

The stated meeting of the Board of Commissioners of the Township of Abington was held on Thursday, February 12, 2015 at the Township Administration Building, Abington, PA., with President Luker presiding.

**CALL TO ORDER:** 7:37 p.m.

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

Township Manager LEFEVRE  
Township Treasurer BLUMENTHAL  
Township Solicitor CLARKE  
Chief of Police KELLY  
Finance Director BARRON  
Assistant Township Engineer CLARK  
Director of Code Enforcement MATTEO  
Director of Parks and Recreation WENDELL  
Director of Public Work MICCIOLO  
Fire Marshal CLARK

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS:**

Retired Finance Director Susan W. Matiza:

Manager LeFevre announced that Susan Matiza recently retired after 43 years of service to the Township, and for the last 14 years as Finance Director. Susan embodied all of the qualities any Manager could hope for; dedicated, hardworking and extremely knowledgeable and a pleasure to be around. She truly has done an outstanding job for the Township over the past 43 years.

She was well regarded not only by Township staff but virtually anyone who interacted with her on a daily basis. He expressed his appreciation for the numerous times she came to him to voice her opinion on an issue when she felt he was moving in the wrong direction and her input was always valuable and appreciated. As good as an employee she has been, she was a better person and all of our lives are more complete simply by having the opportunity to spend time with her. He thanked her and wished her well.

President Luker commented that although Susan Matiza has retired, the policies, practices and disciplines that she and her fine staff were instrumental in implementing will insure financial stability for the Township for years to come. The Finance Department has been nationally recognized for Comprehensive Annual Financial Reporting by the Government Finance Officers Association, and on behalf of the Board of Commissioners, he thanked her for it.

Manager LeFevre and President Luker presented Susan Matiza with Certificate of Commendation commending her exemplary service career and to recognize 43 years of outstanding service and dedication to Abington Township and our great Abington community and for all that she has achieved, thank you. We wish Susan Good Luck, Good Health and a pleasant, well-deserved retirement on behalf of the Board of Commissioners of the Township of Abington on this 12<sup>th</sup> day of February, 2015.

First Indoor State Cup Championship for the Hunter Soccer Club in 53 Years:

Commissioner Kalinoski announced that the Mustangs U-12 Girls Soccer Team, who won the Indoor State Cup Championship, was held on January 25, 2015 in Palmyra, PA. The Mustangs went 4-0 with 10 goals for and one against. With victories over Quakertown, Olmstead, and Central Susquehanna, the Mustangs defeated the Cheltenham Cheetahs 3-0 in the final to capture the championship. This is the first Indoor State Championship for Hunter Soccer Club in 53 years.

Commissioners Kalinoski and DiPlacido presented Certificate of Commendations to Coaches Greg Geruson, Dave Hill and Vicki West as well as the entire Hunter Mustangs U-12 Girls Soccer Team Indoor State Championship 2015 in recognition of their 2015 Indoor State Cup an outstanding accomplishment during which they achieved a 4-0 record. Congratulations on behalf of the Board of Commissioners of the Township of Abington on this 12<sup>th</sup> day of February 12, 2015.

Zoning Hearing Board Member Edward Mebus:

Commissioner Spiegelman introduced Mr. and Mrs. Ed Mebus to the Board. Being a member of the Zoning Hearing Board is a tough job as they have to master incredibly dry and complicated but really important material. Tonight, we will honor someone who has dedicated a massive amount of time and tireless service to the people of this community as a member of the Zoning Hearing Board.

Ed Mebus joined the ZHB as an alternate member in 1997 and served diligently in that capacity and then became a fulltime member in 2002 and has served ever since.

In the job that is difficult, complicated and highly underappreciated and where matters can get heated, Ed has always brought a sense of calm, professionalism and a relaxed approachable and accessible demeanor and integrity to everything he has done.

In addition to his dedicated service on the ZHB, Ed was an active member of the Zoning Ordinance Rewrite Committee, and as this zoning ordinance moves forward, Ed's incredibly hard work, insight and signature pervade that document. The way our Township looks now and the way it will look in the future will always bare the proud influence of Ed Mebus, and he could not have done it without the support of his wife, Rosemary.

Commissioner Spiegelman presented Ed Mebus with a Certificate of Commendation in recognition and profound appreciation of two decades of dedicated service to the people of Abington Township as a member of the Zoning Hearing Board, alternate member from 1997 until 2002 and fulltime member from 2002 until 2015 and active member of the Zoning Ordinance Rewrite Committee and Comprehensive Plan update, and for imparting his guidance and knowledge during some of the most memorable and transformative development applications in Abington Township in this generation and for serving with dignity, professionalism, perspective and wisdom on behalf of the Board of Commissioners of the Township of Abington on this 12<sup>th</sup> day of February, 2015.

**ANNOUNCEMENT:**

President Luker announced that an Executive Session was held on Thursday, February 12, 2015 at 7 PM to discuss a personnel matter.

**VOLUNTEER BOARDS AND COMMISSIONS FOR REAPPOINTMENTS:**

President Luker made a MOTION, seconded by Commissioner Hecker to reappoint the following members to the Volunteer Boards and Commissions:

Richard Teitell, Esquire as Civil Service Commission Solicitor for a one-year term.

Dale Russell as member of the Planning Commission for a four-year term.

John Sorrentino as member of the Environmental Advisory Council for a three-year term.

David J. Eskin, M.D. as member of the Industrial Development Authority for a five-year term.

Peter Brandow, Bruce Goodman, Charles Kahn, Jr., Judith Kratka, Chancellor Karen Wiley-Sandler, and Jack Thalheimer as members of the Economic Development Committee for three-year terms.

Shelley Kapnek Rosenberg and Lawrence Jackson as members of the Human Relations Commission for two-year terms.

MOTION was ADOPTED 15-0.

President Luker announced that new appointments will be made to the Volunteer Boards and Commissions at the Board of Commissioners Meeting in March.

**APPROVAL OF MINUTES:**

Vice President Kline made a MOTION, seconded by Commissioner Spiegelman to approve the minutes of the Board of Commissioners Meeting of January 8, 2015.

MOTION was ADOPTED 15-0.

**PUBLIC WORKS COMMITTEE:**

Bid Award- Ready Mix Concrete

Commissioner Bowman made a MOTION, seconded by Commissioner Hecker to accept the lowest Responsible Bidder and enter into a contract with J.D.M. Materials for the purchase of Ready Mix Concrete as per bid specifications.

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

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

MOTION was ADOPTED 15-0.

Bid Award – Super Pave Asphalt Paving Material

Commissioner Bowman made a MOTION, seconded by Commissioner Spiegelman to accept the lowest Responsible Bidder and enter into a contract with Eureka Stone Quarry for Part 1 of the bid in the amount of \$479,825.00 and Glasgow, Inc. for Part II in the amount of \$49,975.00 for the purchase of Super Pave Materials as per bid specifications.

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

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

MOTION was ADOPTED 15-0.

Resolution No. 15-009 – Edge Hill Road/Tyson Avenue Flood Control/Street Reconstruction Project

Commissioner Bowman made a MOTION, seconded by Commissioner Zappone to approve Resolution No. 15-009, for the Edge Hill Road/Tyson Avenue Flood Control/Street Reconstruction Project Reimbursement Agreement No. 064132-C Supplement “C.”

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

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

MOTION was ADOPTED 15-0.

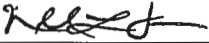
ABINGTON TOWNSHIP RESOLUTION NO. 15-009

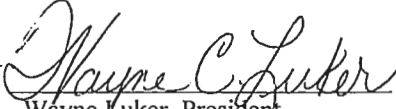
BE IT RESOLVED by authority of the Board of Commissioners of the Township of Abington, Montgomery County, and it is hereby resolved by authority of the same, that the President of said Municipal Board of Commissioners be authorized and directed to sign the attached Supplement "C"–Reimbursement Agreement No. 064132-C (S.R. 2034 Edge Hill Road / S.R. 2036 Tyson Avenue), PennDOT Project MSMP 57865 on its behalf and the Secretary be authorized and directed to attest the same.

IN WITNESS THERETO, I affix my hand and attach the seal of the Township of Abington, this 12th day of February, 2015.

ATTEST:

ABINGTON TOWNSHIP

  
\_\_\_\_\_  
Michael LeFevre, Secretary

BY   
Wayne Luker, President  
Board of Commissioners

I, Wayne Luker, President of the Abington Township Board of Commissioners do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by a majority vote of the Abington Township Board of Commissioners held the 12th day of February, 2015 and said Resolution has been recorded in the Minutes of the Township of Abington and remains in effect as of this date.

DATE: February 12, 2015

(SEAL)

Edge Hill Road/Tyson Avenue Flood Control/Street Reconstruction Project – Resolution No. 15-011 – Right-of-Way Agreements

Commissioner Bowman made a MOTION, seconded by Commissioner Kline to approve Rudolph Clarke, LLC price proposal in the amount of \$769,660 for Supplement “C” of the Edge Hill Road/Tyson Avenue Street Reconstruction Project right-of-way acquisitions.

Also, to approve Resolution No. 15-011, to add Rudolph Clarke, LLC for legal, appraisal and title services relating to the Edge Hill Road/Tyson Avenue Flood Control/Street Reconstruction Project Reimbursement Agreement No. 064132-C Supplement “C” for right-of-way acquisitions.

Commissioner Luker called on Manager LeFevre.

Manager LeFevre explained that this was discussed at length at Public Works Committee meeting last week and was moved to the full Board without recommendation. However, there was consensus by the Committee that the proposal by Rudolph Clarke be afforded to Arrow Company to provide opportunity to revise their proposal and submit a final proposal to the Township.

Arrow submitted another proposal to the Township with a copy provided to each Board member. Revised proposal was in the amount of \$777,180 and Arrow’s proposal does not include appraisal services and the cost submitted by Rudolph Clarke was approximately \$239,000.

In addition, Arrow’s proposal includes a disclaimer that their proposal is under the assumption that only 25% of the residents will avail themselves of the financial temporary construction easement onto their property. If there are more that require appraisal services, the cost will increase accordingly.

So based on revised costs, the Township Engineer and he concurs that the contract be awarded to Rudolph Clarke at the amount specified.

Commissioner Luker asked for any comments from Commissioners.

Commissioner Kline asked for further clarification on what the amount of \$239,000 for appraisal services is based on.

Manager LeFevre replied proposal by Rudolph Clark is a not to exceed amount. So that is with the assumption that 100% of the residents will require appraisal services and that is the maximum cost from that firm. If only 25% require appraisal services, the cost by Rudolph Clarke’s firm will decrease considerably.

Solicitor Clarke added that his firm's proposal is to get appraisals from all property owners as quick as possible because we believe this will prevent the project from getting bogged down at any one time. Coyle, Lynch & Company would be the appraiser for easements required for the project.

Commissioner Gillespie commented that this is huge project, so it is a good idea to obtain these appraisals.

Commissioner Zappone asked will a deadline be established along with progress reports as he has worked on this project for 10 years keeping his residents informed as to the status of it.

Solicitor Clarke replied in anticipation that the Board will make a decision this evening, meetings have been scheduled with Township staff next week that includes reps of Coyle, Lynch and then they will begin the appraisal process. His firm will update all Board members and residents, and in addition, we discussed adding a link to the Township's website for updated information.

Commissioner Spiegelman noted that his concerns previously expressed about this matter have been completely satisfied.

Commissioner Myers commented that she has no problem with the price, but is very concerned that it is the Township's Solicitor doing this work and who will be the legal entity overseeing this project because "who is policing the police?"

Manager LeFevre replied this project is being funded by the State of Pennsylvania as it is a PennDOT project for an estimated cost of \$17 million and PennDOT is paying 100% of the cost and 80% for professional services related to the project. The Township will oversee that that proper protocol is followed over the course of the project.

Solicitor Clarke added that it is a PennDOT project, but the Township is the local project sponsor and Rudolph Clarke's responsibility is to the Township. PennDOT is not our client, but they are funding the project and providing engineering. Our client is Abington Township and we answer to the Board and Township Administration and do not take direction from PennDOT.

Commissioner Myers said she is not comfortable with this and she does not feel it is a good process.

Commissioner Kline asked would there be any type of situation where the Board would need a higher conflict counsel?



Solicitor Clarke replied no, because his firm does not represent PennDOT and will not be giving reps of PennDOT any legal advice nor taking direction from them from a legal perspective other than following certain PennDOT guidelines, which are not adverse to the Township.

Commissioner Kline said what happens for example; if there was a dispute regarding a homeowner that the Township is trying to get an appraisal from and that homeowner had an issue with Rudolph Clarke and/or the appraisal company.

Solicitor Clarke replied a local project sponsor is permitted to procure services for right-of-way acquisition as it sees fit as long as those individuals qualify and Coyle, Lynch & Company is a certified PennDOT appraiser, so PennDOT will accept their appraisals. If there was a dispute on how the matter is being handled such as a property owner will not sign an easement agreement, PennDOT leaves it up to the local project sponsor to handle those matters.

Commissioner Kline clarified that the firm Rudolph Clarke will be getting paid for work related to this project, but if condemnation was necessary that would be an extra cost for defending the Township in an eminent domain case. Is that correct?

Solicitor Clarke replied that is correct.

Commissioner Kline clarified that the Township Manager will make sure contract issues will be "policed" in regards to that line that could be potentially blurred between Rudolph Clarke's contract for this project and the contract as Solicitor for the Township. Is that correct?

Manager LeFevre replied absolutely.

Commissioner Markman commented that this would provide an element of control over the process for the Township that we would not have if we contracted with a company we were not familiar with. The end result is that there is no legal conflict and it gives the Township more control over a very important project that has to be done for the people of Abington.

Commissioner Luker asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, expressed concern that she feels there are conflicts of interest and she also feels that this should have gone out for bid.

Solicitor Clarke explained that it is a professional service that does not need to be bid.

Commissioner Sanchez clarified that Ms. Lehmann's statements were untrue concerning him, and that he merely vouched for the credentials of the Coyle, Lynch Company, who he has no pecuniary interest in. He has only worked with this company professionally on projects.

Eugene Finnegan, Roy Avenue, commented that he would like to make sure that this project does not turn into a "debacle."

Raymond Bell, Parkview Avenue, commented that he is not comfortable with what the Solicitor and his associate "looking at contracts to see what is wrong and here is mine."

MOTION was ADOPTED 14-1. Commissioner Myers opposed.


ABINGTON TOWNSHIP RESOLUTION NO. 15-011

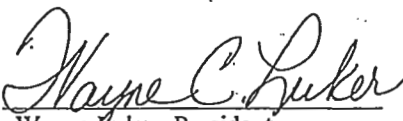
BE IT RESOLVED by authority of the Board of Commissioners of the Township of Abington, Montgomery County, and it is hereby resolved by authority of the same, that the Michael P. Clarke, of Rudolph Clarke, LLC, as Solicitor, be authorized to provide legal, appraisal and title services on behalf of the Township for the right-of-way acquisitions in regards to the attached Supplement "C"-Reimbursement Agreement No. 064132-C (S.R. 2034 Edge Hill Road / S.R. 2036 Tyson Avenue), PennDOT Project MSMP 57865.

IN WITNESS THERETO, I affix my hand and attach the seal of the Township of Abington, this 12th day of February, 2015.

ATTEST:

ABINGTON TOWNSHIP

  
\_\_\_\_\_  
Michael LeFevre, Secretary

BY   
\_\_\_\_\_  
Wayne Luker, President  
Board of Commissioners

I, Wayne Luker, President of the Abington Township Board of Commissioners do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by a majority vote of the Abington Township Board of Commissioners held the 12th day of February, 2015 and said Resolution has been recorded in the Minutes of the Township of Abington and remains in effect as of this date.

DATE: February 12, 2015

(SEAL)

2014 Capital Improvement Program – 1004 Irvin Road

Commissioner Bowman made a MOTION, seconded by Commissioner Spiegelman to authorize the appropriate Township officials to complete an appraisal for 1004 Irvin Road for a potential buyout; to be funded from 2014 Bond Issue.

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

Commissioner Luker asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, commented that she has been in touch with other residents of Irvin Road with similar situations “who have not been offered a buyout and would like to know how that can happen.”

Commissioner Jones clarified that there are not homeowners that are similarly situated and there has been conditions that took place with this home. The first was that there has been resolutions sought for more than 10 years and the second condition is that this is most notably an issue that is occurring with retaining walls that have failed.

Thirdly, there are issues due to the size of the lot that has been looked at by Township Engineer and difficulty of obtaining DEP permits. This is not a similar situation and it is one that has been worked on by two other Commissioners and various Township staff that has been ongoing for quite some time.

MOTION was ADOPTED 15-0.

Sump Pump Connections

Commissioner Bowman made a MOTION, seconded by Commissioner Gillespie to approve \$30,000 for sump pump connections to be added to Account No. 07-07-566-7506; to be funded from Fund Balance.

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

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

MOTION was ADOPTED 15-0.

Delaware Valley Regional Planning Commission (DVRPC) Transportation & Community Development Initiative (TCDI) Grant Program

Commissioner Bowman made a MOTION, seconded by Commissioner Jones to enter into contract with Simone Collins Landscape Architecture (in association with Traffic, Planning & Design) in an amount not to exceed \$75,000.00 (\$60,000 to be reimbursed by the Transportation & Community Development Initiative (TCDI) Master Bicycle Plan Grant and \$15,000 from Contingency Fund to develop and provide the Abington Township Master Bicycle Plan; to be funded from Account No. 06-07-301-5305.

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

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

MOTION was ADOPTED 15-0.

Commissioner Jones announced that the Township received a letter of approval from DEP in regards to St. Michael's Church, and he asked that staff of Code Enforcement Department send out notification to all residents on the distribution list.

**CODE ENFORCEMENT AND LAND DEVELOPMENT COMMITTEE:**

Subdivision SD-15-02 – Frederick L. Conti – 2312 Jenkintown Road

Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to approve the subdivision application of Frederick L. Conti, owner of the property located at 2312 Jenkintown Road. The owner seeks approval to subdivide the property into two lots. Lot No. 1 will contain the existing single-family dwelling and consist of 14,264 square feet of lot area. Lot No. 2 will have frontage on Weldon Avenue and consist of 7,646 square feet. No construction is proposed at this time. The properties are zoned in the (R-4) Residential District in Ward No. 13 of the Township of Abington.

This motion is subject to the following conditions:

1. The applicant is required to provide the Township with two (2) new executed, signed, notarized and recorded deeds.
2. The applicant is required to set six (6) concrete monuments as directed by the Abington Township Engineering Office.
3. The applicant is required to submit an Act 537 exemption Application prior to the submission of the building permit.
4. The note on the plan concerning the removal of the driveway at the time the new home is constructed must be removed from the plan.

This motion is subject to the following waivers:

1. Waiver from Section 146-11A. – Property Identification Plan
2. Waiver from Section 146-11. B – Existing Features Plan
3. Waiver from Section 146-11.C – Proposed Layout Plan
4. Waiver from Section 146-11D. – Grading Plan
5. Waiver from Section 146-11. L – Architectural Plan
6. Waiver from Section 146-27 – Installation of Sidewalks

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

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

MOTION was ADOPTED 15-0.

**PUBLIC SAFETY COMMITTEE:**

Ordinance No. 2087 – To Amend Chapter 156 “Vehicles and Traffic”

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to adopt Ordinance No. 2087 amending Chapter 156 (Vehicles and Traffic), Article II (Traffic Regulations), and Section 14 (Stop Intersections).

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

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

MOTION was ADOPTED 15-0.

**TOWNSHIP OF ABINGTON  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2087**

**AN ORDINANCE AMENDING CHAPTER 156 – “VEHICLES AND TRAFFIC,”  
ARTICLE II – “TRAFFIC REGULATIONS”  
SECTION 14 – “STOP INTERSECTIONS”**

**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 parking; and

**WHEREAS**, the Board of Commissioners of the Township of Abington has determined that Chapter 156 – “Vehicles and Traffic,” Article II – “Traffic Regulations,” Section 14 “Stop Intersections” 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:

- Chapter 156 – “Vehicles and Traffic,” Article II – “Traffic Regulations,” Section 14 – “Stop Intersections,” shall be amended to **add** the following restriction:

Stop Sign On	Direction of Travel	At Intersection Of
Monroe Avenue	South	Ivy Lane


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


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

ORDAINED AND ENACTED this 12th day of February, 2015.

TOWNSHIP OF ABINGTON  
BOARD OF COMMISSIONERS

Attest:

  
\_\_\_\_\_  
Michael LeFevre, Secretary

By:   
\_\_\_\_\_  
Wayne Luker, President



Ordinance No. 2088 – To Amend Chapter 156 – “Vehicles and Traffic” – Establishing Chapter 160 – “Towing”

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to advertise Ordinance No. 2088 amending Chapter 156 (Vehicles and Traffic), Establishing Chapter 160 – “Towing.”

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

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

MOTION was ADOPTED 15-0.

Resolution No. 15-008 – Emergency Operations Plan Update

Commissioner Schreiber made a MOTION, seconded by Commissioner Spiegelman to adopt Resolution No. 15-008 executing the current Abington Township Emergency Operations Plan.

Commissioner Luker called on Chief Kelly.

Chief Kelly said this is a process that involves the Board of Commissioners approving the Abington Township Emergency Operations Plan. He is the Emergency Management Coordinator for the Township and Deputy Chief John Livingood is the Deputy Coordinator and Lt. Tom McNamara is next in line followed by Fire Marshal Clark.

He introduced Tom McAneney, the Township’s Emergency Management Administrator, who will provide a brief overview of the plan.

Mr. McAneney, Emergency Management Administrator, gave a power point presentation to the Board. We are requesting that the Board adopt the updated Emergency Operations Plan. By updating the plan, it helps to anticipate future problems by implementing new technology and tactics, and it is also required by State law. The plan also confirms that the Township has a staffed and equipped EOC and a designated Emergency Management Coordinator. It is also necessary for financial reasons such as in order to be eligible for disaster funds expended by the Township to be reimbursed from FEMA and PEMA.

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

Commissioner Luker asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, expressed concern that she feels her questions were not answered properly by the Emergency Management Administrator in regards to senior citizens with disabilities living at the Colonade.

Commissioner Kline said he has numerous interactions with our Emergency Management Administrator as his ward gets hit hard during storms and Mr. McAneney does an exceptional job.

Also, protocol should be that all communication from residents should go through the Manager's Office and/or their Commissioner and not directly to individual staff members.

Commissioner Spiegelman commended Mr. McAneney for the fantastic job that he does for this Township. He has observed Mr. McAneney's professionalism in how he interacts with Township staff and residents, and it is unconscionable for his character to be maligned by this resident.

MOTION was ADOPTED 15-0.

Bids for Police Uniform Equipment:

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to award the contract for furnishing Police Uniform Equipment to American Sales, Inc.

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

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

MOTION was ADOPTED 15-0.

Bids for Police Uniforms, Shirts, Coats

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to award the contract for furnishing Police Uniforms, Shirts and Coats to Red the Uniform Tailor, Inc.

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

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

MOTION was ADOPTED 15-0.

Buckle Up PA Seat Belt –Enforcement and Education Project

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to authorize Township officials to accept a grant from the North Central Highway Safety Network in the amount of \$10,000.00. The Department of Transportation previously funded this program through Buckle Up Pennsylvania and is now funding this program through the North Central Highway Safety Network.

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

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

MOTION was ADOPTED 15-0.

Aggressive Driving Grant

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to authorize Township officials to accept a grant from the North Central Highway Safety Network, Inc. in the amount of \$13,000.00 with the Township's matching portion of \$1,000.00. The Township's match will cover the Social Security cost of the officers working the grant as this expense is not covered by the grant. At the conclusion of the grant, the Social Security expense will be transferred to 01-04-044-5110.

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

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

MOTION was ADOPTED 15-0.

Ordinance No. 2090 – To Amend Chapter 156 – “Vehicles and Traffic” – Article II – “Traffic Regulations” – Section 7 – “Speed Limits Established”

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to advertise Ordinance No. 2090 amending Chapter 156 (Vehicles and Traffic), Article II (Traffic Regulations), and Section 7 (Speed Limits Established) for adoption at the regularly scheduled meeting of the Board of Commissioners on March 12, 2015.

Commissioner Luker asked for any comments from Commissioners or staff.

Commissioner Hecker commented that this is part of the comprehensive effort to address traffic and pedestrian safety concerns on Rockwell Road. He expressed his appreciation to Chief Kelly and the members of the Police Department and Township staff in working with us to find a way going forward to address this portion of residents' concerns, and he looks forward to continue working on it.

Commissioner Spiegelman echoed comments made by Commissioner Hecker.

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

MOTION was ADOPTED 15-0.

**PUBLIC AFFAIRS COMMITTEE:**

**Resolution No. 15-007 – for PECO Green Region Grant for Jackson Park**

Commissioner Spiegelman made a MOTION, seconded by Commissioner Farren to approve Resolution No. 15-007, which authorizes the Bureau of Parks and Recreation to make application to the Natural Lands Trust for the 2015 PECO Green Region Grant in the amount of \$10,000.00. The funding will be used for the removal of invasive vines and the establishment of a meadow in Jackson Park.

Commissioner Luker asked for any comments from Commissioners or staff.

Commissioner Kline thanked Mr. Wendell for putting this together and to let him know if he can do anything to help get this grant.

Commissioner Luker asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, said, "We have asked endlessly for an entrance or a sign on Meadowbrook Road for the park."

Commissioner Kline replied there are two signs; one on Meadowbrook Road and one on Amity Road and smaller signs denoting the location of the entrance to the park especially at the entrance on Meadowbrook Road, which is across from Paper Mill Road. The Master Plan for the park includes a parking lot to be constructed when funds become available, but at this time, removal of invasive vines is the primary concern.

MOTION was ADOPTED 15-0.

RESOLUTION NO. 15-007

TOWNSHIP/BOROUGH/CITY OF ABINGTON TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA

A Resolution Authorizing Application to the  
2015 PECO Green Region Open Space Program  
for the Jackson Park Project

WHEREAS, the Township of Abington desires to undertake the removal of invasive vines and establishing a meadow project; and

WHEREAS, the Township desires to apply to the PECO Green Region Open Space Program for a grant for the purpose of carrying out this project; and

WHEREAS, the Township has received and understands the 20 PECO Green Region Open Space Program Guidelines.

**THEREFORE, BE IT RESOLVED THAT** the Township/Borough/City Board of Supervisors/Council hereby approves this project and authorizes application to the PECO Green Region Open Space Program in the amount of \$ 10,000, and


**BE IT FURTHER RESOLVED, THAT,** if the application is granted, the Township/Borough/City commits to the expenditure of matching funds in the amount of \$15,000 necessary for the project's success.

SO RESOLVED this 12th day of February 2015.

*Attest*

TOWNSHIP OF ABINGTON

  
\_\_\_\_\_  
Michael LeFevre, Township Manager

  
\_\_\_\_\_  
Wayne C. Luker, President  
Board of Commissioners

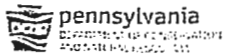
Resolution No. 15-010 – Pool Feasibility Study Grant

Commissioner Spiegelman made a MOTION, seconded by Commissioner Farren to approve Resolution No. 15-010, which states that the Township of Abington desires to receive a grant from the Pennsylvania Department of Conservation and Natural Resources to undertake a pool feasibility study for Penbryn and Crestmont pools.

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

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

MOTION was ADOPTED 15-0.



RESOLUTION PAGE

COMMONWEALTH OF PENNSYLVANIA  
www.dcnr.state.pa.us/grants

DCNR-2015-C2P2-16	Application Information (*Indicates required information)	
Applicant/Grantee Legal Name:* ABINGTON TOWNSHIP - Resolution No. 15 - 010		Web Application ID:* 1100063
Project Title:* Pool Feasibility Study		

WHEREAS, ABINGTON TOWNSHIP

("Applicant") desires to undertake the following project

Pool Feasibility Study; and  
(Project Title)

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW THEREFORE, it is resolved that:

1. The "Grant Agreement Signature Page" may be signed on behalf of the applicant by the Official who, at the time of signing, has TITLE of Township Manager.
2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the TITLE specified in paragraph 1 and the grantee will be bound by the amendment.

I hereby certify that this Resolution was adopted by the

Abington Township Board of Commissioners  
(identify the governing body of the applicant, e.g. city council, borough council, board of supervisors, board of directors)

of the applicant this 12th day of February, 2015

[Signature]  
Secretary (Signature of the Secretary of the governing body)  
Michael LeFevre, Township Manager

DCNR USE ONLY

Project Number: \_\_\_\_\_

Economic Development Business District Landscape Maintenance Bid

Commissioner Spiegelman made a MOTION, seconded by Commissioner Farren authorizing the proper Township officials to contract with Louis F. Biase, Landscape Contractor, for the 2015 service year in an amount not to exceed \$75,000.00 for the Business District Landscape Maintenance Contract. Funds will be drawn from Economic Development Capital Accounts reserved for this purpose.

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

Commissioner Luker asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, expressed concern that she feels it is “publicly funded and privately enjoyed and we don’t have someone taking care of the landscaping.”

Commissioner Kline clarified that funds used for this come from in-lieu-of funding from nonprofits. Is that correct?

Manager LeFevre replied that is correct.

Commissioner Kline continued that approximately \$13-\$14 million in revenue to the Township is generated from business taxes, so it is incumbent upon the Township to maintain these areas within the Township’s right-of-way making sure our business districts remain viable and continue bringing in tax dollars, which helps keep taxes low and controls finances that increases property values.

MOTION was ADOPTED 15-0.

**FINANCE COMMITTEE:**

Treasurer’s Report:

Township Treasurer Jay W. Blumenthal reported for the month of January 2015 monies received from various Township departments deposited into Republic Bank were in the amount of \$731,639 representing an increase of \$43,841 over prior year. No report on real estate taxes collected as none were collected in January. Real estate tax bills were mailed out last week.

Commissioner Gillespie noted that the \$23 increase is just for the one trash container.



Expenditures/Salaries and Wages

Motion to:

- (A) Approve the December expenditures as previously circulated to the Board, in the amount of \$2,791,062.69 and salaries and wages in the amount of \$1,733,413.85.
- (B) Authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of March 2015.

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

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

Roll call resulted in motion being passed 15-0.

Training and Conference Expenses

Commissioner Kline made a MOTION, seconded by Commissioner Farren to approve the Advance and Travel Expense activity for December 2014 as previously circulated to the Board. Advance and Travel Expense reports were \$0.00 and (\$114.33), respectively.

Twelve-month expenses totaled \$39,006.38.

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

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

MOTION was ADOPTED 15-0.

Clearing Fund/Deferred Revenue and Expense/Petty Cash

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

December Petty Cash balances previously circulated to the Board.

Clearing fund receipts and disbursements for the month of December 2014 were \$792.31 and (\$0.00), respectively.

Deferred Revenue/Expense receipts and disbursements for the month of December 2014 were \$13,084.57 and (\$42.21), respectively.

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

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

MOTION was ADOPTED 15-0.

Ordinance No. 2089-Collection of 2014 Delinquent Real Estate Taxes

Commissioner Kline made a MOTION, seconded by Commissioner Hecker to adopt Ordinance No. 2089 regulating the penalty, interest and fee schedule for the collection of delinquent real estate taxes and to authorize Township staff to notify Montgomery County Tax Claim Bureau that the Township will utilize Northeast Tax Revenue, for the Collection of 2014 Delinquent Real Estate Taxes.

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

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

MOTION was ADOPTED 15-0.

**TOWNSHIP OF ABINGTON  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2089**

**AN ORDINANCE AMENDING CHAPTER 152 – “TAXATION,” ARTICLE III,  
SECTIONS 32 THROUGH 35; AND APPROVING PENALTY, INTEREST AND FEE  
SCHEDULE FOR COLLECTION OF DELINQUENT REAL ESTATE TAXES**

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, the Board of Commissioners of the Township of Abington deems it necessary and prudent for the Township of Abington to recover promptly its levied and unpaid delinquent real estate taxes, and if necessary, to accomplish such recovery through legal proceedings; and

WHEREAS, the Municipal Claims and Tax Liens Act, 53 P.S. §7101, et seq. (the “MCTLA”), authorizes the addition of interest, costs, charges, expenses and fees, including reasonable attorney fees, to the total payable with respect to unpaid taxes; and

WHEREAS, the Board of Commissioners of the Township of Abington has determined that it is in the best interest of all taxpayers and residents to enforce the payment of delinquent real estate taxes; and

WHEREAS, the Board of Commissioners of the Township of Abington has determined that the addition of interest, costs, charges, expenses and fees to the total payable with respect to unpaid taxes is reasonable and just.

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

1. Chapter 152 – “Taxation,” Article III shall be amended at Sections 32, 33, 34 and 35 to read as follows:

**“Article III – Designation of Alternative Collector**

§152-32. In addition to the authorization for the collection of taxes and institution of tax sales authorized by the Real Estate Tax Sales Law (“RETSL”), 72 P.S. §5860.201 et seq, the Montgomery County Tax Claim Bureau is appointed as alternative collector and is authorized and directed to file liens for existing delinquent real estate taxes with the Prothonotary of Montgomery County in accordance with the provisions of the Municipal Claims and Tax Liens Act, 53 P.S. §7101, et seq.

§152-33. In accordance with the MCTLA and RETSL, interest shall be charged on taxes so returned from and after but not before the first day of the month following the return. Interest shall be charged at the rate of nine per centum (9%) per annum;

§152-34. Pursuant to Section 7106 of the MCTLA, it is hereby established that the reasonable charges, expenses and fees incurred in the collection of any delinquent account under the MCTLA are hereby fixed at five percent (5%) of the total amount of the delinquent taxes (including interest and penalties), and that additional reasonable attorney’s fees incurred in the collection of any delinquent taxes shall be fixed at one percent (1%) of the total amount of the delinquent taxes (including interest and penalties), and that said charges for attorney’s fees and for all charges, expenses and fees set forth herein, shall be paid to the County of Montgomery through the Montgomery County Tax Claim Bureau in lieu of payment of commission pursuant to Section 207 of RETSL;

§152-35. The proper officials of the Township of Abington are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Ordinance.”

2. If any section, clause, provision or portion of this Ordinance shall be held invalid or


unconstitutional by and Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The Township of Abington reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

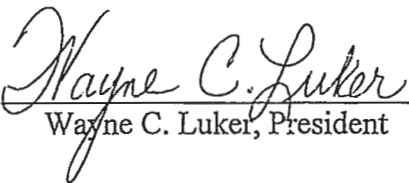
3. That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.
4. This Ordinance shall become effective immediately upon approval.
5. This Ordinance is enacted by Township of Abington under the authority of First Class Township Code and any other applicable law arising under the laws of the Commonwealth of Pennsylvania.

ORDAINED AND ENACTED this 12th day of February, 2015.

TOWNSHIP OF ABINGTON  
BOARD OF COMMISSIONERS

Attest:

  
\_\_\_\_\_  
Michael LeFevre, Secretary

By:   
\_\_\_\_\_  
Wayne C. Luker, President

**COMMENTS FROM CITIZENS:**

Lora Lehmann, 1431 Bryant Lane, commented that she feels “residents pay taxes and do not get benefits as businesses do.” She continued to express concern that she feels there are “conflicts of interest.”

Walt Draving, 1431 Bryant Lane, expressed concern that “we have the right to dissent and make statements that are contrary to our own interests or the interests of the people we know.”

Detective Sergeant Greg Urban commented that there will be a comedy show at the Keswick Theater that is an important fundraiser for Abington PAL, and it will be a great show. He sent emails about the show to the Board of Commissioners and he asked if they can share it with their constituents.

**REMARKS OF COMMISSIONERS:**

Commissioner Zappone announced that the Second Annual Ardsley Day Oldies Night will take place on Friday, February 27, 2015 from 7-11 p.m. at the North Penn VFW.

Commissioner Spiegelman announced that on Saturday, February 21, 2015 from 9-1 p.m. at the Public Works Yard will be the “Anything with a Plug” recycling event.

On Sunday, February 22, 2015, from noon-4 p.m. will be the Abington Warmth and Comfort Drive and he will be working with Commissioner Hecker and his wife collecting three categories of donations at the Brownstone at Sunrise across from the YMCA.

Commissioner Sanchez clarified that his parents have no relationship with anyone related to any project discussed this evening. They are just the next door neighbors of the Conti’s, who had a subdivision application brought before the Township in which he disclosed at the committee meeting for full transparency. They have no position on the project and he does not have any pecuniary relationship in regards to that application.

Commissioner Myers announced that there will be a second “Coffee with a Cop” event held on Saturday, February 28, 2015 at 9 a.m. at the Willow Grove Mall at the back of the Bravo Restaurant and she, along with Commissioner Luker will be in attendance. Residents are welcome to join us for causal conversation.

Commissioner Schreiber said due to upcoming freezing cold temperatures; she reminded everyone that Abington Township has an anti-tethering ordinance in place that addresses bringing pets inside during extreme cold weather conditions.

Also, the deadline is approaching to submit short films for the Roslyn Film Festival, which is March 1, 2015. This benefits the Roslyn Fire Company and it is a really fun event.

Commissioner Bowman commented that he appreciates the extensive work of Commissioner Kline as well as the other members of that Zoning Ordinance Rewrite Committee as it is important work updating the Township's zoning, which is good for America and our town.

Commissioner DiPlacido echoed comments made by Commissioner Bowman.

He welcomed Mr. Micciolo back from sick leave.

A few weeks ago, weather forecasters predicted a major snow storm and we got about two inches. He works for the American Red Cross Blood Services Region and, because of that missed-call snow prediction the Red Cross had to cancel 20 out of 22 blood drives in our Tri-State area. Every day, we need to collect 800 units to meet our local hospitals' needs and, on this particular day, we had two blood drives opening late and one happened to be in Abington Township at the North Penn VFW.

Commissioner Kalinoski assured him that the doors would be open and the lot would be plowed and he also contacted his fellow Commissioners and Manager LeFevre to get the word out via social media to possible donors and it was extremely effective, and he thanked them for it. As a region, we collected a little over 100 units of blood for the Tri-State area and Abington brought in 50 of those units.

On behalf of the patients, local hospitals and the lives that we saved on that day, he thanked his fellow Commissioners for their assistance in getting the word out.

And, as always, "when driving through Abington, drive like your kids live here."

Commissioner Farren welcomed Mr. Micciolo back from sick leave.

Commissioner Gillespie congratulated Ms. Susan Matiza on her recent retirement and she will be missed.

She announced that April 11, 2015 will be the family fun walk/run event to benefit the Greater Glenside Patriotic Association's 4<sup>th</sup> of July Parade that is in memory of her late husband, Mike Gillespie.

Commissioner Hecker commented that it is great to see Mr. Micciolo here tonight as he is held in high regard in this community.

Also, the level of incivility with which many of these conversations began tonight by a resident was unacceptable and when a conversation starts at that level, it will never raise to the level of substance. If there will be true dialog there needs to be a different way going forward. This Board is committed to working together to address any issues.

Facts should be known before accusations are made, which is unacceptable.

Commissioner Jones thanked Chief Kelly and members of the Police Department for their work on implementing the Safety Zone. He also thanked Ron Griffith, Animal Control Officer, who is always responsive to neighbors relating to animal control.

He gave a shout out to all of the Civic Associations, but especially to the McKinley Civic Association, whose members are community advocates and community activists and not community agitators because they understand that a community agitator does nothing but bring about divisiveness and does not bring solutions, but causes further conflict.

We should be able to work together and raise things to a higher level of intellectual debate. But when we attack one another, it causes a chilling effect that leads to nothing getting done.

Commissioner Kline announced that the Zoning Ordinance Rewrite Committee completed review and presentation of the draft revised zoning ordinance before the Planning Commission, and he cannot say enough about how well members of the Planning Commission were interactive and provided constructive input and offered great ideas and made suggestions on items to be discussed.

The Board of Commissioners will be receiving the Planning Commission's written recommendation of changes for review.

None of this work would have been done without Township staff including former Assistant Township Manager Matt Lahaza, who put a lot of time into it as well as Mr. Matteo, Mr. Penecale and County Planner, Mr. Narcowich and all of the volunteers including Mr. Spearman and Mr. Mebus.

A presentation will be brought before the Board of Commissioners in the near future.

Commissioner Luker announced that last Sunday, VFW Post 3398 in Crestmont hosted a Jazz Breakfast event at its neighboring VFW North Penn Post 676, which was very successful, and he thanked Commissioner Kalinoski and his staff for their hospitality as the community attempts to bring the VFW Post 3398 back into operation.



He echoed comments made about Mr. Micciolo and noted that Ed's staff did an excellent job in his absence.

This meeting is to discuss Township business and not to have attacks on personnel and he apologized to any staff members especially Mr. Tom McAneney.

**ADJOURNMENT:** 9:39 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

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