

BOARD OF COMMISSIONERS

TODD M. SINAI, PRESIDENT

February 18, 2026 - 7:30 PM

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Presentation of Police Department Commendations for Heart-Saver Award, and Unit Citation for Narcotics Investigation and Arrest**
- 4. Approval of Minutes**

Minutes of the Biennial Reorganization meeting of the Board of Commissioners held on January 5, 2026 and a stated meeting of the Board of Commissioners held on January 21, 2026, as distributed.

5. Announcements

The Board met in Executive Session on February 4, 2026 and February 11, 2026 and will meet on February 18, 2026 to receive reports from its professional staff.

Community Watch Patrol Training for residents, 18 years and older, will take place on Thursday, March 12, 2026, at 7:00 p.m. in the Board Room of the Township Administration Building. Registration is required. Visit lmcommunitywatch.org for information and to register.

6. Public Privilege of the Floor

The Floor is open to provide the opportunity for the public to address the Board on any non-agenda item or any other public matter in which the Township has jurisdiction or authority.

Response to Public Privilege of the Floor - Appropriate time for any member of the Board, the Township Manager, or designated staff person to address and correct any statement made by a member of the public during the Public Privilege portion of the agenda.

7. Public Comment

The Floor is open to provide the opportunity for the public to address the Board on matters relating to agenda items which will be voted upon at this meeting.

Response to Public Comment - Appropriate time for any member of the Board, the Township Manager, or designated staff person to address or respond to any statement made by a member of the public during the Public Comment portion of the agenda.

8. Consent Calendar

Consent Calendar items are grouped together in the last section of the agenda which is marked "Consent Calendar." If there is a request from any member of the Board for separate discussion of any item listed on the Consent Calendar, the item will be removed from the Consent Calendar and considered during the appropriate Committee portion after non-consent items listed under that Committee are addressed.

- a. **AUTHORIZATION TO RELEASE FUNDS IN ESCROW**
- b. **PRELIMINARY LAND DEVELOPMENT PLAN - 1400 Waverly Road, (Waverly Heights) Gladwyne, Ward 2, LD# 3929PP**
- c. **APPROVAL OF CERTIFICATES OF APPROPRIATENESS**
- d. **APPROVAL OF HISTORICAL COMMISSION APPLICATIONS**
- e. **AWARD OF CONTRACT - ANNUAL SUPPLY OF ROADWAY MAINTENANCE MATERIALS**
- f. **AWARD OF CONTRACT - EXTENSION - HOSTING AND SUPPORT SERVICES FOR ENTERPRISE CONTENT MANAGEMENT (ECM) SYSTEM**
- g. **RESOLUTION - EXONERATION FROM COLLECTION OF TOWNSHIP REAL ESTATE TAXES**
- h. **RESOLUTION - INCREASING RESIDENTIAL REHABILITATION PROGRAM EMERGENCY PROJECT SPENDING AND DECLINING BALANCE LIEN LIMITS**
- i. **RESOLUTION - MONTGOMERY COUNTY 2040 IMPLEMENTATION GRANT FOR THE CRICKET TERRACE IMPROVEMENTS**
- j. **RESOLUTION - MONTGOMERY COUNTY 2040 IMPLEMENTATION GRANT FOR SIDEWALKS ON COUNTY LINE ROAD**
- k. **RESOLUTION - WITHDRAWING THE 2021 ORDER OF THE BOARD OF COMMISSIONERS REGARDING BAMBOO AT 351 WOODLEY ROAD**
- l. **APPROVAL OF AGREEMENT FOR ADMINISTRATION OF GRANT FUNDS FOR THE PENN WYNNE LIBRARY COMMUNITY READING GARDEN PROJECT**
- m. **APPROVAL TO EXECUTE REVISED LEASE FOR ROLLING HILL COTTAGE**
- n. **AUTHORIZATION TO ADVERTISE ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - OLD LANCASTER ROAD LOADING ZONE**

9. Building and Planning Committee

The Consent Calendar contains items referred from the February 11, 2026 meeting of this

Committee (items a - d).

10. Finance Committee

The Consent Calendar contains items referred from the February 4, 2026 meeting of this Committee (items e - g).

- a. **APPROVAL OF 2026 TOWNSHIP SWIMMING POOL FEES**

11. Grants & Community Development Committee

The Consent Calendar contains items referred from the February 11, 2026 meeting of this Committee (items h - j).

12. Legal Affairs Committee

The Consent Calendar contains items referred from the February 11, 2026 meeting of this Committee (item k).

13. Library Committee

The Consent Calendar contains items referred from the February 11, 2026 meeting of this Committee (item l).

14. Open Space & Township Properties Committee

The Consent Calendar contains items referred from the February 11, 2026 meeting of this Committee (item m).

15. Parks & Recreation Committee

- a. **APPROVAL OF WAIVER OF ENFORCEMENT OF TOWNSHIP CODE 111-4.2 REGULATING OPEN CONTAINERS - 2026 BRYN MAWR TWILIGHT CONCERTS**

16. Police Committee

The Consent Calendar contains items referred from the February 4, 2026 meeting of this Committee (item n).

17. Adoption of Ordinances

- a. **ADOPTION OF ORDINANCE - CHAPTER 7, BOARD OF COMMISSIONERS PROCEDURAL CODE - PERMANENT COMMITTEE NAME CHANGE**

18. Unfinished Business

19. Adjournment

20. New Business



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Building & Planning

ITEM: **AUTHORIZATION TO RELEASE FUNDS IN ESCROW**

Consider for approval to release funds held in escrow as Improvement Guarantees in accordance with §135-7 of the Township Code for the following:

1325 Club House Road (LOWM 231.37)

Inwood Farms

Escrow Release No. 4

Amount \$ 118,388.00



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Building & Planning

ITEM: **PRELIMINARY LAND DEVELOPMENT PLAN - 1400 WAVERLY ROAD, (WAVERLY HEIGHTS) GLADWYNE, WARD 2, LD# 3929PP**

Consider for approval a Preliminary Land Development Plan. The Plan, prepared by Bohler Engineering, dated December 15, 2025, and last revised January 16, 2026, shows the demolition of seven existing semi-attached, single-family, one-story villas and the construction of three new buildings along with associated site improvements. Building 1 and Building 2 are identical three-story structures, each with a footprint of 13,430 square feet and containing 12 independent living units. A total of 51 parking spaces will serve these buildings, including 37 subsurface spaces and 14 at-grade spaces. Building 3 consists of a three-story addition with an 11,130 sq. ft. footprint. The addition to the existing Blair Apartment Building, provides 12 independent living units, 13 garage spaces, and 7 surface parking spaces. The development includes approximately 5,835 square feet of new outdoor amenity space.

In addition, the Applicant requests the following waivers from the Lower Merion Township Code

- a. §101-5.C(2)(b) To allow site disturbance on slopes exceeding 25% as shown on the Final Plan.
- b. §135-4.9(P)(8)(a) and (b) To allow the driveway profile serving the Blair Addition to exceed the maximum slope permitted of 8%, but not greater than 12%, as shown on the Final Plan.

On February 11, 2026, the Building & Planning Committee recommended approval subject to the conditions shown on the following pages.

ATTACHMENT(S):

[1400 Waverly COAs as of 02-11-2026.docx](#)

**LD#3929PP – 1400 WAVERLY ROAD, (WAVERLY HEIGHTS) GLADWYNE
CONDITIONS OF APPROVAL AS RECOMMENDED BY THE
BUILDING & PLANNING COMMITTEE ON FEBRUARY 11, 2026**

Land Development #: 3929PP
Address and Ward: 1400 Waverly Road, (Waverly Heights) Gladwyne, Ward 2.
Expiration Date: April 12, 2026
Zoning District: IH1
Applicant / Owner: Marc Heil, Vice President of Building Services on behalf of Waverly Heights LTD

Consider for approval a Preliminary Land Development Application. The Plan, prepared by Bohler Engineering, is dated December 15, 2025, with a last revision on January 16, 2026. The proposal involves the demolition of seven existing semi-attached, single-family, one-story villas and the construction of three new buildings along with associated site improvements. Buildings 1 and 2 are identical three-story structures, each with a footprint of 13,430 square feet and containing 12 independent living units. A total of 51 parking spaces will serve these buildings, including 37 subsurface spaces and 14 at-grade spaces. Building 3 consists of a three-story, 11,130 sq. ft. footprint addition to the existing Blair Apartment Building, providing 12 independent living units, 13 garage spaces, and 7 surface parking spaces. The development includes approximately 5,835 square feet of new outdoor amenity space.

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- B. §135-4.9(P)(8)(a) and (b) To allow the driveway profile serving the Blair Addition to exceed the maximum slope permitted of 8%, but not greater than 12%, as shown on the Final Plan.

On February 11, 2026 the Building & Planning Committee recommended approval subject to the conditions shown on the following pages:

Township Engineer's Review:

1. The Township Engineer's review letter dated January 27, 2026, shall be incorporated by reference into these conditions of approval to the extent the same is not consistent with these conditions of approval.

Stormwater:

2. The applicant shall show additional topography that includes the full development as well as the existing stormwater management area and underground stormwater management basin, shown to the east of the new Blair Building addition.
3. The rate of stormwater runoff generated at each Point of Interest shall be maintained or reduced.
4. The Cn number for the pre-development conditions on the site shall be considered as meadow for all rate and volume control analysis. All existing impervious coverage within the disturbed area shall be modeled as meadow.
5. At a minimum, the increased volume of stormwater generated by the proposed development for the twenty-five (25) year storm shall be recharged. The recharge volume provided shall be clearly

LD#3929PP – 1400 WAVERLY ROAD, (WAVERLY HEIGHTS) GLADWYNE
CONDITIONS OF APPROVAL AS RECOMMENDED BY THE
BUILDING & PLANNING COMMITTEE ON FEBRUARY 11, 2026

documented. During construction peak rate of runoff controls shall be clearly documented to be controlled. Hydrographs of all design storms shall be provided.

Utilities:

6. The location of the existing and proposed sewer/utility services shall be provided, including any storm sewers with two hundred feet (200') of the property. If relevant, plans shall show sewer/utility easements and clearly note any sewer lines or utilities to be removed or abandoned.
7. The applicant shall obtain a sanitary sewer permit for all new sanitary sewer connections or reconnections. Any increase in the number of Equivalent Dwelling Units (EDUs) resulting from this development beyond the existing approved EDUs shall be considered a new connection.
8. The applicant shall obtain seals for the laterals of the seven existing semi-attached single-family villas before demolition.
9. If the applicant intends to reuse an existing lateral/main at a future time, then the applicant shall televise the lateral/main prior to reuse to ensure that it is in acceptable condition.

Driveway and Parking Areas:

10. The applicant shall provide additional details for the proposed garage(s) and parking layout. Driveway profiles extending into the garage entrances shall be provided to ensure a smooth and functional transition for all vehicle types, facilitating proper access.
11. Maneuverability diagrams shall be provided for the proposed garage parking circulation. Structural columns shall be identified and shall not encroach within the required parking dimensions. Additional reserve spaces may be required to permit vehicles to turn around when dead end parking aisles are fully occupied.
12. Parking garage floor plans dimensioning parking aisles, standard parking and ADA accessible parking spaces shall be provided. The finished floor elevation of the garage(s) shall be specified to verify compatibility with the proposed grading and driveway design.
13. Corner radius transitions shall be provided for the curb lines at driveway(s) intersecting the existing loop road.
14. The existing and proposed mean grade of the structure shall be calculated and shown on the plan. The architectural plans shall be coordinated with and must comply with the grading proposed with this application.
15. The Zoning Officer shall agree with the number and tabulation of the final parking demand schedule.
16. The applicant shall provide sight distance and sight triangles for the proposed driveways on the civil and landscape submission of the preliminary plans.

LD#3929PP – 1400 WAVERLY ROAD, (WAVERLY HEIGHTS) GLADWYNE
CONDITIONS OF APPROVAL AS RECOMMENDED BY THE
BUILDING & PLANNING COMMITTEE ON FEBRUARY 11, 2026

17. The applicant shall note that the proposed driveway location is subject to the approval of the Lower Merion Police Traffic Safety Unit.
18. The applicant shall show an ADA compliant crossings at all proposed driveway locations.

Retaining walls:

19. Retaining walls over four (4') feet in height require calculations shall be submitted by a licensed professional qualifying the design.

Landscape Plan and Streetscape:

20. The applicant shall submit a landscape plan designed to stabilize the newly created slopes created by the construction of Hybrid Buildings 2 & 3, located adjacent the existing linear formal garden. The plan shall include, but is not limited to, the addition of deep root trees, shrubs and ground cover.
21. The applicant shall consider providing shade trees and intermittent seating, such as benches, located along the new pedestrian path network connecting Buildings 1, 2, and 3 to enhance pedestrian comfort and provide shade and rest areas.
22. The applicant is encouraged to replace the proposed lawn with additional landscaping within an interior triangle created by the new pedestrian path network connecting Buildings 1, 2, and 3.
23. The applicant is encouraged to provide columnar or understory trees adjacent to the proposed building façades to soften the building massing and provide green views from apartment interiors.
24. The applicant shall provide site triangles on the landscape plans per SALDO Section 135-4.9.P.(9).
25. There are several existing trees proposed to remain to the east of Proposed Hybrid Building 2 showing grading within their driplines. The applicant shall ensure grading does not occur within the dripline of the trees identified as existing trees to remain and existing trees to be impacted.
26. The applicant shall work collaboratively with Township staff to incorporate additional landscaping in front of Buildings 1 and 2 and incorporate landscaping along Copeland Way to the greatest extent feasible.
27. The applicant shall provide screening for electrical transformers including, one along the frontage of Copeland Way, one to the north of the Blair building addition and the proposed 40-foot x 15-foot generator per SALDO code section §135-5.2.F.(5).
28. A maintenance and operations plan shall be submitted for all proposed landscaping, including the street trees and other amenities installed along the road and or driveway frontages. The maintenance plan shall include the requirement to evaluate the street trees a minimum of every five years. It shall be submitted with the Final Plan submission.
29. All existing trees to remain shall be devined.

LD#3929PP – 1400 WAVERLY ROAD, (WAVERLY HEIGHTS) GLADWYNE
CONDITIONS OF APPROVAL AS RECOMMENDED BY THE
BUILDING & PLANNING COMMITTEE ON FEBRUARY 11, 2026

30. The branching height of the canopy trees shall be increased to eliminate the potential for conflicts with signage, trucks and pedestrians.
31. A landscape plan complying with applicable sections of the Township’s Natural Features code (§101 Article III), Landscape standards (§155-3.10), buffer planting requirements (§135-5.2), parking lot greening standards (§135-5.3), and greening standards (§135-5.5) shall be prepared and sealed by a Registered Landscape Architect and submitted with the Final Plan.

Architectural elevations:

32. The building height shall be verified by the Zoning Officer prior to issuance of any permits.
33. The mean grade of the structure shall be calculated and shown on the Final Plan. The architectural plans shall be coordinated with and shall comply with the grading proposed with this application.
34. Architectural elevations and renderings of all sides of the proposed building shall be submitted with the Final Plan, including the proposed materials.
35. The proposed building shall be constructed substantially as shown on the architectural elevations and plans prepared by RLPS Architects, LLP dated December 11, 2025, last revised January 16, 2026, with the exception of any de minimis changes, including those mutually agreed to with staff.
36. The HVAC/mechanical equipment shall be screened on all sides whether on the roof of the building or on the ground. If located on the roof, the screening shall be integrated into the architecture of the building to improve the appearance and better mitigate noise from the unit(s).
37. The applicant is encouraged to consider adopting architectural standards that relate to the existing buildings in terms of scale and should utilize a quality of materials that are sympathetic to the existing buildings and institutional campus.

Sustainability:

38. The applicant shall consider adding Level 2 EVCS connection for all eight of the proposed Electric Vehicle parking spaces.
39. The applicant shall submit a statement indicating how the Township’s recycling requirements will be complied with before Certificate of Occupancy.

Noise & Exterior Lighting:

40. The Township Lighting's review letter, dated January 21, 2026, shall be incorporated by reference into these conditions of approval to the extent the same is not inconsistent with these conditions of approval or any relief or modifications granted.
41. An outdoor lighting plan, sealed by a responsible design professional that adheres to Township Code and includes illuminance patterns shall be submitted with the Final plan. The location, luminaire type, wattage, means of control and pole height shall be indicated. Lighting shall be designed to minimize the off-site transmission of light, to shield the source of illumination and to prevent glare on adjacent properties. Exterior luminaires shall be full cut-off unless it can be

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BUILDING & PLANNING COMMITTEE ON FEBRUARY 11, 2026

demonstrated that cut-off luminaires are more appropriate and will result in less off-site light trespass.

42. The lighting plan shall be designed to comply with the applicable provisions of the IECC or the ANSI/ASHRAE/IES Standard 90.1 that is in effect at the time of the application.

Construction:

43. The applicant shall submit a parking plan with the Final Plan detailing where construction vehicles will be parked. The plan shall be subject to the approval of the Township prior to the issuance of any permits.
44. The applicant shall identify a contact person to be on-site and enforce the construction parking plan as well as other neighborhood issues that may arise due to the construction.
45. All construction-related vehicles shall be parked on site or at a remote site not in the neighborhood. No construction-related vehicles may park on the street. This includes personal vehicles operated by construction workers or vehicles operated for construction workers, material suppliers, product vendors, and all construction trades engaged in the project.

Building and Site Safety:

46. The fire sprinkler system in the parking garage shall be designed to meet the density requirements of an ordinary type 2 hazard.
47. The applicant shall work with the Township's Fire Marshal to ensure and approve the site design for access and maneuverability.
48. The proposed buildings and garages shall be sprinklered.
49. The applicant shall install a Knox Box entry system at the exterior of all commercial, institutional and multifamily residential buildings at or near the main entrance to the building and/or at other locations as determined and approved by the Fire Marshal.
50. If required by a Township Public Safety Agency, all new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communications systems at the exterior of the building.
51. "No Parking by Order of the Fire Marshal" signs shall be installed as directed by the Fire Marshal.
52. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting on the property.
53. The address numbers shall be a minimum of four (4) inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm).

LD#3929PP – 1400 WAVERLY ROAD, (WAVERLY HEIGHTS) GLADWYNE
CONDITIONS OF APPROVAL AS RECOMMENDED BY THE
BUILDING & PLANNING COMMITTEE ON FEBRUARY 11, 2026

Standard Conditions of Approval:

54. Any changes to the approved plan shall require the submission of an as-built plan prior to the issuance of a Certificate of Occupancy. Building and Planning staff can waive this requirement if the changes are determined to be insignificant.
55. The Final Plan, complying with all applicable conditions of approval, shall be filed with the Department of Building and Planning within twelve (12) months from the date of the preliminary plan approval by the Board of Commissioners.
56. A copy of the revised plan with any changes highlighted shall be submitted with the final plan submission. A letter shall also be provided indicating how each requested revision or condition of tentative sketch approval has been addressed.
57. The owner shall make payment of fees and expenses of the Township's professional consultants who perform services on behalf of the Township with respect to these plans and the work contemplated thereunder and will establish and maintain with the Township those escrows for the payment of such fees required by Township Code. Owner agrees that any statement from the Township for such fees which remain unpaid for a period of 30 days may be recorded against the property as a municipal lien.
58. The owner shall make payment of the Township Engineer's inspection fees within 30 days of presentation. A penalty of 1.5% per month will be due for late payments from the date of presentation. If any shares are not paid within 60 days of presentation, the Township may elect to suspend any outstanding permits until all pending charges are settled.
59. The property owner(s) shall comply with all applicable federal, state, county, local and Lower Merion Township ordinances and laws regardless of specific mention herein.



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Building & Planning

ITEM: **APPROVAL OF CERTIFICATES OF APPROPRIATENESS**

Consider for approval the following certificate of appropriateness as recommended by the Building & Planning Committee at their meeting held on February 11, 2026:

a) 18 East Lancaster Avenue, Ardmore Commercial Center Historic District, 26-01 - approval to install a projecting hanging sign with integrated lighting, with the applicant to make every attempt to align attachments with mortar joints and with no external electrical conduit and with a subcommittee to review final bracket design, sign panel shape, and other details, citing Secretary of the Interior's Standard 9.



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Building & Planning

ITEM: **APPROVAL OF HISTORICAL COMMISSION APPLICATIONS**

Consider for approval the following application as recommended by the Building & Planning Committee at their meeting held on February 11, 2026:

- a) 2026-R-01, 101 North Merion Avenue, Bryn Mawr, Erdman Hall, Bryn Mawr College, Class I - Approval to remove non-original rooftop mechanical components and install new make-up air units, citing Secretary of the Interior's Standards 9 and 10, with a subcommittee to review whether further mitigation measures can be taken.

- b) 2025-D-21, 850 Mount Pleasant Road, Bryn Mawr, Class II - A 30-day delay for an application to demolish the majority of the existing structure on the parcel and build a new residence and detached garage within some retained stone walls, with a subcommittee to review additional mitigation measures.

- c) 2026-R-02, 1202 West Wynnewood Road, Unit 2, Class II - Application to replace windows, doors, and roofing, citing Secretary of the Interior's Standards 4, 9, and 10, with a subcommittee to review final information on materials and details.



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Finance

ITEM: **AWARD OF CONTRACT - ANNUAL SUPPLY OF ROADWAY MAINTENANCE MATERIALS**

Consider for approval to award a contract for Annual Supply of Roadway Maintenance Materials to the following low bidder in accordance with bids received on Thursday, January 15, 2026 at 11:00 A.M. prevailing time and the recommendation of the Finance Committee:

Glasgow, Inc.

Items 1 and 2

Subtotal: \$386,250.00

Items 3 – 6

Subtotal: \$197,051.25

Items 7a – 10b No Bids

Items 11 – 14

Subtotal: \$134,835.00

Total Bid: \$718,136.25



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Finance

ITEM: **AWARD OF CONTRACT - EXTENSION - HOSTING AND SUPPORT SERVICES FOR ENTERPRISE CONTENT MANAGEMENT (ECM) SYSTEM**

Consider for approval to award a contract for Extension – Hosting and Support Services For Enterprise Content Management (ECM) System in accordance with the recommendation of the Finance Committee for a five-year term totaling \$931,672.68 .



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Finance

ITEM: **RESOLUTION - EXONERATION FROM COLLECTION OF TOWNSHIP REAL ESTATE TAXES**

Consider for adoption a resolution exonerating the Township Tax Collector from collection of 2025 real estate taxes.

ATTACHMENT(S):

[Resolution - Exoneration of Real Estate Taxes.docx](#)

TOWNSHIP OF LOWER MERION

RESOLUTION NO. 2026-XX

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF LOWER MERION
EXONERATING THE TOWNSHIP TAX COLLECTOR
FROM COLLECTION OF 2025 REAL ESTATE TAXES**

WHEREAS, Samuel Adenbaum, Tax Collector of Lower Merion in 2025, did on the 9th day of January 2026, make a return to the Treasurer’s Office of Montgomery County, of unpaid real estate taxes for the year 2025, totaling \$397,836 (including 10% penalty), exclusive of interim taxes, a copy of such return having been filed with the Township Secretary.

NOW, THEREFORE, BE IT RESOLVED, that Samuel Adenbaum be and is hereby exonerated from the collection of real estate taxes for the year 2025 totaling the sum of \$397,836, exclusive of interim real estate taxes for the year 2025.

RESOLVE FURTHER, that the record of account of the Township be adjusted in accordance with the foregoing Resolution, that a certified copy of such Resolution be furnished to Samuel Adenbaum and a copy of such return, as filed by the Township Secretary, be identified by the signature of the Township Secretary and the same duly filed with the Township records.

RESOLVED, this ____ day of _____, 2026.

BOARD OF COMMISSIONERS
TOWNSHIP OF LOWER MERION

By: _____
Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Grants & Community Development

ITEM: **RESOLUTION - INCREASING RESIDENTIAL REHABILITATION PROGRAM EMERGENCY PROJECT SPENDING AND DECLINING BALANCE LIEN LIMITS**

Consider for adoption a resolution to amend the Community Development Block Grant (CDBG) Residential Rehabilitation Program (RRP) to increase emergency program spending and declining balance lien limits.

ATTACHMENT(S):

[RESOLUTION FOR RESID REHAB-Feb 11 2026.doc](#)

TOWNSHIP OF LOWER MERION

RESOLUTION NO. _____

ESTABLISHING PURPOSES, ELIGIBILITY, LIMITATIONS, COSTS AND ADMINISTRATION PROCEDURES FOR GRANTS AND DEFERRED PAYMENT LOANS TO PROPERTY OWNERS IN LOWER MERION TOWNSHIP TO BE ASSISTED UNDER THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AS AUTHORIZED BY THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, AND THE TOWNSHIP OF LOWER MERION MUNICIPAL CODE.

WHEREAS, the Township of Lower Merion has determined that Federal Community Development Block Grant Funds shall be used for the purpose of assisting property owners in the improvement and upgrading of properties determined, upon inspection, to be deficient in terms of compliance with National/County/Municipal housing, building, electrical, fire, plumbing and mechanical codes and ordinances; and

WHEREAS, the Township of Lower Merion wishes to reduce lead-based paint hazards in residential properties during the rehabilitation process; and

WHEREAS, the Housing and Community Development Act of 1974, as amended, through the use of Community Development Block Grant Funds, permits the Township as an "entitlement" community, to expend Federal Community Development Block Grant Funds for the purpose of assisting individual property owners; and

WHEREAS, the Township of Lower Merion has been delegated complete administration and management responsibility of the entitlement Federal Community Development Block Grant Funds; and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Township of Lower Merion that the following shall serve as guidelines for the granting of financial assistance for the Housing Rehabilitation Program:

Article 1. Identification: The assistance to individual property owners shall be known as the Housing Rehabilitation Program hereby identified as the Program. Property owners must agree to undertake both rehabilitation and lead hazard control work to participate in the Program. The Program shall consist of the following two categories: a.) Owner-Occupied Single-Family Dwellings & Owner-Occupied Two-Family Dwellings, and b.) Emergency Rehabilitation Program.

a. Owner-Occupied Single-Family Dwellings & Owner-Occupied Two-Family Dwellings

Rehabilitation and lead hazard control work of owner-occupied single-family dwellings and owner-occupied two-family dwellings for residents with annual household incomes up to 80% of the Standard Metropolitan Statistical Area (“SMSA”) median family income as determined by the U.S. Department Housing and Urban Development (“HUD”).

b. Emergency Rehabilitation Program

An Emergency Rehabilitation Program for any family with incomes up to 80% of the SMSA median family income.

Article 2. Program Description: The Program shall provide direct grants for lead abatement, deferred payment loans and/or permanent liens for residential rehabilitation to qualified low- and moderate-income persons and families who own and occupy their properties. The funds provided will be used to improve and upgrade substandard dwelling units for the purpose of providing an acceptable or standard living unit, to increase accessibility for the disabled and to meet lead-based paint compliance standards.

Article 3. Definitions:

- a. Assets: Liquid assets, stocks, bonds, certificates of deposit, checking accounts, savings accounts, real estate, personal property held as an investment, but excluding automobiles, life insurance and the market value of the dwelling to be rehabilitated.
- b. Deferred Payment Loan: The financing mechanism for the Housing Rehabilitation Program. The monies provided to an applicant (excluding costs of environmental testing and abatement) shall be a non-interest bearing, declining balance loan secured by a municipal lien. If the applicant remains in his/her property for the entire loan term, the deferred loan will be forgiven in full. If the applicant transfers title to the property during the loan term, the remaining balance shall be returned to the Township at the time of the transfer. At its discretion, the Township may transfer the loan amount to an eligible heir.
- c. Disabled: (1) a physical or mental impairment which substantially limits one or more of a person’s major life activities, (2) a record of having such an impairment, or (3) being regarded as having such an impairment, but such term does not include current, illegal use or addiction to a controlled substance as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802).

- d. Dwelling Unit: A residential unit occupied and intended to be used as single-family or two-family living quarters as defined by the Township's zoning code. A property intended for use by more than two families is ineligible for assistance through the Housing Rehabilitation Program.
- e. Household: All the persons who occupy a housing unit. The occupants may be a single-family, one person living alone, two or more families living together or any other group of related or unrelated persons who share living arrangements.
- f. Housing Rehabilitation Standards: The CDBG Minimum Housing Standard requirements established by HUD and the Property Maintenance Code adopted by the Township shall be used to establish the minimum standards for rehabilitation.
- g. Income: The gross earned and unearned income of all members of the household over the age of eighteen. This includes wages, unemployment compensation, supplemental employee income, welfare payments, social security payments, pensions, annuities, interest, dividends, alimony, workmen's compensation, financial aid, gambling or lottery winnings. The household gross income is based on the total amount received over the twelve-month period immediately preceding the date the rehabilitation application is received by the Township's Building & Planning Department.
- h. Lead-Based Paint Hazards: Housing conditions that cause human exposure to unsafe levels of lead from paint including deteriorated lead-based paint; friction, impact or chewable painted surfaces; lead-contaminated dust; and lead-contaminated soil.
- i. Lead Hazard Control: A means to minimize the risks presented by lead-based paint and lead-based paint hazards. Four methods of reduction are: paint stabilization, interim controls, standard treatments and abatement.
- j. Lead Hazard Control Costs: The total cost of physical repairs and improvements for the lead reduction on the dwelling unit, including resident relocation and inspections.
- k. Permanent Lien: The amount of the project (excluding costs associated with environmental testing and abatement) that exceed \$40,000 shall be secured by a municipal lien. If the applicant transfers title to the property, the permanent lien balance shall be returned to the Township at the time of the transfer.
- l. Rehabilitation: The act of improving and upgrading a property that is deficient in terms of compliance with the Township's housing rehabilitation standards and HUD's Housing Quality Standards in effect at the time of the rehabilitation work and any necessary lead hazard control work required to meet 24 CFR Part 35.

- m. Rehabilitation Costs: The total cost of physical repairs and improvements for rehabilitation of the dwelling unit, including required inspections.
- n. Remaining Balance: The amount of the lien reimbursed to the Township in the event a qualified recipient of rehabilitation assistance sells or transfers the title of the rehabilitated property. A deferred payment loan will be calculated as a per diem declining balance of the rehabilitation cost of the property improvements, from the date the original lien is recorded to the date of title transfer.
- o. Risk Assessment: A comprehensive evaluation for lead-based paint hazards that includes paint testing, dust and soil sampling, and a visual evaluation. The risk assessment report identifies lead hazards and appropriate lead hazard control methods. A state-certified risk assessor must conduct the assessment.
- p. Standard Metropolitan Statistical Area (“SMSA”): An area, defined by economic and geographic factors, used for the purpose of determining median family income levels. Income level determinations are revised annually by HUD. The Township is part of the Philadelphia Standard Metropolitan Statistical Area.
- q. Substandard Unit: A dwelling unit that is deficient in terms of compliance with the Township’s Housing Rehabilitation standards and HUD Housing Quality Standards.

Article 4. Individual Programs:

- A. Owner-occupied single- and two-family dwellings (incomes up to 80% SMSA level)

This Program shall provide zero percent interest, deferred payment loans to rehabilitate homes of families who have gross annual household incomes up to 80% of the median family income and are owner-occupants of single- or two-family dwellings. The maximum amount available to qualifying households is \$50,000. The Township’s Grants Review Committee reserves the right to increase this amount up to \$75,000 for accessibility modifications for the disabled or life/safety repairs exceeding the maximum funding amount. Any funding exceeding \$75,000 must be approved by the Board of Commissioners.

A five-year declining balance lien will be placed on the property to secure any loan amount up to \$40,000. The deferred payment loan is forgiven 20% per year over five years. Residential rehabilitation exceeding \$40,000 will be secured by a permanent lien. If the recipient of the loan sells or transfers the property or the property ceases to be the principal residence of the recipient, the recipient shall reimburse the Township the remaining balance of the deferred payment loan and the amount of the permanent lien. If the property transfer is due to the death of

the owner, the Township shall not require repayment of any liens, subject to compliance with all of the following:

1. Within six months of the date of death, the property is transferred to the name of the surviving spouse or intestate heir, and
2. The property shall be the principal residence of the surviving spouse or intestate heir, and
3. The income and assets of the surviving spouse or intestate heir must meet the income and asset limits listed in Article 6.

This Program shall provide environmental hazard control grants (including lead, asbestos, mold, radon) to homeowners to reduce the risks associated with lead-based paint and its hazards. There shall be no maximum amount assigned to this activity, as properties must meet HUD compliance standards detailed in CFR 24 Part 35 prior to completion of the project. The funds required to perform the environmental hazard control are not included in the spending limits listed above.

B. Emergency Program (incomes up to 80% SMSA level)

This Program shall provide rehabilitation grants or deferred payment loans to families who have household incomes up to 80% of the median family income and are owner-occupants of one- or two-family dwellings as defined by the zoning code. The maximum amount available to qualifying households is \$35,000. The deferred payment loans are for emergency rehabilitation work as defined in Article 5.c.

All Residential Rehabilitation funds spent under this emergency program shall be included in the total Residential Rehabilitation costs and subject to the spending limits in Article 4, Section A above.

The property will be inspected as in Article 5.d.iii. The applicant shall participate in the individual Program listed in Article 1 to ensure the dwelling unit is not substandard after receiving financial assistance for emergency rehabilitation.

A five-year declining balance lien will be placed on the property to secure the loan amount up to \$35,000. The deferred payment loan is forgiven 20% per year over five years. If the Board of Commissioners authorizes emergency residential rehabilitation work exceeding \$35,000, the loan amount exceeding \$35,000 will be secured by a permanent lien. If the recipient of the loan sells or transfers the property or the property ceases to be the principal residence of the recipient, the recipient shall reimburse the Township the remaining balance of the deferred payment loan and the amount of the permanent lien, subject to the exceptions of Section A above.

Article 5. Program Administration

- a. An applicant's eligibility for assistance shall be determined based on data gathered from an application whose form and content is HUD approved for the Community Development Block Grant Program. The collection of income information and social security numbers and data shall be in compliance with the Privacy Act (5 U.S.C. 552a) and all other provisions of Federal, State and local law. All applicants shall be provided with a Privacy Act notice as part of the application.
- b. Participation in this Program shall be voluntary. However, applicants receiving funding shall comply with all Township Program guidelines and State, Federal and Township regulations.
- c. Applicants will be placed on an official dated waiting list in the order of when they requested assistance. Applicant must be the owner of record and occupy the property. A letter will be sent to the applicant along with other application materials when they are next in line to receive the assistance. If there is no response to the application after 14 days of mailing, a second and final letter will be sent notifying them that they have been removed from the waiting list.
- d. An applicant may be processed out of turn only in the event of an emergency situation. The following criteria will be used to define an "emergency situation":
 - Lack of heat between the months of October and April.
 - Unsafe electrical conditions.
 - Any other condition that seriously affects the health and safety of the owner-occupant and household, including lead poisoning.
 - Accessibility modifications to allow egress and use of the dwelling by a disabled owner-occupant.
- e. The Building & Planning Department shall inspect the entire property and process applications for rehabilitation assistance as follows:
 - i. Determine the applicant's eligibility for rehabilitation assistance through property ownership research, completion of the confidential application and income statement, income, asset and deposit verifications and verification of other supportive information as may be necessary.
 - ii. If the applicant is ineligible for rehabilitation assistance, provide written notification within fifteen days of the determination. Included in this letter will be the reason(s) for the ineligibility.
 - iii. Interview and advise the prospective applicant on the general rehabilitation objectives, the Program guidelines and specific requirements including lead hazard control and relocation, the housing rehabilitation standards and the

benefits of the financial assistance and lien information of the Housing Rehabilitation Program.

iv. If the applicant is eligible for rehabilitation assistance, inspect the entire property and prepare a preliminary work write-up and cost estimate of the rehabilitation work needed to comply with the rehabilitation standards.

v. A copy of the preliminary work write-up will be sent to the Risk Assessor and a lead inspection and risk assessment shall be ordered. A radon inspection will also be ordered. The Risk Assessor shall also prepare draft lead hazard control specifications for the property.

vi. After receipt of radon inspection report, lead inspection, risk assessment report and lead control specifications, the work write-up(s) and cost estimate shall be revised as necessary and finalized. The Building & Planning Department shall review the work specifications with the applicant and seek concurrence with the scope of work.

vii. Building & Planning Department staff shall assist the applicant in selecting qualified contractors to submit bids for the project.

viii. Building & Planning Department staff shall conduct a bid walk-through of the property with the owner-selected contractors. An addendum to the work write-up shall be issued to all selected contractors, if necessary.

e. Owner-Occupant and Township Responsibilities:

A. Owner-Occupant responsibilities

i. The owner-occupant shall submit an application to the Township as a voluntary request for financial rehabilitation assistance.

ii. The owner-occupant shall sign an agreement with the Township detailing the responsibilities of both parties throughout the rehabilitation process including but not limited to compliance with all applicable Township and HUD regulations, authorization for the Township's contractor to complete lead hazard control work and a termination clause for non-performance and/or non-compliance.

iii. The owner-occupant shall sign an agreement with the Township authorizing the placement of a municipal claim or lien on their property to secure the deferred payment loan for the term defined by the individual Program, and if applicable for the permanent lien. The deferred payment loan shall be repaid to Lower Merion Township, in the form of a settlement check made to the Treasurer of the Township of Lower Merion, upon sale or transfer of the property. If the property ceases to be the principal residence of the applicant the remaining balance from the date occupancy ceased shall be repaid in the form stated above. In the event

that title to the property is transferred to an intestate heir of the property owner, and such person is determined by the Township to have an income level less than 80% MFI of the SMSA and no financial ability to repay the deferred payment loan and the permanent lien, then it may be converted to the new owner(s) under such terms and conditions as determined by the Township of Lower Merion.

iv. The owner-occupant shall sign an agreement with contractors authorizing the rehabilitation work and incorporating the rehabilitation Program requirements.

v. If property is located in a floodplain the owner is required to secure flood insurance on their property, with proof supplied to the Township of Lower Merion. If the property owner defaults on their flood insurance, the lien will be in default and immediate payment shall be requested by the Township. Rehabilitation work completed on the property shall also be subject to the federal environmental review requirements for work within a floodplain.

B. Township Responsibilities:

i. The Building & Planning Department shall assist the owner-occupant with preparing the bidding documents, advertising the work through competitive bidding, maintaining a record of the bidding process and reviewing and approving the contract for rehabilitation between the owner-occupant and the contractors.

ii. The Building & Planning Department shall assist the owner-occupant with successfully completing the procurement process. Rehabilitation contracts are awarded to the lowest responsible bidder, all experience being equal, using a staff cost estimate as a guide. However, an owner may choose an alternate contractor who has bid on the project. If the owner chooses an alternate contractor, they must pay the difference in price between the lowest responsible bidder and selected contractor prior to the start of construction.

iii. The Building & Planning Department shall assist the owner-occupant by issuing a Notice to Proceed order for the work, inspecting the work in progress, supervising rehabilitation and lead hazard control activities and authorizing all expenditures and payments to the contractor upon inspection of completed work for conformance to the bid specifications and contract.

iv. The Building & Planning Department shall assist the owner-occupant with relocation options/assistance for the rehabilitation period. (See Relocation Policy)

Article 6. Eligibility: To be eligible for the Housing Rehabilitation Program's financial assistance, the applicant must meet all of the following requirements:

- a. Have equitable title or legal title to the dwelling unit located in Lower Merion Township. The dwelling unit must require rehabilitation in order to meet the terms of compliance with the current Housing Rehabilitation Standards adopted by the Township.
- b. Have occupied the dwelling to be rehabilitated for at least one calendar year prior to filing an application for financial assistance through the Housing Rehabilitation Program.
- c. Own no other property other than the dwelling to be rehabilitated.
- d. Have assets of less than those noted below, excluding the value of the occupied dwelling to be rehabilitated.
 - Base asset limit \$ 75,000
 - Residents over 62 years old \$ 112,500
 - Permanently Disabled \$ 168,000
 - Each additional resident (up to two) \$ 15,000 (max \$30,000)

Funds held in a retirement account shall be exempt from the asset limits if the resident is currently and regularly withdrawing income from such funds. The withdrawn funds shall be treated as part of the applicant's annual income.

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- e. Household incomes up to 80% SMSA level. Qualification for a specific individual Program will be based on the comparison of the household income to the SMSA median family income in effect at the time the application is received.
- f. Have no Federal, State, County or Municipal liens against the property. The Building & Planning Department may waive this requirement if the applicant has a payment plan arrangement with the Federal, State, County or other Municipal Governments. The Building & Planning Department may waive this requirement in the case of an emergency project where the applicant has outstanding sewer liens.

Article 7. Cost of Rehabilitation and Environmental Hazard Control:

- a. Included Costs for Rehabilitation: Costs included in a grant, deferred payment loan or permanent lien shall be limited to (1) costs for correction of immediate housing rehabilitation standards deficiencies and other basic code deficiencies such as roofs, electrical wiring systems, plumbing, heating systems and certain other structural defects affecting the use and livability of the dwelling; (2) costs for placing the property in generally good and readily maintainable condition; (3) costs for accessibility modifications for the disabled; and (4) costs included for building and land-improvements for sewage and water replacement due to onsite systems that no longer meet the Department of Environmental Protection

regulation Title 25, Chapters 71, 72, and 73. Expenditures under the CDBG program may include: the lateral line extension including any required ejection pumps (the private portion), owner's portion of the main connection (public portion), connection fees, removal and/or fill area of old onsite system and flood insurance for the time period the residential rehabilitation is being performed.

These costs will result in a deferred payment loan and/or a permanent lien being placed on the property. When the property transfers, the seller must pay back the lien at time of settlement. The Township will consider subordination of the lien due to a new mortgage or refinancing when requested, subject to compliance with Township's Subordination Policy.

If property is located in a floodplain the owner is required to secure flood insurance on their property, with proof supplied to the Township of Lower Merion. If the property owner defaults on their flood insurance, the lien will be in default and immediate payment shall be requested by the Township. The property shall also be subject to the federal environmental review requirements for work within a floodplain.

Excluded costs: A deferred payment loan shall not provide for costs for (1) new construction or substantial rehabilitation to expand the living space by increasing the dwelling structure size; (2) appliances other than replacement of existing dishwashers, and built-in microwaves, stoves and refrigerators; (3) landscaping; (4) corrections of defects in detached garages and other outbuildings; (5) professional inspection services and testing related to the creation of work write-ups and specifications; and (6) upgrades to fixtures or other rehabilitated elements such as linoleum to tile.

- b. **Included Costs for Environmental Hazard Control:** Costs included in a grant shall be limited to (1) costs for environmental testing and risk assessment including lab testing fees; (2) correction of environmental hazards; (3) relocation costs, if necessary; and (4) a maximum of two clearance tests.

Article 8. Relocation: The Building & Planning Department may require owner-occupants and tenant households (in a two-family dwelling) to relocate during the construction process. Each property will be evaluated on a case-by-case basis to determine the length of relocation time if required and personal items to be removed. The scope of required lead hazard control work may also influence relocation requirements at the expense of the Township of Lower Merion. The Program may provide relocation assistance as follows:

- a. Owner-occupants shall relocate with family or friends, whenever possible.
- b. In the event that relocation services are necessary for owner-occupants, the Program shall provide relocation services that may include temporary housing,

per diem meal costs, moving and storage expenses, transportation costs and laundry reimbursements.

- c. Payment in lieu of relocation services. The Township may make cash payment based on per diem costs for reasonable accommodations researched by the Building & Planning Department.
- d. All tenant households will be relocated pursuant to the requirements of the federal Uniform Relocation Act.
- e. Exceptions to the relocation policy shall be granted only under the following circumstances:
 - i. The house was constructed after 1978; or
 - ii. The lead paint test/risk assessment reveals the property is free from lead paint hazards; or
 - iii. Lead paint hazard reduction is limited to non-habitable, non-essential areas of the property and these areas can be fully contained during the rehabilitation process.

Article 9. Termination: Non-performance and/or non-compliance with the terms of the Township/Owner Housing Rehabilitation Program contract agreement may be grounds for termination from Program participation. This Township/Owner Contract details the responsibilities of both parties. In cases where responsibilities are not met, the following process may occur:

- a. The Building & Planning Department will send a letter to the owner-occupant detailing the area(s) of non-compliance and the actions required correcting the non-compliance. The owner will have twenty days to become compliant with all Program requirements. The letter will be mailed to the owner-occupant by regular and certified mail.
- b. If the owner-occupant corrects all deficiencies, the project will continue as detailed in Article 4.
- c. If the owner-occupant has not corrected all deficiencies, the Building & Planning Department may terminate his/her participation in the Housing Rehabilitation Program. Any rehabilitation and/or lead hazard control funds expended on the property may be secured by a permanent lien on the property. The Township may also move to recapture these monies from the owner-occupant.
- d. The owner-occupant shall have fourteen (14) days to appeal the termination decision of the Building & Planning Department to the Township Manager. The appeal must be in writing and state (1) the nature of the appeal; and (2) the

specific remedy requested. The Township Manager shall render a written decision within fourteen (14) calendar days to the owner-occupant.

- e. The owner-occupant shall have fourteen (14) days to appeal the decision of the Township Manager to the Board of Commissioners. The Board of Commissioners shall convene a meeting within sixty (60) calendar days to hear the appeal. The owner-occupant may be present at the meeting and shall be permitted legal counsel and witnesses to testify on their behalf. The Board of Commissioners shall issue a binding, written decision within fourteen (14) days of the close of the meeting.

Article 10. Limitations of the Housing Rehabilitation Program:

- a. No money shall be awarded or given directly to the owner-occupant, except for relocation assistance. The Building & Planning Department shall operate a special working account for the purpose of paying contractors. A Notice to Proceed order is issued by the Township Building and Planning Department and required for the contractor to commence rehabilitation work.
- b. In the event the amount of money needed to bring the dwelling unit to the housing rehabilitation standards exceeds the amount of the individual Program limits and the owner-occupant is unable to secure additional funds, a review committee, known as the Grants Review Committee (“GRC”) may convene. The GRC consists of the Township Manager or Assistant Manager, the Director of Building and Planning, the Assistant Director of Community Development and Economic Development, and the Community Development Technician. This committee investigates the seriousness of the code deficiencies. The GRC may authorize up to an additional \$25,000 towards the completion of the rehabilitation work. This additional funding raises an individual Program’s rehabilitation-funding limit, but all other conditions, financial assistance and procedures of the Housing Rehabilitation Program remain as stated in this Resolution.
- c. In the event the amount of money needed to bring the dwelling unit to the housing rehabilitation standards exceeds the amount of money authorized by the GRC, the Building & Planning Department may request a waiver of the maximum amount from the Board of Commissioners. It is in the sole discretion of the Board of Commissioners to exceed the rehabilitation limits set in this Resolution.
- d. If an owner-occupant, who has received assistance previously moves to a new home within the Township, they would be eligible for assistance a second time if all the conditions in Article 6 were met. If a property that has received rehabilitation assistance previously were again the subject of possible rehabilitation with an application by a new owner-occupant, it would also be eligible for additional assistance if all the conditions in Article 6 were met.

- e. A qualified owner-occupant who meets all the other eligibility criteria in Article 6 may receive assistance through the Housing Rehabilitation Program more than once. Applicants may re-apply for rehabilitation assistance six years after the completion of property rehabilitation conducted under the Housing Rehabilitation Program. Applicants reapplying for funding on properties with permanent liens are limited to a maximum of \$25,000, all of which will be secured in the form of an additional permanent lien.

Article 11. General Conditions:

- a. The owner-occupant shall comply with Title VI of the Civil Rights Act 1964 prohibiting discrimination upon the basis of race, color or national origin in the rehabilitation of the applicant's property or the receiving of financial assistance in connection with the owner-occupant's eligibility.
- b. Contractors deemed debarred or ineligible for work as determined by the U.S. Department of Labor shall not be hired or awarded work under this Program.
- c. Grants for lead abatement, deferred payment loans and permanent liens of the Housing Rehabilitation Program will only be used for the purpose of complying with minimum housing standards, correcting code deficiencies, weatherization, and accessibility modifications for the disabled and lead-based paint hazard control.
- d. The Township reserves the right to refuse any assistance to an applicant if the general state of disrepair of a dwelling and the anticipated total cost of bringing the property to the housing rehabilitation standards materially exceeds the established individual Program limits as set forth in Article 4. If the Township does assist a property that will not meet minimum housing rehabilitation standards at the completion of the work, the Township will prioritize the work as follows:
 - i. The Township shall correct all deficiencies to the habitable living space that threaten the health and safety of the owner-occupant and household members and major systems in danger of failing. This includes accessibility modifications for the disabled and minimum housing standards.
 - ii. The Township may correct major systems that are aging and nearing the end of its useful life.
 - iii. The Township may correct other code violations in the property.
- e. Procurement of bidders, contract documents, bidding procedures and awarding of contracts shall be in a cost effective manner that is in compliance with the

provisions of the Community Development Block Grant Program and applicable Federal, State and local laws.

f. No member of the Lower Merion Township Board of Commissioners or staff of Lower Merion Township who exercises any functions or responsibilities in connection with the Housing Rehabilitation Program shall have any direct or indirect interest in the proceeds of a grant for lead abatement, deferred payment loans, or permanent liens or in any contract executed by an owner-occupant for the performance of rehabilitation work.

g. This Resolution shall be effective as of _____, 2026.

Approved by the Board of Commissioners this _____ day of _____, 2026.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Grants & Community Development

ITEM: **RESOLUTION - MONTGOMERY COUNTY 2040 IMPLEMENTATION GRANT FOR THE CRICKET TERRACE IMPROVEMENTS**

Consider for adoption a resolution authorizing the Township to submit a grant application to County's Montco 2040 Implementation Grant for improvements to Cricket Terrace in the amount of \$250,000 with a minimum 20% match of the amount of the grant.

ATTACHMENT(S):

[Resolution - Montco 2040 Cricket Terrace](#)

TOWNSHIP OF LOWER MERION

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF LOWER MERION AUTHORIZING
THE APPLICATION TO MONTGOMERY COUNTY FOR A
MONTCO 2040 IMPLEMENTATION GRANT TO
CONSTRUCT IMPROVEMENTS TO CRICKET TERRACE**

WHEREAS, Montgomery County has established the Montco 2040 Implementation Grant Program as a competitive funding program to assist municipalities in implementing the goals of the county comprehensive plan, Montco 2040: A Shared Vision; and

WHEREAS, Montgomery County is accepting applications for projects that advance specific goals under one of the county comprehensive plan’s three themes: Connecting Communities, Sustainable Places and a Vibrant Economy; and

WHEREAS, Transportation & Mobility Improvements, Support Downtowns and Community Destinations, and Adaptation and Resiliency are focused categories in the Montco 2040 Implementation Grant Program Guidebook; and

WHEREAS, the Township wishes to obtain \$250,000 from the Montco 2040 Implementation Grant Program to provide funding for the Cricket Terrace Improvement Project, which aims to enhance the walkability and streetscape between Rittenhouse Place and Cricket Avenue in downtown Ardmore as well as expand public parking Lot#5 and improve connectivity to the public parking garage on Cricket Avenue.

WHEREAS, the Township has budgeted the full cost of the project in its 2026-2031 Capital Improvement Plan and is able to commit the local match required; and

WHEREAS, the Township fully understands the application requirements, including the contracting process if awarded grant funds from the Montco 2040 Implementation Grant Program; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Lower Merion hereby authorizes the Township Manager to submit an application to Montgomery County for a Montco 2040 Implementation Grant requesting \$250,000 for the Cricket Terrace Improvement Project; and

BE IT FURTHER RESOLVED, that the Township agrees, if selected for the implementation grant, to:

1. Engage in proper contracting procedures including the competitive Request for Proposals; and
2. Sign grant agreement documents; and
3. Authorize the appropriation and expenditure of Township funds, in conjunction with those committed by the County, sufficient to providing a minimum 20% match to the amount of the Montco 2040 Implementation Grant; and
4. Submit reimbursement invoices and progress reports along with necessary supporting documentation on a quarterly basis; and
5. Take all necessary action to complete the project associated with the grant agreement within 36-months following the date of the funding agreement contract.

RESOLVED, this day of , 2026.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Grants & Community Development

ITEM: **RESOLUTION - MONTGOMERY COUNTY 2040 IMPLEMENTATION GRANT FOR SIDEWALKS ON COUNTY LINE ROAD**

Consider for adoption a resolution authorizing the Township to submit a grant application to Montgomery County's Montco 2040 Implementation Grant for sidewalks on County Line Road in the amount of \$250,000 with a minimum 20% match of the amount of the grant.

ATTACHMENT(S):

[Resolution - Montco 2040 County Line Sidewalk](#)

TOWNSHIP OF LOWER MERION

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF LOWER MERION AUTHORIZING
THE APPLICATION TO MONTGOMERY COUNTY FOR A
MONTCO 2040 IMPLEMENTATION GRANT TO
CONSTRUCT SIDEWALKS ON COUNTY LINE ROAD**

WHEREAS, Montgomery County has established the Montco 2040 Implementation Grant Program as a competitive funding program to assist municipalities in implementing the goals of the county comprehensive plan, Montco 2040: A Shared Vision; and

WHEREAS, Montgomery County is accepting applications for projects that advance specific goals under one of the county comprehensive plan’s three themes: Connecting Communities, Sustainable Places and a Vibrant Economy; and

WHEREAS, Transportation & Mobility Improvements, Support Downtowns and Community Destinations, and Adaptation and Resiliency are focused categories in the Montco 2040 Implementation Grant Program Guidebook; and

WHEREAS, the Township wishes to obtain \$250,000 from the Montco 2040 Implementation Grant Program to provide funding for the County Line Road Sidewalk Project, which aims to install sidewalks on the east side of the County Line Road from Spring Mill Road to Clairmont Road, improving pedestrian and cyclist safety as well as enhancing non-motorized connectivity with Stoneleigh, Villanova University, the SEPTA regional rail, and nearby residential neighborhoods.

WHEREAS, the Township was recently awarded \$400,000 from the Pennsylvania Department of Community and Economic Development’s Multimodal Grant Program for this project, has budgeted the remaining cost of the project in its 2026-2031 Capital Improvement Plan, and is able to commit the local match required; and

WHEREAS, the Township fully understands the application requirements, including the contracting process if awarded grant funds from the Montco 2040 Implementation Grant Program; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Lower Merion hereby authorizes the Township Manager to submit an application to Montgomery County for a Montco 2040 Implementation Grant requesting \$250,000 for the County Line Road Sidewalk Project; and



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Legal Affairs

ITEM: RESOLUTION - WITHDRAWING THE 2021 ORDER OF THE BOARD OF COMMISSIONERS REGARDING BAMBOO AT 351 WOODLEY ROAD

Consider for adoption a resolution formally withdrawing the Order of the Board of Commissioners dated June 2, 2021 in Resolution No. 2021-18 regarding bamboo at 351 Woodley Road, Merion Station.

ATTACHMENT(S):

[Resolution - Withdrawing Bamboo Order 351 Woodley Road](#)



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Library

ITEM: APPROVAL OF AGREEMENT FOR ADMINISTRATION OF GRANT FUNDS FOR THE PENN WYNNE LIBRARY COMMUNITY READING GARDEN PROJECT

Consider for approval an agreement between the Township and the Penn Wynne Library Association (PWLA) outlining the terms for the administration, transfer, and use of grant funds supporting the Penn Wynne Library Community Reading Garden Project.



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Open Space & Township Properties

ITEM: **APPROVAL TO EXECUTE REVISED LEASE FOR ROLLING HILL COTTAGE**

Consider for approval to execute a revised lease with Lower Merion Conservancy for use of the Rolling Hill Cottage.



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Police

ITEM: **AUTHORIZATION TO ADVERTISE ORDINANCE - CHAPTER 145, VEHICLES AND TRAFFIC - OLD LANCASTER ROAD LOADING ZONE**

Consider for approval authorizing the Township Secretary to advertise notice of intent to adopt an ordinance to amend the Code of the Township of Lower Merion, Chapter 145 thereof entitled Vehicles and Traffic, Article XV, Schedules, Section 145-119, Schedule XIX: "Special Purpose Parking Zones," by adding a No Parking Loading Zone, Trucks Only on the south side of Old Lancaster Road, Haverford, from a point starting 176 feet west of West Montgomery Avenue and extending westerly the distance of 94 feet.

ATTACHMENT(S):

[Proposed Ordinance - Chap 7 Committee Name Amendment TBA 02-18-2026.pdf](#)

AN ORDINANCE

NO. _____

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 7, Board of Commissioners Procedural Code, Section 7-8, Committees, §A(1)(a) Thereof, To Change The Name Of The Administrative And Human Resources Committee To The Governance And Administration Committee.

The Board of Commissioners of the Township of Lower Merion does hereby enact and ordain:

Section 1. The Code of the Township of Lower Merion, Chapter 7, Board of Commissioners Procedural Code, Article III, Meetings, §7-8, Committees, shall be amended to provide henceforth as follows:

Article III. Meetings

§ 7-8 Committees.

A. Enumeration and jurisdiction.

(1) There shall be the following permanent committees of the Board of Commissioners, each with a Chair or Co-Chairs and a Vice Chair or Vice Chairs:

(a) ~~Administrative and Human Resources Committee.~~

(b) Building and Planning Committee.

(c) Economic Development Committee.

(d) Finance Committee.

(e) Fire Committee.

(f) Governance and Administration Committee.

(g) Grants and Community Development.

(h) Health Committee.

(i) Intergovernmental Relations.

- (i) Legal Affairs Committee.
- (j) Library Committee.
- (k) Open Space and Township Properties Committee.
- (l) Parks and Recreation Committee.
- (m) Police Committee.
- (n) Public Works Committee.
- (o) Sustainability Committee.

* * * * *

Section 2. Nothing in this Ordinance or in Chapter 7 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 7 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4 This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this _____ day of _____, 2026

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Finance

ITEM: **APPROVAL OF 2026 TOWNSHIP SWIMMING POOL FEES**

Consider for approval no increase to resident and non-resident membership fees at both the Belmont Hills Pool and the Ardmore Avenue Pool for 2026.

ATTACHMENT(S):

[Swimming Pool Fee Issue Briefing - 2026 - 01-30-2026](#)

TOWNSHIP OF LOWER MERION

Parks & Recreation Committee

Issue Briefing

Topic: Approval of 2026 and 2027 Membership Fees for Township Pools
Prepared By: Gina M. Tophoney, Assistant Director of Recreation
Date: January 30, 2026

I. Action To Be Considered By The Board:

Approve a 4.25% increase for resident membership fees and a 6.5% increase for non-resident membership fees for the Belmont Hills Pool and no increase to resident and non-resident membership fees for the Ardmore Avenue Pool for both 2026 and 2027.

II. Why This Issue Requires Board Consideration:

The Board reviews and sets the pool membership fees every two years.

III. Current Policy Or Practice (If Applicable):

The current policy of the Board, last set in 2006, is to recover 100% of operating and debt service costs for the Belmont Hills Pool. The Ardmore Avenue Pool policy, last set in 2015, is to recover 100% of debt service costs only. During the January 21, 2015, Board of Commissioners meeting the policy for the debt service recovery period for both pools was extended by ten (10) years to 2037.

IV. Overview of the History of Pool Fees

The Board of Commissioners established an Ad Hoc Pool Fee Committee in 2019 to consider policies and procedures for future pool fee recommendations. In 2020, the Board approved a policy to set pool fees on a biennial basis with fees typically being reviewed and recommended through the Finance Committee.

The Township provides a discounted membership fee to eligible Lower Merion residents based on HUD income guidelines, which considers annual income levels and family size. In addition, a payment plan is available where smaller payments are accepted until the full cost of the membership has been paid, and then the membership is activated. In 2025, less than 1% of pool memberships applied for a discounted membership fee or took advantage of the payment plan option.

In 2024, the Board passed a motion to increase non-resident membership fees for the Belmont Hills Pool by 6.5% for the 2024 and 2025 season. However, due to construction of the Ardmore Avenue Community Center, a new recommendation for the 2025 season was needed. The Board passed a motion for the 2025 season to close the Ardmore Pool and in order to best serve Lower Merion residents, the Board agreed to offer an alternative membership for the JCC and only allow LMT and Narberth residents to join the Belmont Hills Pool. The Board upheld the recommendation for the 2025 season to increase non-resident (Narberth) fees at the Belmont Hills Pool by 6.5%.

Over the years the pool fees have not kept pace with the increases necessary to adhere to the Board's Cost Recovery Policy as the Board opted to keep pool fees at a lower level. This ultimately increases the future projected annual fee increase required to meet the Board policy.

Both the current and projected pool fees for Belmont continue to be lower than other municipal and private facilities in the area, while Ardmore remains significantly lower.

	Lower Merion Resident 2026 Proposed Fees	Lower Merion Resident 2027 Proposed Fees	Towamencin 2025 Fees	Cynwyd Club 2025 Fees	Haverford YMCA 2026 Fees	Upper Merion 2026 Fees	JCC 2025 Fees	Karakung 2025 Fees
Family of 3 - Belmont	\$369.00	\$386.00	\$455.00	\$2,600.00	\$135/mo	\$404 - \$491	\$575.00	\$695
Family of 3 - Ardmore	\$81.00	\$81.00						
NOTES			Additional \$33 per additional member. Daily admission is \$20 per person.	Must make two year commitment	Plus Joiner Fee. Indoor Facility Only.	No Family Membership - Fee based off 2 adults and a Toddler (0-2), a Child (3-13) or a Teen (14-17). Senior membership is \$113.	Family includes up to 4 Children. Limited hours.	5 Year Waitlist - have to pay \$55 to join waitlist. \$500 Bond to purchase membership. \$720 Family for 3. Senior member is \$265.

V. Other Relevant Background Information

The Ardmore Pool site has a projected completion date for the new bathhouse on or about May 25, 2026. This may impact the Memorial Day Opening of the Pool in 2026 but the Mid-June, seven day per week pool operation, would proceed as normal. In addition, the new Splash Pad is projected to be operational in 2026; this feature is separated from the pool facility and does not require admission or membership to use.

To Meet the Current Policy:

Staff calculates the recommended fee increases based on the board policy. Below are the annual projected increases needed to maintain the current Cost Recovery Policies moving forward.

Belmont - 100% of Operating and Debt Service.

The Belmont Pool is projected to need an annual fee increase of 4.5% for Residents, and 6.5% for Non-Resident Pool fees, if membership levels remain at their current levels through 2037.

Ardmore - 100% Debt Service Only.

No fee increase would be required to maintain debt service recovery if membership levels remain at their current levels through 2037.

The following charts show the impact in dollar amounts over the next two seasons.

Belmont Hills Swimming Pool Fees 4.50% Res & 6.50% Non-Res						
MEMBERSHIP TYPE	LMT RESIDENT			NON RESIDENT		
	2025 Fee	2026 Fee	2027 Fee	2025 Fee	2026 Fee	2027 Fee
Family of 3 Seasonal Membership	\$353	\$369	\$386	\$668	\$712	\$758
Additional Children (21 & Under)	\$23	\$24	\$25	\$46	\$48	\$52
Individual (17 & Under)	\$150	\$157	\$164	\$257	\$274	\$292
Individual (18 & Older)	\$165	\$172	\$180	\$309	\$329	\$350
Senior Citizen (60 & Older)	\$20	\$21	\$22	\$53	\$56	\$60
Individual "Pay as you go"	\$84	\$88	\$92	\$159	\$170	\$181
Plus Admittance Fee at Pool	\$7	\$7	\$7	\$7	\$7	\$7

** 1/2 Season Memberships are also available for families and individuals.*

Ardmore Ave Swimming Pool Fees 0.0% Res & 0.0% Non-Res						
MEMBERSHIP TYPE	LMT RESIDENT			NON RESIDENT		
	2024 Fee	2026 Fee	2027 Fee	2024 Fee	2026 Fee	2027 Fee
Family of 3 Seasonal Membership	\$81	\$81	\$81	\$312	\$312	\$312
Additional Children (21 & Under)	\$13	\$13	\$13	\$52	\$52	\$52
Individual (17 & Under)	\$31	\$31	\$31	\$124	\$124	\$124
Individual (18 & Older)	\$40	\$40	\$40	\$153	\$153	\$153
Senior Citizen (60 & Older)	\$5	\$5	\$5	\$44	\$44	\$44
Individual "Pay as you go"	\$15	\$15	\$15	\$58	\$58	\$58
Plus Admittance Fee at Pool	\$3	\$3	\$3	\$3	\$3	\$3

* 1/2 Season Memberships are also available for families and individuals.

VI. Impact On Township Finances:

Revenue projections are based on the projected annual fee increase and the prior years' actual revenue numbers. The impact on finances will vary depending on membership sales at each of the facilities. With the recommended 2026 rates, the Ardmore Pool is estimated to generate \$115,762 in revenue, while the debt services and operating costs are estimated to total \$300,743 (\$246,873 operating + \$53,870 debt service). The Ardmore Pool, under the current policy of only recovering debt services, costs the township approximately \$240,000/year to operate. With the recommended 2026 rates, the Belmont Pool is estimated to generate \$617,318 in revenue, while the debt services and operating costs are estimated to total \$643,858 (\$432,334 operating + \$211,524 debt service). The Belmont Hills Pool, under the current policy of recouping 100% of debt service and operating costs, will require steady fee increases, which will drive up membership costs and create more disparity between the two facilities. Projections are factored into the model for increased operating expenses and the larger scale mechanical and structural repairs historically experienced as the facilities age.

VII. Staff Recommendation:

Given the current Board policy, staff recommends a **4.5%** increase to Resident membership fees and a **6.5%** increase to Non-Resident membership fee for the Belmont Hills Pool and **0%** increase to Resident membership fees and a **0%** increase to Non-Resident membership fee for the Ardmore Avenue Pool for the 2026 & 2027 Pool Seasons, with no residency restrictions on memberships.

The Board may want to consider, for future years, modifying the current policy related to pool fees. A single fee policy for Township pools focused on some portion of debt and/or operating costs, at a pre-defined rate could create a unified policy for both pools.

Township staff will need to finalize the 2026 pool fees prior to the end of February to provide sufficient time to advertise and begin membership collections.



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Parks & Recreation

ITEM: APPROVAL OF WAIVER OF ENFORCEMENT OF TOWNSHIP CODE 111-4.2 REGULATING OPEN CONTAINERS - 2026 BRYN MAWR TWILIGHT CONCERTS

Consider for approval a waiver of Township Code §111-4.2 as requested by the Parks & Recreation Department and Rising Sun Presents to permit patrons to possess open containers with alcoholic beverages and serve alcoholic beverages in public rights-of-way within a regulated area at the Bryn Mawr Gazebo, 9 S. Bryn Mawr Avenue Bryn Mawr during the 2026 Bryn Mawr Twilight Concerts (BMTTC).

ATTACHMENT(S):

[Issue Brief - Alcohol Wavier for BMTTC 01-30-2026](#)

TOWNSHIP OF LOWER MERION
Parks & Recreation Committee

Issue Briefing

Topic: Open Container Waiver - 2026 Bryn Mawr Twilight Concerts

Prepared By: Donna Heller, Director of Parks & Recreation

Date: January 30, 2026

- I. Action To Be Considered By The Board:** Approve a waiver of Township Code §111-4.2 as requested by the Parks & Recreation Department (P&R) and Rising Sun Presents (RSP) to permit patrons to possess open containers with alcoholic beverages and serve alcoholic beverages in public rights-of-way within a regulated area at the Bryn Mawr Gazebo, 9 S. Bryn Mawr Avenue Bryn Mawr during the 2026 Bryn Mawr Twilight Concerts (BMTC).
- II. Why This Issue Requires Board Consideration:** The Board of Commissioners must approve waivers of the Township Code. This event requires a waiver of Township Code § 111-4.2 to serve and consume alcohol in public right-of-way and to possess open containers in a public place.
- III. Current Policy Or Practice (If Applicable):** Current policy prohibits the consumption of alcohol in open containers in a public place. Current policy also requires approval from the Board of Commissioners to serve and consume alcohol in public right-of-way. This code provision has been waived for special events in Ardmore and other commercial districts in the Township.
- IV. Other Relevant Background Information:** The BMTC is a 2026 Concert Series consisting of separate live concerts by music performers on the grounds of the Bryn Mawr Gazebo, 9 S. Bryn Mawr Avenue Bryn Mawr, during the months of May, June, July and August on dates agreed upon by the Township. RSP is a consultant that is engaged in the production of live music programs for public audiences and is experienced in producing such programs for municipal organizations.

The BMTC has been operating since 2007. This has been a financially self-sustaining program which has obtained community sponsors and collect admittance fees which fully fund it operation.

RSP, the producer of BMTC for Lower Merion Township has requested approval to be allowed to sell beer and wine at the 2026 BMTC series to provide the service to the patrons as well as add an additional revenue source to the program's escrow account. Sales would be handled through Ardmore Music Hall (AMH), an associated company with a Montgomery County liquor license in good standing. AMH has operated bar services for numerous community outdoor events including Ardmore Rock N Ride,

Ardmore Beer Fest, Upper Merion Concerts Under the Stars (UM), and Wayne Music Festival. AMH was approved in 2023 through 2025 to sell beer and wine for the BMTC series, at 1 stationary bar, with no complaints from patrons or neighbors and no health or safety issue. The sales would be limited to beer and wine. Pricing would be comparable to the prices at AMH and UM concert series. Sales would be from a single location on the site and limited to only those attending the concerts. Attendees would be allowed to continue bringing coolers of outside food & drink.

RSP agrees to:

- Abide by all applicable federal, state and Township laws, regulations, and ordinances, and agrees to assume liability for any violations of such laws, regulations, and ordinances by RSP or RSP's contractors, licensees, agents, employees, volunteers or invitees.
- Have a liquor liability insurance policy that includes off-premises locations/services, with a minimum limit of Two Million Dollars (\$2,000,000.00) that shall cover RSP, AMH and LMT.
- Provide proof of insurance least two weeks prior to the first concert of the series.
- Check identification cards for proof of legal drinking age.
- Wristband those of legal drinking age prior to being allowed to purchase.
- Sell only to individuals of legal drinking age with wristbands.
- Provide RAMP-certified security to help ensure that those who drink are of legal age through use of wristbands
- Refrain from serving individuals who appear to be intoxicated.
- Have staff sweep the gazebo & park grounds, picking up and disposing of any litter
- Contribute 30% of net proceeds (after cost of goods purchased, server(s), and additional security) to the Township's BMTC escrow fund for the series.

V. Impact On Township Finances: RSP will contribute 30% of net proceeds (after cost of goods purchased, server(s), and additional security) to the Township's BMTC escrow fund which fully funds the concert series.

VI. Staff Recommendation: Staff recommends that the alcohol waiver be approved as requested subject to the beverage vendor providing the required insurance certificate documenting adequate coverage as required by the Township.



Township of Lower Merion
A FIRST CLASS TOWNSHIP

AGENDA ITEM INFORMATION

COMMITTEE: Governance & Administration

ITEM: **ADOPTION OF ORDINANCE - CHAPTER 7, BOARD OF COMMISSIONERS PROCEDURAL CODE - PERMANENT COMMITTEE NAME CHANGE**

An Ordinance to amend the Code of the Township of Lower Merion, Chapter 7, Board of Commissioners Procedural Code, §7-8, Committees, §A(1)(a) thereof, to change the name of the Administrative and Human Resources Committee to the Governance and Administration Committee.

This Ordinance was authorized for advertisement at a stated meeting of the Board of Commissioners held January 21, 2026 and duly advertised in the February 8, 2026, edition of the Times Herald.

ATTACHMENT(S):

[Proposed Ordinance - Chap 7 Committee Name Amendment TBA 02-18-2026](#)

AN ORDINANCE

NO. _____

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 7, Board of Commissioners Procedural Code, Section 7-8, Committees, §A(1)(a) Thereof, To Change The Name Of The Administrative And Human Resources Committee To The Governance And Administration Committee.

The Board of Commissioners of the Township of Lower Merion does hereby enact and ordain:

Section 1. The Code of the Township of Lower Merion, Chapter 7, Board of Commissioners Procedural Code, Article III, Meetings, §7-8, Committees, shall be amended to provide henceforth as follows:

Article III. Meetings

§ 7-8 Committees.

A. Enumeration and jurisdiction.

(1) There shall be the following permanent committees of the Board of Commissioners, each with a Chair or Co-Chairs and a Vice Chair or Vice Chairs:

~~(a)~~

(a) Building and Planning Committee.

(b) Economic Development Committee.

(c) Finance Committee.

(d) Fire Committee.

(e) Governance and Administration Committee.

(f) Grants and Community Development.

(g) Health Committee.

(h) Intergovernmental Relations.

(i) Legal Affairs Committee.

- (j) Library Committee.
- (k) Open Space and Township Properties Committee.
- (l) Parks and Recreation Committee.
- (m) Police Committee.
- (n) Public Works Committee.
- (o) Sustainability Committee.

* * * * *

Section 2. Nothing in this Ordinance or in Chapter 7 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 7 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4 This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this _____ day of _____, 2026

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Todd M. Sinai, President

ATTEST:

Jody L. Kelley, Secretary