

The stated meeting of the Board of Commissioners of the Township of Abington was held on Thursday, July 14, 2016 at the Township Administration Building, Abington, PA., with President Luker presiding.

**CALL TO ORDER:** 7:30 p.m.

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

Township Manager LEFEVRE  
Assistant Township Manager WEHMEYER  
Township Tax Collector BLUMENTHAL  
Finance Director BARRON  
Township Solicitor CLARKE  
Chief of Police KELLY  
Deputy Chief LIVINGOOD  
Assistant Township Engineer CLARK  
Director of Code Enforcement MATTEO  
Director of Parks and Recreation WENDELL  
Director of Public Works MICCIOLO  
Director of W.W.T.P. WRIGLEY  
Fire Marshal CLARK  
Community Development Director STROTHER

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS:**

Presentation of Awards:

Commissioner Drew Sharkey of Cheltenham Township, President of the Pennsylvania State Association of Township Commissioners, said the Pennsylvania State Association of Township Commissioners is an organization dedicated to educating and training local officials and advocating for pro-municipal government legislation in Harrisburg. We honor Commissioners who have reached 12 years of service and increments of four years after that.

He thanked Commissioners DiPlacido and Gillespie for aiding him in the conference that we just took part in as well as Commissioners Myers and Kline for attending and also Chief Kelly for moderating the session.

Commissioner Drew Sharkey presented Commissioner Dennis C. Zappone with an award on behalf of the Pennsylvania State Association of Township Commissioners recognizing his 16 years of outstanding dedicated service to Abington Township Commissioners and for being a fantastic advocate for his residents on this 14<sup>th</sup> day of July, 2016.

Commissioner Drew Sharkey presented Commissioner and Board President Wayne C. Luker with an award on behalf of the Pennsylvania State Association of Township Commissioners recognizing his 24 years of outstanding dedicated service to Abington Township Commissioners and for being a fantastic advocate for his residents on this 14<sup>th</sup> day of July, 2016.

Presentation of the 2016 Robert W. Montgomery Award to M. Winifred Morgan:

Commissioner Markman presented M. Winifred Morgan with the 2016 Robert W. Montgomery Award on behalf of the Board of Commissioners of the Township of Abington, who expressed their sincere appreciation for her outstanding contribution in promoting, preserving and protecting our communities' natural environment. Her long-term care and volunteering to beautify trails, clearing the creeks and maintaining some of the most tenacious and prolific flower gardens in Lorimer Park exemplify the spirit of this environmental leadership award.

The Board of Commissioners in the name of the entire Township shows their appreciation for her community involvement and dedication to Abington Township on this 14<sup>th</sup> day of July, 2016.

Presentation of Police Class III Commendations:

Chief Kelly said there was an incident that occurred on December 23, 2015 at 1:42 p.m., when officers were dispatched to the 1900 block of Fairview Avenue, where shots were fired. While checking the area, County dispatch sent out another call about a hysterical female at 1722 Prospect Avenue. Officers arriving at that location confirmed that in fact a male had been shot and was lying on the front porch.

Witnesses provided officers with the shooter's information, vehicle description and direction of travel and then officers began responding to intercept the perpetrator.

The suspect's vehicle was stopped at gunpoint when Officer Troy Senne ordered the suspect not to move. Officers Andy Gibbs and Drew Kent drove in from the opposite direction and blocked the suspect's vehicle in an effort to prevent it from fleeing. Officers positioned themselves behind cover where they were able to see the vehicle and were in a stated position so that surrounding homes and innocent people would not be in the field of fire.

Sergeant Chris Porter covered the suspect with a patrol shotgun from behind a minivan parked on the driver side of the suspect's vehicle and controlled the other officers to insure fire discipline. Sergeant Porter instructed the suspect to 'show us your hands.' Officers saw a semiautomatic handgun in the suspect's right hand and urged the suspect to put down the gun and the suspect remained noncompliant. Officer Gibbs observed the suspect open his overcoat, which was an attempt the officer believed, that the suspect was going to shoot himself.

Suddenly, the suspect fired a round which entered the suspect and shattered the driver side window and the suspect fired a second round into his body and Sergeant Porter sent out communication to officers to not return fire. Officers fired no shots on the scene despite the fact that the gun was being fired within very close proximity of them.

The Abington Police Officers displayed teamwork, initiative, courage and persistence, and most importantly, great restraint in pursuing and capturing a dangerous armed man who just murdered another person.

The incident was reviewed by a panel of their peers who recommended they receive a formal departmental commendation for their performance.

Commissioner Schreiber presented Police Class III Commendation for performance to Sergeant Christopher Porter in recognition of his courageous, decisive and professional actions in pursuing and capturing a dangerous armed man, who shot and killed an unarmed person, on behalf of the Board of Commissioners of the Township of Abington on this 14<sup>th</sup> day of July, 2016.

Commissioner Schreiber presented Police Class III Commendation for performance to Officer Drew Kent in recognition of his courageous, decisive and professional actions in pursuing and capturing a dangerous armed man, who shot and killed an unarmed person, on behalf of the Board of Commissioners of the Township of Abington on this 14<sup>th</sup> day of July, 2016.

Commissioner Schreiber presented Police Class III Commendation for performance to Officer Troy Senne in recognition of his courageous, decisive and professional actions in pursuing and capturing a dangerous armed man, who shot and killed an unarmed person, on behalf of the Board of Commissioners of the Township of Abington on this 14<sup>th</sup> day of July, 2016.

Commissioner Schreiber presented Police Class III Commendation for performance to Officer Andy Gibbs in recognition of his courageous, decisive and professional actions in pursuing and capturing a dangerous armed man, who shot and killed an unarmed person, on behalf of the Board of Commissioners of the Township of Abington on this 14<sup>th</sup> day of July, 2016.

President Luker said he sent an email out to Command Staff right after this incident occurred, and in light of incidents that have transpired in this country recently, he felt compelled to state that he thought the decisions made should serve as a blueprint for other departments across the nation and he expressed his appreciation for our outstanding Command Staff and officers for their judgment and restraint that they demonstrated in these unfortunate circumstances.

Presentation of Certificate – Montgomery County Dispatcher Jordan Bandy, Chris Tanczos, and Shannon Wiechec

Commissioner Schreiber presented a Certificate to Montgomery County Dispatcher Jordan Bandy for her calm, patient and professional demeanor in assisting members of the Abington Police Department in the pursuit and capture of a murder suspect on behalf of the Board of Commissioners of the Township of Abington on this 14<sup>th</sup> day July, 2016.

Certificates were also given to Montgomery County Dispatchers Chris Tanczos and Shannon Wiechec, who were also present this evening.

**APPROVAL OF MINUTES:**

Vice President Kline made a MOTION, seconded by Commissioners Kalinoski to approve the minutes of the Board of Commissioners Meeting of June 9, 2016.

MOTION was ADOPTED 13-0.

**PUBLIC WORKS COMMITTEE:**

Old Welsh Road – Sanitary Sewer Project

Commissioner Hecker made a MOTION, seconded by Commissioner Kline to approve and enter into contract with N. Abbonizio Contractors, Inc. for the Old Welsh Road Sanitary Sewer Project Phase I – Contract No. 149 in the amount of \$956,415.00; to be funded from Sanitary Sewer Retained Earnings.

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, said she “spoke with other appraisers who would offer substantially less.”

MOTION was ADOPTED 13-0.

York Road and The Fairway Engineering Design Expenditure

Commissioner Hecker made a MOTION, seconded by Commissioner Gillespie to authorize the expenditure of \$25,200 for engineering design for the intersection of York Road and The Fairway with the funds to be drawn from Contingency Fund Account Number 01-01-002-5299.

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 13-0.

Ordinance No. 2122 – Intergovernmental Agreement – Alternative TMDL – Wissahickon Creek Watershed

Commissioner Hecker made a MOTION, seconded by Commissioner Kline to advertise Ordinance No. 2122 to approve the Intergovernmental Agreement between the Wissahickon Watershed Municipalities and Wastewater Treatment Plants to work together in developing an Alternative TMDL Plan for the Watershed.

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, asked about how to change the model so there are no unfunded mandates, and “find out who is causing these levels and get them to clean it up.”

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:**

Ordinance No. 2120 – To Amend Chapter 156 “Vehicles and Traffic” Article II “Traffic Regulations” Section 9 “One Way Highways Established” Section 9.1 “Do-Not-Enter Signs” 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 Zone”

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to adopt Ordinance No. 2120 (attached) amending Chapter 156 “Vehicles and Traffic” Article II “Traffic Regulations” Section 9 “One Way Highways Established” Section 9.1 “Do-Not-Enter Signs” 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 Zone.”

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 13-0.

**TOWNSHIP OF ABINGTON  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2120**

**AN ORDINANCE AMENDING CHAPTER 156 – “VEHICLES AND TRAFFIC,”  
ARTICLE II – “TRAFFIC REGULATIONS”  
SECTION 9 – “ONE-WAY HIGHWAYS ESTABLISHED”  
SECTION 9.1 – “DO-NOT-ENTER SIGNS”  
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 parking; and

**WHEREAS**, the Board of Commissioners of the Township of Abington has determined that Chapter 156 – “Vehicles and Traffic,” Article II – “Traffic Regulations,” Sections 9 “One-

Way Highways Established,” Section 9.1 “Do-Not-Enter Signs,” and 14 “Stop Intersections,” and Article III – “Parking Regulations,” Sections 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 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:

- Chapter 156 – “Vehicles and Traffic,” Article II – “Traffic Regulations,” Section 9 – “One-Way Highways Established,” shall be amended to add the following restriction:

<b>Name of Highway</b>	<b>Direction Of Travel</b>	<b>Limits</b>
Hilltop Road	East	From the west side of the driveway for the Jenkintown Day Nursery driveway to the intersection with Baeder Road.

- Chapter 156 – “Vehicles and Traffic,” Article II – “Traffic Regulations,” Section 9.1 – “Do-Not-Enter Signs,” shall be amended to add the following restriction:

<b>Name of Highway</b>	<b>Location; Hours</b>
Hilltop Road	On the north and south side of Hilltop Road, two feet west of the driveway to Jenkintown Day Nursery.

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

<b>Stop Sign On</b>	<b>Direction of Travel</b>	<b>At Intersection Of</b>
Bishop Avenue	North	Grisdale Avenue
Clarke Road	South	Grisdale Avenue
Zachery Avenue	South	Grisdale Avenue

4. 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,” shall be amended to **add** the following restrictions:

<b>Name of Highway</b>	<b>Side</b>	<b>Location</b>
Montgomery Avenue	North	30 feet west of the intersection of Cedar Road
Old Welsh Road	North	Between the entrance (east) and exit (west) of the parking lot of Overlook School

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

<b>Name of Highway</b>	<b>Authorized Purpose of Vehicle</b>	<b>Location</b>
Avondale Avenue	Handicapped Parking	In front of 2422 Avondale Avenue

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

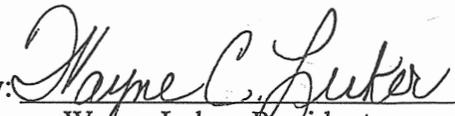
7. This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this 14<sup>th</sup> day of July, 2016.

TOWNSHIP OF ABINGTON  
BOARD OF COMMISSIONERS

Attest:

  
Michael LeFevre, Secretary

By:   
Wayne Luker, President

Ordinance No. 2121 – To Amend 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”

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to advertise Ordinance No. 2121 (attached) 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” for adoption at the regularly scheduled meeting of the Board of Commissioners on August 11, 2016 at 7:30 p.m.

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 13-0.

Seventh Conditional Appointment – Probationary Police Officer

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to appoint candidate Charles Nicholas, Jr. 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 July 18, 2016.

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 13-0.

Eighth Conditional Appointment-Probationary Police Officer

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to appoint candidate Adrian Cehelsky-DeAngelo 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 12, 2016.

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 13-0.

Chief Kelly thanked the Board for their indulgence for the presentations held this evening. Also, tonight we are trying something new in which Lt. Malloy and Sergeant Kelley are doing a virtual ride-a-long where they will be riding around the Township answering calls for the officers and sending out the information on Twitter and Facebook including pictures.

**PUBLIC AFFAIRS COMMITTEE:**

Resolution No. 16-021 – One-Year Action Plan and Community Development Block Grant Budget

Commissioner Bowman made a MOTION, seconded by Commissioner Kalinoski to adopt Resolution No. 16-021 approving Abington Township's 2016 One-Year Action Plan and Community Development Block Grant Budget.

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, questioned whether the amount of \$975,000 was the total budget for the community building.

Mr. Strother replied he will resend the email that he previously sent to the speaker that answered her questions.

MOTION was ADOPTED 13-0.

**TOWNSHIP OF ABINGTON  
MONTGOMERY COUNTY, PENNSYLVANIA  
RESOLUTION NO. 16-021**

The Board of Commissioners of the Township of Abington, Montgomery County, Pennsylvania, approving the FY 2016 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 2016, the Township is eligible to apply for an entitlement grant under the Community Development Block Grant (CDBG) Program in the amount of \$706,179; and

**WHEREAS**, the Township's Office of Community Development has prepared an Annual Action Plan for Fiscal Year 2016, that the Township expects to initiate in October 2016, 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 2016 Annual Action Plan was on public display from June 13, 2016 through July 13, 2016 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 2016 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 2016 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 \$706,179; 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 14<sup>TH</sup> DAY OF JULY 2016 BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ABINGTON, PENNSYLVANIA**

**APPROVED:**

**ABINGTON TOWNSHIP  
BOARD OF COMMISSIONERS**

7-14-16

Date

Wayne C. Liker  
Wayne C. Liker, President

**ATTEST:**

Michael LeFevre

Michael LeFevre, Township Manager

**ADOPTED:** 7-14-16

Resolution No. 16-022 – Substantial Amendment to Community Development Block Grant Budgets

Commissioner Bowman made a MOTION, seconded by Commissioner Kalinoski to adopt Resolution No. 16-022 approving the Substantial Amendment to Abington Township's Community Development Block Grant Budgets for Fiscal Year's 2013, 2014, 2015 and 2016.

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, asked that the budget not be approved for that building until "we fully understand what the finances are."

MOTION was ADOPTED 13-0.

**TOWNSHIP OF ABINGTON  
MONTGOMERY COUNTY, PENNSYLVANIA  
RESOLUTION NO. 16-022**

Resolution of the Board of Commissioners of the Township of Abington, Montgomery County, Pennsylvania amending the FY 2013, FY 2014, FY 2015, and FY 2016 CDBG Program.

**Whereas**, the Township of Abington, Pennsylvania is a recipient of grant funds under the Community Development Block Grant (CDBG) Program administered by the U.S. Department of Housing and Urban Development (HUD); and

**Whereas**, the Township of Abington had previously approved budgets and Annual Action Plans for the FY 2013, FY 2014, FY 2015, and FY 2016 CDBG Program; and

**Whereas**, HUD permits grant recipients to revise and amend its previous budgets and Annual Action Plans; and

**Whereas**, in accordance with the Federal Regulations governing the CDBG Program certain changes and revisions to the Annual Action Plans may be considered a substantial amendment as outlined in the Township of Abington's Citizen Participation Plan; and

**Whereas**, it has been determined that the proposed changes and revisions to FY 2013, FY 2014, FY 2015, and FY 2016 CDBG Program are a substantial amendment and the Township's Citizen Participation Plan has been followed.

**Now therefore, be it resolved by the Board of Commissioners of the Township of Abington, Montgomery County, Pennsylvania, as follows:**

**Section 1.** The amended FY 2013, FY 2014, FY 2015, and FY 2016 Annual Action Plans are approved as presented, and as shown in the budgets for each program year which is attached and marked EXHIBIT "A."

**Section 2.** The President of the Board of Commissioners is hereby authorized to sign and submit the amended FY 2013, FY 2014, FY 2015, and FY 2016 Annual Action Plans to the U.S. Department of Housing and Urban Development.

**ADOPTED INTO A RESOLUTION THIS 14<sup>TH</sup> DAY OF JULY 2016 BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ABINGTON, PENNSYLVANIA**

APPROVED:

July 14, 2016  
Date

ABINGTON TOWNSHIP  
BOARD OF COMMISSIONERS

Wayne C. Liker  
Wayne C. Liker, President

ATTEST:

~~Michael LeFevre~~  
Michael LeFevre, Township Manager

ADOPTED: July 14, 2016

2016 HUD Program – Architectural and Engineering Contract – Crestmont Park Community Facility and Ardsley Community Center

- (2) Commissioner Bowman made a MOTION, seconded by Commissioner Hecker to approve and enter into a contract with Kimmel Bogrette for the preparation of construction documents for a new community facility at Crestmont Park in the amount of \$78,000.00.

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 no consideration was given to input from those in the community.

MOTION was ADOPTED 13-0.

- (2) Commissioner Bowman made a MOTION, seconded by Commissioner Gillespie to approve and enter into a contract with AH Adams & Company for accessibility modifications at the Ardsley Community Center in the amount of \$13,125.00.

The entire amount to be paid with HUD funds and no Township funds.

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 13-0.

Ordinance No. 2123 – No Smoking in the Township Parks and Playgrounds

Commissioner Bowman made a MOTION, seconded by Commissioner Kline to approve the advertising of Ordinance No. 2123, which prohibits smoking in Township parks and playgrounds.

Commissioner Luker asked for any comments from Commissioners or staff.

Commissioner Rothman commented that he has worked with Township Solicitor on development of this ordinance that was originally designed to prohibit smoking in Township parks and playgrounds and certain limited areas in Township parks. Following discussion in committee by the Board, we agreed to expand the language of the ordinance to prohibit smoking in the entire Township parks that includes the playgrounds as well.

This will encourage children not to smoke and not to be exposed by second-hand smoke, and cigarette butts are the most littered item in our country and across the globe, so this will help our environmental as well.

Also, the language is more clearly stated in the ordinance that offenders do have the option of paying a \$50 fine in-lieu of appearing before the District Justice to argue against the citation, which could carry up to a \$600 fine.

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

MOTION was ADOPTED 13-0.

Lubavitch Agreement

Commissioner Bowman made a MOTION, seconded by Commissioner Gillespie to approve a one-year lease extension effective August 1, 2016 with the Lubavitch of Abington at Alverthorpe Manor at the rate of \$17,047.00 annually.

Commissioner Luker asked for any comments from Commissioners or staff.

Commissioner Kline asked for the timeline of the current lease agreement.

Manager LeFevre replied this will be the final year of the contract. It was initially a one-year contract that provided for four, one-year extensions and this will be the fourth extension, so if they wish to continue at the Manor, they will need to negotiate a new contract.

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

MOTION was ADOPTED 13-0.

Policy on Public Comment:

Commissioner Bowman made a MOTION, seconded by Commissioner Kalinoski to approve Resolution No. 16-023 revising Rules of Procedures for meetings of the Board of Commissioners to provide for public comment at the beginning of each meeting on any item listed on the agenda and also at the end of each meeting for all other matters.

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 “the speaking right will be taken away right before the vote,” and she is opposed.

MOTION was ADOPTED 13-0.

**TOWNSHIP OF ABINGTON  
MONTGOMERY COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 16-023**

**A RESOLUTION SETTING FORTH PROCEDURES FOR MEETINGS OF THE  
BOARD OF COMMISSIONERS OF THE TOWNSHIP OF ABINGTON**

The Board of Commissioners of the Township of Abington does hereby  
**RESOLVE** as follows:

1. **Purpose.** The purpose of this Resolution is to formally state the procedures to be followed at meetings of the Committees of the Board of Commissioners and meetings of the Board of Commissioners of the Township of Abington, for the information and reference of all interested parties.

2. **Committee Meetings.**

Traditional, in-depth, detailed discussions of agenda items before the Board of Commissioners are held during each committee meeting. Public participation is encouraged. The five main committees that meet monthly are Public Works, Code Enforcement & Land Development, Public Safety, Public Affairs and Finance. A brief description of the subjects each committee addresses is as follows:

**Public Works:** Engineering Department (storm water management project), Streets Department (paving, curbing, snow removal, etc.), Refuse Department (trash collection, recycling, etc.) and Sewer Treatment Plant (sanitary sewer system, plant operations, etc.)

**Code Enforcement & Land Development:** Subdivisions, Land Development projects, Property Maintenance.

**Public Safety:** Police Department, Fire Department, EMS.

**Public Affairs:** Parks & Recreation Department, Liaison for Human Relation Commission, Environmental Advisory Council, Shade Tree Commission, Library and Economic Development Committee.

**Finance:** Budget, Revenue and Expenses.

Ordinances to be considered for adoption will be discussed during the meeting of the committee whose business is most closely related to the ordinance.

Committee meetings are traditionally held on the Monday (Public Works and Code Enforcement & Land Development) and Wednesday (Public Safety and Public Affairs) the week prior to the Board of Commissioner's Business meeting. The Finance

Committee meeting meets the third Tuesday of each month. Residents are encouraged to consult the township calendar and website to confirm meeting dates and times, because conflicting events occasionally require that Committee meetings be held on other than the traditional days.

**Committee Meeting Procedures:**

- A. Each agenda item will be read by the presiding director of the committee.
- B. After the agenda item is read and seconded, the presiding director may ask for an explanation by an applicant/consultant, staff member, or a commissioner responsible for or most familiar with the agenda item.
- C. During or after the explanation, the members of the committee and any other commissioners in attendance may ask questions or make comments concerning the agenda item.
- D. The presiding director will then ask for comments by any staff member
- E. The presiding director will then ask for any public comment. The public is asked to follow these guidelines:
  - i. Each speaker is to come up to the podium in the center of the Board Room and use the microphone. If speaker is unable to get to the podium a wireless microphone can be provided.
  - ii. Each speaker will be asked to state their name and address for the record.
  - iii. Each speaker will have up to three (3) minutes to make their comments. When speaking to a specific agenda item, please keep your comments relevant to that item.
  - iv. Each speaker may speak one time per agenda item. If the speaker exceeds three (3) minutes, the presiding director will advise the speaker to close their comments.
  - v. During the public comment period, the speaker may comment and/or ask questions. If a question cannot be answered at the time of the meeting, their commissioner or a staff member will follow up in a timely manner. Public comment is encouraged; however, debate will be discontinued at the discretion of the presiding director.

- vi. All comments are to be addressed to the presiding director and questions will be handled after the speaker's comments are completed.
- vii. Upon completion of comments, all speakers will be asked to be seated. At that time, the committee director, other commissioner(s) and/or staff may address the speaker's comments or questions.

- F. Each agenda item will be read by the presiding director of the committee.
- G. After the agenda item is read and seconded, the presiding director may ask for an explanation by an applicant/consultant, staff member, or a commissioner responsible for or most familiar with the agenda item.
- H. During or after the explanation, the members of the committee and any other commissioners in attendance may ask questions or make comments concerning the agenda item.
- I. The presiding director will then ask for comments by any staff member.

### 3. Board of Commissioners Meetings

The Board of Commissioners meeting is held on the second Thursday of the month. Residents are encouraged to consult the township calendar and website to confirm meeting dates and times, because conflicting events occasionally require that Board meetings be held on other than second Thursday of the month. Any presentation and awards will be conducted at the beginning of the meeting. The Board of Commissioners will formally act on all agenda items listed. Committee agendas will be read in the following order:

**Public Works**

**Code Enforcement & Land Development**

**Public Safety**

**Public Affairs**

**Finance**

**Pension (if applicable)**

## Board of Commissioners Meeting Procedures:

- A. The presiding officer will ask for any comments by the public on agenda items. The public is asked to follow these guidelines:
- i. Each speaker is to come up to the podium in the center of the Board Room and use the microphone. If speaker is unable to get to the podium a wireless microphone can be provided.
  - ii. Each speaker will be asked to state their name and address for the record.
  - iii. Each speaker will have one opportunity to speak up to three (3) minutes to make their comments related to agenda items. Please keep your comments relevant to those items.
  - iv. If the speaker exceeds three (3) minutes, the presiding officer will advise the speaker to close their comments.
  - v. During the public comment period, the speaker may comment and/or ask questions. If a question cannot be answered at the time of the meeting, their commissioner or a staff member will follow up in a timely manner. Public comment is encouraged; however, debate will be discontinued at the discretion of the presiding director.
  - vi. All comments are to be addressed to the presiding director and questions will be handled after the speaker's comments are completed.
  - vii. Upon completion of comments, all speakers will be asked to be seated. At that time, the presiding officer, other commissioner(s) and/or staff may address the speaker's comments or questions.
- B. The presiding officer of the meeting, at their discretion, may allow public comment on non-agenda items to occur prior to the Board of Commissioners considering the agenda items listed. On occasion an agenda item by its complex nature, such as a land development or change in zoning, may generate the need for additional public insight. In these cases, the presiding officer, again at his or her discretion, may allow additional public comment before considering that specific agenda item. Speakers will be asked to follow the rules under Subparagraph A of this section of the Resolution.
- C. Each agenda item motion will be read by the presiding officer.

- D. Once the agenda item is read, the presiding officer will ask for any comments by Commissioners.
- E. After the Commissioner's comments are completed the presiding officer will ask for any comments by staff.
- F. The Board of Commissioners will then vote on the agenda item.
- G. No foul language or the maligning of others will be tolerated.
- H. There will be no public comment after the completion of each committee's agenda. However, the public will be afforded another public comment opportunity on any topic related to the township after all agenda items have been handled, at the end of the meeting. The public is expected to follow the same rules for public comment as listed in Paragraph A. of this section.
- I. All of the above is subject to change at the presiding officer's discretion, provided that no such change shall be in violation of the Sunshine Act.
- J. On those months when Committee meetings are not held (August, January), public comment will be solicited before each item on the agenda is considered.
- K. All of the above is subject to change at the presiding officer's discretion, provided that no such change shall be in violation of the Sunshine Act.

**RESOLVED** and **ADOPTED** this 14th day of July, 2016 .

TOWNSHIP OF ABINGTON

Attest:

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

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

Time Change – Board of Commissioners Meeting on 07-14-2016

Commissioner Bowman announced that this item has been deleted.

Crestmont and Penbryn Pool Diving Boards

Commissioner Bowman made a MOTION, seconded by Commissioner Kalinoski to authorize the expenditure of \$7,600 for Crestmont and Penbryn diving boards with the funds to be drawn from Contingency Fund Account Number 01-01-002-5299.

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

Commissioner Luker asked for any public comments.

Eugene Finnegan, Roy Avenue, commented that he was opposed to the expenditure for diving boards for any pool due to safety concerns.

MOTION was ADOPTED 13-0.

**FINANCE COMMITTEE:**

Treasurer's Report:

Township Treasurer Jay W. Blumenthal reported for the month of June 2016, the Tax Office collected \$2,587,218; YTD \$25,589,346 with 4% to be collected.

Monies received from various departments deposited into Republic Bank for the month of June 2016 were \$4,373,821 representing a decrease over prior year in the amount of (\$580,543); YTD \$49,890,692 representing an increase in the amount of \$5,991,623.

Also, school tax bills were mailed out this past Tuesday.

Expenditures/Salaries and Wages

Motion to:

- (A) Approve the May expenditures as previously circulated to the Board, in the amount of \$3,738,816.18 and salaries and wages in the amount of \$1,720,001.35.
- (B) Authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of August 2016.

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 vote resulted in motion being passed 13-0. Commissioners Spiegelman and Farren were absent during roll call.

Training and Conference Expenses

Commissioner Kline made a MOTION, seconded by Commissioner Hecker to approve the Advance and Travel Expense activity for May 2016 as previously circulated to the Board. Advance and Travel Expense reports were \$0.00 and \$3,820.47, respectively.

Five-month expenses totaled \$20,243.09.

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 13-0.

Clearing Fund/Deferred Revenue and Expense/Petty Cash

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

Clearing fund receipts and disbursements for the month of May 2016 were \$20,868.43 and (\$19,739.89), respectively.

Deferred Revenue/Expense receipts and disbursements for the month of May 2016 were \$25.00 and (\$0.00), respectively.

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

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

MOTION was ADOPTED 13-0.

Acceptance of 2015 Township of Abington CAFR and Audited Financial Statements, Single Audit Report and Agreed Upon Procedures

Commissioner Kline made a MOTION, seconded by Commissioner Hecker to accept December 31, 2015 Township of Abington CAFR and Audited Financial Statements, Single Audit Report and Agreed Upon Procedures, as presented by Township Independent auditors, Barbacane, Thornton & Company, LLC.

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 13-0.

**COMMENTS FROM CITIZENS:**

Lora Lehmann, 1431 Bryant Lane, asked were any of the HUD funds that had to be returned already spent.

Mr. Strother replied that question was already answered via email, and he will resend that email to the speaker tomorrow.

**REMARKS OF COMMISSIONERS:**

Commissioner DiPlacido thanked members of the Ardsley Community Center as we had a second collection for the homeless and those with addiction in the Philadelphia area, and the Angels in Motion put together 380 blessing bags.

Also, he thanked everyone who participated with the July 4<sup>th</sup> Parade in McKinley.

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

Commissioner Gillespie thanked everyone who participated in the wonderful Greater Glenside Patriotic Association's 4<sup>th</sup> of July Parade as well as those who attended.

Also, this coming Saturday, there will be a Fill-a-Fire Truck and Fill-a-Police Car event at the Giant Food Store in Roslyn.

Commissioner Hecker invited everyone to attend the Pre-Night Out Block Party that will be held on Monday, August 1, 2016 from 5-10 p.m. in Ward 10.

Commissioner Kalinoski congratulated the Greater Glenside Patriotic Association for a great job they did on the 4<sup>th</sup> of July Parade and there is no place he would rather be than in Glenside on the 4<sup>th</sup> of the July.

Commissioner Rothman announced that the Abington Art Center Concert Series is underway and held every Thursday during the summer.

He thanked everyone who participated in the McKinley parade.

Commissioner Myers congratulated Commissioner Gillespie on a fabulous 4<sup>th</sup> of July Parade as the entire parade committee did a great job and it was the best attended she has ever seen.

Commissioner Markman said at the Economic Development Committee meeting, we thanked Cakky Evans for getting the STARR Certification for the Township. There are teams of volunteers in this Township such as the EDC, EAC and other committees doing constructive work putting in so much effort of their free time to do good things in the Township. There are hundreds working here on their own free time making Abington a better place to live, and he thanked them for it.

President Luker announced that there will be an Executive Session held immediately following our Board meeting this evening to discuss a litigation matter.

In closing, prior to the beginning of this meeting, he was going to ask for a Moment of Silence, but he does not feel that would do justice to the horrors that this country has experienced this past week nor the tensions and racism we are experiencing today.

He spoke specifically to the civilian shootings and subsequent deaths in Louisiana and Minnesota and the horrific assassinations that occurred in Paris. There must be an end to all of the hatred that these incidents have caused because it is worse than senseless.

Whether there needs to be changes in the justice system or ongoing sensitivity training in the day-to-day actions of our police, we must do something constructive and it must be done now. We must work as a community together through our police departments and legislators to make improvements to this end.

The Abington Police Department in conjunction with Abington Township will host a public forum this coming Tuesday, July 19, 2016 at 7 p.m. at Roslyn Elementary School on Susquehanna Road in Roslyn.

The purpose will be to try to bridge the perceived or actual gap of trust and misunderstanding that some in the community may feel. We have an outstanding police department in Abington, but it has not come without hard work. There is always more to learn from one another. The intent is not to try to solve every problem, but to have an open and productive dialog to bring issues to the forefront of what may be on people's minds at this time.

We will have representatives from law enforcement; the judicial system and clergy in an attempt to find common ground. He hopes everyone who attends will come with an open mind, compassion and an understanding of what has transpired in the nation recently.

Please come with the intent to help fix the situation and to fix it as soon as possible as best we can and not to criticize.

**ADJOURNMENT:** 8:06 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

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*Approved  
August 11, 2016*