

Agenda

Township of Marple – Board of Commissioners – Michael Molinaro, President
Regular Meeting – December 8, 2014 – 7:00 pm

1. Call to Order

2. Pledge of Allegiance

3. Roll Call – Commissioners & Staff

♦ **Executive Session** – held at 6 PM prior to the meeting to discuss Litigation and Personnel

4. Tree Commission Stewardship Certificate - Japanese Umbrella Pine, *Sciadopitys Verticillata*

5. Public Forum

6. Board Minutes

- Regular Meeting – November 10, 2014
- Budget & Finance/Board of Commissioners – November 18, 2014

7. Disbursement Report and Check Register #2014-12

8. Ordinance #2014-9 - Collection of rent from tenants of delinquent Landlords

MOTION: To adopt/not adopt Ordinance No 2014-9 authorizing the Township Tax Collector to initiate a process of collecting the rents of tenants of delinquent taxpayer landlords.

9. Proposed Ordinance - Vacant Property Registration Ordinance

MOTION: To direct the proper Township Officials to advertise a proposed Ordinance requiring the registration of all vacant properties within the Township for consideration at the January 12, 2014 regular business meeting.

10. Resolution #3578 – Transfers General Fund \$38,348.43

MOTION: To adopt/not adopt Resolution # 3578 authorizing the transfers to be made in the General Fund in the amount of \$38,348.43 for the month of November, 2014 as outlined in the Resolution and as recommended by the Director of Finance.

11. Resolution #3579 – Transfers Refuse Fund \$5,491.18

MOTION: To adopt/not adopt Resolution #3579 authorizing the transfers to be made in the Refuse Fund in the amount of \$5,491.18 for the month of November, 2014 as outlined in the Resolution and as recommended by the Director of Finance.

12. Resolution #3580 – Transfers Paxon Fund \$4,435.95

MOTION: To adopt/not adopt Resolution #3580 authorizing the transfers to be made in the Paxon Fund in the amount of \$4,435.95 for the month of November, 2014 as outlined in the Resolution and as recommended by the Director of Finance.

13. Resolution # 3581 - Archdiocese of Philadelphia Catholic Social Services

MOTION: To adopt/not adopt Resolution #3581 approving the Preliminary/Final Land Development Plan filed by the Archdiocese of Philadelphia Catholic Social Services for the property located at 1701 Sproul Road (Cardinal O'Hara Convent Location) Broomall, PA prepared by Catania Engineering Associates, Inc. dated October 22, 2014 last revised December 2, 2014 to construct a family based residential Institutional Care mini-campus facility consisting of three (3) buildings, shed and related improvements on the property subject to those conditions outlined in said resolution.

14. Bid Award – Township Building/Library HVAC Replacement Contract 6M

MOTION: To award the Bid for Contract 6M to _____ of _____ in the amount of \$_____ being the lowest responsible bidder and as recommended by the Township Engineer.

15. Bid Award – Township Building/Library Electrical & Lighting Replacement Contract 6E

MOTION: To award the Bid for Contract 6E to _____ of _____ in the amount of \$_____ being the lowest responsible bidder and as recommended by the Township Engineer.

16. Bid Advertisement

MOTION: To direct the proper Township Officials to advertise a bid for the following items(s):

- Contract #1 Chemicals for PHCC

Bids are to be in the usual form with the right reserved to accept or reject any and all bids; bids are to be submitted to the Township of Marple, 227 S. Sproul Road, Broomall PA by 9:00 am (prevailing time) on January 21, 2015 and shall be opened by the Bid Committee at 10:00 am in the I. Newton Kerber Meeting Room on the same day.

17. Other Business

- Special Meeting December 22, 2014 at 8 AM Budget Adoption and any other business that may come before the Board.
- Proposed Ordinance - Parking Lot and Driveway Amendments

18. Adjourn

MARPLE TOWNSHIP

ORDINANCE NO. 2014-9

AN ORDINANCE ESTABLISHING A PROCESS FOR ENFORCING DISTRRAINTS TO ENABLE THE TOWNSHIP TO COLLECT REAL ESTATE TAXES; ESTABLISHING A CIVIL PENALTY FOR TENANTS IN POSSESSION WHO REFUSE TO COMPLY WITH A DISTRRAINT NOTICE; EFFECTIVE DATE.

WHEREAS, Marple Township has experienced difficulties in collecting real estate taxes from rental properties; and

WHEREAS, pursuant to the authority of the Act of May 25, 1945, P.L. 1050; §19, 72 P.S. 5511.19, a municipality is authorized to collect rent from a tenant in possession of real property where the land owner has failed to pay real estate taxes; and

WHEREAS, enforcement is authorized by the Tax Collector; and

WHEREAS, it is necessary to Ordain civil penalties for those tenants who refuse to comply with a notice of distraint; and

WHEREAS, Township Board of Commissioners has determined that this Ordinance is in the best interests and welfare of the residents of the Township; and

WHEREAS, this Ordinance is authorized by the First Class Township Code and the statute cited above.

NOW, THEREFORE, it is hereby ORDAINED as follows:

- 1] The 'WHEREAS' clauses hereinabove are incorporated into this Ordinance.

2] The Township tax collector or the delinquent tax collector as the case may be is hereby authorized to utilize and enforce the provisions of the Act of May 25, 1945, P.L. 1050, 19, 72 P.S. 5511.19. If any tenant fails to pay any rent to the tax collector following service of a notice of distraint, the tax collector or other Township official is authorized to institute civil litigation against such tenant for the tenant's failure to comply with the distraint. Such civil litigation is authorized by the tax collector and may be prosecuted in the name of the Township and initiated by any Township official.

3] Any tenant who fails to comply with a distraint notice shall be subject to a civil penalty for such refusal in the amount of \$500.00 for each month such tenant fails to pay commencing on the first day of the month following service of the distraint. Such tenant shall also be liable for court costs and reasonable costs and fees incurred by the Township or tax collector in pursuing a remedy against a noncomplying tenant. Any net proceeds received by the tax collector or Township shall be applied to the outstanding tax bill.

4] If any portion of this Ordinance is found by a court of competent jurisdiction to be illegal or unconditional, then it is deemed to be the intent of Township Board of Commissioners that the balance of this Ordinance would have been enacted irrespective of said invalid portion.

5] This Ordinance shall take effect immediately.

ENACTED AND ORDAINED this 8th day of December, 2014.

Township of Marple
Board of Commissioners

BY: _____
Michael K. Molinaro, President
Board of Commissioners

ATTEST: _____
Sharon L. Angelaccio
Township Secretary

DISTRAINT

TO: Tenant in Possession _____

RE: Owner: _____
Name

Address

PROPERTY: _____
(address of property and attach copy of assessment)

Take notice that Marple Township, by its Tax Collector, hereby distrains upon rent due from the tenant above named to the owner above named; this distraint includes rent due and to be due until the real estate taxes, penalty and interest and other charges are paid in full. The owner above named has failed to pay Township taxes on the property described above. The tenant is in possession of the property and pays rent to the owner. A copy of the tax statement as of this date is attached.

This distraint is made pursuant to the authority of Ordinance No. 1089 and by state statute, the Act of May 25, 1945, P.L. 1050, 19, 72 P.S. 5511.19, a copy of which is attached. **Tenant may deduct all sums paid to the Tax Collector from rent due the owner. Tenant is hereby ordered to forward all rent directly to the Tax Collector at the address designed below until such time as the real estate taxes, penalty and interest are paid in full. Failure to comply with this notice may result in civil prosecution by the tax collector and the imposition of a civil penalty. Please indicate the property owner and property address on your payment and forward to Tax Collector for Marple Township at:**

Name and Address

By: _____
Tax Collector

Date of Notice: _____

Delivered To: _____
Name of person

Date Delivered to Tenant: _____

Date Copy mailed to Owner: _____

TOWNSHIP OF MARPLE
DELAWARE COUNTY, PA

ORDINANCE NO.

AN ORDINANCE OF THE TOWNSHIP OF MARPLE, DELAWARE COUNTY, PENNSYLVANIA REQUIRING THE REGISTRATION OF ALL VACANT PROPERTIES WITHIN THE TOWNSHIP, DETAILING THE PURPOSE, DEFINING TERMS USED IN THE ORDINANCE AND DEFINING UNDER WHAT CIRCUMSTANCES THE ORDINANCE APPLIES, REQUIRING REGISTRATION STATEMENTS, SETTING FEES, REQUIRING THE APPOINTMENT OF A LOCAL AGENT FOR SERVICE, DETAILING THE USES OF PAID FEES AND FINES, EXPLAINING APPEAL RIGHTS, PROVIDING FOR CERTAIN WAIVERS OF REGISTRATION FEES, ALLOWING A LIEN FOR DELINQUENT REGISTRATION FEES, ESTABLISHING A DUTY TO AMEND REGISTRATION STATEMENTS AND PROVIDING VIOLATIONS AND PENALTIES.

The Board of Commissioners of Marple Township, Delaware County, Pennsylvania does hereby enact and ordain as follows:

SECTION 1. PURPOSE AND ENFORCEMENT.

(a) The purpose of this Ordinance requiring the registration of all vacant buildings and the payment of registration fees is to assist the Township in protecting the public health, safety and welfare, to monitor the number of vacant buildings in the Township, to assess the effects of the condition of those buildings on nearby businesses and the neighborhoods in which they are located, particularly in light of fire safety hazards and to promote substantial efforts to rehabilitate such vacant buildings. The provisions of this section are applicable to the owners of such vacant buildings as set forth herein and are in addition to and not in lieu of any and all other applicable provisions of the Ordinances of the Township of Marple and all relevant codes and/or regulations adopted therein

(b) Administration and enforcement of this section shall be under the control of the Code Enforcement Officials of the Township

SECTION 2. DEFINITIONS.

For the purposes of this Ordinance, where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies. The following words shall have the meanings respectively ascribed to them as follows:

(a) "Boarded" means a building, structure or dwelling unit subject to the provisions of this section if in place of one or more exterior doors, other than a storm door, or of one or more windows, there is a sheet or sheets of plywood or similar material covering the space for such door or window.

(b) "Dwelling unit" means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

(c) "Notice" means written notice of a violation or requirement under this Ordinance mailed, pursuant to first class mail, to the last known address of the owner of the property in question.

(d) "Occupied" as applied to a building or structure subject to the provisions of this Ordinance means where one or more persons actually conducts a lawful business or resides in all or any part of the building as the licensed business-occupant, or as the legal or equitable owner/occupant(s) or tenant(s) on a permanent, non-transient basis, or any combination of the same. For purposes of this section, evidence offered to prove that a building is so occupied may include, but shall not be limited to, the regular receipt of delivery of regular mail through the U.S. Postal Service; proof of continual telephone, electric, gas, heating, water and sewer services; a valid Township business license, or the most recent, federal, state, or Township tax statements indicating that the subject property is the official business or residence address of the person or business claiming occupancy; or proof of tenant occupied property license inspection.

(e) "Open" means a building or structure or dwelling unit subject to the provisions of this Ordinance in which any one or more exterior doors, other than a storm door, is broken, open and/or closed, but, without a properly functioning lock to secure it, or if one or more windows is broken or not capable of being locked and secured from intrusion or any combination of the same.

(f) "Owner" means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, County or Township as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

(g) "Vacant" as applied to a building or structure subject to the provisions of this Ordinance means no person or persons actually, currently conducts a lawfully licensed business, or lawfully resides or lives in any part of the building as the legal or equitable owner(s) or tenant-occupant(s), or owner-occupants, or tenant(s) on a permanent non-transient basis.

SECTION 3. APPLICABILITY.

The requirements of this Ordinance shall be applicable to each owner of any building whether governmental, commercial, residential or institutional or owned by non-profit or a for-profit organization in which the building in total shall have been vacant for more than thirty (30) days. Each such owner shall cause to be filed a notarized registration statement in a form prescribed from time to time by the Township, which form shall include the street address and parcel number of each such vacant building, the names and addresses of all owners, as hereinafter described, and any other information deemed necessary by the Township Code Enforcement Officials. The registration statement and, where applicable, registration fee(s) as required by Section 4 shall be billed by the Township and such registration statement and, where applicable, registration fee(s), shall be filed with and/or paid to the Township on or before September 15, or if September 15 falls on Saturday or Sunday by the preceding Friday, of each year. For purposes of this article, registration application(s) initially shall be due on September 15, 2012. For purposes of this Section, the following shall also be applicable:

(a) If the owner is a corporation, the registration statement shall provide the names and residence addresses of all officers and directors of the corporation and shall be accompanied by a copy of the most recent relevant filing with

Pennsylvania Department of State.

- (b) If an estate, the name and business address of the executor of the estate;
- (c) If a trust, the name and addresses of all trustees, grantors and beneficiaries;
- (d) If a partnership, the names and residence addresses of all partners with an interest of ten percent (10%) or greater;
- (e) If any other form of unincorporated association, the names and residence addresses of all principals with an interest of ten percent or greater;

If an individual person, the name and residence address of that individual person.

SECTION 4. REGISTRATION STATEMENT AND FEES; LOCAL AGENT.

(a) If none of the persons listed in Section 3 is shown at an address within the State, the registration statement also shall provide the name and address of a person who resides within the State and who is authorized to accept service of process on behalf of the owners and who shall be designated as a responsible, local party or agent, both for purposes of notification in the event of an emergency affecting the public health, safety or welfare and for purposes of service of any and all notices or registration statements as herein authorized and in connection herewith.

(b) Registration shall be required for all vacant buildings, whether vacant and secure, vacant and open or vacant and boarded, and shall be required whenever any building has remained vacant for thirty (30) consecutive days or more. In no instance shall the registration of a vacant building and the payment of registration fees be construed to exonerate the owner, agent or responsible party from responsibility for compliance with any other Township Code or Ordinance requirement. One registration statement may be filed to include all vacant buildings of the owner so registering.

(c) The owner of the vacant property as of September 15th of each calendar year shall be responsible for the filing of his/her registration statement and, where applicable, registration payment of the non-refundable registration fee. Said fee shall be billed by the Township and shall be established from time to time by resolution of the Board of Commissioners.

(d) Upon the registration of a property, the Township Code Enforcement officials may conduct an inspection of the property to determine if it complies with the applicable Township Codes and Ordinances. If the inspection finds violations of Township Codes or Ordinances, the Township shall issue a notice of violation as per the requirements of those Township Codes or Ordinances and give notice to the owner to comply.

SECTION 5. USES OF PAID FEES AND FINES.

Registration fees shall become dedicated to a line item in the budget for the Township's enforcement and administration of the Vacant Property Registration requirements within this Ordinance. Fines for violations of this article shall go to the Township's General Fund.

SECTION 6. APPEAL RIGHTS AS TO DETERMINATION OF VACANT STATUS.

The owner shall have the right to appeal the imposition of the registration fees to the Board of Commissioners upon filing an application in writing to the Township Secretary no later than 15 calendar days after the date of the billing statement. On appeal, the owner shall bear the burden of providing satisfactory objective proof of "occupied" status as defined in this Ordinance.

SECTION 7. ONE-TIME WAIVER OF REGISTRATION FEE.

A one-time, six (6) month waiver of the registration fee may be granted by the Board of Commissioners upon application of the owner and upon review and advice of the Township Code Enforcement Officials within 15 calendar days of the date of the bill for the registration fee, if the owner:

(a) Demonstrates with satisfactory proof that he/she has submitted valid architectural plans, based on the Township's permits and planning application

.cedures, and otherwise has shown good faith efforts to efficiently rehabilitate, demolish, or otherwise substantially repair or improve said vacant building; or

(b) Demonstrates with satisfactory proof that he/she is actively marketing the property for sale/lease. Actively marketing will be defined as an owner has placed a "for sale" or a "for lease" sign on the property with accurate contact information, which is also provided and has done at least one of the following:

- (1) Engaged the services of a real estate licensee, whose name, address, telephone number and email will be provided in the Multiple Listing Service (MLS);
- (2) Placed weekly advertisements in print or electronic media;
- (3) Distributed printed advertisements.

SECTION 8. DECISION ON APPLICATION FOR WAIVER.

Within sixty (60) days after the waiver application is received by the Township Secretary, the Board of Commissioners shall grant or deny the waiver in writing, and dispatch the written decision by mail to the owner.

SECTION 9. DELINQUENT REGISTRATION FEES AS A LIEN.

After the owner is given notice of the amount of the registration fee due, except for those owners that have properly perfected and pursued to successful result, an appeal pursuant to Section 6 Of this Ordinance and the owner fails to pay the amount due, said amount shall constitute a debt due and owing to the Township, and the Township may enter a lien on the property as provided by law.

SECTION 10. DUTY TO AMEND REGISTRATION STATEMENT.

If the status of the registration information changes during the course of any calendar year, it is the responsibility of the owner, responsible party or agent for the same to contact the Township within 30 days of the occurrence of such change and advise the Township in writing of those changes.

..4CTION 11. VIOLATIONS AND PENALTIES.

The failure or refusal for any reason of any owner, or agent of an owner acting on behalf of the owner, to file a registration statement or to pay any fees required to be paid pursuant to the provisions of this section, within 30 days after notice, shall constitute a violation punishable upon conviction thereof by a fine in the amount of not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000) for the first two continual and uncorrected failures or refusals to register, or for each failure or refusal to pay and not exceeding five thousand dollars (\$5,000) for the third and any subsequent continual and uncorrected failure or refusal to register or for each subsequent failure or refusal to pay or imprisonment for any term not exceeding ninety days or both. Unpaid fines shall be registered as a lien against the violating building.

SECTION 12. INCONSISTENCY.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any inconsistency.

SECTION 13. EFFECTIVE DATE.

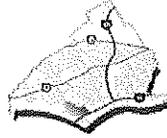
This Ordinance shall take effect immediately upon its adoption.

ENACTED and ORDAINED by the Board of Commissioners of Marple Township, this day of _____, 2015.

MARPLE TOWNSHIP
Board of Commissioners

BY: _____
_____, President

ATTEST: _____
Sharon L. Angelaccio, Township Secretary



MARPLE TOWNSHIP
Code Enforcement Department

Vacant Property Registration Form

Entire form must be filled out completely and accurately to be accepted.

Completed forms can be mailed to:

* Marple Township, Dept of Code Enforcement, 227 South Sproul Road, Broomall, PA 19008

Vacant Property Address: _____
City State Zip

Owner's Name: _____

Owner's Office Phone: _____

Owner's Home Phone: _____

Owner's Cell Number: _____

Owner's Date of Birth: _____

Owner's Mailing Address (P.O. Boxes are not acceptable)*:

If Owner is a Corporation, please provide the following:

Name of Principal of the Corporation: _____

Resident Agent's Name: _____

Resident Agent's Address:* _____

** Must be an individual who will accept service of process on behalf of the Corporation.
P.O. Boxes are not acceptable.**

How long has the property been vacant? _____

How long do you expect the property to remain vacant? _____

If an owner fails to return this registration form for all their vacant properties, to amend the registration statement, if applicable, or pay the registration fee, the Township of Marple may institute criminal proceedings against the owner of the property. An owner is subject to a potential fine of \$500.00. In addition, the Township of Marple may bring a civil action to collect any unpaid registration fees.

Please contact the Code Enforcement Department regarding any questions you may have about the completion and/or submittal of this form @ 610-4356-4040

Insurance Information

Company Name: _____

Policy Number: _____

Amount of Coverage: \$ _____

Expiration Date: _____

Emergency Information

Please supply us with information of emergency contacts for this property for after normal business hours.

Name: _____

Phone: _____

Name: _____

Phone: _____

Owner/Agent's Signature: _____

Date: _____

FEE SCHEDULE:

Registration of Application	\$50.00
Inspection (includes 1 re-inspection)	\$130.00
TOTAL DUE	\$180.00

**NOTE: Any subsequent re-inspections are \$65.00 per inspection.*

MAKE CHECK PAYABLE TO "MARPLE TOWNSHIP"

Resolution No. 3578

RESOLVED, that the Board of Commissioners of the Township of Marple, County of Delaware, Pennsylvania, hereby authorize transfers to be made in the General Fund between the following accounts for the month of November 2014 :

<u>Transfer From</u>	<u>Transfer To</u>	<u>Account Name</u>	<u>Transfer Amount</u>
001-0404-3141-000-0000	001-0403-1140-000-0000	Tax Collector (Elected) Salary	\$ 1,346.16
001-0404-3141-000-0000	001-0403-1400-000-0000	Salaries/Clerical Staff	\$ 659.81
001-0404-3141-000-0000	001-0403-1610-000-0000	Social Security	\$ 102.98
001-0404-3141-000-0000	001-0408-3132-000-0000	General Engineering	\$ 6,956.00
001-0404-3141-000-0000	001-0409-1510-000-0000	Non-Occ A & S Insurance	\$ 38.19
001-0410-7600-000-0000	001-0410-3000-000-0000	Other Services & Charges	\$ 309.44
001-0410-7600-000-0000	001-0410-3730-000-0000	Repairs & Maint -Bldg-Grds	\$ 3,028.35
001-0413-1000-000-0000	001-0413-2610-000-0000	Computer Software/Hardware	\$ 283.12
001-0413-1000-000-0000	001-0413-3310-000-0000	Travel Expense	\$ 244.81
001-0413-1000-000-0000	001-0413-7400-000-0000	Computer Software/Hardware	\$ 148.49
001-0413-1000-000-0000	001-0414-1000-000-0000	Pers Serv - ZHB	\$ 200.00
001-0413-1000-000-0000	001-0414-1610-000-0000	Social Securiry	\$ 10.93
001-0413-1000-000-0000	001-0414-3400-000-0000	Advertising & Prinitng	\$ 414.30
001-0430-7400-000-0000	001-0430-2450-000-0000	Materials & Supplies	\$ 1,169.12
001-0430-7400-000-0000	001-0430-2450-002-0000	Maint & Materials - Leaf Collection	\$ 1,912.25
001-0430-7400-000-0000	001-0430-2600-000-0000	Minor Equipment	\$ 1,729.93
001-0430-7400-000-0000	001-0430-2610-000-0000	Computer Software/Hardware	\$ 85.00
001-0430-7400-000-0000	001-0430-3740-000-0000	Maintenance on Equipment	\$ 4,709.11
001-0430-7400-000-0000	001-0433-0002-000-0000	Traffic Signals	\$ 980.00
001-0430-7400-000-0000	001-0433-0003-000-0000	Traffic Signal Upgrade - WCP	\$ 81.28
001-0430-7400-000-0000	001-0434-2460-000-0000	Materials & Supplies	\$ 123.94
001-0430-7400-000-0000	001-0434-3740-000-0000	Maintenance on Equipment	\$ 763.40
001-0430-7400-000-0000	001-0453-3520-000-0000	Liability & Other Insurance	\$ 29.00
001-0454-3000-000-0000	001-0454-3600-000-0000	Utilities	\$ 973.57
001-0480-3520-000-0000	001-0456-3540-000-0000	Workmens Compensation	\$ 1,289.25
001-0480-3520-000-0000	001-0480-1602-000-0000	Non-Uniform Pension	\$ 10,760.00
			<u>\$ 38,348.43</u>

RESOLVED, this 8th day of December , 2014.

**TOWNSHIP OF MARPLE
BOARD OF COMMISSIONERS**

By: _____

Michael K. Molianro, President
Board of Commissioners

ATTEST: _____

Sharon L. Angelaccio
Township Secretary

Resolution No. 3579

RESOLVED, that the Board of Commissioners of the Township of Marple, County of Delaware, Pennsylvania, hereby authorize transfers to be made in the Refuse Fund between the following accounts for the month of November 2014 :

<u>Transfer From</u>	<u>Transfer To</u>	<u>Account Name</u>	<u>Transfer Amount</u>
004-0427-3851-000-0000	004-0427-2310-000-0000	Gas, Oil & Diesel	\$ 2,248.19
004-0427-3851-000-0000	004-0427-3740-000-0000	Maintenance & Repair Equip	\$ 3,242.99
			<u>\$ 5,491.18</u>

RESOLVED, this 8th day of December, 2014.

**TOWNSHIP OF MARPLE
BOARD OF COMMISSIONERS**

By:

Michael K. Molinaro, President
Board of Commissioners

ATTEST:

Sharon L. Angelaccio
Township Secretary

Resolution No. 3580

RESOLVED, that the Board of Commissioners of the Township of Marple, County of Delaware, Pennsylvania, hereby authorize transfers to be made in the Paxon Hollow Fund between the following accounts for the month of November 2014 :

<u>Transfer From</u>	<u>Transfer To</u>	<u>Account Name</u>	<u>Transfer Amount</u>
005-0452-3000-000-0000	005-0452-1510-000-0000	Non-Occ A & S Insurance	\$ 265.32
005-0452-3000-000-0000	005-0452-3180-000-0000	Merchant Fees	\$ 735.09
005-0452-3000-000-0000	005-0452-3181-000-0000	Amusement Tax Expense	\$ 789.69
005-0452-3000-000-0000	005-0452-3182-000-0000	PA Sales Tax Expense	\$ 279.42
005-0452-3000-000-0000	005-0452-3731-000-0000	Maint & Repair - Cart Barn	\$ 1,134.84
005-0452-3000-000-0000	005-0452-3732-000-0000	Maint & Repair - Clubhouse	\$ 1,231.59
			<u>\$ 4,435.95</u>

RESOLVED, this 8th day of December, 2014.

**TOWNSHIP OF MARPLE
BOARD OF COMMISSIONERS**

By:

Michael K. Molinaro, President
Board of Commissioners

ATTEST:

Sharon L. Angelaccio
Township Secretary

TOWNSHIP OF MARPLE
DELAWARE COUNTY, PA

RESOLUTION NO.3581

WHEREAS, the Archdiocese of Philadelphia Catholic Social Services filed the Preliminary/Final Land Development Plan by for the property located at 1701 Sproul Road (Cardinal O'Hara Convent Location), Broomall, PA, prepared by Catania Engineering Associates, Inc., dated October 22, 2014, last revised December 2, 2014 ("Preliminary/Final Land Development Plan") to construct a family based residential Institutional care facility for up to thirty (30) residents and mini-campus consisting of three (3) buildings, shed and related improvements, and

WHEREAS, the Delaware County Planning Commission at their Meeting held on November 20, 2014 recommended approval of the Preliminary/Final Land Development Plan, and

WHEREAS, the Marple Township Planning Commission Meeting held on November 6, 2014 recommended approval of the Preliminary/Final Land Development Plan with the condition that the applicant address all outstanding comments in their minutes, and

WHEREAS, the Township Engineer in his review letter dated November 5, 2014 recommended approval of the Preliminary/Final Land Development Plan subject to the condition that the applicant address all outstanding comments in said letter.

NOW, THEREFORE BE IT RESOLVED, that the Preliminary/Final Land Development Plan prepared by Catania Engineering for the property located at 1701 Sproul Road, Broomall, PA, dated October 22, 2014 last revised December 2, 2014, be considered approved to construct a family based residential Institutional care facility for up to thirty (30) residents and mini-campus consisting of three (3) buildings, shed and related improvements, subject to the following conditions:

1. Compliance with all outstanding comments in the Township Engineer's Review letter dated November 5, 2014. The within approval includes changes hereafter made to the Preliminary/Final Land Development Plan and approved by the Township Engineer
2. Compliance with recommendations made by Marple Township Planning Commission at their November 6, 2014 Meeting.
3. The applicant agrees to contribute \$7500 to the Township Traffic Signal Fund for future traffic signal /pre-emption improvements along the Springfield/Sproul Road Corridor.

4. Applicant shall execute and the Township Solicitor is hereby directed to prepare a Land Development Agreement, Improvement Security Agreement and Stormwater Controls and Best Management Practices Operations and Maintenance Agreement in accordance with the Township Subdivision and Land Development Ordinance, which upon completion thereof, the proper Township Officials are authorized to execute on behalf of the Township.
5. The within approval includes changes to the Preliminary/Final Land Development Plan made hereafter and prior to recording in order to achieve compliance with the conditions contained herein., as approved by the Township Engineer.

Resolved this 8th day of December, 2014.

**Township of Marple
Board of Commissioners**

Michael K. Molinaro, President

Attested: _____

Sharon Angelaccio
Township Secretary



Township of Marple
227 South Sproul Road
Broomall, PA 19008

PLANNING COMMISSION

November 6, 2014

- 1. Pledge of Allegiance**
Chairperson Pat Henigan led the room in the Pledge of Allegiance.
- 2. Roll Call**
Chairperson Pat Henigan, 1st Vice Chair Tim Moore, 2nd Vice Chair Paricia Fanelli, Board Members Tom Tobin, Patrick Noonan, Matthew Lain, Michael Noonan, Matt Lain, Commissioner Jan Ceton, Township Engineer Joe Mastronardo, Director of Code Enforcement Joe Romano and Code Secretary Edna Cook.
- 3. Approval of Minutes – July 8, 2014**
On a Motion by Tim Moore and 2nd by Michael Noonan to approve the minutes from July, 8, 2014. Motion approved – Unanimous.
- 4. Approval of Minutes – August 7, 2014**
On a Motion by Patricia Fanelli and 2nd by Tom Tobin to approve the minutes from August 7, 2014, Motion Approved – Unanimous.
- 5. Preliminary/Final Land Development Plan for 1701 Sproul Road- Archdiocese of Philadelphia Catholic Social Services (Cardinal O'Hara Site).** Representing the Archdiocese is Alex Rodriguez, P.E. of Catania Engineering. The proposed site will be a mini campus which will add three new buildings and will have 30 living units and one storage unit. The use will be to house approximately 30 elderly men which will be displaced once the existing Don Guanella building is demolished. At the time Don Guanella and the Convent were first occupied they housed a much larger number than we are asking for at this time. The drive from the O'Hara parking lot will have a 26' wide cartway with a 96' circle at the end of this driveway. Asking Fire Marshall and Building Code Official if they would accept an 80' diameter cul- de -sac. This property is Zoned Institutional and Institutional Residential is allowed by right. According to FEMA it is zoned X which is outside of the 100 yr. floodplain. They will accommodate up to 20 parking spaces. They will be connected to sewer and have a gravity pump and be serviced by Aqua for water. The outside lighting will have nighttime friendly optics on a 16' pole. The landscape will provide buffer along Sproul Road, 2 rain gardens and 2 underground basins. There will be no Storm Water Management issues. **We can comply with all the comments on the Engineer's letter dated November 5, 2014.**

Joseph Mastronardo, Township Engineer

Need to find way to justify that we are adding to the sewer system. This is a large property and no subdivision is needed.

Representative from Don Guanella (PattyMensegah)

The Facility will provide specialized care and skilled nursing.

Board Comments/Questions

Patricia Fanelli

What does the fire code state with reference to diameter? *ICC Fire Code states that we need a 96' diameter cul-de-sac because the entrance to this facility will be more that 500' in length. Facility will have a sprinkler system and believe that an 80' diameter will suffice. Will probably have an answer by Monday.*

Tim Moore

Questions entrance to site and how many employees? *There will be 3 shifts with approximately 6 employees per shift.*

Will this tie into further development? *No*

What type of construction? *Stick frame, single story, 10 bed, 4000 sq.ft. buildings. These building are very similar to what has been built on the Notre Dame Campus in Swarthmore.*

Audience

John Lucas

Commissioner 4th Ward

Don Guanella is in the 4th Ward and they have been great neighbors. Looking forward to the progression of this development.

Motion

On a motion by Pat Fanelli and 2nd by Tim Moore to approve the Preliminary/Final Land Development Plan for 1701 Sproul Road, Springfield, PA, Don Guanella Village Mini Campus, prepared by Alex Rodriguez, P.E. of Catania Engineering dated October 22, 2014 provided that the applicant satisfy all comments noted in the Township Engineer's letter dated November 5, 2014. Also provide the Township with a new plan as requested in paragraph 8 of the Township Engineer's letter dated November, 5, 2014. The Township also requires a final decision as to the approval of the diameter of the proposed cul-de-sac.. Unanimous decision. Approved.

**Joe Mastronardo gave a review for a Sewage Facilities Planning Component for the project at the old Pathmark, Crozer Ambulatory Care Center at Broomall. Board Approved – Unanimous.

Move to Adjourn by Tim Moore and 2nd by Matt Lain.

Minutes taken by: _____
Edna M. Cook

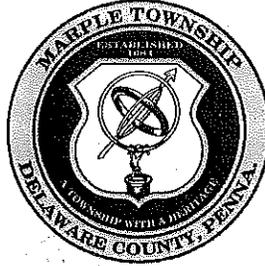
Board of Commissioners

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Anthony T. Hamaday
Township Manager

Sharon L. Angelaccio
Township Secretary

J. Adam Matlawski, Esq.
Township Solicitor



227 South Sproul Road
Broomall, PA 19008-2397
www.marpletwp.com
November 5, 2014

John P. Capuzzi, Jr.
Treasurer

Kathleen M. Yanoshak
Controller

Edward E. O'Lone, CPA
Director of Finance

Joseph C. Romano
Director of Code Enforcement

Edward T. Cross
Director of Public Works

Joseph A. Mastronardo, P.E.
Township Engineer

Jan G. Ceton
Emergency Management Coordinator

MRPL 0134

Joseph Romano, Director of Code Enforcement
Marple Township
227 S. Sproul Road
Broomall, PA 19008

**RE: Preliminary/Final Land Development Plan
Don Guanella Village Mini Campus – 1701 S. Sproul Road**

Dear Mr. Romano:

As requested, we have reviewed the following documents, prepared by Catania Engineering Associates, Inc., in connection with the referenced project:

- *“Preliminary/Final Land Development Plan – DGV Mini Campus,”* (9 sheets) dated October 22, 2014.
- *“Post Construction Stormwater Management Plan – Group Residences at DGV Mini Campus,”* dated October 28, 2014.

The applicant, Catholic Social Services, proposes to construct three (3) new residential dwellings to house 30 residential living units and one (1) 18-foot by 18-foot storage building on the Cardinal O’Hara High School campus property (folio no. 25-00-01275-00). Parking, landscaping and stormwater management features are also proposed to support the development. The site is located on the east side of Sproul Road (SR 0320) adjacent to the Sisters of Mercy Convent in the INS-Institutional zoning district. Access to the new dwellings is proposed via an extension of the existing internal drives for Cardinal O’Hara High School campus. The site is served by public water and sewer.

An administratively complete Preliminary/Final Plan application was accepted on October 24, 2014. In accordance with the Municipal Planning Code, a decision on the Preliminary/Final Subdivision and Land Development Plan application by the Marple Township Board of Commissioners and a decision rendered and communicated to the applicant are necessary on or before February 04, 2015 unless an extension of time is granted by the applicant. (§265-10)

We offer the following comments:

ZONING

1. A complete zoning table per *Attachment 10:1* (§300-50) should be provided to confirm compliance with the Development Standards for INS-Institutional zoning.
2. The maximum height for accessory structures is 50% of the tallest principal structure. According to the table on Sheet 1, the maximum existing/proposed building height is 35 feet; therefore, the proposed site lighting is not to exceed 17-½ feet. (§300-50)
3. Steep and very steep slopes are to be delineated to verify compliance with the applicable use restrictions in areas of steep and very steep slopes. (§300-62)
4. The existing site is densely wooded; therefore existing trees in excess of 12-inches in DBH should be indicated. In accordance with the tree protection requirements (§300-63); trees greater than 12-inches in diameter removed in order to construct proposed improvements requires acceptable replacement.
5. A Type C3 landscape buffer consisting of one evergreen tree per 25 linear feet and one shrub per 8 linear feet is required within the setback from Sproul Road. (§300-68) The site landscape plan indicates 17 new trees; however size and species for the trees are to be provided.

SUBDIVISION AND LAND DEVELOPMENT

6. The applicant may consider a waiver of preliminary plan procedure to permit plan to be considered for final submission. (§ 265-9)
7. The following items should be provided per the Preliminary and Final Plan requirements set forth in §265-9.B and §265-14.C, respectively:
 - a. Datum to which contour elevations refer; the existing topography is based on an assumed datum. (§265-9.B(8))
 - b. Tract boundaries and existing property lines with bearings and distances. (§265-9.B(6)&(12))
 - c. Size and location of existing sanitary sewers, water mains, and gas utilities. (§265-9.B(10))
 - d. The right-of-way and cartway width of the adjacent streets. (§265-9.B(11))
 - e. Zoning boundaries within 300 feet of the site. (§265-9(17))
 - f. The location, size and invert of all proposed sanitary and storm sewers, water and gas lines, and fire hydrants. (§265-14.C(13))
 - g. Permanent reference monuments. (§265-14.C(17))
 - h. Profiles for proposed storm and sanitary sewers indicating pipe size, length and material. (§265-14.D(3)(d)&(e))

8. The applicant proposes development on a portion of the existing property; however a sketch showing the entire property is required. (§265-9.B(15)) The plan and supporting documentation also indicates the parcel as 53.77 acres and 93 acres; please clarify.
9. The folio number listed on the submitted documents is inconsistent with the folio number indicated by a recently received ALTA/ACSM Land Title Survey, prepared by Control Point Associates, dated October 14, 2014 for the same property; please clarify.

STORMWATER MANAGEMENT

10. The following items should be provided per the Drainage Plan requirements set forth in §257-11:
 - a. A fifteen-foot wide access easement around all stormwater management facilities that would provide ingress to and egress from a public right-of-way. (§257-11.B(19)) A note may be added to the plan to permit access to all stormwater management facilities.
 - b. A statement, signed by the applicant, acknowledging that any revision to the approved drainage plan must be approved by the Township and that a revised erosion and sediment control plan must be submitted to the Conservation District for a determination of adequacy. (§257-11.B(22))
 - c. A signature block for the design engineer in accordance with §257-11.B(23).
 - d. An erosion and sediment pollution control plan, indicating all proposed construction activities is required (§257-23.A(4))
11. The infiltration facility shall be capable of completely infiltrating the retention (infiltration) volume (Re_v) within four days (96 hours). (§257-20.A(c)) Calculations should be provided verifying this requirement is met.
12. The calculations for the provided infiltration and water quality volumes by the two rain gardens and underground infiltration basins are unclear. (§257-16.A(2) & §257-17.A) Provide volume calculations for each proposed stormwater facility based on design stage-storage and/or measured infiltration rates.
13. Design information indicating compliance with the Stream Bank Erosion Requirements (§257-18) is not provided.
14. Underground Basin 2 is located approximately 6 feet from Building 1; the basin should be relocated to maintain a minimum 10-foot separation from the building foundation.
15. Hydrographs for the post-development uncontrolled drainage areas are to be provided.
16. A detailed soils evaluation to determine the suitability of infiltration facilities is required. The evaluation results as well as proposed test locations shall be provided. The testing shall be performed by a qualified design professional and address soil permeability, depth to bedrock, and subgrade stability. (§257-14.C) Infiltration testing is required to be performed at the elevation of the proposed infiltration surface and a minimum depth of 24

- inches between the bottom of the BMP and the top of the limiting zone (§257-14.B(1)(a)).
17. Pretreatment is required for the underground basins prior to discharge to the surface or groundwater. (§257-12.J)
 18. Design calculations for the proposed storm sewer indicating that the capacity is adequate for the design flow (100-year storm) to the stormwater management facility. (§257-21.D)
 19. Design calculations are required for the drainage channel to inlet (I-5). (§257-21.C)
 20. The locations of downspout connections to the storm sewers/stormwater management facilities, consistent with the design calculations are required to be shown.
 21. Details specifying the construction requirements per the design calculations are to be provided for the proposed rain gardens and underground stormwater basins. In addition, an operation and maintenance for all stormwater management facilities is required. (§257-33.A)
 22. Additional contour and/or spot elevations are required to confirm the design rain garden storage volumes.
 23. The rain gardens are labeled as 1 & 3 on the plans and 1 & 2 in the design report; please clarify.
 24. The inlet numbering is to be revised to be consistent with the design plans and calculations.
 25. A riparian buffer extending a minimum of 50 feet from an existing water body, stream or wetland is required. The plan indicates a 25-foot buffer. Areas within the riparian buffer are to be planted with native vegetation; however, the landscape plan does not indicate restoration requirements for the disturbed areas. (§257-17.C)
 26. Earthmoving activities including grading within wetland areas are subject to approval by DEP. (§257-13.C) A note referencing the date and design professional responsible for the wetland delineation is to be provided.

GENERAL

27. The sanitary sewer for the existing high school and convent is conveyed to Springfield Township's conveyance system. Planning module approval will require capacity determinations by Springfield Township, Upper Darby Township, the Darby Creek Joint Authority, DELCORA and Philadelphia Water Department.
28. The proposed low pressure force main material is indicated as PVC SDR-26; please confirm that the proposed material is appropriate for the chosen grinder pump system.

29. Capacity approval should be provided for domestic water and fire protection service from AQUA.
30. The location of all depressed curb should be indicated and a detail provided.
31. The plans should be reviewed by the Fire Marshall and the Shade Tree Commission.
32. The following typographic errors should be corrected:
 - a. The 18-foot by 18-foot storage building is mislabeled
 - b. Note 7, Sheet 4 indicates electric conduit buried a minimum of 30 inches; however the detail for the light fixtures specify 24 inches.
 - c. Note 6, Sheet 3 regarding landscape island curbs does not appear to apply to this project.
 - d. The State Route designation for Sproul Road is S.R. 0320.
 - e. Note 15, Sheet 1 is duplicated.
33. The Applicant is reminded that construction may not begin until the following are filed with the Township:
 - a. Land Development/Improvement Securities Agreement, approved by the Township solicitor.
 - b. Sewage Facilities Planning Module, or an exemption
 - c. A sewer connection permit, grading permit and any necessary building permits required by the Marple Township Department of Code Enforcement.
 - d. Permit plans and structural design calculations for retaining walls in excess of 4 feet.
 - e. NPDES and Erosion and Sediment Pollution Control Permit approval by DEP/Delaware County Conservation District.
 - f. An Operations and Maintenance Agreement with the Township covering all stormwater controls and BMPs in accordance with §257-33.
 - g. A contribution to the Township Stormwater Control and BMP Operation and Maintenance Fund in the amount of \$2,500 per facility to defray the cost of inspection and maintenance for a 10-year period in accordance with §257-37.

If you have any questions or concerns, please feel free to contact the undersigned.

Sincerely,



Joseph A. Mastronardo, PE
Senior Engineer
PENNONI ASSOCIATES INC.
Township Engineer

JAM/dem

cc: Anthony Hamaday, Township Manager ✓
Alex Rodriguez, PE, Catania Engineering Associates, Inc.

ORDINANCE NO.

AN ORDINANCE OF THE TOWNSHIP OF MARPLE, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 114, COMMERCIAL MAINTENANCE CODE, SECTION 114-23, PARKING LOTS AND DRIVEWAYS, TO MODIFY THE PROVISIONS FOR THE CONSTRUCTION AND MAINTENANCE OF PARKING LOTS AND DRIVEWAYS; PROVIDE FOR LIGHTING AND REQUIRE THE INSTALLATION OF VEHICLE BARRIER SYSTEMS.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Board of Commissioner of Marple Township as follows:

SECTION I: That Chapter 114, Section 114- 23, Parking Lots and Driveways, be amended to read as follows:

- A. Parking lots and driveways for all commercial, institutional, industrial, office and multifamily buildings shall be constructed and maintained in accordance with the provisions and specifications of Chapter 108 of the Township Code.
- B. Parking lots shall be kept at all times in good repair and shall be effectively weathertight and showing no signs of deterioration, potholes or areas of standing or stagnate water.
- C. Adequate parking lot lighting shall be installed and maintained, which shall have effective shields placed so that tenants and adjacent neighbors shall not be disturbed by any glare and which shall be acceptable to the Township Code Official or Engineer.
- D. A Vehicle Barrier system constructed in accordance with the minimum specifications contained in the Township Building Code, as adopted, shall be required to be installed in the following locations:
 - (1.) In all parking lots that maintain perpendicular or angle vehicle parking spaces adjacent to pedestrian access ways, sidewalks, storefronts, exit access doors, kiosks, drive up windows, permanent signs, above ground utilities and detention basins, Fire Department connections, unenclosed refuse containers, machinery and exterior building walls.

- (2.) At the end of drive or access lanes adjacent to adjacent to pedestrian access ways, sidewalks, storefronts, exit access doors, kiosks, drive up windows, permanent signs, above ground utilities and detention basins, Fire Department connections, unenclosed refuse containers and machinery.
- (3.) At all locations where off-street parking spaces within the right-of-way are maintained perpendicular to or at an angle to pedestrian sidewalks, access ways, and exit access doors or exterior building walls.
- (4.) Pursuant to the requirements of this Section, a Vehicle Barrier System shall be installed in all existing parking areas and other specified locations when one of the following occurs: within 12 months of the enactment of Township Ordinance No. ; issuance of a permit for modifications to the parking area or tenant space; change of use of or occupancy of a tenant space or issuance of a Certificate of Use and Occupancy.

SECTION IV: This Ordinance is intended only to amend Chapter 300 of said Code, and such parts of said Chapter or Code that are not inconsistent with the terms of the Ordinance shall remain in full force and effect

SECTION V: Any Ordinance or part of any Ordinance to the extent it is inconsistent herewith is hereby repealed

SECTION VI: This Ordinance shall become effective five (5) days after passage

ENACTED AND ORDAINED this day of

Township of Marple
Board of Commissioners

BY: _____
Michael K. Molinaro, President
Board of Commissioners

ATTEST: _____
Sharon Angelaccio
Township Secretary