

The stated meeting of the Public Affairs Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, July 6, 2016 at the Township Administration Building, Abington, PA., with Commissioner Schreiber presiding.

**CALL TO ORDER:** 7:21 p.m.

**ROLL CALL:** Present: Commissioners SCHREIBER, ROTHMAN, KALINOSKI  
Excused: SPIEGELMAN, BOWMAN

Township Manager LEFEVRE  
Township Solicitor CLARKE  
Director of Parks and Recreation WENDELL  
Community Director STROTHER

Also Present: Commissioners LUKER, KLINE, HECKER, MYERS, MARKMAN, DiPLACIDO, GILLESPIE, ZAPPONE

**MINUTES:** Commissioner Schreiber made a MOTION, seconded by Commissioner Rothman to approve the minutes of the June 1, 2016 Public Affairs Committee Meeting.

MOTION was ADOPTED 3-0.

Parks and Recreation Report:

Director of Parks and Recreation, Mr. Doug Wendell announced that all tickets have been sold to the U.S Open trip to New York City; however, there are a few seats open on the bus if someone is interested in just transportation.

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

Commissioner Schreiber 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 Schreiber called on Community Director, Mr. Van Strother.

Mr. Strother explained that before the Board is proposed budget for annual fiscal year 2016, which was derived from the five-year comprehensive plan that the Township embarked on last year. Requirement for recipients of Federal funds is to have a five-year plan to elicit public comments, citizen participation, speak with housing advocates and a slew of agencies that deal with providing services to low-to-moderate income families.

During that process, the Township received comments from parents of the Crestmont Park Summer Youth Program who were asking for an improvement to the existing facility known as the roundhouse. Currently, the Parks and Recreation Department runs a successful youth program there with attendance of 75-80 children from the immediate area.

Having received comments from those parents, he worked with the Parks and Recreation Department about the possibility of improvement. Also, back in 2007, the Parks and Recreation Department presented a Master Plan for Crestmont that included renovations to the existing roundhouse or replacing it.

To be consistent with that plan, proposed is a small modest building that will be operated by the Parks and Recreation Department and they will continue to run programs from that facility.

Commissioner Schreiber asked for any comments from Commissioners.

Commissioner Kalinoski clarified that the drawing provided to the Board shows a replacement of that building and not the pool facility. Is that correct?

Mr. Wendell replied that is correct.

Commissioner Schreiber asked will the Township be reimbursed for the summer youth breakfast/lunch program?

Mr. Strother replied no. We will use CDBG funds for Sunday Breakfast Rescue Mission to provide breakfast/lunch, although it would not be for this year, but it would be for next summer.

Commissioner Schreiber noted there is a program through a State grant that reimburses after identifying locations and Crestmont area is one that qualifies.

Mr. Strother replied he will look into it. The CDBG funds can also be used in other communities besides Crestmont, which can be used for income-eligible families.

Commissioner Gillespie clarified that proposed is a 1,740 square foot building and the cost is \$500,000, which seems very high from a realtor's perspective.

Mr. Strother agreed, but he needs to make sure there is adequate funding for the project. We also have to comply with prevailing wage rates, which is more expensive. The budget before the Board is not what it will cost, but what is needed to allocate making sure there is enough to pay for the building when the bills come in.

President Luker commented that he has been working on this with Mr. Strother for quite awhile and this will replace the building that is currently there, in which there are no records as to the age of the existing building. It is time to tear it down and rebuild in its place, which is long overdue. It will be a Township building located on Township property, so it is a win-win situation.

Commissioner Schreiber referred to the drawing showing a large community room and questioned whether other groups would be able to rent it out to use for meetings, etc.

Mr. Strother replied yes, through the Parks and Recreation Department.

Mr. Wendell added that we would permit it out like we do with other facilities.

Commissioner Markman commented that this will be a major asset to the Township and he commended President Luker and Mr. Strother for their work on it.

Commissioner Kline asked Mr. Strother for an explanation of the Ardsley Community Center Accessibility Project.

Mr. Strother replied it is to put in a wheelchair lift in a two-story structure that does not have accessibility for those who have disabilities to get to the second floor.

Commissioner Hecker asked does the amount of \$500,000.00 in agenda Item PA1 relate to agenda Item PA2 when making adjustments to the budget amount of \$945,000.00.

Mr. Strother replied it is just to allocate funds to cover total development costs, and it is not how much will be spent. The amount of \$500,000.00 is for the building and he needs to account for soft costs, which are professional fees, site survey and land development, and under procurement regulations, the project will be sent out for bid and whatever is not used will remain in the budget.

Commissioner Schreiber said in regards to Item PA2 and the items being removed; will they be covered some other way?

Mr. Strother replied yes.

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

MOTION was ADOPTED 3-0.

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

Commissioner Schreiber made a MOTION, seconded by Commissioner Rothman 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 Schreiber asked for any comments from Commissioners or staff. There were none.

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

MOTION was ADOPTED 3-0.

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

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski 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; 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 Schreiber asked for any comments from Commissioners or staff.

Commissioner Kline questioned whether all proposals were for architectural and engineering or just architectural.

Mr. Strother replied for architectural and engineering.

Commissioner Kline questioned why the firm whose bid was the second highest was recommended.

Mr. Strother replied Township staff prepared an extensive RFP that was based on a merit system with five categories and a selective committee consisting of Assistant Township Manager Wehmeyer and Superintendent of Recreation Andy Oles evaluated the proposals and short-listed were four firms who came in to make a presentation. The firm who had the most impressive and depth of knowledge and experience dealing with the Federal government's regulations was the firm recommended to the Board.

Commissioner Kline questioned whether Kimmel Bogrette provided drawings as part of their proposal or was it at the request as part of the interview process.

Mr. Strother replied that was done several months ago under his due diligence of investigating the building.

Commissioner Kline questioned whether that information was provided to the other bidders.

Mr. Strother replied yes.

Commissioner Kline commented that he is in favor of the project, but he does not see the reason for going with the second highest bidder.

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

MOTION was ADOPTED 3-0.

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

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

Commissioner Schreiber called on Commissioner Rothman.

Commissioner Rothman commented that he worked with Township Solicitor on this ordinance, which is designed to prohibit smoking in parks and other portions of Township property. As currently written, the ordinance prohibits smoking in certain portions of the parks such as playgrounds and he feels it should be the entire park.

According to the U.S. Surgeon General, there is no safe level of exposure of second-hand smoke and also there are studies that when those who do smoke see “Smoke-Free” signs it does help with initiative to stop smoking or realizing it may not be good for their health.

Additionally, there is the environmental impact as cigarette butts are the most littered item in the world and it gets into the streams and they are a fire risk.

He suggested revising the language in proposed ordinance to include the entire park as opposed to just limited areas.

He called on Mr. Wendell to explain how this ordinance would be enforced.

Mr. Wendell explained that there are Park Rangers on duty in the evenings and they can write citations as well as rely on the police to assist if necessary. Also, there would be signage.

Legal Counselor Gallagher added that the ordinance as written prohibits smoking in the playground areas, pavilion, dog park areas as well as a 50-foot radius around those areas. The radius could be expanded to the entire park and there was question as to whether the Board would like to prohibit smoking on all Township-owned property and not just park areas. The ordinance can be amended for next week's full Board meeting.

Commissioner Rothman questioned whether other municipalities permit smoking in certain areas on Township-owned property.

Ms. Gallagher replied yes. There are ordinances that have a range of prohibited areas and designated areas for smoking, although interior of buildings are usually smoke-free. The County has prohibited smoking on all County-owned property including its parks as well as for e-cigarettes and vaporizers.

Commissioner Schreiber asked how does the County monitor it?

Solicitor Clarke replied Park Rangers for the County have enforcement authority.

Commissioner Schreiber questioned whether there is constant monitoring or do citizens complain.

Mr. Wendell replied citizen complaints.

Commissioner Schreiber asked about smoking in their cars in the parking lot of Township-owned property.

Ms. Gallagher replied they would be in violation of the ordinance.

Commissioner Gillespie questioned whether there is a challenge with smoking in the parks.

Mr. Wendell replied there is no smoking at the skatepark as well as the pools, although the last few years, there were complaints about smoking because the smoking area was near the picnic tables, so now there are designated areas for smoking outside of the pool area and it has been complied with.

Commissioner Kalinoski expressed concern about a lot of signs posted in the park.

Mr. Wendell replied the park's rules are listed at each entrance of the park and this could be added to it without having excessive amount of signs.

Commissioner Myers commented that in regards to enforcement; with proper signage this would be complaint-driven, and if someone is smoking where they are not supposed to, she would expect to see their picture on Facebook.

Commissioner Hecker questioned the fine listed in the ordinance.

Ms. Gallagher replied the fine listed in the ordinance was the maximum allowed under relevant codes, but there is discretion.

Manager LeFevre added that fines for citations are determined by District Justice not by Township staff.

Commissioner Kline commented he would like to see ball fields added as non-smoking areas in the ordinance especially dug-outs and backstops as well as boundaries of the soccer fields and basketball courts.

Solicitor Clarke said we will revise the draft ordinance to incorporate the changes discussed this evening for the full Board meeting next week.

Commissioner Rothman suggested prohibiting smoking for the entire park.

Commissioners Kline, Myers and Markman agreed there should be no smoking in the entire park.

Commissioner Kline questioned whether the School District permits smoking on their properties.

Ms. Gallagher replied existing Abington Township code includes no smoking on School District property.

Chief Kelly added that citations are issued for smoking on School District property.

Commissioner Schreiber asked for any public comments.

Raymond Bell, 2076 Parkview Avenue, commented that he agrees with non-smoking areas, but expressed concern about the maximum amount of the fine.

Commissioner Hecker asked when a citation is issued, what is the fine amount listed on the citation?

Ms. Gallagher replied it is \$50 when a citation is issued.

Chief Kelly replied it is only subsequent offenses that the fine increases.

Commissioner Hecker asked for the section in the ordinance regarding fines to be clarified for next week's Board meeting.

Motion was amended to accept the changes as discussed 3-0.

Lubavitch Agreement

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski 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 Schreiber asked for any comments from Commissioners or staff. There were none.

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

MOTION was ADOPTED 3-0.

Policy on Public Comment:

Commissioner Schreiber 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 Schreiber called on Manager LeFevre.

Manager LeFevre replied the Board previously discussed this item two years ago when the Board adopted a resolution detailing the Rules of Procedure for public meetings. He is asking for consideration to amend those rules to provide public comment at the beginning of each meeting on any agenda item and then provide for second public comment period at the end of each meeting on any other matter they would like to bring before the Board.

He suggested that amendment be for both the Board of Commissioners meetings as well as the committee meetings. Unfortunately, the way it is structured now, it does not facilitate a good flow to our meetings and does not encourage public participation. The amendment could be done on a temporary basis to see if there is a better flow to the meetings. He feels it would be a better process in encouraging public participation as well as gain better control of the meetings.

Commissioner Schreiber asked for any comments from Commissioners.



Commissioner Kalinoski commented that he likes the idea and the School District does it that way. His only concern is that when there are four committee meetings in one night, there be public comment at the beginning and end, but not during discussion of agenda items, so how would that work?

Manager LeFevre replied the Board could have public comment at the beginning of each committee meeting on specific agenda items and again at the end of general matters relating to that committee.

Commissioner Kalinoski questioned whether the same speaker would be allowed to speak at the beginning of the committee meeting as well as the end of the committee meeting.

Manager LeFevre replied he would not be recommended doing it that way. A speaker has one opportunity and three minutes to make comments, although certainly the Chairperson of the committee could provide additional time for a speaker to make comment. One opportunity to speak at the beginning of the meeting and one opportunity to speak at the end of the meeting and that would be the extent of public comment.

Commissioner Markman commented that he would be in favor of it; however, the only exception to the rule would be when a developer comes with a presentation, there may be questions for that particular developer.

He feels public comment at the beginning would be better and then the Board can debate amongst themselves on the issues before them and they would not be up to scrutiny every three minutes, and it would also encourage more open and frank discussions in general.

Commissioner Schreiber expressed concern that there may be someone with expertise on an agenda item and the information they would provide would be valuable before we vote, and they might not speak about it during that time.

She also expressed concern about those who want to speak on non-agenda items and would need to wait until the end of the meeting and may have to sit for hours before speaking about it, so possibly that could be switched around.

Solicitor Clarke explained that could not be switched because the Township needs to provide for public comment prior to voting on agenda items. The Board could add all public comment at the beginning on agenda and non-agenda items and not provide for it at the end of the meeting.

Commissioner Rothman commented that he would want the Board to encourage the public to participate as much as possible.

Commissioner Kline commented that he does not have an issue with doing it this way for the main Board meeting, but the committee meetings are working sessions where discussions are held between Board members as well as with staff, and it bothers him that we are considering making this change because of one person who attends our meetings.

For the committee meetings, he would not want to make this change at the detriment of the majority of the public when they may come to speak on an agenda item that is of interest to them, so the committee meetings should remain the same. We just need to do a better job of holding comments to three minutes and the public needs to understand that it is a comment period and not a debate. He is in favor of making this change for the full Board meetings, but against making this change for the committee meetings.

Commissioner Hecker noted that Item B listed under Board of Commissioners Meeting Procedures is unchanged from the previous version, which gives the Board President the discretion to allow members of the public who want to make a general comment at the outset of the meeting the ability to do that and it seems as though we are preserving that flexibility. Is that correct?

Manager LeFevre replied that is correct.

Commissioner Schreiber clarified that if there would be a controversial item or public hearing, the Chairperson would have flexibility to allow public comment. Is that correct?

Solicitor Clarke replied yes.

Commissioner DiPlacido agreed with Commissioner Kline in that the committee meetings are when the work is done and there is plenty of time for public comment in these meetings.

Commissioner Myers also agreed with Commissioners Kline and DiPlacido in regards to the committee meetings. The full Board meeting would be done properly with public comments at the beginning so they do not have to wait until the end of the meeting. She equally agrees that the committee meetings are the working meetings/workshops and the public may not know what their questions would be until the agenda item is discussed.

Manager LeFevre said in summary, the Board would like to limit the revision to only the full Board meetings with all public comment on agenda and non-agenda items moved to the beginning of the meeting as well as public comments to be permitted at the end of that meeting on any subject matter, and these revisions will be made to the policy for next week's full Board meeting.

Motion was amended to accept the changes as discussed 3-0.

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

For Discussion Only

Recommendation to adjust the starting time for the July 14, 2016 meeting of the Board of Commissioners to 7:00 PM (Prevailing Time).

Commissioner Schreiber called on Manager LeFevre.

Manager LeFevre explained that there will be an unusual situation next week where there will be a number of presentations scheduled at the beginning of the meeting, so it is recommended to begin the meeting one half hour early. Notice will be advertised in the Times Chronicle as well as posted on Township's website and Facebook page.

Commissioner Schreiber asked for any comments from Commissioners.

Commissioner Kline requested that parking spaces be set aside for the Commissioners.

Manager LeFevre replied yes, arrangements will be made ahead of time.

Commissioner Myers clarified that if the presentations take less than one half hour, the business portion of the meeting should not begin until 7:30 p.m. Is that correct?

Manager LeFevre replied that is correct.

Diving Boards at Penbryn and Crestmont Pools

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to approve an expenditure of no more than \$7,600 for the purchase of replacement diving boards at Penbryn and Crestmont pools to be utilized from the Contingency Fund.

Commissioner Schreiber called on Director of Parks and Recreation, Mr. Wendell.

Mr. Wendell explained we discovered issues with existing diving boards after the pools were open and found them to be unsafe, so they were removed. He was informed many people enjoy using the diving boards and the new boards would be installed by the end of July.

Commissioner Schreiber asked for any comments from Commissioners. There were none.

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

MOTION was ADOPTED 3-0.

Commissioner Schreiber asked for any general comments relating to Public Affairs.

Commissioner Kline said in regards to public comments, there are no committee meetings in January or August so the Board meetings should be considered as the working meetings

Manager LeFevre agreed and he will make that revision to the policy.

**ADJOURNMENT:** 8:40 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

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