

The stated meeting of the Board of Commissioners of the Township of Abington was held on Thursday, July 13, 2017 at the Township Administration Building, Abington, PA., with President Luker presiding.

CALL TO ORDER: 7:32 p.m.

ROLL CALL: Present: Commissioners ZAPPONE, SPIEGELMAN, SANCHEZ, ROTHMAN, MYERS, MARKMAN, SCHREIBER, BOWMAN, FARREN, GILLESPIE, HECKER, KALINOSKI, LUKER
Excused: DiPLACIDO, KLINE

Township Manager/Secretary MANFREDI
Township Solicitor CLARKE
Chief of Police LIVINGOOD
Finance Director BARRON
Township Engineer POWERS
Director of Public Works MICCIOLO
Community Development Director STROTHER
Director of W.W.T.P. WRIGLEY
Fire Marshal CLARK
Director of Library HAMMEKE-MARSHALL

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT:

President Luker announced that an Executive Session was held on June 30, 2017 of the Board of Commissioners to discuss personnel matters.

PRESENTATION:

Presentation of 2017 Robert W. Montgomery Award to Linda Ritter:

Commissioner Spiegelman presented Linda Ritter with Certificate of Commendation – the 2017 Robert W. Montgomery Award in recognition of her outstanding contribution in promoting, preserving and protecting our community’s natural environment. Linda’s long-term care of volunteering and maintaining the Abington Hospital Garden at the Levy Medical Center, which received a blue ribbon award from Pennsylvania’s Horticultural Society.

The garden areas around Crestmont and Baederwood parks as well as garden areas on Highland Avenue and Wanamaker and Baeder Roads exemplify the spirit of this environmental leadership award. By presenting this award, the Board of Commissioners in the name of the entire Township shows its appreciation for her community involvement and dedication to Abington Township.

SWEARING IN:

Swearing In of Sergeant Jennifer Doyle by District Justice John D. Kessler:

Chief Livingood said tonight, we will be officially promoting Jennifer Doyle to the position of Sergeant to the Abington Township Police Department. Jennifer originally was from Pittsburgh and graduated with honors from Delaware County Community College with an Associates Degree in Administration of Justice. Jen served three years with the Center County Sheriff's Office as a Deputy Sheriff and was awarded best overall student by Pennsylvania Deputy Sheriffs Education and Training Academy.

Jen joined Abington Township Police Department in 2005, and during the past 12 years, she has served in a number of special assignments and units including a DARE Officer; Field Training Officer; Bike Unit; Honor Guard; Liaison to Youth Aid Panel and as a K-9 Officer.

District Justice John D. Kessler administered the Oath of Office to Sergeant Jennifer Doyle of the Abington Township Police Department before the Board of Commissioners of the Township of Abington on this 13th day of July, 2017.

Presentation of Class III Commendation to Detective Cindy Pettinato:

Chief Livingood said on July 11, 2016, Sara Packer walked into Abington Police Department to file a report that her adopted daughter, 14-year old Grace Packer was missing from her home on Tennis Avenue in Ardsley.

The case was assigned to Detective Cindy Pettinato, who is extremely intuitive and known for complete, thorough and well-documented investigations. Very quickly, Cindy knew something was wrong with this case and this mother was not acting like a "normal" mother would. Cindy's investigation was tenacious and unrelenting and she kept asking Sara Packer for pictures and additional information, and Sara was not completely uncooperative, but she certainly wasn't cooperative with supplying the information that Cindy asked for.

When Sara Packer moved without notifying Cindy or anyone else in APD, Cindy tracked her down traveling out-of-state with this investigation and finally had Grace Packer entered into NamUs (National Missing and Unidentified Persons System).

Sadly, we all know what happened to Grace Packer and there were hundreds of hours of investigative resources that went into this investigation, but the key to the success in this case were the tenacious and unrelenting investigative work done by Detective Cindy Pettinato.

Commissioner Schreiber presented Class III Commendation to Detective Cynthia Pettinato on behalf of the Board of Commissioners of the Township of Abington on this 13th day of July, 2017 in recognition of her excellent investigative skills, which resulted in the arrest of the murderers of Grace Packer. An ordinary missing juvenile case that developed into a horrific murder investigation, which was successfully solved due to Cindy's dedication, thoroughness and attention to detail, and because of this, Grace Packer's killers were brought to justice.

APPROVAL OF MINUTES:

Commissioner Schreiber made a MOTION, seconded by Commissioner Spiegelman to approve the minutes of the Board of Commissioners Meeting of June 8, 2017.

MOTION was ADOPTED 13-0.

PUBLIC COMMENT- AGENDA ITEMS ONLY: None.

PUBLIC WORKS COMMITTEE:

Purchasing of Trash Containers

Commissioner Hecker made a MOTION, seconded by Commissioner Kalinoski to purchase decorative street side trash containers and automated trash containers for use by the Refuse Department from Refuse Fund Balance in the amount of \$40,000.00.

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

MOTION was ADOPTED 13-0.

Resolution No. 17-021 PennDOT Agreement and Application Authorization

Commissioner Hecker made a MOTION, seconded by Commissioner Farren to adopt Resolution No. 17-021 authorizing the Township Manager to sign agreements and applications sent to PennDOT for Traffic Signal Approvals.

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

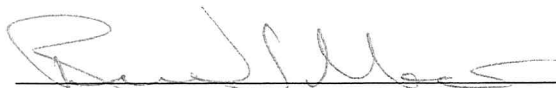
MOTION was ADOPTED 13-0.

RESOLUTION #17-021


BE IT RESOLVED, by authority of the Board of Commissioners of the Township of Abington, Montgomery County, and it is hereby resolved by authority of the same, that the Township Manager of said MUNICIPALITY is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation to sign this Application on behalf of the MUNICIPALITY.

ATTEST:

ABINGTON TOWNSHIP
(Name of Municipality)

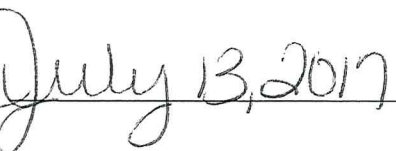


(Signature & designation of official title)
Richard J. Manfredi, Township Manager
Township Manager

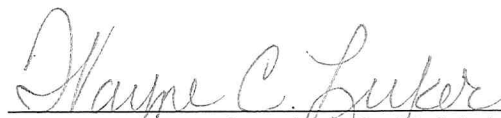
By: 

(Signature & designation of official title)
Wayne C. Luker, President
Board of Commissioners

I, Wayne C. Luker, President of the Board of Commissioners, of the Township of Abington, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Board of Commissioners held on the 13th Day of July, 2017.

DATE: 

July 13, 2017



(Signature & designation of official title)
Wayne C. Luker, President
Board of Commissioners

Edge Hill Road/Tyson Avenue Flood Control/Street Reconstruction Project Revised Reimbursement Agreement Supplement "E"

Commissioner Hecker made a MOTION, seconded by Commissioner Zappone to approve Pennoni Associates proposal for Reimbursement Agreement Supplement "E" for Edge Hill Road/Tyson Avenue Flood Control/Street Reconstruction Project, in the amount of \$144,905, which included services for MS4 Grant design. 80% of funding will be reimbursed from the State in the amount of \$115,924 and 20% from the MS4 Program in the amount of \$25,981.

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

MOTION was ADOPTED 13-0.

2016/2017 HUD Program

Commissioner Hecker made a MOTION, seconded by Commissioner Spiegelman to reject all bids received for the 2016/2017 HUD Program 1000 block Edge Hill Road/2300 block Parkview Avenue Curb and Sidewalk Projects.

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

MOTION was ADOPTED 13-0.

Commissioner Hecker made a MOTION, seconded by Commissioner Spiegelman to supplemental appropriate \$50,000 of FY 2017 General Obligation Note budgeted funds from the Church Street and Holly Tree Road project to the 2016-2017 HUD Program – 1000 block Edge Hill Road Curb and Sidewalk Project.

Commissioner Luker asked for any comments from Commissioners or staff.

Commissioner Gillespie asked for further explanation on this item.

Commissioner Spiegelman replied insufficient HUD funds were reallocated to crucial projects getting sidewalks installed in time for the school year.

Commissioner Myers questioned whether the Commissioner of this ward is in agreement with it.

Commissioner Spiegelman replied yes.

MOTION was ADOPTED 13-0.

CODE ENFORCEMENT AND LAND DEVELOPMENT COMMITTEE:

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

PUBLIC SAFETY COMMITTEE:

Commissioner Schreiber noted there is a memo to the Board pertaining to Item PS1 of the agenda of the additional streets per our discussion during Public Safety Committee meeting last week.

Ordinance No. 2140 - To Amend Chapter 156 "Vehicles and Traffic" 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" and Section 28 "Special Purpose Parking Zones"

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to advertise Ordinance No. 2140 amending Chapter 156 "Vehicles and Traffic" 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" and Section 28 "Special Purpose Parking Zones" for adoption at the August 10th Board of Commissioners meeting.

Commissioner Luker asked for any comments from Commissioners or staff.

Commissioner Zappone clarified that four-way stop signs are mandated by the State and the Township has no authority to install them. Is that correct?

Chief Livingood replied no, the Township can install four-way stop signs if they meet criteria.

Commissioner Farren asked for a summary of those standards as he was under the impression that PennDOT was in control of that as well.

MOTION was ADOPTED 13-0.

3rd Conditional Appointment Probationary Police Officer

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to appoint candidate Kenneth Witter from the Certified Civil Service Eligibility List to the position of Probationary Police Officer provided he successfully completes the Background, Physical and Psychological tests and all entry requirements of the Municipal Police Officers' Education and Training Commission for Act 120 Training. Appointment will be effective September 5, 2017.

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

MOTION was ADOPTED 13-0.

PUBLIC AFFAIRS COMMITTEE:

Resolution No. 17-020 One-Year Action Plan and Community Development Block Grant Budget

Commissioner Spiegelman made a MOTION, seconded by Commissioner Schreiber to adopt Resolution No. 17-020 approving Abington Township's 2017 One-Year Action Plan and Community Development Block Grant.

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

MOTION was ADOPTED 13-0.

**TOWNSHIP OF ABINGTON
MONTGOMERY COUNTY, PENNSYLVANIA
RESOLUTION NO. 17-020**

The Board of Commissioners of the Township of Abington, Montgomery County, Pennsylvania, approving the FY 2017 Annual Action Plan for the use of Federal CDBG Funds.

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of the U.S. Department of Housing and Urban Development is authorized to extend financial assistance to communities in the prevention or elimination of slums or urban blight, or activities which will benefit low- and moderate-income persons, or other urgent community development needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of Abington that under Fiscal Year 2017, the Township is eligible to apply for an entitlement grant under the Community Development Block Grant (CDBG) Program in the amount of \$712,227; and

WHEREAS, the Township's Office of Community Development has prepared an Annual Action Plan for Fiscal Year 2017, that the Township expects to initiate in October 2017, which proposes how the entitlement grant funds will be expended to address the housing and community development needs identified in the Township's Five Year Consolidated Plan; and

WHEREAS, a draft of the FY 2017 Annual Action Plan was on public display from Monday, June 12, 2017 through Wednesday, July 12, 2017 and the Township held a series of public hearings on the said Plan and the comments of various agencies, groups, and citizens were taken into consideration in the preparation of the final document.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ABINGTON, PENNSYLVANIA, AS FOLLOWS:

SECTION 1. That the Annual Action Plan for the Fiscal Year 2017 CDBG Program is hereby in all respects APPROVED and the Township Manager is hereby directed to file a copy of said Annual Action Plan for Fiscal Year 2017 with the Official Minutes of this Meeting of this Board.

SECTION 2. That the Township is COGNIZANT of the conditions that are imposed in the undertaking and carrying out of the Community Development Block Grant Program with Federal financial assistance, including those relating to (a) the relocation of site occupants, (b) the prohibition of discrimination because of race, color, age, religion, sex, disability, familial status, or national origin, and other assurances as set forth under the certifications.

SECTION 3. That the President of the Board of Commissioners, on behalf of the Township of Abington, Pennsylvania, is AUTHORIZED to file an Application for financial assistance with the U.S. Department of Housing and Urban Development which has indicated its willingness to make available funds to carry out the CDBG Program in the amount of \$712,227; and its further AUTHORIZED to act as the authorized representative of the Township of Abington to sign any and all documents in regard to these programs.

SECTION 4. That the President of the Board of Commissioners, on behalf of the Township of Abington, Pennsylvania, is AUTHORIZED to provide assurances and/or certifications as required by the Housing and Community Development Act of 1974, as amended; and any other supplemental or revised data which the U.S. Department of Housing and Urban Development may request in review of the Township's Application.

ADOPTED INTO A RESOLUTION THIS 13TH DAY OF JULY 2017 BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ABINGTON, PENNSYLVANIA

APPROVED:

**ABINGTON TOWNSHIP
BOARD OF COMMISSIONERS**

July 13, 2017
Date

Wayne C. Luker
Wayne C. Luker, President

ATTEST:

Richard J. Manfredi
Richard J. Manfredi, Township Manager

ADOPTED: July 13, 2017

Abington Free Library Condenser Replacement Project

Commissioner Spiegelman made a MOTION, seconded by Commissioner Sanchez to accept bid from Hirschberg Mechanical, LLC in the amount of \$102,545. \$84,000 expense to come from Account No. 07-23-071-7494 with the additional expense to come from permanent improvement fund balance.

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

MOTION was ADOPTED 13-0.

FINANCE COMMITTEE:

Expenditures/Salaries and Wages

Motion to:

- (A) Approve the May expenditures as previously circulated to the Board, in the amount of \$3,939,695.06 and salaries and wages in the amount of \$1,804,151.58.
- (B) Authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of August 2017.

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

Roll Call resulted in motion being passed 13-0. Commissioners Kline and DiPlacido were absent during roll call.

Training and Conference Expenses

Commissioner Hecker made a MOTION, seconded by Commissioner Farren to approve the Advance and Travel Expense activity for May 2017 as previously circulated to the Board. Advance and Travel Expense reports were \$0.00 and \$4,731.53, respectively.

Five-month expenses totaled \$12,624.19.

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

MOTION was ADOPTED 13-0.

Clearing Fund/Deferred Revenue and Expense/Petty Cash

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

Clearing fund receipts and disbursements for the month of May 2017 were \$1,093.52 and (\$174.95), respectively.

Deferred Revenue/Expense receipts and disbursements for the month of May 2017 were \$100.00 and (\$1,129.00), respectively.

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

MOTION was ADOPTED 13-0.

Board Action Request – Acceptance of 2016 Township of Abington CAFR and Audited Financial Statements, Single Audit Report, Tax Office Financial Statements and Agreed Upon Procedures

Commissioner Hecker made a MOTION, seconded by Commissioner Farren to accept December 31, 2016 Township of Abington CAFR and Audited Financial Statements, Single Audit Report, Tax Office Financial Statements and Agreed Upon Procedures, as presented by Township independent auditors, Bee, Bergvall & Co.

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

MOTION was ADOPTED 13-0.

PUBLIC COMMENT – NON-AGENDA ITEMS ONLY:

Lora Lehmann, 1431 Bryant Lane, asked for the names of the streets to be listed in Item PS1. Also, she asked if the CAFR report was flawless.

Mr. Barron replied yes, the audit was flawless.

REMARKS OF COMMISSIONERS:

Commissioner Farren congratulated the Greater Glenside Association for an incredible 4th of July Parade and thanked everyone involved with it. Also, he likes the Free Movie on Fridays at the library as well as the “Food for Fines” program, and he asked how it went.

Nancy Hammeke-Marshall replied the library partnered with Interfaith Food Cupboard and received 1,040 lbs. worth of food and personal items and waived \$1,300 worth of fines.

Commissioner Farren congratulated all those who involved with the Summer Youth Meal Service program. Also, this coming Saturday will be the Fill-A-Food event in conjunction with the Police, EMS and Roslyn and McKinley Fire Companies as well as the Abington Township Police Association that will be held at both Giant Food Store locations from 9-12 p.m. The second event to be held this Saturday is the Penbryn-Crestmont Swim Team Competition at 9 a.m.

Commissioner Gillespie congratulated Sergeant Jennifer Doyle on her promotion as well as Detective Cindy Pettinato on her commendation. Also, on behalf of the Greater Glenside Association, she thanked everyone involved with the 4th of July event.

Commissioner Hecker said Chief Livingood's description of Detective Cindy Pettinato's work was inspiring and that tragedy left deep emotional scars throughout the community and Cindy's work helped to bring healing to many. Sergeant Doyle is his neighbor and it is nice to see good things happen to people who do good things for the community.

Commissioner Kalinoski echoed Commissioner Hecker's comments and he appreciates Chief Livingood's great leadership of the Police Department in Abington. Also, he congratulated two families of Ward 6; Second Lt. Eric Berger, who was commissioned into the Marine Corp, and last night at the ESPY's, Matt Rambo, who is the number one lacrosse player in the nation was nominated by NCAA as Best Male Athlete. And, he thanked Mr. Van Strother for his work on the Free Meal Program.

Commissioner Spiegelman echoed Commissioner Hecker's sentiments and he congratulated Sergeant Doyle, who is a wonderful human being and an outstanding law enforcement professional for a very well deserved promotion as well as the appropriately commended work of Detective Cindy Pettinato. Also, he thanked staff from all departments who work together to keep the Edge Hill Road sidewalk project alive. He also thanked Officer Freed for his assistance on the intersection of the Edge Hill Road and Horace Avenue, who is working on making that a safer intersection.

Commissioner Rothman commented that one of the Giant Grocery Stores participating in the Fill-A-Food Drive this coming weekend is located in Ward 3 and he encouraged everyone to attend.

Commissioner Myers commented that the artwork on the canvases on the back wall of the boardroom is all done by PAL children and we are lucky tonight to have the Deborah Sloane, the Art Director here. She worked with the children and volunteers just about every weekend.

Commissioner Schreiber congratulated Sergeant Doyle and her K-9 dog. And, she was honored to present the award to Detective Cindy Pettinato tonight. Also, she asked everyone to please spread the word on the Free Meal Program for children, which will be held until August 18, 2017 at Crestmont Park from 11:30 a.m.-12:30 p.m.

President Luker complimented Ms. Sloane as the artwork is very well done. Also, he thanked the Abington Township Police Department as they recently made a very quick apprehension of a bank robbery suspect in Abington Township and he complimented Chief Livingood and his staff for a job well done.

Commissioner Markman said he has been an Abington resident for 22 years and this community is incredibly important to him. He was Chairman of the Abington Township Planning Commission and then a member of the Board of Commissioners. While running for Commissioner, one of the important things to him is economic development and development of our commercial corridors, and for us to remain strong as a Township, it is important for the commercial corridors to stay strong and that puts less burden on the taxpayers. He worked hard to achieve that with the Economic Development Committee.

It is come to the point where he had an opportunity to contribute to the community professionally and that potentially it could have come before the Board of Commissioners, and he has been advised by attorneys that he could recuse himself, but he does not feel it is appropriate for him to be a member of the Board of Commissioners and conduct business in the Township in a way that potentially could be viewed as negative and cause problems here.

So as a result of his business situation, he feels it is appropriate to resign as member of the Board of Commissioners effective tomorrow as it is the right thing to do.

This Board of Commissioners is one of the most devoted group of people as compared to in any Township he has encountered. The public service that they provide is admirable and it has been a real honor to serve with them.

Our staff has been incredibly responsive to anything he has needed and he really appreciates everything that has happened here and this is a great place where he will make his home for the next 20 years.

He thanked his constituents for the opportunity to be a Board member and this is a great community and everyone in this room is a huge part of it, and he thanked everyone.

President Luker made a MOTION to accept Commissioner Michael Markman's resignation effective July 14, 2017, seconded by Commissioner Spiegelman.

President Luker asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, said she feels differently about “the push towards the economic of the commercial that is supposedly improving the Township and we need ordinary citizens to be on the Economic Development Committee.”

President Luker asked for any comments from Commissioners.

Commissioner Rothman said it is sad to see Commissioner Markman leave as he helped him over the course of a year and a half during his term and Michael’s insight was very useful to the people on the Board, and he thanked him for it.

Commissioner Kalinoski commented that he hates to see Commissioner Markman leave and he has always been honest and truthful and continues to be that person, and he is glad that Commissioner Markman is part of Abington.

Commissioner Hecker said to Commissioner Markman that he is a gentleman and a man with pure intent and humility despite his accomplishment and Michael’s motivation to do good in the community is something he found inspirational. Michael has always been one to stick to the facts and bring reason to discussion and he hopes we can continue to call on him when we lose our way from time-to-time.

Commissioner Farren said he appreciates Commissioner Markman’s time here as Commissioner and he echoed sentiments made that his frankness and insight have been very helpful. Michael’s clarity in seeing a problem of a situation and spin it into an opportunity has been good for all of us and something he will try to model going forward. He is sad to see Michael leave and thanked him for his time here.

Commissioner Spiegelman said to Commissioner Markman, if there is a more down-to-earth real estate developer in this world, he certainly hasn’t met him or her. Michael’s contributions to this Board have been well-described and will be missed. Personally, he is deeply grateful for everything Michael contributed to the Old York Road/Susquehanna Road project. Michael is a classy and smart guy and it has been honor to serve with him and he is glad to call him his friend.

Commissioner Myers said to Commissioner Markman that what he is doing is honorable and everyone understands why as it is the nature of his business and Michael has set a really good example for all of us in that vain. Whether it is a perceived conflict or true conflict, he is absolutely doing the right thing.

President Luker said to Commissioner Markman that it is a pleasure and honor to work with him over the years and he thanked Michael for his service.

MOTION was ADOPTED 13-0.

Commissioner Myers made a MOTION for Michael Markman to continue serving on the Economic Development Committee, seconded by Commissioner Farren.

President Luker asked for any public comments on the motion made by Commissioner Myers. There were none.

President Luker asked for any comments from Commissioners on the motion made by Commissioner Myers.

Commissioner Rothman questioned whether that is something the Board can vote on because that term only runs for a certain amount of time or is Commissioner Markman only serving on the EDC because he is a Commissioner.

Commissioner Markman said he is a Commissioner liaison.

Commissioner Rothman questioned whether the Board needs to create an additional opening on the EDC, and if that is necessary, he would suggest voting on that because he is in favor of Michael Markman continuing serving on the EDC.

Manager Manfredi replied he does not have the details at this time of who is serving in what capacity on the EDC.

Solicitor Clarke said Commissioner Markman's position on the EDC is by a function of him being a Commissioner. If there are no vacancies the Board would need to expand the committee and then put Michael on or there has to be a vacancy.

Commissioner Schreiber suggested tabling this until next month when this is looked into further because Michael is a nonvoting member as the liaison, and if there is another position to be created, the Board would need to decide whether to change the number of members, and she is not opposed to Michael being a member.

Manager Manfredi said if it is the Board's desire to appoint Michael to the committee, should there be an immediate vacancy or a means by which he cannot serve, and the Board can certainly do that. If not, the Board can revisit it next month once we do the research.

Commissioner Myers said this should be done tonight, and if the Board needs to increase the committee by one member, Michael is there every month and he is very important to that committee and has made a huge difference. She does not feel there should be one month without him.

Commissioner Markman said it can be subject to a vacancy, and if there is not one, then the Board can discuss it next month.

Commissioner Farren said if Michael is not a Commissioner tomorrow then the motion can be that Michael can continue sitting on that committee.

Commissioner Spiegelman said it is not a traditional empty seat; in Commissioner Markman's capacity as liaison he is a nonvoting member.

Solicitor Clarke said there is a maximum number of 16 seats on the committee, but Michael's seat is because he is a Commissioner. So as of tomorrow, he is no longer a Commissioner, and if there is a vacancy then Michael can fill one of those vacancies, if there are 16 current members not including Michael's liaison seat right now then the Board needs to, by ordinance, expand the committee.

Commissioner Markman said he will attend those meetings only as a citizen until otherwise.

Commissioner Myers clarified that by changing the number of seats from 16 to 17, which should be an odd number anyway, that needs to be done by ordinance. Is that correct?

Solicitor Clarke replied yes, it should be done by ordinance as the EDC was created by ordinance and by increasing the number of seats the Board would be amending the ordinance that originally created it.

Commissioner Myers withdrew her motion on the floor and formally requested that, if it needs to be done by ordinance, that the ordinance is ready for the next meeting, and if it does not need to be done by ordinance, that the Board is advised and that it is put on the agenda as a motion to appoint.

ADJOURNMENT: 8:42 p.m.

Respectfully submitted,

Richard J. Manfredi. Township Manager/Secretary

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