

Board of Commissioners Meeting

January 11, 2018

The stated meeting of the Board of Commissioners of the Township of Abington was held on Thursday, January 11, 2018 at the Township Administration Building, Abington, PA., with President Luker presiding.

CALL TO ORDER: 7:30 p.m.

ROLL CALL: Present: Commissioners MYERS, BRODSKY, ROTHMAN, DiPLACIDO, SANCHEZ, THOMPSON, SCHREIBER, HECKER, SPIEGELMAN, VAHEY, GILLESPIE, ZAPPONE, BOWMAN, KLINE, LUKER

Township Manager MANFREDI
Assistant Township Manager WEHMEYER
Legal Counsel GALLAGHER
Treasurer BLUMENTHAL

PLEDGE OF ALLEGIANCE

BOARD PRESIDENT ANNOUNCEMENTS:

President Luker announced that in honor of Reverend Dr. Martin Luther King, Jr. Memorial Service, Resolution No. 18-004 was adopted and read into the record as follows:

RESOLUTION No. 18-004

WHEREAS, Martin Luther King, Jr. was a man committed to peaceful coexistence, where all men would be free from racism, bigotry and discrimination; and

WHEREAS, many people look to the Reverend Martin Luther King, Jr. as a source of inspiration for promoting harmony, cooperation and understanding; and

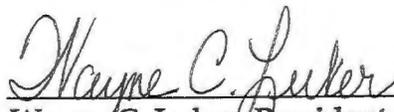
WHEREAS, the third Monday in January has been declared a national holiday and on that day, January 15, 2018, Abington Township will conduct a Memorial Service at 12:00 PM which will be attended by civic, religious, school, and government leaders; and

WHEREAS, Abington Township is herewithin honoring Reverend Charles W. Quann and Ms. Romaine L. Crawford as the 2018 recipients of the Martin Luther King Memorial Award;

NOW, THEREFORE, the Board of Commissioners of Abington Township does hereby proclaim January 15, 2018 as Martin Luther King Day and encourages all interested citizens to participate in the Township Memorial Service.

RESOLVED, this 11th day of January, 2018.

BOARD OF COMMISSIONERS



Wayne C. Luker, President

ATTEST:



Richard J. Manfredi, Secretary

Also, President Luker announced that on the agenda this evening is an item to consider the request by BET Investments for a text amendment to the zoning ordinance. Along with this text amendment request is a request to amend the zoning map.

Before we begin tonight's meeting and before Mr. Kuhls, who is representing BET Investments begins their presentation later on in the agenda, he will address why this matter is on our agenda this evening.

The Pennsylvania Municipalities Planning Code and the Township of Abington Zoning Ordinance provides consideration of amendments to the Township's zoning code as we have before us this evening, which are at the sole legislative discretion of the Board of Commissioners.

Thus tonight, we are seeking limited information from the applicant so that the Board can determine whether they will consider the request and begin the public process of reviewing the proposed text amendment and map change. This is taking place prior to the Board of Commissioners formally authorizing any ordinance to be advertised so as in the interest of assuring that the public's opportunity to participate in the decision-making process is maximized and to ensure that the myriad of details inherent to the proposal are thoroughly reviewed all of which will occur subsequent to tonight's presentation should the Board decide to proceed this evening.

PRESENTATION:

Posthumous Recognition of Crossing Guard Barbara "Bobbie" Loeffler:

Chief John Livingood said every single day after school in Abington Township there are 27 dedicated individuals helping to keep our children safe.

Barbara "Bobbie" Loeffler began her career as a crossing guard in May 1976. She stood at the corner of Penn Avenue and Jenkintown Road where she crossed the children. She was faithful, dedicated and loyal and her greatest concern was the safety of those children. Bobbie served for 40 years and this past May when she finished her assignment, she went food shopping and tragically had an auto accident that she did not survive from.

Chief John Livingood along with Mary Carminatti, Supervisor of Crossing Guards, presented Certificate of Commendation to Bobbie's family on behalf of Barbara "Bobbie" Loeffler in recognition of her 40 years of dedicated service to the children of Abington Township before the Board of Commissioners of the Township of Abington on this 11th day of January, 2018.

ANNOUNCEMENT:

President Luker said normally, the Board of Commissioners takes public comments on agenda items at this time; however, since there were no committee meetings in January, public comment will be permitted after each agenda item.

APPROVAL OF MINUTES:

Vice President Kline made a MOTION, seconded by Commissioner Spiegelman to approve the minutes of the Board of Commissioners Special Meeting of December 14, 2017 adopting the 2018 Final Budget and the December 14, 2017 Regular Meeting.

MOTION was ADOPTED 15-0.

APPOINTMENTS SPECIFIC BOARDS, COMMISSIONS AND POSITIONS:

APPOINTMENT - Deputy Tax Collector – Resolution No. 18-005:

Vice President Kline made a MOTION, seconded by Commissioner Hecker to adopt Resolution No. 18-005 appointment of Carol Thrasher as Deputy Tax Collector.

President Luker asked for any comments from Commissioners or staff. There were none.

President Luker asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, expressed concern that she feels “the income from the Tax Collector cannot properly be charted for comparison.”

MOTION was ADOPTED 15-0.

ABINGTON TOWNSHIP
RESOLUTION NO. 2018-005

**A RESOLUTION OF ABINGTON TOWNSHIP,
COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA,
TO APPOINT DEPUTY TAX COLLECTOR**

WHEREAS, Section 511.2 of the Pennsylvania Local Tax Collection Law authorizes tax collectors, with the approval of a taxing district and his surety, to deputize in writing a deputy tax collector, who, when so deputized, shall be authorized to receive and collect any or all of the taxes in like manner and with like authority as the tax collector appointing them; and

WHEREAS, the Board of Commissioners of the Township of Abington deems it advisable for a deputy tax collector to be appointed, in order to maintain continuity in the operations of the Tax Collector's office, in the event that the duly elected Treasurer and Tax Collector should be unable to serve; and

WHEREAS, the duly elected Tax Collector for the Township of Abington, Jay W. Blumenthal, proposes to appoint, in writing, Carol Thrasher as Deputy Tax Collector.

NOW, THEREFORE, the Board of Commissioners of the Township of Abington does hereby **RESOLVE** as follows:

1. The appointment of Carol Thrasher as Deputy Tax Collector for the collection of all Township taxes shall be collectible by the duly elected Tax Collector is hereby **APPROVED**, subject to the approval of Mr. Blumenthal's surety.
2. Mr. Blumenthal shall be responsible for and account to the Township of Abington for all taxes received or collected by Carol Thrasher when acting in her capacity of Deputy Tax Collector, as required by section 511.2 of the Pennsylvania Local Tax Collection Law.
3. All resolutions or parts of resolutions that are inconsistent with this Resolution shall be and hereby are repealed to the extent of such inconsistency.
4. This Resolution shall be effective as of the date of adoption.

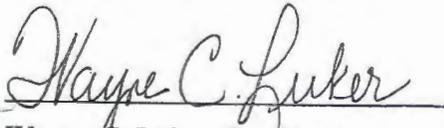
RESOLVED and **ADOPTED** at its public meeting held on the 11th day of January, 2018.

ATTEST:



Richard J. Manfredi
Township Secretary

ABINGTON TOWNSHIP



Wayne C. Luker, President
Board of Commissioners

APPOINTMENT – Treasurer and Deputy Treasurer – Resolution No. 18-006:

Vice President Kline made a MOTION, seconded by Commissioner Spiegelman to adopt Resolution No. 18-006 appointing Jay W. Blumenthal as Treasurer and Carol Thrasher as Deputy Treasurer.

President Luker asked for any comments from Commissioners or staff.

Commissioner Myers said the way this is being presented makes it look it is a new appointment for Carol Thrasher and it is not. Carol has worked in the Tax Office for 12 years and worked as Deputy Tax Collector/Treasurer since 2010.

President Luker asked for any public comments. There were none.

MOTION was ADOPTED 15-0.

**ABINGTON TOWNSHIP
RESOLUTION NO. 2018-006**

**A RESOLUTION OF ABINGTON TOWNSHIP,
COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA,
TO APPOINT A TREASURER AND DEPUTY TREASURER**

WHEREAS, Section 511.2 of the Pennsylvania Local Tax Collection Law authorizes tax collectors, with the approval of a taxing district and his surety, to deputize in writing a deputy tax collector, who, when so deputized, shall be authorized to receive and collect any or all of the taxes in like manner and with like authority as the tax collector appointing them; and

WHEREAS, section 801-A of the Pennsylvania First Class Township Code requires that the Board of Commissioners appoint a Township Treasurer, which may be the Township Tax Collector; and

WHEREAS, section 801-A of the Pennsylvania First Class Township Code authorizes the township treasurer to appoint a deputy in the absence of such appointment being made by the Board of Commissioners; and

WHEREAS, the Board of Commissioners of the Township of Abington deems it advisable for a the Township Tax Collector to be appointed as the Township Treasurer; and

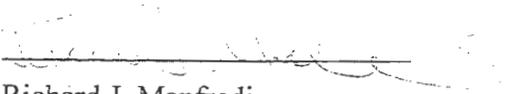
WHEREAS, the Board of Commissioners of the Township of Abington deems it advisable for a deputy treasurer to be appointed, in order to maintain continuity in the operations of the Treasurer's Office and the Tax Collector's office, in the event that the Treasurer should be unable to serve.

NOW, THEREFORE, the Board of Commissioners of the Township of Abington does hereby **RESOLVE** as follows:

1. The duly elected Township Tax Collector, Jay W. Blumenthal, is hereby appointed the Township Treasurer for the Township of Abington.
2. Carol Thrasher is hereby appointed as the Deputy Township Treasurer, to fulfil the duties of the office of Treasurer at any time that Mr. Blumenthal is unable to perform the duties of the office of Township Treasurer.
3. All resolutions or parts of resolutions that are inconsistent with this Resolution shall be and hereby are repealed to the extent of such inconsistency.
4. This Resolution shall be effective as of the date of adoption.

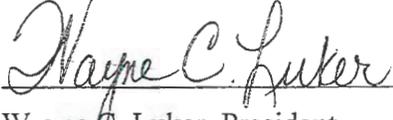
RESOLVED and **ADOPTED** at its public meeting held on the _____ day of _____, 2018.

ATTEST:



Richard J. Manfredi
Township Secretary

ABINGTON TOWNSHIP



Wayne C. Luker, President
Board of Commissioners

APPOINTMENT – Township Engineer – Michael Powers as interim until a successor is appointed:

Vice President Kline made a MOTION, seconded by Commissioner Zappone to appoint Michael Powers as interim Township Engineer until a successor is appointed.

President Luker asked for any comments from Commissioners or staff. There were none.

President Luker asked for any public comments. There were none.

MOTION was ADOPTED 15-0.

PUBLIC WORKS COMMITTEE:

Approve Resolution No. 18-008 of the Township of Abington Authorizing the Approval of the Right-Of-Way Plans Prepared by the Project Engineer, Pennoni Associates, Inc., for the Acquisition of Rights-Of-Way from Certain Real Property Located Along or Near State Route 2034 (Edge Hill Road), Section MG1 R/W, and/or State Route 2036 (Tyson Avenue), Section MG1 R/W, for the Purpose of Roadway and Other Public Improvements for the Edge Hill Road and Tyson Avenue Reconstruction Project, Federal Project Number X064193-L240, Pennsylvania Department Transportation Project MPMS 57865

Commissioner Hecker made a MOTION, seconded by Commissioner Zappone to adopt Resolution No. 18-008 accepting and approving the Right-Of-Way plans for the Edge Hill Road/Tyson Avenue Flood Control reconstruction project.

Commissioner Luker asked for any comments from Commissioners or staff.

Commissioner Kline asked for the status of eminent domain properties.

Ms. Gallagher replied we have 100% signatures.

Commissioner Luker asked for any public comments. There were none.

MOTION was ADOPTED 15-0.

RESOLUTION 2018- 008

**RESOLUTION OF THE TOWNSHIP OF ABINGTON
AUTHORIZING THE APPROVAL OF THE RIGHT-OF-WAY PLANS PREPARED BY
THE PROJECT ENGINEER, PENNONI ASSOCIATES, INC., FOR THE ACQUISITION
OF RIGHTS-OF-WAY FROM CERTAIN REAL PROPERTY LOCATED ALONG OR
NEAR STATE ROUTE 2034 (EDGE HILL ROAD), SECTION MG1 R/W, AND/OR
STATE ROUTE 2036 (TYSON AVENUE), SECTION MG1 R/W, FOR THE PURPOSE
OF ROADWAY AND OTHER PUBLIC IMPROVEMENTS FOR THE EDGE HILL
ROAD AND TYSON AVENUE RECONSTRUCTION PROJECT, FEDERAL PROJECT
NUMBER X064193-L240, PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
PROJECT MPMS 57865**

WHEREAS, the Township of Abington, Montgomery County, Pennsylvania, is a township of the first class, organized and operating in accordance with the laws of the Commonwealth of Pennsylvania (the "Township"); and

WHEREAS, the Township, in the exercise of its lawful powers, intends to make certain roadway and other public improvements along or near State Route 2034 (Edge Hill Road), Section MG1 R/W, and/or State Route 2036 (Tyson Avenue), Section MG1 R/W, for the Edge Hill Road and Tyson Avenue Reconstruction Project, Federal Project Number X064193-L240, Pennsylvania Department of Transportation Project MPMS 57865 (the "Project"); and

WHEREAS, it is necessary for the Township to obtain permanent rights-of-way, permanent drainage easements, other permanent easements and temporary construction easements (collectively, "Rights-of-Way") from, across, and under certain real property not owned by the Township which is located along or near State Route 2034 (Edge Hill Road), Section MG1 R/W, and/or State Route 2036 (Tyson Avenue), Section MG1 R/W, for the construction of the intended roadway and other public improvements for the Project; and

WHEREAS, the Project Engineer, Pennoni Associates, Inc., has prepared the drawings for the Rights-of-Way (dated November 29, 2017 by the signatories for Pennoni Associates, Inc.) from, across, and under certain real property not owned by the Township which is located along

or near State Route 2034 (Edge Hill Road), Section MG1 R/W, and/or State Route 2036 (Tyson Avenue), Section MG1 R/W, for the construction of the intended roadway and other public improvements for the Project (“Right-of-Way Plans”); and

WHEREAS, the Right-of-Way Plans are required to be recorded in the Office of the Recorder of Deeds of Montgomery County, Pennsylvania; and

WHEREAS, prior to recording the Right-of-Way Plans with the Office of the Recorder of Deeds of Montgomery County, Pennsylvania, it is necessary for the Township to approve the Right-of-Way Plans, authorize the acquisition of the Rights-of-Way in accordance with the Right-of-Way Plans, and to acknowledge the Township’s authorization of the acquisition of the Rights-of-Way in accordance with the Right-of-Way Plans by signing the cover sheet of the Right-of-Way Plans. The cover sheet for the Right-of-Way Plans is attached hereto as Exhibit A and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that, the Township hereby approves the Right-of-Way Plans, authorizes the acquisition of the Rights-of-Way in accordance with the Right-of-Way Plans, authorizes the signing of the cover sheet of the Right-of-Way Plans (attached hereto as Exhibit A), and authorizes the recording of the Right-of-Way Plans with the Office of the Recorder of Deeds of Montgomery County, Pennsylvania.

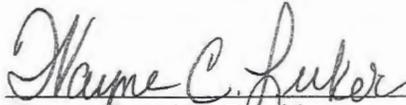
FURTHER RESOLVED, that the proper officers of the Township, along with the Solicitor of the Township, are authorized and directed to take all steps necessary to carry out the purposes of this Resolution including, but not limited to, the signing of the cover sheet of the Right-of-Way Plans which is attached hereto as Exhibit A; the recording of the Right-of-Way Plans with the Office of the Recorder of Deeds of Montgomery County, Pennsylvania; the

completion, signing or other disposition of any other requisite forms; the satisfaction of any other requirements of the Pennsylvania Department of Transportation for the Project; and

FURTHER RESOLVED, this Resolution shall be effective immediately upon its adoption.

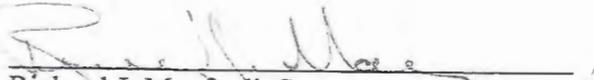
ADOPTED at a regular meeting of the Board of Commissioners of the Township of Abington this 1 day of January, 2018.

TOWNSHIP OF ABINGTON



Wayne C. Luker, President
Board of Commissioners

ATTEST:



Richard J. Manfredi, Secretary

CODE ENFORCEMENT AND LAND DEVELOPMENT COMMITTEE:

Consider Text Amendment to the Zoning Ordinance No. 2151 Request by BET Investments

Commissioner Sanchez asked the applicant to present their plan.

Joseph C. Kuhls, Attorney, Kuhls Law PLLC, 500 Office Center Drive, Suite 400, Fort Washington, PA., 19034 representing the applicant BET Investments, Inc., who made application for zoning ordinance amendment relative to a five-acre parcel near the corner of Old York and Susquehanna Roads (site of former YMCA property). The proposal is to develop the property for senior apartments and the rezone application as submitted was for a request of change to the map and a request for modifications to the text of the regulations applicable in the A/O District.

Tonight, we are not asking for any formal action by the Board of Commissioners such as approval or authorization for advertisement. We are here in the interest of complete transparency to make a public appearance in the interest of the community to make them aware of all of the opportunities they will have to provide feedback.

We also request that the Board of Commissioners accept and process the application and begin the public process of appearing before the Township's Planning Commission on January 23, 2018 and from there appear before the Code Enforcement and Land Development Committee on January 31, 2018; and then return to the Board of Commissioners with an ordinance vetted through that process including public feedback on February 8, 2018 with a request to advertise the two ordinances as described.

Peter J. Clelland, P.E. Director of Development of BET Investments, Inc., provided a power point presentation and renderings to the Board. Proposed is age-restricted apartment complex to be located at Old York and Susquehanna Roads (site of former YMCA property) and to rezone the property from CS and R-3 to A/O Apartment/Office District and amendments to the A/O District to allow this specific use at this location.

Rents would be expected to be approximately \$2,000 a month for one and two-bedroom units and there will be no children, so it will not impact the School District. Parking will be underneath the structure and it will be enclosed and above the parking is a deck in which a pool and outdoor amenities will be provided.

Driveway on Old York Road would be a right in, right out driveway underneath the building and there is a fire access lane. Driveway on Susquehanna would be right in, left in, right out driveway with no left turns at that location. There would be another driveway further away from the intersection that goes underneath to the parking deck.

Wide sidewalks are proposed along Susquehanna Road with landscaping against the building; entrances at street level and patios, decks and setbacks of the building from the lower levels. Shown were various views of proposed building; underground parking; amenity pool deck; high-end interior finishes; exercise room; two-story lobby area, etc.

Age-restricted housing is a much lower traffic generator even with 225 units and actual counts of the driveways were provided showing a reduction of 361 trips daily and most occur during peak hours; 186 fewer trips in the weekday mornings and 168 fewer trips weekday afternoons.

Commissioner Luker asked for any comments from Commissioners.

Commissioner Spiegelman asked about stormwater management plan for the site.

Mr. Clelland replied we have not done that level of engineering; however, we anticipate there will be two locations where there will be underground detention structures within the footprint of the building and roof deck will be used for water-quality purposes.

Commissioner Vahey said proposed is map and text amendments, and since Rydal Park is located in the A/O District, he asked why this project cannot work within the existing allowable uses within the A/O District and questioned why the applicant cannot make this work with less density.

Mr. Clelland replied uses permitted in existing district are for life-care facilities while this project is age-restricted and does not provide assisted living. There are fiscal reasons and the density we are asking for is in keeping with a lot of apartment-type properties of modern design.

Commissioner Vahey continued that a blanket description of more density is something he will need more information on before making a final decision.

Commissioner Sanchez asked for more information on current zoning of proposed site and what that would permit in current configuration and also were other uses investigated that would fit into existing site. Also, prior to the public process beginning for this plan, would the applicant be willing to meet with the neighbors to discuss any concerns?

Mr. Kuhls replied analysis that will be presented by expert land planners and traffic engineers will also include an economic analysis, and we will establish that the impact on the community will be more favorable under this proposal as compared to what is there today or any other permitted uses in the A/O District. The applicant agrees to meet with the neighbors to address their concerns prior to the beginning of the public process.

Commissioner Kline questioned whether the applicant considered the recently adopted comprehensive zoning ordinance passed in 2017.

Mr. Kuhls replied the applicant's planner, John Kennedy was charged with drafting an ordinance to effectuate this proposal and the result is the amendments needed for this project.

Commissioner Hecker said a concept is being introduced that would require additional information to make a determination about whether the Board would like to proceed, and if that does not happen, the applicant will not have access to the Township's Planning Commission where additional information would be generated about this project. The applicant is requesting approval to move through the Township's process. Is that correct?

Mr. Kuhls replied yes. This is a rezone application and that is why we are before the Board tonight.

Commissioner Spiegelman suggested that the applicant prepare for rigorous meetings with the neighbors as they will want to know what their daily life will be like if this new project is approved. Also, what other areas of Abington Township could be affected if the text amendment is passed as well as how close could the applicant get to desired density without a text amendment to current A/O District.

He also asked for a simple synopsis of the differences between the A/O District as it currently exists and the A/O District with proposed new use to be provided to the Board, Township staff and neighbors.

Mr. Kuhls replied the applicant will meet with the neighbors and provide as much information as possible, and the applicant agrees to supply a synopsis.

Commissioner Kline noted there is a sketch plan process to get feedback from the Township's Planning Commission before proceeding with a formal vetting process.

Also, being one of the people heavily involved with the rewriting of the zoning ordinance that concluded last year; he has concerns about density that is nothing close to what has been depicted in the zoning ordinance including building heights and impervious coverage, and he has concern about considering an ordinance that would be such a change to what has been contemplated in our current ordinance recently adopted.

Commissioner Sanchez said he would be inclined to invoke the process so this can be vetted and hear from the applicant's planner and design team.

Commissioner Zappone commented that developers come into “our house” and want to change our laws that have been on the books for many years just to benefit them, and he has a major problem with that. Zoning ordinance rewrite took a lot of hard work to finalize and it was approved, and now, developers want it to be changed to benefit them, and “no, it should benefit the residents of this Township.”

Commissioner Rothman said there were parts of what Commissioner Zappone said that he agrees with whole-heartedly; however, he would be very hesitant for our Board to not gather more information and allow residents to speak with the developer, the full Board and ward Commissioners.

Our job is to get as much information as well as have our questions answered and then make a decision that is best for residents of our wards and the Township as a whole and that is why he is in favor of this moving forward, which would not bind the Township to any future decision or vote or how this will impact any other parts of Abington and the recently rewritten zoning ordinance that was just adopted.

Commissioner Myers agreed with Commissioner Rothman as she would like to see more and learn more specifically the density aspect of the plan and how it compares with other developments particularly the Penn State project. Also, she feels there is a lack of senior, 55 and over independent apartments in Abington Township.

Commissioner Thompson commented that he is looking for assurance from the applicant that they are willing to work with residents and the Board moving through this process. The question was asked why the density of this development is what it is and the response was ‘for fiscal reasons,’ and he wants to be sure that ‘fiscal reasons’ will not hold up compromises with residents and the Township.

Mr. Kuhls assured that the applicant is willing to work the Board of Commissioners and residents.

Commissioner Bowman commented that while he sympathizes with this fellow Board members who want more details; he feels this plan is very detailed and a monstrosity on both Rt. 611 and Susquehanna Roads. Every piece of the footprint is a building and he shares Commissioner Kline’s concerns.

Commissioner Schreiber commented that she agrees with her colleagues on both sides and density is a concern. She appreciates that the applicant is asking permission to move forward, but if we say “no” tonight, can the applicant make changes and come back a month later?

Manager Manfredi replied it is the Board's prerogative to say they are not interested or the Board can consent that the applicant move forward with the process or take the request for the ordinance, advertise it and that would be the basis for all public discussion or any permeation of that.

Ms. Gallagher added that this falls under the Board's legislative powers; therefore, the applicant made an application, but the Township does not have to move forward with it or it can move forward through the process, and when it comes time for advertising, the Board can choose to advertise it or not.

Commissioner Schreiber continued that she shares some of the concerns about the density and she would like more green space; however, the Township does need 55-plus apartments in this area. The concept is a good one for someplace in the Township, maybe not this one, but the density is far from requirements of the zoning ordinance. She suggested the applicant's first step should be meeting with the residents.

Mr. Kuhls replied we are asking for an opportunity to participate in the public process, and although he understands the zoning ordinance was just rewritten, it is a living document that changes and that the Board may come to the conclusion there may be something to this change and this matter remains discretionary throughout.

Commissioner Luker asked for any public comments.

David Saplanski, 2967 Lincoln Avenue, asked the Board not to act on this proposed rezoning amendment and he suggested a community center on the site of former YMCA.

Rudolph DiMassa, 717 Moredon Road, was opposed to the rezoning because he feels the amendment would double the current allowable density of properties in the A/O District and this zoning change would impact not only this site, but other sites. He was also concerned about retail uses on the ground floor of the building.

Herb McMahon, 1046 Huntingdon Road, was opposed to the project and opposed to any zoning change being approved without the knowledge, participation and agreement of the majority of residents, so he recommended a "no" vote by the Board of Commissioners.

Dr. Hellerslia, 1047 Huntingdon Road, was opposed to increase in density because there is already an ordinance that restricts it on behalf of the interests of the residents, so she asked that the Board vote "no" tonight.

Peter Surrey, 1267 Bockius Avenue, questioned whether there is any objective criteria to determine whether there is a need for 55-plus apartments in Abington Township. A community center was suggested and he feels that would be a good idea as the absence of the YMCA will be a real loss for the community.

Commissioner Myers noted that the YMCA is leaving Abington Township and moving to a bigger facility in Willow Grove.

Christopher Germain, 1092 Huntingdon Road, asked the Board to reject the request by the developer as this proposal has not passed a reasonable test of what the community really wants or needs and he feels this proposal will redefine the town.

Lora Lehmann, 1431 Bryant Lane, commented that she has not spoken to anyone who is in favor of it and she was opposed to it as well.

Bethany Lipa, 1056 Huntingdon Road, expressed concern about noise and cut-thru traffic on Huntingdon Road from this project.

Dee Adcock, 1714 Brook Avenue, was opposed to the project as he feels Abington is a town, not a city.

Commissioner Sanchez said he would like to invoke the public process so that there can be public meetings for rational discussion; public input at neighborhood meetings and then decide. He does not want to cut it off without knowing what other alternatives and solutions there may be because that would not be in the best interest of the Township and community.

Commissioner Sanchez made a MOTION, seconded by Commissioner Schreiber to direct Township Manager to forward the proposed zoning ordinance text amendment and proposed zoning map change amendment to the Township's Planning Commission, but that will not occur until after such time that there are sufficient neighborhood meetings conducted by the applicant with information to circulate to Township staff, Township Solicitor' Office and residents prior to the February 27th Planning Commission meeting as a target date.

Commissioner Luker asked for any comments from Commissioners.

Commissioner Schreiber said she would like to honor what the Commissioner of the ward is requesting; however, can we change the order so that applicant hold public meetings prior to the Planning Commission meeting in order for the public to express their opinions prior to the applicant appearing before the Planning Commission?

Mr. Kuhls replied we will announce a meeting for the neighbors prior to the Planning Commission meeting.

Commissioner Sanchez said that would be the Planning Commission meeting of February 27, 2018, so there is time for meetings with the neighbors.

Mr. Kuhls said he will work with Commissioner Sanchez and Township Manager to schedule an applicant's meeting with the neighbors prior to the formal Planning Commission meeting on February 27, 2018.

Commissioner Hecker questioned whether the applicant currently owns the property.

Mr. Kuhls replied no, all three parcels are under agreement.

Commissioner Hecker said this is not an open bidding process where applications are being taken on a use for a property. He would support the idea of exploring other opportunities throughout the Township for community recreation spaces, but this is not an open parcel as it is owned by a private developer.

Commissioner Luker asked for any other public comments.

Rudolph DiMassa, 717 Moredon Road, questioned whether the failure of zoning proposal gives the developer a way out of the agreement of sale.

Mr. Kuhls replied the applicant does not need to have title of a property to request a rezoning.

David Suplanski, 2967 Lincoln Avenue, asked the Commissioners to vote "no."

Herb McMahon, 1046 Huntingdon Road, asked for a "no" vote for the residents.

MOTION was ADOPTED 9-6.

PUBLIC SAFETY COMMITTEE:

Commissioner Schreiber announced that the Committee had no business at this time.

Also, the Abington Township Police Department will be implementing a new program later this month called, APAIR (Abington Police Assisting In Recovery). This program is for those who are seeking treatment for substance abuse and the Board of Commissioners will receive more information in their packets and the public will learn more about it very soon. We can also discuss it further at the next Public Safety Committee meeting to answer any questions.

PUBLIC AFFAIRS COMMITTEE:

Ardsley Wildlife Sanctuary Trail Phase I Bid for Construction Services (DCNR Project BCR-PRD-22-37)

Commissioner Spiegelman made a MOTION, seconded by Commissioner Zappone to reject all bids submitted for the Ardsley Wildlife Sanctuary project as advertised and submitted on December 20, 2017 and re-approve the project and authorize re-bidding of this project with a reduced scope; and MOTION to re-approve the Ardsley Wildlife Sanctuary project with a reduced scope and authorize advertisement of the same.

Commissioner Luker asked for any comments from Commissioners or staff. There were none.

Commissioner Luker asked for any public comments. There were none.

MOTION was ADOPTED 15-0.

Consider approving a Township Board of Commissioners and Board of Commissioners Committee Agenda Policy and Procedures

Commissioner Spiegelman made a MOTION, seconded by Commissioner Kline to adopt Resolution No. 2018 – 010 approving a Township of Abington Board of Commissioners Policy establishing a policy governing certain rules of order, Board and committee agendas, public participation and scope of committees.

Commissioner Luker asked for any comments from Commissioners or staff.

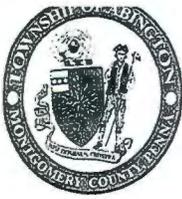
Manager Manfredi noted there is a typo on Page 4 of the resolution that should say, “**not** disrupt public meetings,” which will be corrected. This is to update and reaffirm policies developed by the Board in 2016 and introduce and generally follow Roberts Rules of Order for parliamentary procedure. It introduces more traditional agenda with unfinished business and sets consent agenda. It also makes clear of scope of Code Enforcement Committee is not just code enforcement, but administrative code of the Township. It also formally adopts changes made incrementally such as fiscal impact on the agenda and public bid requirements in a general format.

Commissioner Luker asked for any public comments. There were none.

Ms. Gallagher clarified that that the motion includes amendments as noted by Township Manager. Is that correct?

Commissioner Kline replied yes.

MOTION included amendments noted by Township Manager and PASSED - 15-0.



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TOWNSHIP OF ABINGTON MONTGOMERY COUNTY, PENNSYLVANIA

RESOLUTION 18-010

A RESOLUTION SETTING FORTH AGENDA POLICY AND PROCEDURES FOR MEETINGS OF THE BOARD OF COMMISSIONERS AND IT'S COMMITTEES

I. Purpose

Meetings of the Township of Abington Board of Commissioners shall promote positive discussion, collaboration and assure members the opportunity to serve the people of Abington Township. The Commission President shall be responsible for conducting the meetings of the Township of Abington Board of Commissioners with decorum and sound parliamentary rules of order. It shall be the practice of the Commission to abide by this policy, and adhere to Sunshine Act, 65 Pa. C.S. §§ 701 et seq. As amended by Act of June 30, 2011, No. 56, and as may be amended from time to time by the Commonwealth of Pennsylvania General Assembly; more commonly known as the Sunshine Act. Nothing written herein shall conflict with the Sunshine Act.

II. Rules of Order

- a. Except as otherwise required by law or Township code, all proceedings shall be governed by these rules of order. The Township Solicitor shall render opinions as to procedure or matters not contained in these rules of order.
- b. The Board of Commissioners shall *generally follow* but not be governed by (*emphasis added*) the Rules of Order established by the latest version of Roberts Rules of Order.
- c. The Presiding Officer shall have the authority to exercise discretion on the conduct of the meeting and the rules and procedures, provided that no such change violates the Sunshine Act or other Laws of the Commonwealth.
- d. In a roll call vote, the order will be at the discretion of the Presiding Officer.

III. Agenda

- a. Preparation
 - i. The Township Manager shall prepare the Board of Commissioners and the Board of Commissioners Committee agenda(s) in advance, and finalize the agenda(s). The Township Manager shall finalize the agenda with the advice of the President of the Board of Commissioners, and in preparation of the Board of Commissioner Committee meetings, the Township Manager shall finalize the agenda with the advice of the Chair of the respective Committee.
 - ii. The Township Manager shall prepare the agenda for all meeting(s) based upon the agenda items meeting the following criteria:



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1. Deliberation(s) or Action(s) acted upon by a duly authorized Board Committee, or action required by the Township Manager in the conduct of the day to day policy and departmental business of the Township;
 - a. Action items passed by a majority on a motion as introduced by a Board Member at a duly advertised public Board of Commissioner's committee meeting;
 2. Action items that have been reported out by a majority vote of the committee for action by the full Board of Commissioners, and;
 3. All items on the agenda shall be accompanied by supporting documentation. The agenda and supporting information or executive summary shall, whenever possible, be made available to each member of the Commission on or before 6:00 p.m., seven calendar days preceding a regularly scheduled Board of Commissioners meeting, or at least 24 hours in advance of any special meeting.
- b. Additions or deletions to the Agenda by Board Members
- i. Once an agenda is finalized by the Township Manager in accordance with this policy, items may only be added or deleted to the agenda at the start of a duly advertised public meeting by a majority vote of the Board of Commissioners or the respective Board Committee. Items added are to be limited to emergencies, herein defined as affecting the public safety, or time-sensitive items of a major significance affecting Township operations.
- c. Distribution and Public Notice
1. The Township Manager, or his designee, shall distribute the draft tentative public agenda to the respective Board or Board Committee by 6:00pm, seven calendar days immediately prior to the regularly scheduled public committee or Board of Commissioner meeting date. Copies of the agenda will be duly posted electronically as appropriate and in accordance with legal public notice requirements, and at those locations that the Board of Commissioners may from time to time require. The final agenda set by the Township Manager, shall be distributed to the appropriate Board or Committee members, no later than 6:00pm seven calendar days preceding a regularly scheduled Board of Commissioners meeting, or at least 24 hours in advance of any special meeting.



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d. Order of Business for All Public Meetings

- i. A quorum of the Board Members present at the hour called to order by the Board President or the Board Committee Chair, whichever the case shall be, shall convene the meeting and proceed to business.
- ii. Should a quorum be assembled at the hour appointed, and the President or Chair be absent, the Vice-President or Vice Chair shall serve during the meeting, or until the Chair shall appear. In the event that the President or Chair and the Vice-President or Vice-Chair is not present, the Senior Member shall conduct the meeting until the President or Vice- President arrives. The appropriate Member as described above conducting the meeting, shall be the Presiding Officer for the meeting.
- iii. If a quorum is not present at the time a meeting is scheduled to begin, the meeting shall not be called to order until a quorum is present.
- iv. Public Comment at Committee meetings will be after a matter has been moved and seconded and upon call of the Chair for public comment.
- v. The order by which Township business shall be conducted at duly advertised regular Board of Commissioner Committee meetings is:
 1. Call to Order
 2. Consider approval of Minutes
 3. Presentations
 4. Unfinished Business
 5. New Business
 6. Adjournment
- vi. The order by which Township business shall be conducted at duly advertised regular public Board of Commissioners meetings is:
 1. Call to Order
 2. Roll Call
 3. Pledge of Allegiance
 4. Presentations
 5. Public Comment on Agenda Items only
 6. Consent Agenda:
 - i. Consent Agenda Items of business and matters listed under the Consent Agenda are considered to be routine or non-controversial and will be enacted by one motion and one vote. There will be no separate discussion of these items. If Board of Commission Members desires discussion, that item is to be



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identified by the Commission member and will be removed from the Consent Agenda, and will be considered separately at the appropriate place on the Agenda.

7. Unfinished Business
8. New Business
9. Public Comment on Non-Agenda Items Only
10. Adjournment

e. Public Participation

The Township shall conduct business in accordance with the Commonwealth of Pennsylvania Laws governing the conduct of public meetings and only establish guidelines that shall govern public participation at meetings consistent with the law.

Each commenter shall:

- Direct their comments to the Presiding Officer;
- Speak from the podium or into a microphone designated by the presiding officer;
- State their name for the record;
- Either orally or in writing provide their address for the record;
- Have a maximum of three minutes to make their comments. Each commenter when speaking to a specific agenda item, is to keep their comments relative to that identified agenda item;
- Speak one time per agenda item;
- When commenting on non-agenda items, the commenter is to keep their comments related to matters of the Township of Abington, Montgomery County, Pennsylvania.
- State a question to the Presiding Officer after all commenters have spoken, and;
- Be seated after speaking or upon the request of the presiding officer;
- Not engage in debate, dialogue or discussion;
- Not disrupt the public meeting, and;
- Exercise restraint and sound judgement in avoiding the use of profane language, and the maligning of others.

f. Minutes

i. Preservation of Records

1. The Township Board of Commissioners may appoint a Recording Secretary to serve as minute-taker at the public meetings of the Township Board of Commissioners and its Board Committees.



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- ii. Minutes shall show:
1. Date, place, and time of meeting
 2. A list of all Board of Commissioner members present, ensuring that member late arrivals are recognized and not penalized should they not miss a vote.
 3. The accurate wording of motions.
 4. The *general substance* of all official actions
 5. The name of the member who moved for the adoption of a motion, and the name of the member who seconded the motion.
 6. A record of all negative votes as well as any defeated motions
 7. A *general record* of all public comments
 8. The hour of adjournment
- iii. Audio and Video Recordings: The written minutes of the Board of Commissioners meetings shall be the sole official record of public meetings. Audio or video recordings of the meetings of the Board of Commissioners *may* be produced to assist the Recording Secretary in the compilation of minutes.
1. Audio or video recordings of the Board of Commissioner meetings, if any are made, may be discarded after the Board of Commissioners approves that meeting's minutes.

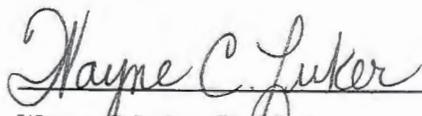
Adopted and affirmed by the Board of Commissioners January 11, 2018.

Attest:

TOWNSHIP OF ABINGTON


Richard J. Manfredi, Secretary

By:


Wayne C. Luker, President
Board of Commissioners



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Composition, Scope and Duties

Summary

The Township of Abington Board of Commissioners, to assure *all* Board Members are integral to policymaking, to assure each elected member is informed by fact finding, in receipt of all information shared by the Office of the Township Manager, and engaged in the discussion regarding the services delivered by the Township and its various Departments, the Board of Commissioners has established polices, rules and procedures for Board member involvement, discussion and decision-making. The Board of Commissioners also seeks to assure that public comments and input are heard by all Board committee members at the same time in duly advertised public committee meetings, to assure the public is receiving timely responses to their comments from their elected officials or the administration.

The Board of Commissioners has integrated select committees into the policy-making role in the public service delivery system of the Township by honing committee roles and functions. Board Committee Chairs function as liaisons to the Township Manager. A key role of the Board of Township Commissioner Committees, through its Chairs, is to serve as liaison working in concert with the Township Manager and his designees, for making management aware of Board member issues related to Administrative Code and Land Use, Finance, Pension, Public Affairs, Public Safety, and Public Works matters, that either require attention or discussion by the Board of Commissioners.

SECTION 1. Composition and Authority of The Committees

Section 1.1 Each Committee shall consist of five (5) Board members whom the Board President shall appoint. The Committee shall ideally include persons knowledgeable in fields related to the scope and duties of each Committee; however, it is not required.



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Section 1.2 Each Committee, when duly authorized by the Board of Commissioners, shall work through the Township Manager or his designee in utilizing such experts, as may be deemed necessary to carry out the work of the Committee, but due diligence shall be exercised by the Committee to enlist such voluntary assistance as may be available from research organizations, and other Inter-local or Commonwealth agencies, generally recognized as qualified to aid the Committee.

SECTION 2. Administrative Code and Land Use Committee Scope and Duties

Section 2.1 The administrative code and land use committee shall have as its core scope and duty, policy matters that pertain to Zoning, Subdivision, Land Development, Property Maintenance, the Township Administrative Code and review and consideration of all Township ordinances.

SECTION 3. Finance Committee Scope and Duties

Section 3.1 The Finance committee shall have as its core scope and duty, policy matters pertaining to budget, revenue and expenses.

SECTION 4. Pension Committee Scope and Duties

Section 4.1 The Pension committee shall have as its core scope and duty, policy matters pertaining to Township pension plans and related investment policies.

SECTION 5. Public Affairs Committee Scope and Duties

Section 5.1 The Public Affairs committee shall have as its core scope and duty, policy matters that pertaining to parks, recreation services, library services, environmental policy, shade trees, economic development and human relations.



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SECTION 6. Public Safety Committee Scope and Duties

Section 6.1 The Public Safety committee shall have as its core scope and duty, policy matters pertaining to police, fire and emergency medical services.

SECTION 7. Public Works Committee Scope and Duties

Section 7.1 The Public Works committee shall have as its core scope and duty, policy matters that pertain to engineering, storm water management, streets, refuse and wastewater systems.

SECTION 8. Committee Chair as liaison:

Section 8.1 Serve as the point of contact for the Township Manager where questions or issues arise related to matters pertaining to the scope and duties of each committee, and;

Section 8.2 Serve as the designated Board member to attend meetings held and requested by Township Administration, where a quorum of Board members present would constitute a violation of the Sunshine Act, or other laws, and;

Section 8.3 Serve as the lead person on behalf of the Board and Committee on any matter(s) to come before the Board, where Board member input is required on matters relating to the scope and duties of the committee; provided, the Board Liaison shall not under any circumstance make a policy decision or determination without the express prior authorization and duly authorized approval of the Board of Commissioners.



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SECTION 9. Meetings

Section 9.1 Each committee shall meet as necessary or on the day and time set by the Board of Commissioners for regular committee meetings. All work of the committee shall be through the Office of the Township Manager and his designee(s), as is needed, to review, assess and make recommendations to the Board of Commissioners. Meetings of the committee shall be conducted in accordance with duly adopted Board of Commissioner policy, and:

Section 9.2 The Committee shall meet as necessary or as the work with the Administration becomes necessary.

Section 9.3 The Committee shall meet at such time and places as is practical. Notice of such meeting shall be given by official notice or by electronic mail or telephone to each member at least five (5) days prior to the time affixed for such meeting.

Section 9.4 Active member attendance at Committee meetings is a member responsibility. In the event of absence for three consecutive meetings, the Chair shall, notify the member to discuss the situation, and notify the Board President of the member's attendance record and its negative impact on the work of the Committee.

SECTION 10. Agenda

Section 10.1 The Township Manager or his designee, shall prepare an agenda for each meeting of the Committee in accordance with duly adopted Board of Commissioner policy.

FINANCE COMMITTEE:

Treasurer's Report:

Township Treasurer Blumenthal noted that he is required by law to have a Deputy Treasurer as well as Deputy Tax Collector.

Township Treasurer Jay W. Blumenthal reported for the month of December 2017 monies received from various departments deposited into Republic Bank was \$1,270,020 as compared to December 2016 of \$1,528,019 representing a decrease of (\$257,999); YTD 62,759,762 as compared to 2016 of \$61,723,829 representing an increase of \$1,035,933.

Deposits of real estate taxes and fees transferred to Finance Department for month of December 2017 were \$69,064 as compared to December 2016 of \$221,361 representing a decrease of (\$152,297); YTD \$26,734,864. For the past 12 years, it was always 98% YTD collected and 2% leftover and this year it is 99% and 1%.

Expenditures/Salaries and Wages

Motion to:

- (A) Approve the November expenditures as previously circulated to the Board, in the amount of \$4,019,912.35 and salaries and wages in the amount of \$1,844,098.21.
- (B) Authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of February 2018.

Commissioner Luker asked for any comments from Commissioners or staff. There were none.

Commissioner Luker asked for any public comments. There were none.

Roll Call resulted in motion being passed 15-0.

Training and Conference Expenses

Commissioner Kline made a MOTION, seconded by Commissioner Hecker to approve the Advance and Travel Expense activity for November 2017 as previously circulated to the Board. Advance and Travel Expense reports were \$0.00 and \$909.68, respectively. Eleven-month expense totaled \$26,161.99.

Commissioner Luker asked for any comments from Commissioners or staff. There were none.

Commissioner Luker asked for any public comments. There were none.

MOTION was ADOPTED 15-0.

Clearing Fund/Deferred Revenue and Expense/Petty Cash

Commissioner Kline made a MOTION, seconded by Commissioner Hecker to approve the Clearing Fund, the Deferred Revenue/Expense activity and Petty Cash balances for the month of November as previously circulated to the Board.

Clearing fund receipts and disbursements for the month of November 2017 were \$20,624.31 and (\$20,061.49), respectively.

Deferred Revenue/Expense receipts and disbursements for the month of November 2017 were \$8,781.71 and (\$208.00), respectively.

Commissioner Luker asked for any comments from Commissioners or staff. There were none.

Commissioner Luker asked for any public comments. There were none.

MOTION was ADOPTED 15-0.

Investment of Township Funds

Commissioner Kline made a MOTION, seconded by Commissioner Spiegelman to adopt Resolution No. 18-007 authorizing the Finance Director and his/her designate to invest Township funds in any and all such financial institutions as permitted by First Class Township Code.

Commissioner Luker asked for any comments from Commissioners or staff. There were none.

Commissioner Luker asked for any public comments. There were none.

MOTION was ADOPTED 15-0.

Disposition of Certain Finance Office Records

Commissioner Kline made a MOTION, seconded by Commissioner Zappone to adopt Resolution No. 18-009 authorizing the disposition of certain Finance Office records as set forth in Exhibit "A."

Commissioner Luker asked for any comments from Commissioners or staff. There were none.

Commissioner Luker asked for any public comments. There were none.

MOTION was ADOPTED 15-0.

PUBLIC COMMENTS – NON-AGENDA ITEMS ONLY:

Lora Lehmann, 1431 Bryant Lane, expressed concern about BET Investments' project going forward.

REMARKS OF COMMISSIONERS:

Commissioner Zappone announced that our first annual New Years Eve party at the VFW was a huge success with over 120 residents in attendance. The Ardsley Community Association will begin planning our eight events for this year and all events are open to all Township residents.

Commissioner Gillespie thanked staff of Public Works Department for a doing a fantastic job during the blizzard and we should be very proud of them.

Commissioner Vahey said on January 1, 2018, the Stack family of Pleasant Avenue in Glenside Gardens was running from their home that was on fire. He thanked the brave men and women of our Fire Department who came out to save the day. He is so proud of our community who rallied around the Stack family as we have raised thousands and thousands of dollars to get them through this difficult time. The Stack family is deeply touched and grateful for everyone's support, so on behalf of the Stack family, he thanked the presence of residents of Abington Township especially from Glenside, and he looks forward to working with the community going forward.

Commissioner Spiegelman commented that past holiday season was extraordinarily busy for our 100% volunteer Abington Fire Department, and we are fortunate to be protected by them. He expressed his profound gratitude particularly to the Abington Fire Company located in Ward 11.

Commissioner Hecker welcomed Commissioners Thompson and Vahey and he looks forward to working with both of them and appreciated their thoughtful comments and questions this evening.

Commissioner Myers said her new seat was former Commissioner Michael Gillespie's seat in which he held for many years and she appreciates it. Also, there will be a PAL concert at the Keswick Theater featuring Real Diamond, who is a Neal Diamond tribute artist, and she will tell everyone more about it later.

Commissioner Brodsky echoed comments made by Commissioner Spiegelman about our Fire Department as there was a tragedy where a family lost their home just after the Christmas holiday, and he appreciates and thanked the Fire Department as well as Commissioner Spiegleman who assisted that family. There is a GoFundMe Facebook page to assist that family. He also thanked the Public Works Department for salting the icy dangerous conditions on that road where the fire occurred.

Commissioner Rothman thanked Public Works Department for their quick response to problems on the roads and for working overtime. He thanked the Fire and Police Departments for keeping us safe during these difficult times in difficult weather.

Commissioner DiPlacido said, "As always, when driving through Abington Township, please drive like your kids live here."

Commissioner Thompson echoed sentiments about the Fire Department and he expressed his gratitude for the first responders who put their lives on the line for us. Also, there will be a park cleanup this Saturday, at 1 p.m. at North Hills Park in memory of Dr. Martin Luther King, Jr.

Vice President Kline commented that over the past few months, the Township has received two significant grants that will further expand the efforts put forth for the Master Bike Plan and walkability that will effect Commissioners Sanchez, DiPlacido, Rothman and Brodsky wards making connections from Jenkintown to the Pennypack Trail, and having worked on the Master Bike Plan and sitting on the Montgomery County Planning Commission, it is great to see this coming to fruition. He appreciates all of the work done by staff, consultants, Township Manager, and the Commissioners involved.

President Luker stated that this is Chief of Police John Livingood's last formal Board meeting after 45 years and this is also Fire Marshal Ken Clark's last formal Board meeting and he thanked them both.

Also, he announced that the Dr. Martin Luther King, Jr. Service will be held on Monday, January 15, 2018 at 12-noon, and Pastor Charles Quann of Bethlehem Baptist Church in Spring House, who is a dear friend and mentor to many pastors in our area, will be honored.

Also, he gave special recognition to Romaine Crawford, General Manager of Willow Grove Park.

Lastly, Commissioners Vahey, Spiegelman and Brodsky gave kudos to the Fire Department, and in the last two weeks since Christmas Day, the five Fire Companies have responded to 100 emergency calls includes four building fires with significant losses and the firefighters have logged a total of 1,600 hours of service in the two-week period of time, which normally equates to a month or longer. He thanked all of the firefighters and EMS responders.

ADJOURNMENT: 9:55 p.m.

Respectfully submitted,

Richard J. Manfredi, Township Manager/Secretary

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Approved 2/8/18.

