

The stated meeting was held as a webinar and teleconference of the Board of Commissioners of the Township of Abington on Tuesday, April 7, 2020 with President Spiegelman presiding.

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Present via teleconference: Commissioners THOMPSON, BRODSKY, BOLE, CARSWELL, ROTHMAN, LUKER, MYERS, ZAPPONE, BOWMAN, DiPLACIDO, WINEGRAD, VAHEY, SCHREIBER, HECKER, SPIEGELMAN

Also present via teleconference:
Township Manager MANFREDI
Assistant Township Manager WEHMEYER
Township Solicitor CLARKE
Township Treasurer BLUMENTHAL
Director of Engineering MONTGOMERY
Chief of Police MOLLOY
Emergency Management Coordinator McANENEY

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON AGENDA ITEMS:

Lora Lehmann, Bryant Lane, expressed concern about having three minutes to speak on agenda items since no committee meetings were held.

President Spiegelman explained it has been modified due to the circumstances and he permitted extra speaking time.

Ms. Lehmann continued to express concern about a bill submitted by Rudolph Clarke and that the item should be removed from the agenda. She asked was the property that was built in the R-2 District built in greater density than when it was bought; also for the website to be updated with new COVID-19 information.

President Spiegelman replied an answer will be provided at a later date.

BOARD PRESIDENT ANNOUNCEMENT:

President Spiegelman announced that the Board of Commissioners held an Executive Session on April 1, 2020 to discuss a personnel matter.

CONSENT AGENDA:

Minutes -

Vice President Hecker made a MOTION, seconded by Commissioner Zappone to approve the minutes from the Board of Commissioners Regular Meeting of March 13, 2020 and the Board of Commissioners Special Meeting of March 23, 2020.

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

MOTION was ADOPTED 15-0.

NEW BUSINESS:

Board of Commissioners –

Item BOC-01-040720:

Vice President Hecker made a MOTION, seconded by Commissioner Rothman to adopt Tax Resolution No. 20-017 extending the County and Township Real Estate Tax discount period from April 6, 2020 to June 8, 2020 and to extend the face-period until July 15, 2020.

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

MOTION was ADOPTED 15-0.

Item BOC-02-040720:

Vice President Hecker made a MOTION, seconded by Commissioner Luker to approve the extension of the Business Privilege Tax payment deadline from April 15, 2020 to July 15, 2020.

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

MOTION was ADOPTED 15-0.

Item BOC-03-040720:

Vice President Hecker made a MOTION, seconded by Commissioner Myers to approve Resolution No. 20-019 extending the Township's Declaration of Disaster.

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

MOTION was ADOPTED 15-0.

Public Works Committee -

Item PW-01-040720:

Commissioner Rothman made a MOTION, seconded by Commissioner Bole to accept James D. Morrissey, Inc. as the lowest responsible bidder for the 2020 Engineered Retaining Wall System Materials Bid and enter into a contract for \$10,000.00 with James D. Morrissey, Inc. for the purchase and delivery of retaining wall system materials as per the bid specifications.

President Spiegelman asked for any comments from Commissioners or staff.

Ms. Amy Montgomery, Director of Engineering, explained that we were unable to award the bid last month, so it was sent out for re-bid and this is the successful bidder of an item used periodically throughout the year.

MOTION was ADOPTED 15-0.

Land Use Committee –

Item LU-01-040720:

Commissioner Thompson made a MOTION, seconded by Commissioner Zappone to approve the Land Development Application of JLLH Associates, LTD for the property located at 966 & 968 Old York Road to demolish two existing buildings and convert property for vehicle storage associated with the nearby Faulkner Nissan Automobile Dealership.

President Spiegelman asked for any comments from Commissioners or staff.

Commissioner Winegrad clarified that this is a 92-vehicle parking area for Faulkner Dealership. Is that correct?

Mr. Gavin Laboski, 314 West Broad Street, Suite 124, Quakertown, PA 18951, representing JLLH Associates, LTD, affiliated with the Faulkner organization, replied that is correct. He noted that Mr. Gary Tilford, Civil Engineer for the project with Charles E. Shoemaker, Inc., 1007 Edge Hill Road, Abington, PA, 19001 as well as Ms. Rachel Vahey, Landscape Architect with InFocus Planning were also in attendance via teleconference.

Presentation of the plan showed the site is located near the intersection of Woodcrest Road and Old York Road and proposed to be developed is storage for 92-vehicles for the Nissan Dealership. Faulkner is also in the process of developing the former Larmon Photo building site adjacent to the subject properties.

The frontage will be reduced to a single entry right-in, right-out and access could also be taken from Woodcrest through the Larmon site. Lighting, landscaping and major improvements will be made to the site as well as for security purposes. Stormwater management; rain garden is proposed for a portion of the property, and post-construction, all water will be captured onsite. There is a heavily vegetated slope to the rear that will be preserved, enhanced and buffered from the neighbors on Woodcrest Road.

The applicant will comply with all comments of the review letters, although there was one comment made by the County Planner in regards to the verge area, which is between the sidewalks and curb. The Planning Commission approved the plan subject to the condition that the applicant addresses the verge area to comply with zoning. Sketch plan previously showed decorative concrete; however, the County Planner pointed out that the requirement of the ordinance is to have 25% of verge area, so the plan now shows that it will be green providing groundcover.

Commissioner Winegrad said there is a pathway in the back of the property that goes to the former Larmon Photo building site; what will it be used for?

Mr. Laboski replied it takes access from Woodcrest to the site. Faulkner will use it to repair and detail vehicles prepping them for delivery, which will be a non-customer site, and traffic would be limited to employees only.

Commissioner Winegrad said residents of Woodcrest expressed concern about vehicles driving through the neighborhood. If traffic engineer approves would the applicant agree to "No Left Turns" on Woodcrest from the former Larmon Photo site?

Mr. Laboski replied absolutely. As part of the zoning relief, the applicant agreed to that condition as well as relief for constructing a maximum 6 ft. fence, so an 8 ft. fence will be constructed along the rear. In addition, residents requested some type of gate to be put across Woodcrest Road to prevent left turns and Faulkner will cooperate with whatever the neighbors want. Employees were instructed in no uncertain terms that there will be no test drives or to use that roadway as a cut-thru between Larmon and future properties of the Nissan facility.

Commissioner Winegrad asked how lights will be prevented from shining into homes of the residents?

Mr. Laboski replied it is in the interest of Faulkner not to have lights spilling away from the property as they do not want to attract attention to the site because the lot will contain 92-vehicles, which is a substantial amount of their assets. They will prevent lights shining away from the property onto neighboring properties and Faulkner is committed to lighting standards imposed by the Township.

Commissioner Winegrad clarified that the applicant will revise the lighting situation if there are any complaints. Is that correct?

Mr. Laboski replied yes.

Commissioner Winegrad asked about prevention of car alarms being set off.

Mr. Laboski replied we cannot prevent it, but Faulkner wants to develop a plan where notification can be given and be able to remotely address it.

Commissioner Winegrad clarified that if there is an issue with car alarms, the applicant will do everything they can to remedy the issue. Is that correct?

Mr. Laboski replied absolutely.

President Spiegelman said in regards to Woodcrest Road; the applicant proposes a gate extending from their property preventing left turns and will not make that small segment of Woodcrest "one-way." Is that correct?

Mr. Laboski replied residents expressed that they want to prevent the road from being used as a cut-thru and they want traffic directed out to Harte Road, and we agreed to assist in any way we can so long as Faulkner can preserve its access.

Mr. Tilford added that in regards to stormwater management; impervious surface will be reduced by this development with the addition of green space and surface water will enter the pervious pavement section. Infiltration testing was done and there is bedrock close to the surface and there are openings in the curb for the water to enter into the swale system that will carry it to the rain garden. Predevelopment per the 100-year storm is seven CFS (cubic feet per second) and post-development is less than one CFS.

Ms. Vahey added that the existing vegetation will be supplemented with additional Evergreens and shrubs and Shade Tree Commission's comments were incorporated into the plan as well as comments from the MCPC and Township staff.

Mr. Blumenthal referred to the plan and questioned whether it will be all one parcel or three separate parcels.

Mr. Laboski replied the Larmon Photo property will remain independent of the other two properties, which will be merged, and JLLH will own both properties.

Mr. Blumenthal asked will that entity be responsible for implementing rules and regulations imposed by the Township as it is a separate LLC?

Mr. Laboski replied yes, Faulkner is the tenant of those properties.

Mr. Blumenthal clarified that the Larmon property will be subject to the same stormwater management requirements as the other two properties. Is that correct?

Mr. Tilford replied although that property did not go through the land development process, there are areas of new vegetation that will be planted along Old York Road and Woodcrest and the existing pavement will be removed with the renovation of that building.

Mr. Blumenthal said since there will be no land development process he hopes that the applicant will make sure the water runoff flows down to the stormwater management system.

Mr. Tilford said impervious coverage will be reduced and there is no underground stormwater management system associated with renovation of the Larmon property; however, runoff from the embankment in the back may be intercepted into the system, and the frontage of the property on Woodcrest and Old York Road will continue to flow downward as it presently does.

Mr. Laboski said waivers requested by the applicant are from Section 146-11.B. (7) – Utilities; Section 146-11. J – Recreational Facilities Plan and Section 146-43.C. (3) (a.) – Cut and Fill Slopes. Township Engineer did not have any opposition to those waivers when the applicant previously appeared before the Planning Commission.

Ms. Montgomery agreed there is no issue with the three waivers.

Commissioner Winegrad clarified that 966 and 968 Old York Road and the former Larmon site will be one contiguous property and any representations made by the applicant about safeguarding the residents of Woodcrest Road in regards to light, noise, etc, will apply to the Larmon property as well. Is that correct?

Mr. Laboski replied yes.

Commissioner Winegrad said he supports the plan and it should move forward.

Commissioner Vahey noted that Rachel Vahey is his aunt and clarified with Township Solicitor that there is no conflict of interest in voting on this item.

Solicitor Clarke replied there is no conflict. Pennsylvania Conflict of Interest Statute only applies to parents, spouses, brothers and sisters, so the fact that she is an aunt involved in this project is not a conflict.

MOTION was ADOPTED 15-0.

Item LU-02-040720:

Commissioner Thompson called on the applicant.

Mr. Peter Friedman, Attorney representing the applicant, 101 Greenwood Avenue, Suite 500, Jenkintown, PA, 19046, introduced Ms. Leslie Cunningham, Civil Engineer with Cornerstone Consulting, 213 W. Main St. Lansdale, PA. 19446, and Steven Kozlowski, Principal of Meinel Associates, and said this is a request by the applicant for a waiver of the requirement that the subdivision plan be recorded within 90-days of approval.

The subdivision plan is for a six-lot subdivision that was approved by the Board of Commissioners on April 13, 2017 subject to the issuance of an NPDES permit by DEP and an application for that permit was filed and issued on January 3, 2018.

Unfortunately, Steve's wife was diagnosed with cancer in 2018 and his focus was on taking care of his wife for an extended period of time, and she passed away early 2019.

In June 2019, Steve contacted the Township's zoning office and presented documents for recording, and subsequently in July, he was told he needed to enter into a developer's agreement with the Township and that the agreement would be prepared by Township Solicitor and sent to Steve for review and signature.

In November 2019, Steve was advised that he needed to provide site improvement costs in which he submitted to the Township on December 2, 2019, and then followed up in January/February 2020, and now he is requesting an extension of waiver.

Ms. Cunningham said Cornerstone Consulting are the civil engineers for this project that was presented before the Board of Commissioners back in 2017. Proposed is a six-lot subdivision of a 3.5 acre parcel located at 1235 Meinel Road. When the developer purchased the property in 2016, the lot contained a large single-family residence along with several accessory structures including a pool house, barn and shed. These structures have since been demolished and the lot is covered with grass, brush and wooded area along the northeastern property line. Proposed are six single-family homes with additional site improvements including a cul-de-sac for access to the lots from Meinel Road; sidewalks on both sides of the roadway, public sewer/water; landscaping and complete stormwater management, and the plan has not changed since 2017.

Mr. Kozlowski thanked the Board for consideration of the 90-day waiver.

Mr. Friedman concluded that the applicant is requesting re-approval of the project from April 2017 so this project can move forward.

President Spiegelman asked for any comments from Commissioners or staff.

Commissioner Myers commented that this is just a waiver for something granted a few years ago and there are no changes. She can understand the delay and hopes that we would not do anything to stop this from going forward.

Commissioner Thompson said there is a basin below the street that is suppose to handle a large volume of stormwater and the front yards have rain gardens; however, the stormwater BMP's on the site plan are quite heavy, and he asked for further explanation.

Ms. Cunningham replied the biggest issue of stormwater management was the rock that was encountered, so to comply with the NPDES permit, there are two components; water quality and rate control. The water quality requirement is met through rain gardens located on each lot and rate control requirement is met through underground detention basin. We met with Township staff and the Montgomery County Conservation District several times and redesigned the site multiple times to get the stormwater management to comply with requirements.

Commissioner Thompson questioned whether it would be a private street maintained by a Homeowners' Association or Township-dedicated street.

Ms. Cunningham replied Township-dedicated street.

Commissioner Thompson clarified that it would be a private stormwater management basin located below a Township-dedicated street. Is that correct?

Ms. Cunningham replied that is correct.

Commissioner Thompson expressed concern about the maintenance and questioned whether that was previously discussed.

Ms. Cunningham replied it was discussed with Township staff previously and then presented to the Board of Commissioners in 2017 and there was no issue with it back then, and this is the same proposal.

Commissioner Thompson questioned whether the applicant would agree to keep it as a private street.

Ms. Cunningham replied the applicant would like it to be dedicated to the Township.

Mr. Friedman added that is how the project was designed.

Commissioner Thompson said if it is a Township-dedicated street and something goes wrong with the basin, it will require a significant amount of repair or excavation and he expressed concern about the Township being responsible for repairing the street after the work was done.

Mr. Friedman clarified with Ms. Cunningham that the developer is required to post escrow for inspections. Is that correct?

Ms. Cunningham replied that is correct. Stormwater management application is required prior to construction as well as escrow for inspection fees for the Township to inspect for 10 years.

Commissioner Thompson clarified that if there is a problem that requires maintenance that escrow would not cover the Township's cost of repairing the road and it is only for inspection of the basin. Is that correct?

Ms. Cunningham replied she believes so. The main component of the underground detention basin is HDPE pipes that have a design-service life of over 100 years. This is not an infiltration basin, just a detention basin so the water will continue to flow out. If something becomes clogged in the pipes there is still a discharge in the outlet structure, and maintenance of detention basins requires making sure the upstream inlets are clean.

Commissioner Thompson questioned whether there would be any concern about water causing differential settlement within the roadway.

Ms. Cunningham replied not as long as it is constructed correctly.

Mr. Friedman clarified that the stormwater management system will be subject to multiple inspections by the Township. Is that correct?

Ms. Cunningham replied that is correct. DEP and Montgomery County Conservation District will also inspect it.

Commissioner Winegrad expressed concern about Abington taxpayers having to pay the bill for any repairs to this road located above a private detention basin. Also, regarding the 90-day requirement to record the plan; is it de minimis that it is two-three years later, and what is the reason for that requirement?

Ms. Lauren Gallagher, Assistant Legal Counsel, replied the 90-day requirement is directly from the MPC (Municipalities Planning Code) and mirrored in the Township's SALDO, so it is a statutory timeframe.

Manager Manfredi said minutes from 2017 when this was approved noted as follows: "Also, Condition No. 4 as listed on the agenda was a recommendation by the Township's Planning Commission and DEP put out a pamphlet in 2015 of Best Management Practices for maintenance of rain gardens. If this development is approved, and when construction begins, we will link DEP's BMP's to any CO issued where the buyer would receive at settlement."

Ms. Cunningham replied the rain gardens will be private and contained on each lot.

Manager Manfredi clarified that the deeds will indicate that the rain gardens will be maintained by each individual property owner. Is that correct?

Ms. Cunningham replied that is correct and that is also a requirement of the NPDES permit.

Commissioner Brodsky agreed with Commissioner Thompson with respect to the detention basin as well as with the concerns expressed by Commissioner Winegrad, and his concerns are also about future costs of repair. There is no guarantee that in 10-15 years that the Township will not have to deal with a private detention basin under a Township-dedicated street. Also, he is concerned about the 90-day requirement being a statutory requirement, so due to those concerns as well as concerns expressed by the neighbors especially about the road being dedicated to the Township, his recommendation is to deny the request for waiver and suggested starting the process over and move forward from that point.

Mr. Friedman suggested having Homeowners' Association take care of the basin and the street would be dedicated to the Township.

Commissioner Brodsky said he appreciates that suggestion; however, his opinion has not changed in that he is not willing to have the Township assume the liability for repair and maintenance of what may or may not be a good detention basin, so his recommendation still stands to not grant the waiver.

Mr. Friedman said the Homeowners' Association and therefore the owners would be responsible for the rain gardens and underground detention basin in perpetuity and the developer agrees to that.

Manager Manfredi clarified that the concern is if the Township would agree to take the road and maintain it, and if the detention basin and road had to be repaired, the cost of restoration would be the responsibility of the Homeowners' Association. Is that correct?

Mr. Friedman replied the developer agrees to that.

Commissioner Brodsky replied he understands; however, he is still inclined not to grant the waiver.

Mr. Friedman said we are asking that the plan that was approved be re-approved with additional concessions.

Commissioner Brodsky said until the detention basin issues are resolved to his satisfaction as well as of the engineers, architects and builders, he is still not inclined to grant the waiver.

Mr. Friedman questioned whether it is being suggested to table it.

Commissioner Brodsky replied if the applicant would like to bring forth a revision, he would consider it; however, he wants the neighbors involved in that process, and he would grant tabling this for 30-days.

President Spiegelman asked Commissioner Brodsky if the neighbors expressed concern about the basin issue.

Commissioner Brodsky replied yes, as recently as today.

Ms. Cunningham asked would the neighbors still have concern if the detention basin was not under the roadway?

Commissioner Brodsky replied he would need to discuss that with the neighbors.

Mr. Friedman said the applicant agrees to table this matter for 30-days to provide time to speak with the professionals of the Township.

Commissioner Brodsky said for the record, he opposes the granting of the waiver and he is not very comfortable granting 30-days to address the issue; however, he will do it as a courtesy. Anything relating to this matter needs to be in writing and confirmed by an agreement, and just because he is granting 30-days, does not mean that going forward he will not oppose recording requirement of 90-days.

Commissioner Bowman made a MOTION to TABLE Item LU-02-040720 for 30-days to provide time for the applicant to consult with Township staff, seconded by Commissioner Myers.

Manager Manfredi clarified that the starting point for discussion will be that the applicant proposes that the stormwater detention basin underneath the road would be maintained privately by a Homeowners' Association and the applicant is requesting that the road be dedicated to the Township. Is that correct?

Mr. Friedman replied yes.

Ms. Gallagher noted that tabling this matter would be to the Board's committee meetings in May as well as to the Board of Commissioners meeting of May 14, 2020 and that the applicant waives all applicable time waivers and considerations. Is that correct?

Mr. Friedman replied yes.

MOTION to TABLE – PASSED 15-0.

Public Safety Committee –

Item PS-01-040720:

Commissioner Schreiber made a MOTION, seconded by Commissioner Zappone to approve the agreement between the Township of Abington and the Abington Township Police Association, Inc. of the Police Department of Abington Township, a law enforcement agency to be effective January 1, 2020, and to continue in full force and effect until December 31, 2023.

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

MOTION was ADOPTED 15-0.

Finance Committee -

Treasurer's Report:

Township Treasurer Jay W. Blumenthal reported that monies deposited into Republic Bank from various Township departments for the month of March 2020 was in the amount of \$9,349,724 as compared to last year of \$9,473,704 representing a decrease of (\$123,980); YTD \$15,279,717 representing a decrease of (\$276,038).

Real estate taxes collected in March 2020 was in the amount of \$5,195,482; YTD \$6,222,285 and balance to be collected \$23,258,124.

Also, he thanked the Board for extending due dates of real estate and business privilege taxes and any questions from constituents can be sent via email to him or to please leave a phone message and it will be returned.

Item FC-01-040720:

Commissioner Vahey made a MOTION, seconded by Commissioner Winegrad to approve investments for the month of February 2020. It was noted that investments for the month totaled \$3,117,000.00. Interest rate yields ranged from 1.500% to 1.550%.

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

MOTION was ADOPTED 15-0.

Item FC-02-040720:

Commissioner Vahey made a MOTION, seconded by Commissioner Winegrad to approve the February 2020 expenditures in the amount of \$2,359,978.59 and salaries and wages in the amount of \$1,904,182.71 and authorizing the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of May 2020.

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

Roll call resulted in motion being passed 15-0.

Item FC-03-040720:

Commissioner Vahey made a MOTION, seconded by Commissioner Zappone to approve the Clearing Fund, the Deferred Revenue/Expense activity and Petty Cash balances for the month of February 2020. Clearing fund receipts and disbursements for the month of February 2020 were \$2,249.25 and (\$451.07), respectively. Deferred Revenue/Expense receipts and disbursements for the month of February 2020 were \$0.00 and (\$2,935.30), respectively.

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

MOTION was ADOPTED 15-0.

Item FC-04-040720:

Commissioner Vahey made a MOTION, seconded by Commissioner Myers to approve the Travel Expense activity for February 2020. Travel expenses for February 2020 were \$6,434.67 and two-month expenses totaled \$6,434.67.

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

MOTION was ADOPTED 15-0.

Item FC-05-040720:

Commissioner Vahey made a MOTION, seconded by Commissioner Myers to adopt Resolution No. 20-018 authorizing the disposition of certain Human Resources Office records as set forth in Exhibit "A."

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

MOTION was ADOPTED 15-0.

PUBLIC COMMENT:

Cakky Evans, Lindsay Lane, asked about PPE (personal protective equipment) for police, firefighters, emergency management as well as all Township employees.

Mr. Tom McAneney, Emergency Management Coordinator, replied we have an adequate amount of PPE for all of our first responders as well as appropriate PPE for other Township staff.

Chief Molloy added that several weeks ago, we initiated strict protocols to educate officers about quarantine before coming back to work and testing procedures. We used information from CDC and local partners to formulate strict policies, and each police officer was provided with a bag of protective equipment and supervisors have backup bags. Video training program was implemented teaching officers how to use the equipment including protocols for medical calls. Data has been changing weekly and we have been using best practices. One officer is recovering from COVID-19 and others have been exposed and they followed protocols for testing and being quarantined from their family, and now we instituted procedures where officers prior to coming back to work need to take their temperature and report on whether they have come in contact with someone who had the virus. Roll call has been suspended and some calls for service are handled by phone. The department is full-strength with officers on the beat 24/7, so we are well-prepared and well-staffed for public safety and handling crime.

Ms. Evans said since facemasks are being recommended for the community, is there anything that the Board of Commissioners can do such as pass a proclamation or could the emergency management coordinator provide information on proper use of facemasks.

President Spiegelman said we are spreading the word pursuant to the Governor's facemask declaration on the importance of the general public wearing facemasks.

Manager Manfredi added that surveys, guidelines and protocols are being implemented in every department as a team effort and most important is employee safety.

Lora Lehmann, Bryant Lane, thanked those who put themselves at risk on behalf of the community. She expressed concern that "my surgeries were put off because this project was dragged out by the Solicitor's Office and "Right To Know" office." Also, she asked why residents cannot be viewed in the Zoom meeting.

Janet Oetinger, Anna Road, said testing site at Temple Ambler will be closed on Good Friday, so where can we get tested if needed?

Mr. McAneney replied every hospital in Montgomery County is a testing site and has the capacity to handle it, and authorization from a physician is needed or Urgent Care can write a prescription for testing at a hospital. It is a drive-up test just like Temple Ambler where those in their vehicles are swabbed, so it will not impact the ER.

President Spiegelman wished everyone a "Happy Passover and Happy Easter!" He thanked the hospital heroes, first responders, and teachers and students trying to figure out how to handle all of it from home as well as to everyone grinding through this and trying to figure out how to live with social distancing. Better days are coming, so keep on-keeping on. Stay safe!

Board of Commissioners Meeting

April 7, 2020

ADJOURNMENT: 8:58 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary

The following resolutions were adopted by the Board of Commissioners on April 7, 2020:

Resolution No. 20-017

Resolution No. 20-018

Resolution No. 20-019

APPROVED

5-14-20

**TOWNSHIP OF ABINGTON
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 20-017

WHEREAS, On March 8, 2020, a widespread outbreak of Corona Virus (CoVID-19) occurred, affecting the residents of Montgomery County, causing severe suffering to persons of Montgomery County and has overwhelmed first responders, healthcare providers and businesses within Montgomery County, necessitating the issuance of a Disaster Declaration by the Montgomery County Commissioners on March 8, 2020 and a Stay-at-Home order by the Governor on March 23, 2020; and

WHEREAS, The Pennsylvania Local Tax Collection Law (72 P.S. § 5511.1 et seq.) grants to municipalities such as Abington Township the authority to establish the rates of taxes and penalties on Real Estate taxes, including providing for the two (2) percent discount for those making payment of the whole amount thereof within two months after the date of the tax notice.; and

WHEREAS, 72 P.S. § 5511.13 requires that Tax Collectors hold open, in-person office hours in the period leading up the end of the discount period; and

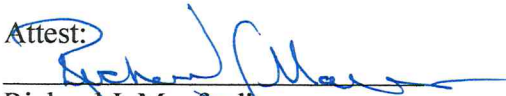
WHEREAS, Given the Stay-at-Home order issued by the Governor, compliance with 72 P.S. § 5511.13 is both impractical and contrary to public health, as well as the financial burden now facing many residents as a result of the CoVID-19 crisis, Montgomery County has requested that all municipalities within the County consider moving the discount deadline; and

WHEREAS, the County has advised that municipalities may retroactively move the date of the issued tax notices in order to comport with the requirements of 72 P.S. § 5511.10; and

WHEREAS, Abington Township recognizes the need for moving the Real Estate Tax discount period;

NOW THEREFORE BE IT RESOLVED that, for the purposes of 72 P.S. § 5511.10 of the Local Tax Collection Law, the Board of Commissioners of Abington Township hereby establishes that the date of issued Real Estate Tax notices for 2020 is now April 6, 2020, with the discount period closing as of June 8, 2020 and the Face value period closing July 15, 2020.

Attest:


Richard J. Manfredi,
Township Manager & Secretary

By:

TOWNSHIP OF ABINGTON


John L. Spiegelman, President
Board of Commissioners

**TOWNSHIP OF ABINGTON
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 20-018

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF
ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AUTHORIZING THE
DISPOSITION OF CERTAIN HUMAN RESOURCE RECORDS**

WHEREAS, by virtue of Resolution No.11-009, adopted March 10, 2011, the Township of Abington declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and,

WHEREAS, in accordance with Act 428 of 1968 each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED this 7th day of April, 2020, that the Board of Commissioners of the Township of Abington, Montgomery County, Pennsylvania, in accordance with the above-cited Municipal Records Manual, hereby authorizes the disposition of the public records as set forth in Exhibit "A" hereto.

Attest:


Richard J. Manfredi,
Township Manager & Secretary

TOWNSHIP OF ABINGTON

By:


John L. Spiegelman, President
Board of Commissioners

RESOLUTION NO. 20-XXX (continued)
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EXHIBIT "A"

**DISPOSITION OF HUMAN RESOURCES OFFICE RECORDS
AS LISTED BELOW:**

2016 and 2017 Postings and Applications for Employment (Not Hired)

- Retain 2 years (as stated in Municipal Records Manual approved December 16, 2008 reference PS-2; Personnel Records - 1)

2012 Originals Retiree Reimbursement Records – Original Requests

- Retain 7 Years (as stated in Municipal Records Manual approved December 16, 2008 – reference FN-2 Account Payable Files and Ledgers; Financial and Purchasing - 1)

2015 and 2016 Copies Retiree Reimbursement Records – Original Records in Finance

- Retain as long as of administrative value (as stated in Municipal Records Manual approved December 16, 2008 – reference AL-1 Administrative and Subject Files; Administrative and Legal - 1)

2011 and 2012 Random Drug Test and Pre-Employment Drug Test Invoices - Originals

- Retain 7 Years (as stated in Municipal Records Manual approved December 16, 2008 – reference FN-2 Account Payable Files and Ledgers; Financial and Purchasing - 1)

2015 and prior Health Benefit Waiver Forms

- Retain as long as of administrative value (as stated in Municipal Records Manual approved December 16, 2008 – reference AL-1 Administrative and Subject Files; Administrative and Legal - 1)

2015 and 2016 Internal Flu Shot Schedules and Sign-up Sheets – no medical information included

- Retain as long as of administrative value (as stated in Municipal Records Manual approved December 16, 2008 – reference AL-1 Administrative and Subject Files; Administrative and Legal - 1)

2015 and 2016 Random Drug Test (Negative) Results – DOT, NON-DOT and Police personnel

- Retain as stated in Municipal Records Manual approved December 16, 2008 reference PS-4 Comply with retention requirements promulgated by the appropriate licensing agency.
- U.S. Department of Transportation, Office of the Secretary, Office of Drug & Alcohol Policy & Compliance
 - FMCSA – Motor Carrier, 49 CFR part 382.401
 - Retain 1 year : Negative drug test results
Alcohol test results less than 0.02

2011 and 2012 original Health Insurance Invoices

- Delaware Valley Health Trust – Medical
- Delaware Valley Health Trust – Delta Dental
- Delaware Valley Prescription Plan
- Fidelio Dental Insurance
- Humana Medicare
- Retain 7 Years (as stated in Municipal Records Manual approved December 16, 2008 – reference FN-2 Account Payable Files and Ledgers; Financial and Purchasing - 1)

2016 copies Health Insurance Invoices – originals in Finance

- Delaware Valley Health Trust – Medical
- Delaware Valley Health Trust – Delta Dental
- Express Scripts Prescription Plan
- Fidelio Dental Insurance
- Humana Medicare
- Retain as long as of administrative value (as stated in Municipal Records Manual approved December 16, 2008 – reference AL-1 Administrative and Subject Files; Administrative and Legal - 1)

2015 and 2016 Time Off Request Forms for HR Assistant

- Retain 3 years (as stated in Municipal Records Manual approved December 16, 2008 Reference PL-14 Time Cards and Attendance Records- Includes Vacation and Leave Slips and Work Schedules; Payroll Records – 3)



TOWNSHIP OF ABINGTON

John L. Spiegelman, *President*
Thomas Hecker, *Vice President*
Richard J. Manfredi, *Township Manager*
Jay W. Blumenthal, *Treasurer*

RESOLUTION # 20-019 DECLARATION OF DISASTER AND EMERGENCY

April 7, 2020

WHEREAS, COVID-19 has been declared by the World Health Organization and the Centers for Disease Control and Prevention a “public health emergency of international concern”; **and**

WHEREAS, both the Commonwealth of Pennsylvania and Montgomery County have declared a state of emergency due to the identification of COVID-19 infected citizens; **and**

WHEREAS, on or about March 16, 2020 COVID-19 has caused or threatens to cause injury, damage, and suffering to the persons and property of Abington Township; **and**

WHEREAS, this incident has or is about to continue endangering the health, safety and welfare of a substantial number of persons residing in Abington Township and threatens to create problems greater in scope than Abington Township may be able to resolve; **and**

WHEREAS, Section 74-2.A of the Code of Ordinances of the Township of Abington requires that the Board of Commissioners ratify a Declaration of Emergency within seventy-two (72) hours; **and**

WHEREAS, emergency measures are required to reduce the severity of this disaster and emergency to protect the health, safety, and welfare of affected residents in Abington Township;

NOW, THEREFORE, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S.A, Section 7101 et seq., do hereby declare the existence of a disaster emergency in Abington Township and pursuant to the provision of Chapter 74 - Public Emergencies in the Abington Township Municipal Code, the President of the Board of Commissioners of the Township of Abington is authorized to declare a state of emergency and take any one or more of the specified measures per the legislation, and that the state of emergency in Abington Township is extended, the seventy two (72) duration requirement is waived, and the disaster declaration is affirmed for an additional seven (7) days subject to ratification by the Board of Commissioners at a future date.

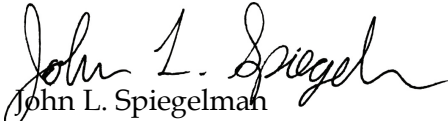


FURTHER, the Abington Township Emergency Management Coordinator is directed to coordinate the activities of the emergency response, to take all appropriate action needed to alleviate the effects of this disaster, to aid in the restoration of essential public services, and to take any other emergency response action deemed necessary to respond to this disaster emergency.


STILL FURTHER, the Abington Township Manager is to act as necessary to meet the current exigencies as legally authorized under this Proclamation, namely, and to include, by the employment of temporary workers, by the rental of equipment, and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time consuming procedures and formalities normally prescribed by law, mandatory constitutional requirement excepted.

STILL FURTHER, the Board of Commissioners hereby waives the provisions of Section 74-2.A of the Code of Ordinances of the Township of Abington to the extent that ratification of the declaration of emergency is required within 72 hours of the declaration, and to the extent that further formal ratification is required pursuant to the Township Ordinance.

This declaration shall take effect immediately this seventh day of April 2020.


John L. Spiegelman

President, Abington Township Board of Commissioners

ATTEST: 

Date: April 7, 2020