE ARTS)

WHEREAS, Keystone Preservation funds are available through the Keystone Grant Opportunity Program to help municipalities rehabilitate and restore municipally-owned historic school buildings listed on the National Register of Historic Places; and

WHEREAS, the Township of Cheltenham along with its historic architect consultant, Preservation Design Partnership, completed an "Architectural Assessment and Preservation Checklist," dated August 2007 for exterior rehabilitation and restoration of the George K. Heller School (a/k/a Cheltenham Center for the Arts); and

WHEREAS, the Township of Cheltenham is desirous of completing a Phase II scope of work involving exterior rehabilitation and restoration to the building's stone wall elevations, foundations and ornamental metal work; and

WHEREAS, the Township Board of Commissioners, upon consultation with its historic architect consultant, and upon the recommendation of the Historical Commission, is desirous of applying to the PHMC for up to \$25,000 in matching funds to help the Township offset the costs associated with a prioritized scope of exterior rehabilitation and restoration work to George K. Heller School, recommended in the "Architectural Assessment and Preservation Checklist," dated August 2007, totaling \$110,000, as identified in Attachment "A" made a part hereto;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Township of Cheltenham, of Montgomery County, Pennsylvania, hereby authorizes the Township Administration to file a Keystone Historic Preservation Grant application on or before March 1, 2012 to the PHMC for FY 2012.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Township of Cheltenham will assume the provision of the full 50% local matching share of project costs.

BE IT FURTHER RESOLVED, that the Township Manager/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 PHMC.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Board of Commissioners of the Township of Cheltenham, County of Montgomery, Commonwealth of Pennsylvania, at its public meeting held at Curtis Hall, 1250 West Church Road, Wyncote, Pennsylvania, 19095 on Wednesday, February 15, 2012.

**BOARD OF COMMISSIONERS
OF CHELTENHAM TOWNSHIP**

ATTEST:

By: _____
Art Haywood
President

David G. Kraynik
Township Manager/Secretary

Attachment "A"

DESCRIPTION OF WORK	QUANTITY	UNIT	UNIT COST	AMOUNT
I. Masonry Restoration				
- Mortar Analysis for Appropriate Mortar Repointing (9 Ea)	1	LS	\$ 5,000.00	\$ 5,000.00
- Repoint Walls at Building 1893 & 1906	475	SF	\$ 25.00	\$ 11,875.00
- Repoint Walls at Building 1883	370	SF	\$ 25.00	\$ 9,250.00
- Repoint Foundation Water Table at Building 1883	462	SF	\$ 25.00	\$ 11,550.00
- Reset Stone Arch Under 1893 East Exit Stair	1	LS	\$ 3,500.00	\$ 3,500.00
- Clean Exterior Walls	13,200	SF	\$ 1.25	\$ 16,500.00
- Remove Window Mounted Air Conditioners	1	LS	\$ 1,500.00	\$ 1,500.00
				\$ 59,175.00
II. Metalwork Restoration				
- Evaluate Fire Escape for Capacity & Code Compliance	1	LS	\$ 3,500.00	\$ 3,500.00
- Wire Brush & Repaint Fire Escape	1	FLT	\$ 1,750.00	\$ 1,750.00
- Remove/Replace Wire Mesh at Areaways	336	SF	\$ 7.50	\$ 2,520.00
- Scrape Underlying Grate at Areaways & Repaint	336	SF	\$ 10.00	\$ 3,360.00
				\$ 11,130.00
III. Ancillary Items				
- Bonds, Insurance, Mobilization, General Conditions				10,272.00
- Escalation & Mark Ups (Contingency for Construction)				14,673.00
				\$ 24,945.00
IV. Architectural Fees				
- Preparation of Plans/Bid Specs.			\$ 10,000.00	\$ 10,000.00
- Public Bidding Assistance			\$ 500.00	\$ 500.00
- Construction Observation & Management			\$ 4,250.00	\$ 4,250.00
				\$ 14,750.00
			TOTAL PROJECT ESTIMATE	\$110,000.00
			50/50 FUNDING SCENARIO - PHMC GRANT REQUEST	\$ 25,000.00
			MUNICIPAL MATCH	\$ 85,000.00
			TOTAL	\$ 110,000.00