

The stated meeting of the Board of Commissioners of the Township of Abington was held as a Zoom webinar and teleconference on Thursday, September 10, 2020 with President Spiegelman presiding.

CALL TO ORDER: 7:02 p.m.

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

Also Present: Township Manager MANFREDI
Assistant Township Manager WEHMEYER
Township Solicitor CLARKE
Township Treasurer BLUMENTHAL

PLEDGE OF ALLEGIANCE

BOARD PRESIDENT ANNOUNCEMENTS:

President Spiegelman announced that an Executive Session was held on Tuesday, August 25, 2020 for the purpose of discussing a legal matter. Also, following presentation on Red Light Cameras, Township Manager Manfredi will give a presentation on the Public Participation Policy. Also, Commissioner Vahey and he will be hosting another public information session on the proposed Township's Economic Development Corporation on September 23, 2020 at 6:30 p.m. There is a Zoom link on Township website and information can be found at www.abingtonpa.gov/edcorp.

PRESENTATIONS:

Automated Red-Light Camera Program Power Point Presentation:

Lt. Chris Porter said ordinance for the Red-Light Camera program is up for renewal in November and he will provide data gathered over the past six years since this program has been implemented. Program goals have always been to increase the safety at the hazardous intersections and that includes reduced crashes and crashes with injuries as well as reducing fatalities, and those intersections are Old York Road/Susquehanna Road; Old Welsh Road and Old York Road and Moreland and Fitzwatertown Roads.

The cameras at the intersection of Moreland and Fitzwatertown Roads are only enforced in two directions because that intersection is shared with Upper Moreland Township, so the cameras are enforcing northbound traffic on Fitzwatertown Road and eastbound on Moreland Road. The average daily traffic at those intersections is significant. Statistics of the red-light camera program after implementation showed a 40% overall reduction in crashes at the intersections combined, and for crashes involving injuries or fatalities, there was a 34% reduction. Total violations from August 2014 - July 2019 were 30,887 or 83% and they were from non-residents. Videos of crashes at the intersections were presented.

The program has been and will remain a no-cost program for the Township and the Township has been reimbursed \$321,505 for administrative fees. The cameras provide a means of enforcement and increases safety at these intersections.

President Spiegelman asked how does the 34% reduction compare to red light camera programs in other communities and/or other states?

Lt. Porter replied they are comparable, and Abington was fortunate that we did not receive an initial spike in rear-end crashes as some other communities did when their program was first implemented.

Commissioner DiPlacido questioned whether the six-year timeframe of the program includes March 2020 until now because there has been significantly less traffic during that time.

Lt. Porter replied yes, it does include that time when there was a decrease in traffic, but it has increased back to the same amount prior to March.

Commissioner Myers commented that she received a call from an Upper Moreland Township resident asking when their side will get red light cameras.

Presentation on Public Participation Policy:

Manager Manfredi said several years ago, the Board began increasing efforts in communication with the public to gain more input, and the public participation policy is in response to comments made by regular attendees as well as Commissioners who would like to have more time for comments earlier in the process of any matter that would come before the full Board of Commissioners. A policy has been created to expand public participation increasing time to speak and changes the process making it more communicative for citizens to participate and have more time for dialog with their elected officials.

A Committee of the Whole has been created where all of the Board members would meet to discuss all business matters such as an agenda session at the beginning of the process to allow vetting of important issues as they first come into the system.

The Committee of the Whole will hear and discuss the business matters and decide whether it is routine and noncontroversial and can be placed as an agenda item at the Regular Board of Commissioners meeting or is it something that may require further study/discussion and that would then go to Finance or other committees.

This also sets up the creation of select Ad-Hoc Committees should there be a need to study a matter and it makes formal the process for informational meetings both administrative and legislative. All business matters can be sent back to the Committee of the Whole by the Board of Commissioners.

Also, instead of having one week between committee meetings and the Board meeting, there will be an additional three weeks, so there would be more time for interaction with the public to help them understand the issues.

This resolution establishes a standard of operation for Township meetings to provide consistency and transparency to the public and the policy is concise as to what is required for all matters that come before the Board. It also increases public participation by creating this new committee consisting of all members of the Board and provides three additional weeks for the public to be made aware of and comment on Township business that will be considered by the Board at its regular meetings. It increases citizen speaking time by five (5) minutes on any matter their elected representatives will be voting on through the creation of the new committee. It enables the creation of special, standing and Ad-Hoc committees to provide an additional forum for public discussion in the vetting of business to be considered by the Board. It also increases two-way dialog with the public and Township using public information meetings as a new standard of business on significant matters of public interest that come before the Board. It creates a comment and response document for public information meetings that will address resident's comments in advance of the Board's vote. It also establishes administrative informal meetings as a new standard of meetings that affords the public the opportunity to discuss proposed initiatives, projects and matters with Township administration prior to Board consideration.

Any video of a Board of Commissioners meeting would only be discarded by a vote of the Board of Commissioners at a public meeting. The minutes are the official record of the Board of Commissioners just like many municipalities throughout the Commonwealth of Pennsylvania.

PUBLIC COMMENT ON AGENDA ITEMS:

Walter Draving, Meadowbrook, expressed concern about a presentation being made on a resolution “20 minutes” before the vote; also about “crafting” public speaking rules without consulting the residents; and legislation that residents do not like such as the EDC.

Lora Lehmann, Meadowbrook, expressed concern about the amount of speaking time on agenda items; about “the minutes not reflecting what happened at the meeting and they are a shorter version” and that a full transcript, video and audio should be kept of the meeting. Also, the “presentation did not include an explanation of what the Committee of the Whole is,” and she asked for the policy to not be voted on.

Natalie Sherstyuk, Crosswicks, expressed concern about making changes to a policy of any kind during COVID measures that is not a priority and “the public policy change was not shared with the public until the agenda came out days before the meeting without public input.” She asked for the public participation policy item to be removed from the agenda and not be voted on.

CONSENT AGENDA:

Vice President Hecker made a MOTION, seconded by President Spiegelman to approve Items a. – d. as listed under Consent Agenda as follows:

To approve the minutes from the Board of Commissioners Regular Meeting of August 13, 2020.

To approve experimental “Stop” signs on Chestnut Avenue at Ruscombe Avenue.

To approve the Clearing Fund, the Deferred Revenue/Expense activity, and Petty Cash balances for the month of July 2020. Clearing fund receipts and disbursements for the month of July 2020 were \$17,182.70 and (\$19,481.17), respectively. Deferred Revenue/Expense receipts and disbursements for the month of July 2020 were \$0.00 and (\$0.00), respectively.

To approve the Travel Expense activity for July 2020. Travel expenses were (\$0.00) and the seven-month expenses totaled \$10,792.36.

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

MOTION was ADOPTED 14-0.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

BOARD OF COMMISSIONERS NEW BUSINESS:

Item BOC-01-091020:

President Spiegelman commented that it was inspiring to see how many dedicated passionate and qualified people showed interest in applying for consideration of appointment as Ward 5 Commissioner to serve their community. The Board of Commissioners sincerely thanks all the applicants and will keep them engaged and involved.

Vice President Hecker opened nominations for appointment of Ward 5 Commissioner.

Commissioner Winegrad nominated Julia Vaughn, seconded by President Spiegelman.

Vice President Hecker asked for any other nominations. There were none.

Commissioner Rothman made a MOTION to close nominations, seconded by Commissioner Bowman. Nominations were closed by vote of 14-0.

MOTION to appoint Ms. Julia Vaughn as Ward 5 Commissioner - PASSED 14-0.

Ms. Julia Vaughn was appointed by the Board of Commissioners of the Township of Abington as Ward 5 Commissioner on this 10th day of September 2020.

The Honorable Judge Gail A. Weilheimer administered the Oath of Office to Ms. Julia Vaughn as Commissioner of Ward 5 of the Board of Commissioners of the Township of Abington.

Commissioner Vaughn thanked the Board of Commissioners for her appointment as Commissioner of Ward 5 and it is an honor and privilege as Commissioner Luker's successor as well as to be the first African American female to be an Abington Commissioner and she will forever be proud.

Item BOC-02-091020:

Vice President Hecker made a MOTION, seconded by Commissioner Myers to adopt Resolution No. 20-038 ratifying the Declaration of Disaster and State of Emergency from August 27, 2020 to September 10, 2020 and approve the Declaration through September 17, 2020.

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

MOTION was ADOPTED 15-0.

Item BOC-03-091020:

Vice President Hecker made a MOTION, seconded by Commissioner Winegrad to adopt updates and revisions to the Full and Part-Time Non-Union (Salary/Clerical) Employee Handbooks.

President Spiegelman asked for any comments from Commissioners or staff.

Vice President Hecker clarified that these updates are at the advice of labor counsel. Is that correct?

Manager Manfredi replied that is correct. Labor counsel reviewed and revised it to best protect the Township as well as the employees.

MOTION was ADOPTED 15-0.

Item BOC-04-091020:

Vice President Hecker made a MOTION, seconded by Commissioner Schreiber to authorize the Township Solicitor to defend currently anticipated litigation of the Abington Township, Non-Combustible Ordinance and approve up to \$15,000 from the contingency fund for legal fees for the defense.

President Spiegelman asked for any comments from Commissioners or staff.

Commissioner Zappone asked for the language of the motion to be amended to add the word “uphold” so the motion would read in part: “To authorize the Township Solicitor to uphold and defend currently anticipated litigation of the Abington Township, Non-Combustible Ordinance.”

Solicitor Clarke replied if Commissioner Zappone would like to add the word “uphold” and majority of the Board agrees, he can do so.

Commissioner Myers clarified that Commissioner Zappone can make a motion to amend that language. Is that correct?

Solicitor Clarke replied yes, a motion and a second on the motion to amend the language is needed.

Commissioner Zappone made a MOTION to AMEND the MOTION to add language that says, “To authorize the Township Solicitor to uphold and defend currently anticipated litigation of the Abington Township, Non-Combustible Ordinance and approve up to \$15,000 from the contingency fund for legal fees for the defense,” seconded by Commissioner Myers.

Commissioner Winegrad asked Solicitor Clarke to explain the motion so the public understands it clearly.

Solicitor Clarke explained that there is a proposed development in the Township and the applicant is challenging the Township's Non-Combustible Ordinance and plans to file in the Montgomery County Court of Common Pleas within the next few days. This is an attempt to try to have the Township repeal its ordinance and they were informed the Township will not be repealing its ordinance, so the Board of Commissioners is authorizing Township Solicitor to defend this litigation and its Non-Combustible Ordinance.

Commissioner Bowman clarified the Solicitor does not have the power to uphold the ordinance. The judge has the power to uphold or dismiss it and the Solicitor only has the power to defend it.

Commissioner Zappone said if it is not against the law, then it can be added.

Commissioner Myers said the residents should know that the reason the Township is asking the Solicitor to defend the ordinance is because it is one of the most important ordinances the Township has for the prevention of fires. It is worth defending, and the Board sincerely hopes that Township Solicitor defends it to the best of his ability.

Commissioner Rothman said he is ok with voting for the amendment; however, only the court can make the change.

President Spiegelman said the noncombustible ordinance is a building code ordinance pertaining to what types of materials are used for the construction of buildings of a certain height. Township Solicitor will defend making the case that the Township should be able to retain its Non-Combustible Ordinance.

Commissioner Schreiber suggested the language say, "The Township of Abington would like to uphold its Non-Combustible Ordinance and the Board is passing a motion to authorize Township Solicitor to defend current ordinance."

Solicitor Clarke replied he is duty-bound to zealously represent the Township and he does not uphold ordinances, he defends them; however, adding that language will not negatively impact the motion and it does not put any further responsibility on him although Commissioner Schreiber's suggestion of the language change is valid. The language as suggested by Commissioner Zappone does not change his ethical obligation and it is more of a statement of intent on behalf of the Board of Commissioners, and he is fine with it.

MOTION to AMEND the MOTION – PASSED 15-0.

MOTION as AMENDED – PASSED 15-0.

Item BOC-05-091020:

Vice President Hecker made MOTION, seconded by Commissioner Vahey to adopt Resolution No. 20-039 establishing the Township of Abington, Board of Commissioners Policy on Public Participation; Policy to expand public participation.

President Spiegelman asked for any comments from Commissioners or staff.

Commissioner Zappone said if there will be an additional meeting for residents as well as five extra minutes to speak on agenda items, then he does not see a problem with it.

Commissioner Bowman agreed with Commissioner Zappone. He thanked Manager Manfredi for undertaking this and he fully supports it.

Commissioner DiPlacido asked for further explanation for the residents on videos including the policy on records retention as well as minutes retention and what needs to be kept and what can be destroyed.

Manager Manfredi replied records retention is part of a separate policy. In regards to the section of the policy under Minutes; for example, when Ms. Vile is recording a meeting and uses her tapes for accuracy for transcribing the official record, the language about discarding those recordings is specific to the recordings that are being made to aid in the accuracy of the minutes, which is the official record of the Board of Commissioners meetings. This policy does not address production of meeting videos that are used for broadcasting although those videos are retained and will continue to be and there is nothing in the policy to suggest they would be eliminated.

We are not changing the Township's record retention policy. We are not authorizing any staff member to discard or destroy any official record especially those of Board of Commissioners meeting minutes and that would take an act by the Board of Commissioners. This policy is specific to the types of records only used for creating an accurate record, which is the official record.

Commissioner Rothman clarified that this is simply a policy creating a better way of doing things, which is to hear more from the public and it provides more time for consideration on matters so that they can be shared with the public. If it does not work, the Board can change it. By no means would he ever withhold anything from the public, which is the shared view of his colleagues. These are important measures and we want to hear more from the public.

Commissioner Myers commented that she hopes this will be a change for the better so she is willing to try it, but if we find that some part of it does not work, she will be the first to make a motion for change.

Commissioner Bole said he stands with Commissioner Myers in that we will need to evaluate it regularly to see if it works. What he likes about it is putting public information sessions into the direct workflow of how the Board will operate and he likes the transparency of discussing issues at the frontend in a Committee of the Whole, because as the structure is now, it allows the committee members to take ownership of an issue with the other members and then doing research on their own and getting as much feedback as possible. But primarily, the initial work is done within a particular committee.

Now, the committee work will still take place, but the committee members will have more voices in their ear to fully process their work. Those voices will come from the public with comments made at the Committee of the Whole and they will have an opportunity to have on the record transparent communications from our colleagues to bring those comments, perspectives and ideas into the committee work itself. Also, he likes the extra speaking time as we need to hear more from members of the public.

Working the public information sessions back into the workflow forces us to wrestle with an issue and decide on the proper place for it in a transparent way in front of the public a month before it comes before the Board. We will see if it works and it can be shaped as needed, but it will allow for more public information as well as more public participation and he fully supports it.

President Spiegelman said what he appreciates about the new policy is how upfront we will present upcoming agendas to the public, which is transparent and it will also be better for the Board as there will be increased opportunities for drilled-down conversations to take place.

Commissioner Schreiber said she appreciates this new idea and she is more than willing to try it and agrees that a lot of good will come from it; however, her fear is that adding three weeks could slow down government, which is already at a slow place, and we will need to keep an eye on timelines, but she does support it.

Commissioner Winegrad clarified that this policy complies with the Sunshine Act. Is that correct?

Solicitor Clarke replied yes.

Commissioner Winegrad said regarding concerns about destruction of video/audio tapes; would it be prudent to add a provision that this policy does not in any way affect the retention policy.

Solicitor Clarke replied he does not feel that is necessary. The official record of the meeting are the minutes that the Board votes on and approves and it is commonplace that the Recording Secretary gets rid of their audio tapes after the minutes are approved. Any deletions of other items must be done by a Board vote, so an added provision is not necessary.

MOTION was ADOPTED 15-0.

PUBLIC WORKS COMMITTEE NEW BUSINESS:

Item PW-01-091020:

Commissioner Rothman made a MOTION, seconded by Commissioner Zappone to adopt Resolution No. 20-040 PADOT 2020-2029 Master Agreement for Casting Adjustments.

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

MOTION was ADOPTED 15-0.

Item PW-02-091020:

Commissioner Rothman made a MOTION, seconded by Commissioner Zappone to adopt Resolution No. 20-041 approving traffic signals for Old York Road SR-611 and Rodman Avenue and Old York Road and Baeder/Hilltop and authorizing application for traffic signal approval for the same.

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

MOTION was ADOPTED 15-0.

PUBLIC SAFETY COMMITTEE NEW BUSINESS:

Item PS-02-091020:

Commissioner Schreiber made a MOTION, seconded by Commissioner Myers to approve authorizing advertisement of Ordinance No. 2177 – An ordinance amending Chapter 155 - “Traffic Control” Article I “Automated Red-Light Enforcement Systems” – Section 155-17 “Expiration.”

President Spiegelman asked for any comments from Commissioners or staff.

Commissioner Vahey said this is a third-party vendor that operates the system in which the Township is under contract; what are the Township's obligations by agreeing to another five-year contract?

Lt. Porter replied the Township will continue with the same provider and has received excellent service. The Township will continue under the same terms of the contract only amending the expiration date.

Commissioner Vahey clarified that the existing contract with GATSO is terminating this year. Is that correct?

Lt. Porter replied yes, in November. Tonight's presentation was to bring the Board up to date with statistics and then at the next Board meeting will be consideration to adopt the amended ordinance. The contract will be sent to the Township Manager for the Board to review prior to that meeting.

MOTION was ADOPTED 15-0.

Item PS-03-091020:

Commissioner Schreiber made a MOTION, seconded by Commissioner Zappone to adopt Ordinance No. 2176, amending Chapter 156 "Vehicles and Traffic," Article II – "Traffic Regulations," Section 14 – "Stop Intersections," and Article III – "Parking Regulations," Section 25 – "Parking Prohibited At All Times; No Parking Here To Corner; Parking Prohibited Except Certain Hours; No Stopping or Standing," Section 28 – "Special Purpose Parking Zones," to add "Stop" intersections on Ardsley Avenue at Sylvania Avenue, Ambler Road at Shoemaker Road, Clayton Road at Shoemaker Road, Watson Road at Shoemaker Road and Rowland Road at Shoemaker Road, add "No Parking" on Nylsor Avenue – south side and add "Handicapped Parking" on Tyson Avenue in front of 782 and 1024.

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

MOTION was ADOPTED 15-0.

FINANCE COMMITTEE NEW BUSINESS:

Receive Treasurer's Report:

Township Treasurer Jay W. Blumenthal reported that deposits of real estate taxes and fees transferred to the Finance Department for August 2020 were in the amount of \$144,311 representing an increase of \$114,726 over prior year; YTD \$28,602,759 with balance to be collected of \$877,650.

Monies deposited into Republic Bank from various Township revenues for August 2020 were in the amount of \$3,850,889 as compared to last year of \$3,875,621 representing a decrease of (\$24,732) over prior year; YTD \$52,017,912 as compared to last year of \$52,696,193 representing a decrease of (\$678,281).

Item FC-01-091020:

Commissioner Vahey made a MOTION, seconded by Commissioner Winegrad to approve the July 2020 expenditures in the amount of \$3,519,518.19 and salaries and wages in the amount of \$2,824,458.07, and authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of October 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-04-091020:

Commissioner Vahey made a MOTION, seconded by Commissioner Winegrad to adopt Resolution No. 20-042 recognizing that the Township's minimum municipal funding obligation for the calendar year 2021 with respect to the Municipal Non-Uniformed Employee, Police and Non-Uniformed Employee Defined Contribution Plans is \$589,632, \$2,813,000 and \$160,940, respectively.

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

MOTION was ADOPTED 15-0.

PUBLIC COMMENT:

Cakky Evans, resident, commented that the noncombustible ordinance is important for fire safety and needs to be upheld. She asked about the public being able to make comments during agenda items and she likes the idea of a public comment form and that agendas will be posted early.

Walt Draving, resident, asked for the number of attendees of tonight's meeting; why were committee meetings cancelled and what is the record retention policy for videos? Also, he requested that questions from the public be answered during meetings or thereafter and for that to be added to the policy.

President Spiegelman replied there are 27 attendees separate from the panelists. If the new policy did not pass, committee meetings were going to be held in their previous format, but now, we will move forward in this new format. He will make sure the answer about video preservation will be sent to the resident.

Lora Lehmann, resident, expressed concern that the committee meetings are the only opportunity to speak on agenda items. Also, she asked that "Section 3. a. regarding video/audio recordings be removed from the policy and that they should be kept of the meetings." She asked for any ad-hoc committee that is set up to not have any non-residents as members and that their meetings be accessible to all residents and that no residents are excluded from any public information sessions. Also, at the Committee of the Whole will residents have five minutes to speak on each item or is the speaking time at the beginning/end of the meeting?

Doug Oliver, resident, thanked the Board for serving the public and he appreciates seeing his government at work. He congratulated incoming Commissioner Vaughn as the first African American woman to serve on this Board.

Lindsay Sandy, resident, commented that she agrees with "not destroying anything pertaining to the meetings and that the language should be changed to reflect what was stated."

Natalie Sherstyuk, resident, commented that she vehemently opposed the vote on the public participation policy as "the public did not have input." She is unclear how the resolution will benefit the public and she requested that if residents feel the resolution is not working in their favor that there will be consideration to have it removed. Also, she is not in favor of Economic Development Corporation information sessions being virtual because she is concerned about misunderstanding and miscommunication.

President Spiegelman said that we will do our best to recreate openness and interactivity of the roundtable sessions in the Zoom format, which will be a safe and responsible way for those who want to attend.

Commissioner Vaughn commented that three minutes is a long time for the public to state their position and five minutes at the beginning/end of meetings is an extensive amount of time.

Manager Manfredi read from the Public Participation Policy under Section e. Minutes 3. Audio and Video Recordings: “The written minutes of the Board of Commissioners meetings shall be the sole official record of public meetings. Audio and video recordings of the meetings of the Board of Commissioners may be produced to assist the Recording Secretary in the compilation of minutes. a.) Audio or video recordings of the Board of Commissioners meetings, if any are made, may be discarded after the Board of Commissioners approves that meeting’s minutes.” To that say that any official records or any type of document or video will be destroyed is not accurate.

President Spiegelman welcomed Commissioner Vaughn and it is an honor to have her on the Board, and we are looking forward to working with her for the greater good of the residents of the Township.

Also, tomorrow is the 19th Anniversary of 9/11 and we will keep those in our hearts for everyone who lost someone that day and for all of the troops in uniform who served and experienced loss including their families throughout all of the wars fermented by that terrible day and to all those who lost their lives as a result of it.

ADJOURNMENT: 8:53 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary

The following resolutions and ordinance were adopted by the Board of Commissioners on September 10, 2020:

- Resolution No. 20-038
- Resolution No. 20-039
- Resolution No. 20-040
- Resolution No. 20-041
- Resolution No. 20-042
- Ordinance No. 2176



TOWNSHIP OF ABINGTON

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

RESOLUTION # 20-038 DECLARATION OF DISASTER AND EMERGENCY

September 10, 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**

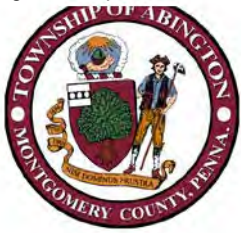
WHEREAS, on or about March 16, 2020 COVID-19 has caused or threatens to cause injury, damage, and suffering to the persons and property of Abington Township; **and**

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 tenth day of September 2020.

DocuSigned by:
John L. Spiegelman
DE1A1FE9A8E24DB...

John L. Spiegelman
President, Abington Township Board of Commissioners

DocuSigned by:
Richard J. Manfredi
ATTEST: _____
1B58F80F1A4476...
Richard J. Manfredi
Township Manager & Secretary

Date: September 10, 2020



POLICY RECOMMENDATION OF THE OFFICE TOWNSHIP MANAGER

**TOWNSHIP OF ABINGTON,
MONTGOMERY COUNTY, PENNSYLVANIA**



TABLE OF CONTENTS

I. Background	3
II. This Policy in Relationship to the PA Sunshine Act.....	3
III. General Policy Statement.....	3
IV. Meeting Formats	4
A. Public Meetings	4
V. Role of the Office of the Township Manager in Public Hearings, Public Information Meetings, or Informal Meetings.....	14
VI. Comment-Response Document	14
A. Format of Comment-Response Document	14
B. Submission of Comments in Advance of the Meeting	15
C. Commenter Information.....	15
D. Response to Comments	15
E. Public Availability of the Comment-Response Document	15
VII. Additional Information	16



**TOWNSHIP OF ABINGTON
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION 20-039

**A RESOLUTION SETTING FORTH AGENDA POLICY AND PROCEDURES FOR MEETINGS OF
THE BOARD OF COMMISSIONERS AND ITS COMMITTEES**

I. BACKGROUND

The Township of Abington's Office of the Township Manager is responsible, in part, for assuring that laws and policies of the Commonwealth of Pennsylvania and Township Board of Commissioners are executed as prescribed. Compliance with the open meeting requirements of the Sunshine Act and increasing public communications and public participation are keystones for how the Township conducts business and demonstrates to citizens that these responsibilities are being met in their best interest.

Citizen education and engagement requires truthfulness, openness, and participation. The Township is evolving and increasing communications and responsiveness to our citizens through engagement and planning. This Policy outlines key steps to achieving that result by establishing clear and consistent guidance for how the Township reviews, considers, and processes public comments, and promulgates and establishes a standard for the development of public policy through public comment and public participation by the Township Board of Commissioners.

II. THIS POLICY IN RELATIONSHIP TO THE PA SUNSHINE ACT

It is and shall be the practice of the Township of Abington's Board of Commissioners to abide by this policy, and adhere to 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.

III. GENERAL POLICY STATEMENT

Any and all public notice(s) issued by the Township shall, at a minimum, follow legal requirements and otherwise ensure that sufficient information is provided to assist the public in determining the potential impacts of the Board of Commissioners decision-making. The Office of the Township Manager may utilize any and all digital and non-digital tools allowed by law to communicate public information and announcements in ensuring adequate public notice of any matter to come before the Board of Commissioners. The Township may use local media, the Township website, government access channel, various social media outlets, any electronic notice or print based system. Such use of



digital and non-digital tools will be in addition to legal requirements set forth in the Sunshine Act, such as advertising hearings in a newspaper of general circulation within the Township.

The Township Manager, Township Secretary, the various Department Directors, and staff directly and indirectly responsible to the Township Manager, shall encourage public participation. Public participation tools available for department staff include, but are not limited to, public information meetings, informal meetings, and advertisement tools as described above. Public information meetings and informal meetings by the Board of Commissioners or its duly created Committees are strongly encouraged.

The Office of the Township Manager shall assure the public comment period established by this policy will consider all germane and cogent public comments, provide a substantive response to each such comment submitted during a formal public comment period of a duly advertised public information meeting or comments received at such meeting, if applicable. Such responses will be provided in a Comment-Response Document prior to making a recommendation or determination to the Board of Commissioners or any of the Board of Commissioners Committees. Public comment shall be as defined by the Sunshine Act and case law.

IV. MEETING FORMATS

A. Public Meetings

1. *Regular, Special, Standing Committee and Ad Hoc Committee Meetings of the Board of Commissioners*

a. Rules of Order

- 1.) Except as otherwise required by law or Township code, all proceedings shall be governed by these rules of order. Formal inquiries on the law regarding procedural matters shall be rendered by the Township Solicitor not contained in these rules of order.
- 2.) The Board of Commissioners shall *be governed* by the Rules of Order established by this policy and may reference and use the latest version of Roberts Rules of Order as a guide in points of order.
- 3.) 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.
- 4.) In a roll call vote, the order will be at the discretion of the Presiding Officer.



b. Agenda

1.) *Preparation*

a.) The Township Manager shall prepare the Board of Commissioner and the Board of Commissioner duly appointed Standing and Ad Hoc Committee agendas in advance of the meeting. The Township Manager shall finalize the agenda and may seek the advice of the President of the Board of Commissioners. In preparation of the Board of Commissioner Committee meetings, the Township Manager shall finalize the agenda and may seek the advice of the Chair of the respective Committee; provided that seeking such advice does not delay finalizing the agenda and distributing the agenda to the Board Members as prescribed in this policy or delay providing public notice as prescribed in law or policy.

b.) The Township Manager shall prepare the agenda for all meeting(s) based upon the agenda items meeting the following criteria:

1. Deliberation(s) or Action(s) at a duly advertised public Board of Commissioner's Regular, Standing, or Ad-hoc Committee meeting or action required by the Township Manager in the conduct of the day to day policy and departmental business of the Township, and;
2. Action items that have been reported out of a Committee by a majority vote of the committee for action by the full Board of Commissioners.

c.) 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 Board of Commissioners on or before 7:00 p.m., seven calendar days preceding a regularly scheduled Board of Commissioners meeting, or at least 24 hours in advance of any special meeting.

2.) *Additions or Deletions to the Agenda by Board Members*

a.) 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 Standing or Ad-hoc Committee. Items added are to be limited to emergencies, herein defined as affecting the public's safety, or time-sensitive items of a major significance affecting Township operations.



3.) *Distribution and Public Notice*

a.) The Township Manager, or his designee, shall distribute the draft tentative public agenda to the respective Board or Board Standing or Ad-Hoc Committee by 7:00 pm, seven calendar days immediately prior to the regularly scheduled public Committee or Board of Commissioner meeting date.

b.) Copies of the agenda and *germane and relevant supporting documents* will be duly and publicly 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 posting of the Board agenda and supporting documents shall occur no more than 24 hours after distribution to the Board of Commissioners.*

c. Quorum and Order of Business for All Public Meetings

1.) A quorum of Board of Commissioner Members or Board Committee members shall be present at the hour called to order by the Presiding Officer, to convene the meeting and proceed to business.

2.) Should a quorum be assembled at the hour appointed, and the President or Chair be absent, the Vice-President or Vice Chair shall serve as presiding officer 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 or the portion of the meeting the presiding officer is not present.

3.) 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.

4.) 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. Public Comment on Non-Agenda Items Only
7. Adjournment



5.) The order by which Township business shall be conducted at duly advertised regular Board of Commissioner Committee of the Whole meetings is:

1. Call to Order
2. Consider approval of Minutes
3. Presentations
4. Public Comment on Agenda Items only
5. Unfinished Business
6. New Business
7. Adjournment

6.) 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 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

d. Public Participation at Board of Commissioner Public Meetings

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. The rules for public participation are to be strictly adhered to.



1.) Public Comment for Public Meetings

a.) Standing Committee Meetings: Public Comment at Committee meetings shall be: (1) after an agenda item has been moved by a Member of the Committee, seconded and upon call of the Chair for public comment prior to a vote by the Committee, and (2) Prior to adjournment of the Meeting.

1. The Public shall have three (3) minutes to provide germane public comment on the agenda item to be voted upon. The Presiding Officer shall have the discretion to add time for a commenter during the public comment period for additional public comment.

2. The Public shall have three (3) minutes to provide public comment on new matters that are non-agenda items. The Presiding Officer shall have the discretion to add time for a commenter during the public comment period for additional public comment.

3. Comments submitted in writing any time during the official public comment period carry the same weight as oral commentary presented at a public hearing or meeting. For that reason, commenters shall not read written comments in their entirety to have them become part of the record. Commenters are encouraged to verbally summarize their written statement.

b.) Committee of the Whole Meetings: Public Comment at Committee of the Whole meetings shall be prior to unfinished or new business agenda items being considered and upon call of the Presiding Officer for public comment.

1. The Public shall have five (5) minutes to provide germane public comment on agenda items to be voted upon. The Presiding Officer shall have the discretion to request additional written public comment if the matter is to be referred to a Standing or Ad-hoc Committee or add time during the public comment period to take testimony or additional public comment.

2. Comments submitted in writing any time during the official public comment period carries the same weight as oral commentary presented at a public hearing or meeting. For that reason, commenters are not to read written comments in their entirety to have them become part of the record. Commenters are encouraged to verbally summarize their written statement.



c.) *Board of Commissioner Public Meetings:* Public Comment at Board of Commissioner meetings shall be prior to unfinished or new business agenda items being considered, and upon call of the Presiding Officer for public comment.

1. The Public shall have three (3) minutes to provide germane public comment on agenda items to be voted upon. And (3) minutes to provide germane public comment on non agenda items at the time set on the agenda.

2. Comments submitted in writing any time during the official public comment period carries the same weight as oral commentary presented at a public hearing or meeting. For that reason, commenters are not to read written comments in their entirety to have them become part of the record. Commenters are encouraged to verbally summarize their written statement.

2.) Public Participation Policy

When asking a question during the public comment period, questions are to be stated to the Presiding Officer after all commenters have spoken and 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 announce if they are a resident or property owner of the Township for the record;
- Each commenter when speaking to a specific agenda item, shall 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.
- Be seated after speaking or upon the request of the presiding officer;
- Commenters may not yield their time to other commenters
- 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.



e. Minutes

1.) Preservation of Records

a.) 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.

2.) Minutes shall show:

- a.) Date, place, and time of meeting.
- b.) 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.
- c.) The accurate wording of motions.
- d.) The *general substance* of all official actions.
- e.) The name of the member who moved for the adoption of a motion, and the name of the member who seconded the motion.
- f.) A record of all negative votes as well as any defeated motions.
- g.) A *general record* of all public comments.
- h.) The hour of adjournment.

3.) 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.

a.) 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.

(NOTE: This section does not apply to video(s) produced for the purpose of broadcasting public meetings of the Board of Commissioners to the Public. Videos of the Public Board of Commissioners meetings would only be discarded by a vote of the Board of Commissioners at a public meeting.)

2. *Special Meetings of the Board of Commissioners*

a. Guidelines

Guidelines and procedures for the management of a public hearing shall be:

- 1. The presiding officer will clearly announce any specific rules and introduce all Township Officials and employees present prior to proceeding.
- 2. People who have pre-registered to comment will be called in the order they registered. A registration sheet will be provided at the entrance of



each meeting. If the meeting is in an online format, an online survey will be available for individuals to register. After those commenters have spoken, and as time allows, other people who wish to comment will be called in the order they signed in.

3. Commenters who are not present when called may be called again at the conclusion of all other testimony, should time permit.
4. Comment is limited to no more than five minutes for each person.
5. Commenters may not yield their time to other commenters; organizations are requested to designate one person to present comments on its behalf.
6. Commenters may refer to charts, graphs, and other non-offensive relevant visual aids that can be reasonably included in the record, but may not use signs, props, advertisements or unapproved videos while providing comments. Commenters may not submit physical evidence.
7. Each commenter is asked, but not required, to submit copies of his or her comments to aid in transcribing and so that comments are appropriately addressed in the Comment-Response Document, when applicable.
8. To aid in accurately transcribing the hearing or meeting, it is important that attendees and participants remain quiet and not interrupt proceedings while comment is being presented. **Participants and attendees acknowledge that any interruptions or disruptions during the public comment period while someone else has the floor may result in immediate dismissal from the meeting.**
9. Commenters should begin by stating their name and if they are a Township resident or property owner prior to making comment. Spelling of names is recommended to ensure the transcription is as accurate as possible. Identification is necessary for both pre-registered and non-registered individuals. To protect the identity and personal safety of a commenter the exact street location of residence or business is not required to be stated publicly.
10. The purpose of a public hearing or a meeting of an appointed board, commission, or council is to receive comments. Township elected officials, appointed officials or Township employees will not address questions during such meetings. The presiding officer may allot time to address questions before or after the public hearing or meeting or schedule a public information or informal meeting.

Comments submitted in writing any time during the official public comment period carry the same weight as oral commentary presented at a public hearing or meeting. For that reason, commenters are not to read written comments in their entirety to have them become part of the record. Commenters are encouraged to verbally summarize their written statement.

b. Meeting Types

1.) Public Hearings



Public hearings are *formal* proceedings that afford the public the opportunity to provide oral testimony and comment on a specified matter of Township business being considered. All written comments submitted in writing in advance of a hearing will have equal weight to those comments given orally at the hearing.

The Township will follow all applicable statutory and regulatory requirements in scheduling a hearing, including providing the public with adequate information about the proposed activity and notice at least two weeks in advance of the hearing, if not otherwise specified in statute, ordinance, or resolution.

a.) Notice of Scheduling or Cancellation of a Public Hearing

The Township will provide notice as required by the First-Class Township Code. If a hearing is scheduled, a notice of the hearing will be published in a *newspaper of general circulation within the Township* and posted on the Township website. The Township may postpone a public hearing in the event of inclement weather or other unforeseen factors that may make holding the hearing impractical or may prevent the public, elected officials, or appointed officials from participating.

b.) Web-based and Internet Enabled Public Hearings

When permissible under relevant statutes or regulations, the Township may use web-based or internet enabled systems as a platform for public hearings. Such hearings are subject to the same forms of public notice as traditional public hearings and will adhere to the guidelines found in section "IV-B. Public Hearings" above.

2.) Public Information Meetings

a.) Board of Commissioners Public Information Meeting

Public information meetings are used to provide information about a proposed policy, project, or issue and to foster dialogue related to the issues the project raises through a discussion and question-and-answer session format. Such meetings will be held when the Board of Commissioners President or Vice President deems a public information meeting as beneficial to the public, the Board of Commissioners, or a duly created Committee of the Board of Commissioners. Public Information meetings are not official meetings of the Board of Commissioners.

The Township encourages any applicant for land development approval to attend and lead public participation at public information meeting(s) requested by the Board of Commissioners and will refer to the applicant all questions that are more appropriate for the applicant to answer. An



applicant may also, at its own discretion, hold its own public information meeting(s). Such meeting(s) should be held as early in the project as possible, including before submission of the application.

1. Written/Electronic Comments in Response to a Public Notice

When a comment period is opened, the public notice will provide the public with instructions on submitting written/electronic comments on a pending issue, including where comments should be submitted in advance of the meeting. A formal comment period commences on the date the Township notice is published and concludes on the comment deadline specified in the notice. Those comments submitted to the Township during the formal public comment period and by the specific means advertised will be considered and responded to by the Office of the Township Manager in a Comment-Response Document or through other relevant documentation.

b.) Administrative Public Information Meeting

The Office of the Township Manager and the various Departments through the Office of the Township Manager may, with the Township Manager's approval, hold public information meetings to help the public obtain information about a proposed project or significant policy, and thereby assist the public in developing their comments. Therefore, the content of administrative public information meetings does not become part of the official record and will not be addressed in the comment-response document issued by the Office of the Township Manager. Such meetings may be held in addition to other forms of public participation and will not be used as a substitute for public hearings by the Board of Commissioners or its duly appointed Boards and Committees.

2.) Administrative Informal Meetings

Informal meetings are used to afford interested parties, specifically the public, the opportunity to discuss issues with Township Manager and Department and Division staff in a less formal setting than public hearings or public information meetings as it relates to a proposed project, or matter rising to the level of an action to be taken by the Board of Commissioners. Such informal meetings may be held when the Board President or Township Manager determine that a formal public informational meeting is needed to supplement or provide technical detail or information on a project or matter. *Nothing in this policy shall preclude an individual Ward Commissioner from holding a neighbor meeting on any topic of concern on a Ward specific issue to Ward residents.*



When determining the invitees and the format for the meeting, the President or Township Manager, should first consider any applicable statutory or regulatory requirements in addition to the goals of the meeting, and what will best serve the participants. Invitations to informal meetings may be limited to the requestor, an applicant, and specifically identified parties; or the meeting may be announced publicly. The format for the meeting may include a question-and-answer period, a roundtable discussion, or other format as appropriate.

Township staff should ensure participants are aware that the content of informal meetings does not become part of an official record and questions will not to be addressed in the Comment- Response Document issued by the Township.

3. Appointed Boards, Commissions and Councils

Public Comment at the meetings of appointed Boards, Commissions and Councils shall be prior to unfinished or new business agenda items being considered and upon call of the Presiding Officer for public comment.

- a. The Public shall have three (3) minutes to provide germane public comment on the agenda item to be voted upon. The Presiding Officer shall have the discretion to request additional written public comment if a decision on a matter is not be rendered during the meeting or add time during the public comment period to take testimony or additional public comment.

V. ROLE OF THE OFFICE OF THE TOWNSHIP MANAGER IN PUBLIC HEARINGS, PUBLIC INFORMATION MEETINGS, OR INFORMAL MEETINGS

In a venue that allows for public dialogue on a pending matter, the Township Manager or his designee shall communicate to the public the factual information related to the matter and any law governing and applicable to the matter, including Township Ordinances and pertinent Resolutions.

VI. COMMENT-RESPONSE DOCUMENT

A. Format of Comment-Response Document

A sample format for the comment-response document is included as Attachment A. The Comment-Response Document should have a cover page with the following information: the title of the matter being considered; the dates of the published public comment period; and the date the public



information meeting(s) was held. A comment-response document will only be prepared for public information meetings requested by the Board of Commissioners.

The Comment-Response Document shall include background information or a summary, a list of all the individuals who submitted questions, all valid questions or comments received, and a response to valid questions received. Questions and responses may be divided into relevant categories to assist readers in finding the information they are seeking.

B. Submission of Comments in Advance of the Meeting

Questions and comments will be accepted by email to publiccomment@abingtonpa.gov, through the Township website at the specified link within the ad, or by mail within the timeframe stated in the meeting notice. All questions and comments must include the submitters name, address, and preferred email address.

Questions and/or must be numbered, germane, cogent, and concise to be valid. Questions should be formatted as questions and not statements to ensure both those responding and the public can understand what is being asked and that a response is warranted.

C. Commenter Information

The Township will keep a record of all persons providing comment pertaining to a specific matter that is the subject of the hearing or meeting. The document shall list all public commenters who submitted comments during the official public comment period. This should include both oral testimony from the public hearing (when applicable) and written/ electronic comments received by the Township. All commenters shall be numbered sequentially.

D. Response to Comments

All comments should be summarized and grouped according to the subject matter. All comments that are considered too, in fact, be questions, must be clearly stated so that the question can be discerned, and the commenter contacted in writing to request the question be restated or made as a clear and concise comment to allow for a response. Each comment will be followed by a response that explains how the comment was addressed or the reason it was not addressed. All responses will be as clear and concise as possible.

E. Public Availability of the Comment-Response Document

The Comment-Response Document will be made available to the public seventy-two hours in advance of the date and time the matter is scheduled for consideration at the relevant public information meeting.

A copy of the Comment-Response Document will be available through the Township Right to Know Law process and in accordance with the law and Township policies.



VII. ADDITIONAL INFORMATION

For additional information about public participation, the public may consult the Office of the Township Manager at publiccomment@abingtonpa.gov.

Adopted and affirmed by the **Board of Commissioners** September ____, 2020.

Attest:

TOWNSHIP OF ABINGTON

DocuSigned by:
Richard J. Manfredi
Richard J. Manfredi, *Secretary*

DocuSigned by:
John L. Spiegelman
By: John L. Spiegelman, *President*
Board of Commissioners



ATTACHMENT A

**SAMPLE FORMAT FOR COMMENT-RESPONSE DOCUMENT
SUBJECT TO CHANGE AND REVISION**



TITLE: PROJECT/INITIATIVE/MEETING TOPIC NAME
COMMENT AND RESPONSE DOCUMENT

DATES OF PUBLIC COMMENT PERIOD

DATE OF MEETING

ABINGTON TOWNSHIP OFFICE OF THE TOWNSHIP MANAGER



SUMMARY

Summary paragraph.

This document includes valid public comments regarding the PROJECT/INITIATIVE/ MEETING TOPIC NAME. Public comments were accepted online at WEBSITE LINK through an online submission form, by mail and/or in-person at the related public informational meeting(s).

LIST OF COMMENTERS

Individuals who submitted a comment(s) can be found below. The identification number will be inserted at the end of the comment(s) provided by the individual.

Name Resident/Business Owner Identification Number

COMMENTS AND RESPONSES

This section will have comments and responses categorized by a common theme.

END OF DOCUMENT



COMMITTEE 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 (1) presiding officer at duly convened public meetings and (2) as Committee liaison 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 the Board of Commissioner Committees as constituted from time to time. Currently, the Board Committees include Finance, Land Use, Pension, Public Affairs, Public Safety, and Public Works.

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.



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. COMMITTEE SCOPE AND DUTIES

Section 2.1 The Finance Committee: The Finance Committee shall have as its core scope and duty policy matters pertaining to budget, Township revenue and expenses and audit.

Section 2.2 Land Use Committee: The Land Use Committee shall have as its core scope and duty policy matters that pertain to Zoning, Subdivision, Land Development, and the Comprehensive Plan.

Section 2.3 The Pension Committee: The Pension Committee shall have as its core scope and duty policy matters pertaining to Township pension plans and related investment policies.

Section 2.4 The Public Affairs Committee: 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, and human relations.

Section 2.5 The Public Safety Committee: The Public Safety Committee shall have as its core scope and duty policy matters pertaining to police, fire and emergency medical services.

Section 2.6 The Public Works Committee: 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 2.7 The Committee of the Whole: The Committee of the Whole shall serve as the first step in the public policy process of the Township, hear matters that require Board of Commissioner consideration, and determine the legislative process matters before the committee shall take. The Vice-



President shall preside over the Committee of the Whole. Should the Vice-President not be present at the time called for the Committee of the Whole meeting, the Board Vice-President, in consultation with the Board President shall name a presiding Officer.

Section 2.8 Standing Committee: A standing committee is a committee created by Section 1 of Committee Composition, Scope, and Duties of this policy.

Section 2.9 Ad-hoc Committee: A special or select committee created by official action of the Board of Commissioners with the sole purpose of conducting the business of the Board of Commissioners as is established in a scope of duties, and with a creation date and a date by which its work is to be completed.

SECTION 3. COMMITTEE CHAIR AS LIAISON

Section 3.1 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 3.2 Serve as the designated Board member to attend meetings held and requested by the Township Administration, where a quorum of Board members present would constitute a violation of the Sunshine Act, or other laws, and;

Section 3.3 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.

SECTION 4. MEETINGS

Section 4.1 Each committee shall meet as necessary or on the day and time set by the Board of Commissioners for regular committee meetings. The Committee may alter its schedule provided all



notice is in accordance with the PA Sunshine Act. 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 4.2 The Committee shall meet as necessary or as the work with the Administration becomes necessary.

Section 4.3 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 4.4 Active member attendance at Committee meetings is a member's 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 5. AGENDA

Section 5.1 The Township Manager or his designee, shall prepare an agenda for each meeting of the Committee in accordance with duly adopted Board of Commissioners policy.

RESOLUTION NO. 20-040

**PADOT 2020-2029 MASTER AGREEMENT FOR CASTING ADJUSTMENTS
TOWNSHIP OF ABINGTON
MONTGOMERY COUNTY, PENNSYLVANIA**

BE IT RESOLVED by the board of Commissioners of the Township of Abington, Montgomery County, Pennsylvania, and it is hereby resolved by the authority of the same, that the President of the Township of Abington Board of Commissioners be authorized and directed to execute the attached PaDOT Master Agreement For Casting Adjustments on its Behalf and the Secretary be authorized and directed to attest to the same.

BE IT ALSO RESOLVED by the authority of the same, that the Manager of the Township of Abington be authorized to execute the Project Initiation Form and Change Order documents for the duration of the Agreement.

TOWNSHIP OF ABINGTON

ATTEST:

DocuSigned by:

Richard J. Manfredi

14B68F90F1A44A6...

**Richard J. Manfredi, Secretary
Township of Abington**

DATE: 9/18/2020

DocuSigned by:

John L Spiegelman

DE1A1FE9A8E24DB...

By:

**John L. Spiegelman, President
Abington Board of Commissioners**

DocuSigned by:

John L Spiegelman

DE1A1FE9A8E24DB...

DATE:

{SEAL}

I, John L. Spiegelman, President of the Township of Abington Board of Commissioners, do hereby certify that the foregoing is a true and correct copy of Resolution No. 20-040, that was duly adopted at the regularly scheduled public meeting of the Township of Abington Board of Commissioners held on the Tenth day of September, 2020.

Date: 9/14/2020

DocuSigned by:

John L Spiegelman

DE1A1FE9A8E24DB...

John L. Spiegelman, President

RESOLUTION 20-041

BE IT RESOLVED, by authority of the Abington Township Board of Commissioners
(Name of governing body)

of the Abington Township, Montgomery County, and it
(Name of MUNICIPALITY)

is hereby resolved by authority of the same, that the President
(designate official title)

of said MUNICIPALITY is authorized and directed to submit the attached Application for Traffic

Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the MUNICIPALITY.

ATTEST:

Abington Township
(Name of MUNICIPALITY)

DocuSigned by:
Richard J. Manfredi
14B68E90F1A44A6
Richard J. Manfredi, Township Manager & Secretary

By: DocuSigned by:
John L. Spiegelman
DE1A1FE9A8E24DB
John L. Spiegelman, President

I, John L. Spiegelman, President
(Name) (Official Title)

of the Abington Township Board of Commissioners, do hereby certify that the foregoing
(Name of governing body and MUNICIPALITY)

is a true and correct copy of the Resolution adopted at a regular meeting of the

Abington Township, held the 10th day of September, 20 20.
(Name of governing body)

DATE: 9/14/2020

DocuSigned by:
John L. Spiegelman
DE1A1FE9A8E24DB
John L. Spiegelman, President

**RESOLUTION NO. 20-042
MINIMUM MUNICIPAL OBLIGATION**

WHEREAS, the Township of Abington does maintain three pension plans;

WHEREAS, said plans are known as the Township of Abington Municipal Non-Uniformed Employees’ Pension Plan, the Township of Abington Police Pension Plan and the Township of Abington Non-Uniformed Employees’ Defined Contribution Pension Plan;

WHEREAS, Act 205 of 1984 mandates that the governing body of said “plans” recognize their minimum obligation on or before September 30 of a given year;

NOW, THEREFORE, BE IT RESOLVED, that based upon the following Actuarial Development of Pension Plan Funding Cost of the Abington Non-Uniformed Employees,’ Police, and Non-Uniformed Employees’ Defined Contribution Pension Plans of the Township of Abington, County of Montgomery, State of Pennsylvania, the Board of Commissioners acknowledges the funding requirements for the above mentioned plans to be \$589,632, \$2,813,000 and \$160,940.00, respectively. These actuarial costs have been submitted pursuant to an actuarial valuation completed as of January 1, 2020 by AON Consulting.

THEREFORE, the Board of Commissioners recognizes these funding requirements and makes provisions for these costs as part of their budget for the year 2021.

RESOLVED, at the meeting of the Board of Commissioners this 10th day of September, 2020.

ABINGTON TOWNSHIP
BOARD OF COMMISSIONERS

By: DocuSigned by:
John L Spiegelman
DE1A1FE9A8E24DB

John L. Spiegelman, President

ATTEST:

DocuSigned by:
Richard J. Manfredi
T4368F90FA42A6...

Richard J. Manfredi,
Township Manager & Secretary

FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL OBLIGATION BUDGET FOR 2021

NAME OF MUNICIPALITY:
COUNTY:

ABINGTON TOWNSHIP
MONTGOMERY

NON-UNIFORMED
PENSION PLAN

1	TOTAL ANNUAL PAYROLL	\$8,400,000
	Estimated Payroll	
2	NORMAL COST AS A PERCENTAGE OF PAYROLL	12.44%
	(Derived from latest actuarial valuation)	1/1/19
3	TOTAL NORMAL COST	\$1,044,960
	(Item 1 x Item 2)	
4	AMORTIZATION REQUIREMENT	\$0
	(Derived from latest actuarial valuation)	
5	TOTAL ADMINISTRATIVE EXPENSES	\$40,000
	(Based on Estimate)	
6	FINANCIAL REQUIREMENT	\$1,084,960
	(+ Item 3 + Item 4 + Item 5)	
7	TOTAL MEMBERS CONTRIBUTIONS	\$420,000
8	FUNDING ADJUSTMENT	\$75,328
	(Derived from latest actuarial valuation)	
9	MINIMUM MUNICIPAL OBLIGATION	\$589,632
	(+ Item 6 - Item 7 - Item 8)	
10	MINIMUM MUNICIPAL OBLIGATION BASED UPON MARKET VALUE OF ASSETS	\$2,023,969

I elect line _____ (9 or 10) as my 2021 MMO in the amount of \$ _____

DocuSigned by:

Richard J. Manfredi

14B68E90E1A44A6

Signature of Chief Administrative Officer

9/23/2020

Date Certified to Governing Body

FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL OBLIGATION BUDGET FOR 2021

NAME OF MUNICIPALITY:
COUNTY:

ABINGTON TOWNSHIP
MONTGOMERY

POLICE
PENSION PLAN

1	TOTAL ANNUAL PAYROLL	\$10,824,138
	Estimated Payroll	
2	NORMAL COST AS A PERCENTAGE OF PAYROLL	13.26%
	(Derived from latest actuarial valuation)	1/1/19
3	TOTAL NORMAL COST	\$1,435,281
	(Item 1 x Item 2)	
4	AMORTIZATION REQUIREMENT	\$1,874,927
	(Derived from latest actuarial valuation)	
5	TOTAL ADMINISTRATIVE EXPENSES	\$44,000
	(Based on Estimate)	
6	FINANCIAL REQUIREMENT	\$3,354,208
	(+ Item 3 + Item 4 + Item 5)	
7	TOTAL MEMBERS CONTRIBUTIONS	\$541,208
8	FUNDING ADJUSTMENT	\$0
	(Derived from latest actuarial valuation)	
9	MINIMUM MUNICIPAL OBLIGATION	\$2,813,000
	(+ Item 6 - Item 7 - Item 8)	
10	MINIMUM MUNICIPAL OBLIGATION BASED UPON MARKET VALUE OF ASSETS	\$4,469,528

I elect line _____ (9 or 10) as my 2021 MMO in the amount of \$ _____

DocuSigned by:

Richard J. Manfredi

14B68F99F4A44A6...

Signature of Chief Administrative Officer

9/23/2020

Date Certified to Governing Body

**FINANCIAL REQUIREMENT AND MINIMUM MUNICIPAL
OBLIGATION BUDGET FOR 2021**

NAME OF MUNICIPALITY: ABINGTON TOWNSHIP
COUNTY: MONTGOMERY

	NON-UNIFORMED DEF. CONT.
1. TOTAL ANNUAL PAYROLL (Estimated payroll)	3,218,800
2. RATE OF CONTRIBUTION AS A % OF PAYROLL (Derived from latest actuarial valuation) 1/1/19	5.00%
3. TOTAL CONTRIBUTION COST (Item 1 times Item 2)	160,940
4. TOTAL ADMINISTRATIVE EXPENSES	0
5. TOTAL FINANCIAL REQUIREMENT (+Item 3 +Item 4)	160,940
6. MINIMUM MUNICIPAL OBLIGATION	160,940

DocuSigned by:

Richard J. Manfredi

14B66F90F1A44A6...

Signature of Chief Administrative Officer

9/23/2020

Date Certified to Governing Body

**TOWNSHIP OF ABINGTON
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2176

**AN ORDINANCE AMENDING
CHAPTER 156 – “VEHICLES AND TRAFFIC,”
ARTICLE II – “TRAFFIC REGULATIONS,”
SECTION 14 – “STOP INTERSECTIONS”; AND
ARTICLE III – “PARKING REGULATIONS”
SECTION 25 – “PARKING PROHIBITED AT ALL TIMES; NO PARKING BETWEEN
SIGNS; NO PARKING HERE TO CORNER; PARKING PROHIBITED EXCEPT
CERTAIN HOURS; NO STOPPING OR STANDING”
SECTION 28 – “SPECIAL PURPOSE PARKING ZONES”**

WHEREAS, the Township of Abington is a Township of the First Class, duly organized and existing pursuant to the applicable laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to section 1502.44 of the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §56544, the Board of Commissioners has the authority to enact and amend provisions of the Abington Township Code (“Code”) at any time it deems necessary for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof; and

WHEREAS, pursuant to section 1502.10 of the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §56510, the Board of Commissioners has the authority to take all needful means for securing the safety of persons or property within the Township; and

WHEREAS, pursuant to section 1502.49 of the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §56549, the Board of Commissioners has the authority to regulate traffic and parking; and

WHEREAS, the Board of Commissioners of the Township of Abington has determined that the Code of Ordinances of the Township of Abington shall be amended at Chapter 156 – “Vehicles and Traffic,” Article II – “Traffic Regulations,” Sections 14 - “Stop Intersections,” and

{00822611;v2}

Article III – “Parking Regulations,” at Section 25 – “Parking Prohibited at All Times; No Parking Between Signs; No Parking Here to Corner, Parking Prohibited Except Certain Hours, No Stopping and Standing,” and” Section 28 – “Special Purpose Parking Zones,” should be amended for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof.

NOW, THEREFORE, the Board of Commissioners of the Township of Abington does hereby **ENACT** and **ORDAIN** as follows:

1. The Code of the Township of Abington is amended at Chapter 156 - “Vehicles and Traffic,” Article II – “Traffic Regulations,” at Section 14 – “Stop Intersections,” to add the following restrictions:

Stop Sign On	Direction of Travel	At Intersection of
Ardsley Avenue	Eastbound	Sylvania Avenue
Ambler Road	Eastbound	Shoemaker Road
Clayton Road	Eastbound	Shoemaker Road
Watson Road	Eastbound	Shoemaker Road
Rowland Road	Eastbound	Shoemaker Road

2. The Code of the Township of Abington is amended at Chapter 156 - “Vehicles and Traffic,” Article III – “Parking Regulations,” at Section 25 – “Parking Prohibited at All Times; No Parking Between Signs; No Parking Here to Corner, Parking Prohibited Except Certain Hours, No Stopping or Standing” to add the following restrictions:

No Parking	Side	Location
Nylsor Avenue	South Side	From 2322 to the dead end

3. Chapter 156 – “Vehicles and Traffic,” Article III, “Parking Regulations,” Section 28 – Special Purpose Parking Zones shall be amended to add the following restrictions:

Name of Highway	Authorized Purpose of Vehicle	Location
------------------------	--------------------------------------	-----------------

Tyson Avenue

Handicapped Parking

In front of 782 and 1024
Tyson Avenue

4. All other ordinances, portions of ordinances, or any section of the Code inconsistent with this Ordinance are hereby repealed.

5. This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this 10th day of September, 2020.

TOWNSHIP OF ABINGTON
BOARD OF COMMISSIONERS

Attest:

DocuSigned by:
Richard J. Manfredi
Richard J. Manfredi,
Township Manager & Secretary

DocuSigned by:
John L. Spiegelman
By: John L. Spiegelman, President