

TOWNSHIP OF ABINGTON

(4) PUBLIC AFFAIRS COMMITTEE

**July 1, 2015
7:00 P.M.**

CALL TO ORDER

ROLL CALL: SPIEGELMAN – FARREN, SR. – SCHREIBER – SANCHEZ – JONES, JR.

**Township Manager LEFEVRE
Assistant Township Manager WEHMEYER
Township Solicitor CLARKE
Director of Parks and Recreation WENDELL**

MINUTES:

Motion to approve the minutes of the June 3, 2015 Public Affairs Committee Meeting.

Blaine Rothausser of GZA – Call on Doug Wendell

Parks and Recreation Report – Call on Doug Wendell

PA1. Resolution No. 15-023 – Annual Action Plan, Five-Year Consolidated Plan, Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan for the Use of Federal CDBG Funds

Motion to adopt Resolution No. 15-023 approving Abington Township's Five-Year Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan for the use of the Federal Community Development Block Grant (CDBG) funds.

PA2. Resolution No. 15-025 – Economic Development Multimodal Transportation Fund Program

Motion to adopt Resolution No. 15-025 approving Abington Township to submit an application to the Department of Community and Economic Development for the Multimodal Transportation Fund Program. The grant submission will support the Old York Road/Susquehanna Road project.

PA3. Economic Development Traffic Planning and Design, Inc. Agreement

Motion to approve the Professional Services Agreement from Traffic Planning and Design, Inc. (TPD) in the amount not to exceed \$7,900.00 to be used from contingency funds.

PA4. Field Dedication – Ardsley Park

Motion to authorize the dedication of the baseball field (closest to Cricket Avenue) in Ardsley Park in memory of former Commissioner and Board President Martin Reddington.

PA5. Dedication Policy

FOR DISCUSSION ONLY.


Consideration for the adoption of a formal policy for the future dedication of Township facilities, including but not limited to buildings, parks, fields and streets in honor or memory of current or former Township Commissioners, officials or residents.

BOARD ACTION REQUEST
PUBLIC AFFAIRS COMMITTEE

July 1, 2015
DATE

PA1
AGENDA ITEM NUMBER

DEPARTMENT **AGENDA ITEM** **TOWNSHIP MANAGER**

Community Development	Resolution No. 15-023 Annual Action Plan, Five-Year Consolidated Plan, Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan for the Use of Federal CDBG Funds	
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PREVIOUS ACTIONS

None

RECOMMENDED BOARD ACTION

Motion to adopt Resolution No. 15-023 approving Abington Township's Five-Year Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan for the use of the Federal Community Development Block Grant (CDBG) funds.

COMMENTS

1. The Consolidated Plan is a mandatory submission for all federal entitlement communities and is a five-year strategy for implementing the Township's housing and community development goals. These goals are expressed in specific projects with their respective costs in the One-Year Action Plan which includes the annual CDBG Budget.
2. The Annual Action Plan is the annual application to HUD from the Township for its annual CDBG entitlement funds. The entitlement amount for FY 2015 (10/1/2015-9/30/2016) is \$706,700.00. This entitlement amount is an increase of \$1,139.00 from FY 2014 which the entitlement amount was \$705,561.00.
3. The Analysis of Impediments to Fair Housing Choice identifies impediments to fair housing choice and steps the Township will take to affirmatively further fair housing.
4. The Citizen Participation Plan is a detailed plan which provides for and encourages citizen participation for the use of the Federal CDBG funds.

**FY 2015-2019 FIVE-YEAR CONSOLIDATED PLAN,
FY 2015 ANNUAL ACTION PLAN, 2015 ANALYSIS OF IMPEDIMENTS
TO FAIR HOUSING CHOICE, AND CITIZEN PARTICIPATION PLAN**

The Township of Abington is in the process of preparing its: 1.) FY 2015-2019 Five-Year Consolidated Plan, 2.) FY 2015 Annual Action Plan, 3.) 2015 Analysis of Impediments to Fair Housing Choice, and 4.) Citizen Participation Plan. The Township is required to prepare these documents in order to access the Federal Community Development Block Grant (CDBG) Funds, which the Township uses to serve the low to moderate income population of Abington Township.

1.) FY 2015-2019 FIVE YEAR CONSOLIDATED PLAN

The Township of Abington is an entitlement community under the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant Program (CDBG). The Township is in the final stages of completing its Five-Year Consolidated Plan (CP) for the period of FY 2015, beginning October 1, 2015, through FY 2019, ending September 30, 2019. The Consolidated Plan is a strategic plan to implement federal programs for housing and community development activities within the Township of Abington and how the proposed activities will principally benefit low to moderate income individuals. The Consolidated Plan is a requirement of the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) Program that must be completed by the entitlement community every five-(5) years in conjunction with an update to the Township's Analysis of Impediments to Fair Housing Choice (AI).

The Five-Year Consolidated Plan establishes the goals the Township of Abington proposes for the next five-(5) year period and outlines the specific initiatives the Township will undertake to address these goals by encouraging the development of decent housing, promoting a suitable living environment, and expanding economic opportunities. The Five-Year Consolidated Plan is a collaborative planning process between the Township, the community at large, social service agencies, housing providers, community development groups, and economic development agencies. The process was implemented through a series of public meetings, stakeholder surveys, statistical data, and reviews of previous community development plans.

The following six-(6) priorities and subsequent goals/strategies have been identified for the Township of Abington, PA for the period of FY 2015 through FY 2019 for the Community Development Block Grant (CDBG) Program:

A. HOUSING PRIORITY – (High Priority) There is a need to improve the quality of the housing stock in the community by increasing the amount of decent, safe, sound, and accessible housing for homeowners, renters, and homebuyers that is affordable to low- and moderate-income persons and families.

Goals/Strategies:

HS-1 Housing Rehabilitation - Continue to provide financial assistance to low to moderate income homeowners to rehabilitate their existing owner-occupied housing.

HS-2 Rental Rehabilitation - Provide financial assistance to affordable housing providers to rehabilitate housing units that are rented to low to moderate income tenants.

HS-3 Housing Construction - Increase the supply of decent, safe, sound, and accessible housing that is affordable to owners and renters in the community through rehabilitation of vacant buildings and new construction.

HS-4 Fair Housing - Promote fair housing choice through education and outreach in the community.

HS-5 Home Ownership - Assist low to moderate income households to become homeowners by providing down payment assistance, closing cost assistance, and requiring housing counseling training.

HS-6 Public Housing - Support the local public housing authority in its efforts to improve and maintain the existing public housing communities, and promote homeownership programs through the use of Section 8 Vouchers for home purchase.

B. HOMELESS PRIORITY – (Low Priority) There is a need for housing and support services for homeless persons, and persons who are at-risk of becoming homeless.

Goals/Strategies:

HO-1 Continuum of Care - Support the local Continuum of Care's (CoC) efforts to provide emergency shelter, transitional housing, and permanent supportive housing to persons and families who are homeless or who are at risk of becoming homeless.

HO-2 Operation/Support - Assist providers in the operation of housing and support services for the homeless and persons at-risk of becoming homeless.

HO-3 Prevention and Housing - Continue to support the prevention of homelessness and programs for rapid rehousing.

HO-4 Housing - Support the rehabilitation of and making accessibility improvements to emergency shelters, transitional housing and permanent housing for the homeless.

HO-5 Permanent Housing - Support the development of permanent supportive housing for homeless individuals and families.

C. OTHER SPECIAL NEEDS PRIORITY – (Low Priority) There is a continuing need for affordable housing, services, and facilities for persons with special needs and the disabled.

Goals/Strategies:

SN-1 Housing - Increase the supply of affordable, decent, safe, sound, and accessible housing for the elderly, persons with disabilities, and persons with other special needs through rehabilitation of existing buildings and new construction.

SN-2 Social Services - Support social service programs and facilities for the elderly, persons with disabilities, and persons with other special needs.

SN-3 Accessibility - Improve the accessibility of owner occupied housing through rehabilitation and improve renter occupied housing by making reasonable accommodations for the physically disabled

D. COMMUNITY DEVELOPMENT PRIORITY – (High Priority) There is a need to improve the public and community facilities, infrastructure, public services, and the quality of life for all residents in the community.

Goals/Strategies:

CD-1 Community Facilities - Improve the parks, recreational centers, trails, libraries, and all public and community facilities in the municipality.

CD-2 Infrastructure - Improve the public infrastructure through rehabilitation, reconstruction, and new construction.

CD-3 Public Services - Improve and increase public safety, municipal services, and public service programs throughout the community.

CD-4 Accessibility - Improve the physical and visual accessibility of community facilities, infrastructure, and public buildings.

CD-5 Public Safety - Improve the public safety facilities, equipment, and ability to respond to emergency situations.

CD-6 Code Enforcement - Enforce the local codes and ordinances to bring buildings into compliance with the standards through systematic code enforcement.

CD-7 Clearance - Remove and eliminate slum and blighting conditions through demolition of vacant, abandoned and dilapidated structures.

CD-8 Revitalization - Promote neighborhood revitalization in strategic areas through acquisition, demolition, rehabilitation, code enforcement, infrastructure improvements, housing construction, public and community facilities improvements, etc.

CD-9 Historic Preservation - Promote historic preservation and adaptive reuse of existing buildings in the community through financial incentives.

CD-10 Community Policing - Improve neighborhoods by having the Police Department work cooperatively with residents and community based organizations to identify and resolve issues affecting the neighborhood.

E. ECONOMIC DEVELOPMENT PRIORITY – (Low Priority) There is a need to increase employment, self-sufficiency, education, job training, technical assistance, and economic empowerment of low and moderate income residents in the community.

Goals/Strategies:

ED-1 Employment - Support and encourage new job creation, job retention, employment, and job training services.

ED-2 Financial Assistance - Support business and commercial growth through expansion and new development through technical assistance programs and low interest loans.

ED-3 Redevelopment Program - Plan and promote the development and redevelopment of the downtown business district.

ED-4 Financial Incentives - Support and encourage new economic development through local, state and Federal tax incentives and programs such as Tax Incremental Financing (TIP), tax abatements (LERTA), Enterprise Zones/Entitlement Communities, Section 108 Loan Guarantees, Economic Development Initiative (EDI) funds, etc.

F. ADMINISTRATION, PLANNING, AND MANAGEMENT PRIORITY – (High Priority) There is a continuing need for planning, administration, management, and oversight of federal, state, county and local funded programs.

Goal/Strategy:

AM-1 Overall Coordination - Provide program management and oversight for the successful administration of Federal, state, and local funded programs, including planning services for special studies, environmental clearance, fair housing, and compliance with all Federal, state, and local laws and regulations.

The Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. Grantees report on accomplishments and progress toward Consolidated Plan goals in the Consolidated Annual Performance and Evaluation Report (CAPER).

2.) FY 2015 ANNUAL ACTION PLAN**(10/1/2015 to 9/30/2016)**

1.	Administration	\$ 140,000.00
2.	Abington Human Relations Commission (Training, Seminars, Outreach & Educational Programs)	2,000.00
3.	1800 block of Watson Road Storm Sewer & Yard Inlets. (Homer Road to Shoemaker Road)	100,000.00
4.	1000 block of Edge Hill Avenue Curbs, Sidewalks & Storm Sewer – Southeastern side only. (Susquehanna Avenue to Easton Road)	75,000.00
5.	1100 block of Westbury Road Storm Sewer & Yards Inlets. (Meetinghouse Road to Dead-end)	100,000.00
6.	2200 block of Parkview Avenue Curbing on both sides of the street. (Fairview Avenue to Dead-end)	30,000.00
7.	2300 block of Nylsor Avenue Curbs & Sidewalks (\$55K from 2013 Funds) (Easton Road to Dead-end)	N/A
8.	Crest Manor - Montgomery County Housing Authority New Construction & Substantial Rehabilitation (\$47K from 2012 Funds) Total financial commitment of \$200,000.00	153,000.00
9.	Owner Occupied Rehabilitation Program (\$77K from 2011 & 2013 Funds) Total financial commitment of \$183,710.16	106,700.00
TOTAL		\$ 706,700.00

3.) 2015 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

The Township of Abington is an entitlement community under the U.S. Department of Housing and Urban Development's (HUD's) Community Development Block Grant Program (CDBG). In accordance with the Housing and Community Development Act of 1974, as amended, each entitlement community must "affirmatively further fair housing." In order to demonstrate that the entitlement community is "affirmatively furthering fair housing" the community must conduct an Analysis of Impediments to Fair Housing Choice which identifies any impediments to fair housing choice and what steps it will take to affirmatively further fair housing.

The Township of Abington's 2015 Analysis of Impediments to Fair Housing Choice has identified the following impediments, along with the goals and strategies to address those impediments.

Impediment 1: FAIR HOUSING EDUCATION AND OUTREACH – There is a continuing need to educate persons about their rights under the Fair Housing Act and raise awareness, especially for low-income households, that all residents of Abington Township have a right to fair housing choice.

Goal: Improve the public's knowledge and awareness of the Fair Housing Act, and related laws, regulations, and requirements to affirmatively further fair housing in the community.

The strategies to achieve this goal include:

1-A: Continue to promote the Township Police Department's "No Place for Hate" Program in the schools and provide educational opportunities for all persons to learn about their rights under the Fair Housing Act and the Americans With Disabilities Act.

1-B: Continue to make available and distribute literature and informational material, to pass out, concerning fair housing issues and place in prominent locations to be available for distribution.

1-C: Include a link on the Township's website for information on Fair Housing and who to contact in cases of suspected housing discrimination.

1-D: Support the continuing efforts of the local fair housing organizations to provide training and technical assistance to the staff of Abington Township, the local Human Relations Commission members, affordable housing providers, and other organizations that are concerned with housing and civil rights in Abington.

Impediment 2: PUBLIC POLICIES AND REGULATIONS – The Township in conjunction with the Montgomery County Planning Department has been working on revising its Zoning Ordinance in accordance with the latest model codes. The Township needs to continue to move forward and complete this major revision to its Zoning Ordinance to bring it into compliance with the Federal Fair Housing Act, Section 504, the Americans with Disabilities Act, etc.

Goal: Complete the work on the revisions to the Township's Zoning Ordinance to promote and affirmatively further fair housing by revising its purposes, definitions, and land use regulations.

The strategies to achieve this goal include:

2-A: Review and revise the definition of "Family" in the Zoning Ordinance to permit six (6) or less disabled persons to live together as a single family unit in any residential zoning district. The Township has been administratively abiding by this, but should now include this in the wording of the Zoning Ordinance.

2-B: Revise the General Purpose and Intent Section of the Zoning Ordinance to reaffirm the Township's commitment to affirmatively further fair housing.

2-C: Revise the Zoning Ordinance to develop a chart with the revised permitted uses, including all types of housing: i.e. group residences, community living arrangements, elderly housing, etc.

2-D: Review and revise all of the other definitions in the Zoning Ordinance Township's and include new definitions for Handicapped (Disabled), Fair Housing Act, Group Home, Community Living Arrangement, Elderly Housing (Senior Citizen Housing), Visitability, Accessibility, Americans With Disabilities Act, etc.

Impediment 3: NEED FOR AFFORDABLE RENTAL HOUSING UNITS – The cost of rent for apartments in the Township has increased over the past ten years to the point that 51.2% of all renter households in Abington are paying more than 30% of their income on the cost of their housing, which means that these households are considered cost overburdened.

Goal: Promote and encourage the construction and development of additional affordable rental housing units in the Township, especially for households whose income is less than 80% of the median income.

The strategies to achieve this goal include:

3-A: Continue to support the construction and development of rental housing and the rehabilitation of upper floor residential units in the business district that provides affordable housing options to low to and moderate income households, especially outside of economically impacted areas.

3-B: Assist in supporting and promoting financial assistance to households that are cost overburdened, particularly those households below 80% of the area median family income.

3-C: Continue to encourage the Montgomery County Housing Authority, private non-profit housing development agencies, and private developers to construct new mixed income housing for rent in the Township, especially for the Elderly.

3-D: Continue to support and encourage the rehabilitation of existing housing units, and upper floor housing in mixed use buildings as outlined in the "Old York Road Corridor Improvement Study," and to increase the supply of decent, safe and sound rental housing that is affordable to low- and moderate-income households.

Impediment 4: NEED FOR AFFORDABLE HOUSING FOR SALE – The monthly housing cost for homeowners with a mortgage has increased to over \$2,000 per month and it is estimated that 35.3% of all homeowners with a mortgage are paying more than 30% of their income on housing costs, which makes them cost overburdened, and limits the choice of housing for lower income households.

Goal: Promote and encourage the development of for-sale single family houses that are affordable to low to moderate income households.

The strategies to achieve this goal include:

4-A: Continue to support the construction and development of for sale housing that provides affordable housing options to low to and moderate income households outside of economically impacted areas.

4-B: Continue to support down-payment assistance and financing to assist low to moderate income homebuyers to purchase housing outside of economically impacted areas.

4-C: Continue to support the rehabilitation of the existing housing stock to increase the supply of decent, safe, and sound housing that is affordable to low to moderate income households.

4-D: Continue to support homebuyer education and training programs to improve homebuyer awareness and increase the opportunities of fair housing choice for lower income households to move outside impacted areas.

Impediment 5: NEED FOR ACCESSIBLE HOUSING – There is a need for more accessible housing that is decent, safe, and sound, as well as affordable to persons with disabilities.

Goal: Increase the number of accessible housing units that are decent, safe, and sound, as well as affordable to lower income households throughout the Township.

The strategies to achieve this goal include:

5-A: Increase the number of accessible housing units through rehabilitation of the existing housing stock.

5-B: Increase the number of accessible housing units through the development and construction of new rental and single family homes for sale.

5-C: Continue to enforce the ADA requirements for landlords to make “reasonable” modifications and accommodations to their rental properties, which will increase the number of accessible housing units for the disabled.

5-D: Provide financial assistance to homeowners to make their properties accessible in order to allow the elderly to remain in their residences.

Impediment 6: PRIVATE LENDING AND INSURANCE PRACTICES – The HMDA data suggests that there is a disparity between the approval rates of home mortgage loans that are originated from white and those originated from minority applicants. Furthermore, based on testing done in the County, there appears to be discrimination in obtaining insurance quotes.

Goal: Approval rates for all originated home mortgage loans and insurance coverage should be fair, unbiased, and impartial, regardless of race, familial status and location.

The strategies to achieve this goal include:

6-A: An in depth review of the mortgage lending practices by local banks should be undertaken by an independent agency or accounting firm, that does not have any interest in the local financial institutions.

6-B: Testing should be performed by an independent fair housing agency to determine if any patterns of discrimination are present in local home mortgage lending practices for home buyers in lower income areas.

6-C: Testing should be performed by an independent fair housing agency to determine if there are any patterns of discrimination in providing quotes and levels of insurance coverage for housing located in lower income areas.

6-D: Additional funding should be applied for in order for the Township to provide a higher rate of public financial assistance to potential home buyers in lower-income neighborhoods in order to improve the loan to value ratio so private lenders will increase the number of home loan mortgages made in these areas.

Impediment 7: COUNTYWIDE APPROACH TO AFFIRMATIVELY FURTHERING FAIR HOUSING – There are four-(4) Federal Entitlement jurisdictions in Montgomery County: Abington, Lower Merion, Norristown, and Montgomery County. Housing, racial, and socio-economic data from the U.S. Census of 2010, as well as the location of subsidized housing illustrates that there is a disproportionate concentration of low to moderate income persons, minorities, and Hispanics living in impacted areas throughout Montgomery County, which demonstrates a lack of housing choice.

Goal: Provide housing and economic opportunities for low to moderate income persons and the protected classes to live and work throughout all of Montgomery County, but outside impacted areas.

The strategies to meet this goal include:

7-A: Establish an Affirmatively Furthering Fair Housing (AFFH) Task Force for Montgomery County with representatives from the Township of Abington, Lower Merion Township, the Municipality of Norristown, Montgomery County, U.S. Department of Housing and Urban Development (HUD), the two Fair Housing Councils, and the Montgomery County Housing Authority (MCHA).

7-B: The AFFH Task Force should review the mobility policies and procedures of the Montgomery County Housing Authority to encourage and support low to moderate income Housing Choice Voucher holders to move outside racially and economically impacted areas in Montgomery County.

7-C: The four (4) federal Entitlement jurisdictions: Montgomery County, Norristown, Lower Merion and Abington should coordinate and cooperate in the preparation and implementation of their individual Analysis of Impediments (A.I.) and/or prepare and adopt a joint countywide fair housing strategic plan.

7-D: The four (4) federal Entitlement jurisdictions should work with Montgomery County to promote and encourage the development of affordable housing throughout Montgomery County in areas that are not economically or racially impacted.

Impediment 8: SUPPORT THE HUMAN RELATIONS COMMISSION – The Township needs to support the recently established Human Relations Commission. By having a local coordination, outreach, investigation, and adjudication organization fair housing choice will be promoted and encouraged.

Goal: The Human Relations Commission of Abington Township will be a motivating force in affirmatively furthering fair housing in the Township and will promote fair housing choice for all protected classes of people.

The strategies to achieve this goal include:

8-A: The local governing body of the Township will keep the appointments of members to the Human Relations Commission current and will provide the Commission with technical and clerical support.

8-B: Establish procedures and protocols for how fair housing complaints are to be reported, monitored, and mediated.

8-C: Advertise to the community, including the Township's website, the formation of the Human Relations Commission, its mission, and how to report fair housing complaints.

8-D: Create seminars and educational programs for the community in cooperation with local fair housing organizations to increase the knowledge base of all residents, owners, renters, and landlords, concerning their rights under the Fair Housing Act, as well as the Americans with Disabilities Act.

4.) CITIZEN PARTICIPATION PLAN

A grantee must develop and follow a detailed plan which provides for and encourages citizen participation and which emphasizes participation by persons of low to moderate income, particularly residents of predominantly low to moderate income neighborhoods, slum or blighted areas, and areas in which the grantee proposes to use CDBG funds. The plan must:

- provide citizens with reasonable and timely access to local meetings, information, and records related to the grantee's proposed and actual use of funds;
- provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance;
- provide for timely written answers to written complaints and grievances;
- and identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

TOWNSHIP OF ABINGTON
MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION NO. 15-023

The Board of Commissioners of the Township of Abington approving the 2015-2019 Five-Year Consolidated Plan, FY 2015 Annual Action Plan, 2015 Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan for the use of Federal CDBG Funds.

WHEREAS, the Township of Abington expects to initiate its FY 2015 Program Year Community Development Block Grant Program in October, 2015; and

WHEREAS, the Township has prepared the 2015-2019 Five-Year Consolidated Plan, FY 2015 Annual Action Plan, 2015 Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan for the use of Federal CDBG Funds; and

WHEREAS, the Township anticipates the entitlement funding for FY 2015 CDBG Funds to be \$706,700.00.

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Township of Abington that the Five-Year Consolidated Plan, Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan for the use of Federal CDBG Funds is hereby approved for submission to the U.S. Department of Housing and Urban Development.

APPROVED:

**ABINGTON TOWNSHIP
BOARD OF COMMISSIONERS**

Date

Wayne C. Luker, President

ATTEST:

Michael LeFevre, Township Manager

ADOPTED: _____

Board of Commissioners

Public Affairs Committee

BOARD ACTION REQUEST

PA 2

July 1, 2015

Agenda Item Number

AGENDA ITEM

DEPARTMENT
Administration



TOWNSHIP MANAGER



**Resolution #15-025
Economic Development
Multimodal Transportation Fund Program**

PREVIOUS ACTIONS:

- Traffic Planning and Design, Inc. (TPD) will conduct a traffic analysis, concept plan, and will assist with the Multimodal Transportation Grant for the Old York Road / Susquehanna Road intersection.

RECOMMENDED BOARD ACTION:

- Motion to adopt Resolution #15-025 approving Abington Township to submit an application to the Department of Community & Economic Development for the Multimodal Transportation Fund Program. The grant submission will support the Old York Rd / Susquehanna Rd project.

COMMENTS:

- The matching funds requirement will be an amount not to exceed 30% of the project costs.
- The grant funds will be used for the purpose of purchasing 1100, 1102, 1104, & 1106 Old York Road, and 1907 Susquehanna Road in order to support the vision of the Old York Road / Susquehanna Road project, which will address the demolition, alignment and reconstruction of the intersection of Old York Road and Susquehanna Road, enhance traffic flow, and provide better access in turning onto Old York Road
- The report from TPD will enhance the Multimodal grant submission and will support the vision of the Old York Road / Susquehanna Road project.

**ABINGTON TOWNSHIP
RESOLUTION NO. 15-025**

**A RESOLUTION OF ABINGTON TOWNSHIP,
COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA,
REQUESTING A MULTIMODAL TRANSPORTATION FUND GRANT AND
DESIGNATING AN OFFICIAL TO EXECUTE ALL DOCUMENTS**

WHEREAS, the Board of Commissioners of the Township of Abington desires to request a Multimodal Transportation Fund Grant in the amount of \$ TBD, from the Commonwealth Financing Authority; and

WHEREAS, the Board of Commissioners of the Township of Abington intends to use the grant funds for the purpose of purchasing 1100, 1102, 1104 and 1106 Old York Road, and 1907 Susquehanna Road, Abington Township, Montgomery County, Pennsylvania, in order to support the vision of the Old York Road / Susquehanna Road project, which will address the demolition, alignment and reconstruction of the intersection of Old York Road and Susquehanna Road, enhance traffic flow, and provide better access in turning onto Old York Road; and

WHEREAS, the Board of Commissioners of the Township of Abington desires to designate an official to execute all necessary agreements and documentation related to the grant.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Abington, Montgomery County does hereby request a Multimodal Transportation Fund grant of \$ TBD from the Commonwealth Financing Agency to be used for the purpose of purchasing 1100, 1102, 1104 and 1106 Old York Road, and 1907 Susquehanna Road, Abington Township, Montgomery County, Pennsylvania, as well as the demolition, alignment and reconstruction of the intersection of Old York Road and Susquehanna Road.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Abington township does hereby designate Wayne C. Luker, President of the Board of Commissioners and Michael

LeFevre, Township Manager, as the official(s) authorized to execute all documents and agreements between the Township of Abington and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

RESOLVED and **ADOPTED** this _____ day of _____, 2015.

ABINGTON TOWNSHIP

Wayne C. Luker, President
Board of Commissioners

I, Michael LeFevre, duly qualified Secretary of the Township of Abington, Montgomery County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Board of Commissioners at a regular meeting held on July 9, 2015 and said Resolution has been recorded in the minutes of the Township of Abington and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Township of Abington this 9th day of July, 2015.

Michael LeFevre, Secretary

Name of Applicant: Township of Abington

County: Montgomery

Board of Commissioners

Public Affairs Committee

BOARD ACTION REQUEST

PA 3

July 1, 2015

Agenda Item Number

AGENDA ITEM

DEPARTMENT
Administration



TOWNSHIP MANAGER



**Economic Development
Traffic Planning and Design, Inc. Agreement**

PREVIOUS ACTIONS:

- None

RECOMMENDED BOARD ACTION:

- Motion to approve the Professional Services Agreement from Traffic Planning and Design, Inc. (TPD) in the amount not to exceed \$7,900.00 to be used from contingency funds.

COMMENTS:

- The scope of the agreement will be to conduct a traffic analysis, concept plan, and to assist with the Multimodal Transportation Grant for the Old York Road / Susquehanna Road intersection.
- The report from TPD will enhance the Multimodal grant submission and will support the vision of the Old York Road / Susquehanna Road project.
- The Old York Road / Susquehanna Road project will address the alignment of the intersection, enhance traffic flow, and allow for better access in turning onto Old York Road.

TRAFFIC PLANNING AND DESIGN, INC. PROFESSIONAL SERVICES AGREEMENT

Date: June 9, 2015

Client: Abington Township
Client Address: 1176 Old York Road
Abington, PA 19001

Client Contact: Ms. Tara Wehmeyer, Asst. Twp. Manager

Project Name: Old York Road & Susquehanna Road

Municipality/County/State: Abington Township, Montgomery County, PA

TPD Project Manager: Greg Richardson, P.E.

TPD Project No.: ABTO.00010

Traffic Planning and Design, Inc. (TPD) is pleased to submit this Professional Services Agreement (“Agreement”) regarding the above-referenced project (the “Project”). Included in this Agreement are sections regarding **Assumptions, Scope of Services, Schedule, Fee Estimate and Standard Terms and Conditions.**

This Agreement will be between TPD and Abington Township (“Client”).

In order for TPD to begin our services, we request that Client review this Agreement and return a signed authorization to our office. We appreciate the opportunity to be of service on this Project.

ASSUMPTIONS

This Agreement has been prepared under the following assumptions, which reflect TPD’s current understanding of the Project:

- The purpose of this analysis is to evaluate the cost and benefit of roadway improvements at the intersection of Old York Road (S.R. 611) & Susquehanna Road (S.R. 2017).

- Study Area – The study area will consist of the intersection of Old York Road (S.R. 611) & Susquehanna Road (S.R. 2017).
- Study Year – This evaluation will include analysis of the Existing Conditions, Projected Conditions without roadway improvements at the intersection, and Projected Conditions with roadway improvements at the intersection.
- Study Times – TPD recommends that the following time periods be studied: weekday A.M. peak hour, weekday P.M. peak hour, Saturday midday peak hour.
- Background Traffic Growth – TPD will assume a background growth factor based on PennDOT statistics and U.S. census data.
- Crash Data - TPD will request crash data from PennDOT and the Township for roadway segments in the vicinity of the intersection listed in Task II.1 for the past five (5) years.
- Submissions - This proposal covers one submission to the Township. There are no provisions for subsequent submissions. TPD will correct any mathematical, analytical, or typographical errors in the study without further cost to the client. Any changes due to enlarged or changed scope, reviewer preference, or client preference will be performed on an out-of-scope basis.

If you disagree with any of these assumptions, please notify us at the time you authorize the study. Otherwise, we will proceed with the study using the assumptions listed above.

Opinions of Probable Construction Cost

Evaluation of Client's or owner's Project budget, and/or estimates of construction cost, if included in TPD's Scope of Services, represent TPD's best judgment as a design professional familiar with the construction industry. It is recognized, however, that TPD does not have control over the cost of labor, materials, or equipment, over the contractor's methods of determining bid prices, or over competitive bidding, market, or negotiating conditions. Accordingly, TPD cannot and does not warrant or represent that bids or negotiated prices will not vary from the project budget proposed, established or approved by the Client or owner, if any, or from any statement of probable construction cost or other cost estimate or evaluation prepared by TPD.

Out of Scope or Additional Services

Any service requested that is not described in the above Scope of Services section will be billed on an hourly basis according to the current fee schedule, plus expenses. Before proceeding with such services, TPD will inform Client of the need for additional services.

If Client disagrees with any of these assumptions, please notify TPD at your earliest convenience, so that revisions to this Agreement document can be made accordingly. Otherwise, upon authorization, we will proceed using the assumptions listed above.

SCOPE OF SERVICES

TASK I. TRAFFIC ANALYSIS

1. Obtain a copy of the PennDOT-approved traffic signal permit plan for the intersection of Old York Road (S.R. 611) & Susquehanna Road (S.R. 2017).
2. Obtain traffic counts from Abington Township for the intersection of Old York Road (S.R. 611) & Susquehanna Road (S.R. 2017) for the weekday morning (7:00-9:00 A.M.), weekday evening (4:00-6:00 P.M.), and Saturday midday (11:00 A.M.-1:00 P.M.) peak hour time periods (*Information previously provided by Abington Township*).
3. Request crash data from PennDOT and Abington Township for the intersection of Old York Road (S.R. 611) & Susquehanna Road (S.R. 2017).
4. Utilize Synchro 8 software, a Trafficware product, to perform capacity analysis to determine existing levels of service.
5. Determine the projected increase in traffic at the intersection due to background growth, based on the methodology outlined in the Assumptions section of this proposal and supplied by the PennDOT Bureau of Planning and Research (BPR). According to the BPR, growth values were determined utilizing an average of the last 9 years of growth information and comparing it to an average calculated from 9 years of historical growth.
6. Based on discussions with the Township, identify any nearby developments which are not currently operating but which will be operating by the build-out year for the above-referenced project that may impact traffic volumes at the intersection.
7. Develop Projected Condition traffic volumes for the intersection of Old York Road (S.R. 611) & Susquehanna Road (S.R. 2017).
8. Prepare schematic figures illustrating peak hour traffic patterns for Existing Conditions and Projected Conditions.
9. Identify potential intersection improvements based upon field observations and feedback received from the Township.
10. Evaluate potential intersection improvements by utilizing Synchro 8 software to evaluate the projected levels of service.
11. Perform a quantitative safety comparison between existing conditions and potential intersection improvements.
12. Prepare a memorandum that summarizes the findings of Tasks 1 to 11.

TASK II. CONCEPT PLAN

1. Prepare a concept plans for the recommended roadway improvements for a maximum of three (3) alternatives. These plans will investigate, but will not be limited to, improved intersection approach re-alignment, enhanced pedestrian and transit accommodations, and improving corner radii.

2. Provide preliminary construction cost estimates for the recommended roadway improvements.

TASK III. ASSIST WITH MULTIMODAL TRANSPORTATION FUND GRANT APPLICATION

1. Working with the Township, define the project scope and documented project need.
2. Coordinate with the Township to obtain any funding commitment letters, project concurrence letters, and resolutions needed.
3. Develop a project location map.
4. Ensure that all conceptual plans and cost estimates are in a format required for the grant application.
5. Develop a schedule of project activities and milestones.
6. Develop a list of all state, federal, and local permit approvals needed.
7. Complete and submit the Department of Community and Economic Development (DCED) online grant application.

PROJECT SCHEDULE

It is estimated that a draft memorandum will be completed **four (4) weeks** after the signed authorization is received. We will make every possible effort to have the information ready for any scheduled submission or meeting dates.

FEES AND EXPENSES

The fee for TPD's performance of the tasks listed in the Scope of Services is not to exceed **\$7,900.00**.

Meetings

The costs for attending meetings are **not** included in the fee estimate for professional services, unless such meetings are specifically included in the Scope of Services. All meetings not specifically covered in the Scope of Services will be attended at Client's request (or at Client's attorney's request) and will be billed hourly using TPD's applicable fee schedule at the time of the meeting.

Special Cost Provision

If, as part of any legal proceeding associated with this project, any TPD employee is subpoenaed for deposition or testimony purposes, Client will be billed at TPD's hourly rate (in effect at the time of deposition) for those services plus any related expenses.



TPD STANDARD TERMS AND CONDITIONS

1. Payment Terms

- a. Invoices will be issued by Traffic Planning and Design, Inc. (TPD) as work proceeds. Payment is due within the invoice due date or where otherwise specified by this Agreement. Interest equal to 1.5% per month (18% per year) will be applied to unpaid invoices. Payments will be credited first to interest and then to principal.
- b. If fees are not paid in full within the due date, without liability, TPD reserves the right to pursue all appropriate remedies, including stopping work on five (5) days' notice and retaining all documents without recourse until the account is brought current. Client agrees to reimburse TPD for all costs and expenses incurred in connection with the collection of invoices due here under, including reasonable attorney's fees.

2. Instruments of Service

- a. All Documents are Instruments of Service. TPD shall retain the copyright thereto, and an ownership and property interest therein whether or not the project is completed.
- b. TPD grants Client a non-exclusive license to use the Instruments of Service solely and exclusively for the purpose of constructing, using, maintaining, altering and adding to the Project, provided that the Client substantially performs its obligations, including prompt payment of all sums when due, under this Agreement. Client may make and retain copies of documents for information and reference in connection with use on the project by Client. Such documents are not intended or represented to be suitable for reuse by Client or others on extensions of the specific project for which they were prepared or on any other project. Any such reuse or modification without written verification or adaptation by TPD, as appropriate for the specific purpose intended, will be at Client's sole risk and without liability or legal exposure to TPD or to TPD's Consultants. Client shall defend, indemnify and hold harmless TPD and TPD's Consultants from all claims, damages, losses, economic damages and expenses, including attorneys' fees arising out of or resulting from such reuse or modification.

3. Standard of Care

TPD will strive to perform services under this Agreement in a manner consistent with that level of care and skill ordinarily used by members of the subject profession currently practicing in the same locality under similar conditions. No other representation and no warranty or guarantee, express or implied, is included or intended in this Agreement, or in any report, opinion, document, or otherwise.

4. Limitation of Liability

- a. To the fullest extent permitted by law, the total liability in the aggregate, of TPD and TPD's officers, directors, employees, agents, and independent professional associates, and any of them, to Client and anyone claiming by, through or under Client, for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to TPD's services, the project, or this Agreement, from any cause or causes whatsoever, including but not limited to, the negligence, errors, omissions, strict liability, breach of this Agreement, misrepresentation, or breach of warranty of TPD or TPD's officers, directors, employees, agents or independent professional associates, or any of them, shall not exceed the total compensation received by TPD under this Agreement or \$50,000 whichever is greater.
- b. Client and TPD agree to a mutual waiver of special, incidental, indirect, or consequential damages including but not limited to loss of profits, loss of use arising out of, resulting from, or in any way related to the project or this Agreement.
- c. TPD shall not be responsible for any acts or omissions, or accuracy of data and or information supplied upon which TPD may rely, of any Client, contractor, subcontractor, or supplier, or any agents or employees or any other persons acting on behalf of Client, contractor, subcontractor, or supplier; or for any decision made on interpretations or clarifications of information supplied by Client, contractor, subcontractor, or supplier without consultation and advice of TPD.

5. Termination

- a. The obligation to provide further services under this Agreement may be terminated:
 - i. For cause, by either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party.
 - ii. By TPD:
 - (1) upon seven days written notice if TPD believes that it is being requested by Client to furnish or perform services contrary to TPD's responsibilities as a licensed professional; or
 - (2) upon seven days written notice if TPD's services for the Project are delayed or suspended for more than 60 days for reasons beyond TPD's control.
 - (3) TPD shall have no liability to Owner on account of such termination.
- b. TPD shall not be obligated to resume services under the Agreement until Client has paid all sums previously due and owed by Client.

6. Successors and Beneficiaries

TPD and Client each is hereby bound and the partners, successors, executors, administrators, and legal representatives of TPD and Client are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

7. Mediation

Prior to the initiation of any legal proceedings, the parties to this Agreement agree to submit all claims, disputes or controversies arising out of or in relation to the interpretation, application or enforcement of this Agreement to non-binding mediation. Such mediation shall be conducted under the auspices of the American Arbitration Association or such other mediation service or mediator upon which the parties agree. The Party seeking to initiate mediation shall do so by submitting a formal, written request to the other party to this Agreement. This section shall survive completion or termination of this Agreement, but under no circumstances shall either party call for mediation of any claim or dispute arising out of this Agreement after such period of time as would normally bar the initiation of legal proceedings to litigate such claim or dispute under the laws of the Commonwealth of Pennsylvania.

8. Invalidity of Provisions

If any term or provision of this Agreement shall be held to be invalid or illegal, such term or provision shall not affect the validity or enforceability of the remaining terms and provisions of this Agreement.

9. Controlling Law

This Agreement is to be governed by the law of the state in which the project is located.

10. Total Agreement

- a. This Agreement (together with any expressly incorporated appendix), constitutes the entire agreement between TPD and Client and supersedes all prior written or oral understandings. This Agreement may only be amended or modified by a TPD representative.
- b. Signatures transmitted via facsimile or in PDF format by electronic mail shall be binding upon the parties hereto with the same force and effect as original signatures.

{Continue to next page for Authorization Page}



AUTHORIZATION PAGE

Confidentiality

Client agrees that the Scope of Services and related provisions included in this Agreement represent a valuable and unique work product developed by TPD specifically for this Project, which may not be used or disclosed by Client for any purpose without TPD's express consent in writing. This specifically precludes Client from utilizing the enclosed Scope of Services for the purpose of soliciting competitive bids from other engineering companies, unless TPD has been compensated for our services in developing the Scope of Services and related provisions. Client also agrees to keep the terms of this Agreement confidential, and that any unauthorized use or disclosure of TPD's Agreement, Standard Terms and Conditions, or related rate schedule constitutes a violation of applicable state laws, regarding, without limitation, unfair competition, misappropriation, and trade secrets.

Client Acceptance of Services Agreement

TPD's offer of services under this Agreement shall remain valid for thirty (30) calendar days from the date of this Agreement. Acceptance of the Agreement after the end of the thirty (30) day period shall be valid only if TPD elects, in writing, to reaffirm the Agreement, and waives its right to re-evaluate and resubmit the Agreement. In order for TPD to begin our services, we request that Client review this Agreement and return the signed to our office.

This Services Agreement prepared by:

Traffic Planning and Design, Inc. (TPD)



Greg Richardson, P.E. - Principal

Client Authorization

Client authorizes TPD to proceed with the services as described within this Agreement:

Signature: _____ Date: _____

Name (Please Print): _____

Position: _____

Firm: _____

E-mail Address: _____

Phone Number: _____

Please retain one copy for your file and forward an executed copy to TPD.

Headquarters for Traffic Planning and Design, Inc. (TPD)
2500 East High Street, Suite 650
Pottstown, PA 19464
Phone 610.326.3100
www.trafficpd.com



BOARD ACTION REQUEST

PUBLIC AFFAIRS COMMITTEE

July 1, 2015

DATE

PA 4

AGENDA ITEM NUMBER

DEPARTMENT

AGENDA ITEM

TOWNSHIP MANAGER

Administration

Field Dedication
Ardsley Park



PREVIOUS ACTIONS

None

RECOMMENDED BOARD ACTION

Motion to authorize the dedication of the baseball field (closest to Cricket Avenue) in Ardsley Park in memory of former Commissioner and Board President Martin Reddington.

COMMENTS

Dedication to be held July 9th at the Board of Commissioners monthly meeting.

Martin Reddington served as 9th Ward Commissioner from January 1972 to December 1983.

BOARD ACTION REQUEST

PUBLIC AFFAIRS COMMITTEE

July 1, 2015

DATE

PA 5

AGENDA ITEM NUMBER

DEPARTMENT

AGENDA ITEM

TOWNSHIP MANAGER

Administration

Dedication Policy



PREVIOUS ACTIONS

On occasion the Board of Commissioners has named various playing fields or parks in honor of Township employees or elected officials.

RECOMMENDED BOARD ACTION

FOR DISCUSSION ONLY.

Consideration for the adoption of a formal policy for the future dedication of Township facilities, including but not limited to buildings, parks, fields and streets in honor or memory of current or former Township Commissioners, officials or residents.

COMMENTS