



JENKINTOWN BOROUGH COUNCIL

PUBLIC MEETING

January 23rd, 2017

7:30 P.M.

700 Summit Avenue, Jenkintown Pennsylvania

MINUTES

1. **Call to Order:** President D. Pancoe called the meeting to order at 7:30 p.m.
2. **Pledge of Allegiance:** Mayor E. Foley led those present in the Pledge of Allegiance
3. **Roll Call:**
 - **Council members present:** President D. Pancoe, Vice President R. Bunker, Councilor C. Soltysiak, Councilor J. Conners, Councilor K. Farrell, Councilor C. Whitney, Councilor M. Golden, Councilor M. Ashton Young, Councilor K. McGlenn, Councilor J. Lugar and Councilor A. MacHaffie.
 - **Council members absent:** Councilor T. Danilak.
 - **Others Present:** Manager G. Locke, Chief A. DiValentino, Solicitor N. Taylor-Smith Engineer K. Hassan, Mayor E. Foley, Director of Finance R. Ware and Public Works Foreman K. Riggins.
4. **Approval of Minutes: December 12th, 2016:** On motion of Vice President R. Bunker, seconded by Councilor K. Farrell, the motion approving the December 12th 2016 council minutes were approved unanimously.
5. **Approval of Payrolls dated December 22nd 2016, January 5th 2017, and January 19th 2017 in the amount of \$199,334.04 and Invoices totaling \$196,247.26.** On motion of Vice President R. Bunker, seconded by Councilor M. Ashton Young, the motion approving payrolls and invoices passed unanimously.

Appointment of Full-Time Officer: President D. Pancoe made a motion, seconded by Vice President R. Bunker to appoint Ronald Ulary as a full-time police officer with the Jenkintown Police Department.

Motion passed 11-0

6. **Public Comment:** Danielle Downs, 221 Runnymede Avenue, appeared before Council to ask for an update to the January 9th meeting regarding the violation that was issued to 303 Runnymede Avenue. Ms. Downs wanted a status update.

President D. Pancoe responded to Ms. Downs' inquiry by stating that the Borough will provide an update on that property during the meeting.

Mary Doheny, 431 Cedar Street, appeared before Council to express her concerns regarding the purchase of 433 /435 Cedar St. Ms. Doheny had a petition signed by the neighbors that express that the neighbors on Cedar Street were not given any consideration in this purchase and would like to see Borough Council sell the property for development. Ms. Doheny also wanted to know what the Borough had planned for the acquired land and is ashamed that the Borough would demolish the historic houses on that lot.

President D. Pancoe responded to Ms. Doheny's inquiry by stating that the Borough will provide an update on these properties during the meeting

Thomas Oliver, 406 Rodman Avenue, appeared before Council to discuss his concerns that the purchase of the Cedar Street properties did not occur within the "public eye". Mr. Oliver believes that the Borough is losing income if these properties are not rented and that residents did not move onto Cedar Street for a playground because there is open space down the street at the school.

Trish Breslin-Miller, 507 Rodman Avenue, wanted to express her dismay to Council for the purchase of the Cedar Street properties. Ms. Breslin-Miller sat on the 2035 Comprehensive Plan board and during the planning of the Comprehensive Plan there was no discussion to purchase property within the Borough. Ms. Breslin-Miller also mentioned that the Borough and Steering Committee sent a survey to the residents for public comment and information to see what the residents and business owners wanted to improve within the Borough. This information was then prioritized and open space wasn't mentioned nor was it a priority on the survey. Ms. Breslin-Miller wanted to express that although she knows the acquisition was done in public meetings, all of the meetings were special meetings and not the regularly scheduled Council meetings. Ms. Breslin-Miller was disappointed to see that the meetings were not email blasted out and believes that it is irresponsible that the Borough spent the money without having a plan for the properties.

Peggy Downs, 301 Runnymede Avenue, appeared before Council to express her displeasure with the situation at 303 Runnymede Avenue. Ms. Downs feels as though Council has "let her down" based on the events that have occurred within the past five months and also feels as though Code Enforcement is difficult to deal with. Ms. Downs asked Borough Manager G. Locke "to step up and enforce the code." Ms. Downs was concerned that the Borough has spent \$19,000 to date in legal fees regarding this situation and does understand "why it is hard to enforce the code" and why the burden of proof is placed on the resident. Ms. Downs feels as though she is being blamed for the situation and that she "has constantly been met with resistance and that the Borough Manager shows no respect for their situation." Ms. Downs also feels as though she would not be here tonight if the issued was handled in August when it began.

Laurie Durkin, 205 Runnymede Avenue, read a statement to Council. Ms. Durkin explained that she had been on Council for the past eight years and this past year, 2016, was the most difficult year. Ms. Durkin expressed that "she stood on her own on the issues regarding 303 Runnymede Avenue and the Cedar Street acquisition as well as the pace of property maintenance and the raise for the Borough Manager. Ms. Durkin appreciates Councilor K. Farrell for stepping up to become the chairperson of the Building, Zoning & Revitalization committee, however Ms. Durkin expressed that "she has lost faith in Borough Manager G. Locke and leadership of Council." Ms. Durkin also wanted to clear up any misconceptions of her support of the purchase of Cedar Street. After many executive sessions of the acquisition Ms. Durkin knew that a majority of Council was in favor of the purchase therefore she fought for professional planning of the property. When she walked into the budget meeting on November 9th, Ms. Durkin was unsure why the meeting began as a normal Council meeting with roll call being taken. Once a vote was called for Ms. Durkin "felt as though if she voted against the purchase it would be seen as an act of aggression therefore she voted for the purchase" however, now wishes she would have voted against. Ms. Durkin has now become concerned with the transparency of Council.

Kate Pettit, 210 Hillside Avenue, appeared before Council to ask a few questions regarding the acquisition of Cedar Street. Ms. Pettit wanted Council to know that the rumor is that the Borough will be demolishing the buildings on the property and turning it into a park. Ms. Pettit knows that this would then cause the school to lose out on \$9,000 in school taxes, for forever. As where Ms. Pettit understands that the property values on Cedar Street will rise, will they become high enough to cover the \$9,000 a year that the Borough has taken away, as well as cover the debt from the borrowing of \$250,000 as well as the funds to match the grant that the Borough intends to go after to develop the properties. Ms. Pettit does not see how this purchase fiscally benefits that community as the Borough has open space in town square, the school district, and most homes have large back yards.

Pat Harte, 79 Runnymede Avenue, expressed to Council how "shocked" she was over the purchase of the Cedar Street properties. Ms. Harte stated she "felt as though this was a shady purchase and shady doesn't mean supplying trees. Shady means other things." Ms. Harte is very concerned and wants to know what other motive Council has.

Jeanette Rawls, 428 Cedar Street, believes the residents are owed an explanation for the purchase of the properties and what the Borough intends to do with the properties.

Eric Montroy, 502 Summit Avenue, supports the development of the Cedar Street properties. Mr. Montroy believes that the Borough would be making a mistake to not develop and preserve open space within Jenkintown as the opportunity is limited. Mr. Montroy also feels as though this purchase will only help the community.

John Kroll, 424 Cedar Street, also wanted to know the intentions of Council for the development of this lot. Mr. Kroll would not want to see this property rented out as he feels as though there are already too many rentals within the Borough, but instead would like to know what the Borough intends to do with the properties.

Adrienne Redd, 442 Leedom Street, appeared before Council to support the idea of open space on Cedar Street. Ms. Redd expressed that she believes that the children on Cedar Street, Maple Street and Leedom Street would greatly benefit from the open space as it would improve the quality of life, create a safer environment for the children to play in and improve stormwater management within the close proximities. Ms. Redd also wanted to express that if the Borough sells the properties each additional child would cost the school district \$22,000 a year, which would raise the taxes for the residents.

Shari Neidich, 111 Walnut Street, stated that Council may have not handled the situation the best way they could have but has heard rumors that a developer wanted to place condominiums on both lots which concerned her. Ms. Neidich supports the Borough "seizing the opportunity to create open space."

Leza Perkins, 316 Greenwood Avenue, wanted to finish Ms. Downs' statement regarding 303 Runnymede Avenue. Ms. Perkins continued the statement by stating that this is more than a "neighborly spat." The Borough's Solicitor advised the property owners to get cameras and they did. The Borough's Solicitor and the Borough Manager also advised the property owners what was needed to constitute a violation, to which Ms. Downs' believes she gave them. Ms. Downs' does not think the notice should have stated that there was a complainant as she believes it is unfair to "cast the blame on the complainant." Ms. Downs' does not understand why the Solicitor stated that the rant was not disorderly conduct and advised the Police Department to not write citations based on that. Ms. Downs' felt as though the rant was towards her family not "towards the house."

Randy Garbin, 99 Runnymede Avenue, appeared before Council to express his concerns regarding the purchase of the Cedar Street properties. Mr. Garbin stated that although everyone loves a park, everyone hates government that is not accountable for their actions. Mr. Garbin has stated he went through the minutes and there was nothing in the minutes regarding the discussion of the purchase. Mr. Garbin also believes that the Borough is "too small" and this purchase only hurts the Borough's School District.

Joanne Treacy, 215 Runnymede Avenue, does understand why the tenant of 303 Runnymede Avenue is allowed to use profanity in public as kids walk past the property on their way to and from school. Ms. Treacy also wanted to have an update regarding the log splitting business at 303 Runnymede Avenue.

Ryan Downs, 301 Runnymede Avenue, wanted Council to know that he was the one that called the Police on Friday regarding the issue at 303 Runnymede Avenue. Mr. Downs felt as though the rants were directed towards him and he "was afraid because this is a convicted felon with a short fuse." Mr. Downs doesn't know what to do at this point as he felt the Solicitor made assumptions. Mr. Downs is concerned for all the residents not just himself.

Luke, 432 Cedar Street, wanted to know why the Borough was not transparent with the purchase of Cedar Street and wanted to know if a fair price was paid for the property.

Andrew Smith, 200 Hillside Avenue, wanted the residents to know that the Borough paid a very reasonable price for the property as the Borough paid well under market value for the properties. Mr. Smith also knows that the owners wanted to sell it to the Borough although there was a developer interested in the properties and willing to pay market value.

Molly Durkin, 205 Runnymede Avenue, wanted to know if the properties on Cedar Street are in a state of disrepair and unable to be rented. Ms. Durkin also wanted to know that if they were in disrepair why wasn't the code enforced to prevent that from happening.

Ginny Romano, 202 Runnymede Avenue, wanted to know exactly how much this properties development is going to cost the Borough.

President D. Pancoe wanted to apologize to the residents for the lack of communication, as the Borough intends to work on that within the coming weeks and months.

Mayor E. Foley wanted to reassure the residents that the process is only in the beginning stages and the next step is to receive public input on what the public would like to see this property become. This property is all up to the community to develop.

Councilor M. Golden wanted to thank Laurie Durkin for her service on Council.

Councilor M. Ashton Young stated that each resident's opinion matters and to express them at the public forums that will be held to discuss the development of the property.

Councilor K. McGlenn wanted the residents to know that she is disheartened that the residents would feel as though they purchased this property with malicious intent. Councilor K. McGlenn wanted the residents to know that it was not Council's intent look as though they were being self-serving or irresponsible when in fact they were trying to do the exact opposite. Councilor K. McGlenn wanted to extend a humble apology if the residents feel as though that was the intent.

Councilor K. Farrell wanted to express that although they may have erred in the communication with the neighbors but time was truly of the essence and she is saddened and disheartened that the residents feel this way. Councilor K. Farrell stated that Council is keeping the best interest of the residents.

Councilor K. Farrell read a statement that included information regarding the timeline of the acquisition of the Cedar Street property. The statement read:

On September 8th, 2016, by unanimous vote at a public meeting, Borough Council voted to approve the purchase of real property located at 433 & 435 Cedar St. in Jenkintown pursuant to the Pennsylvania Borough Code. This acquisition adds to the only other borough-owned community park space – Town Square. Prior the purchase of the property, in performing its due diligence, the Borough commissioned the following studies; a comprehensive appraisal of the property, an environmental study, ESA I, through a qualified environmental firm, as well as contracted with a home inspection firm to complete a home and property inspection. On November 9th, by unanimous vote at a public meeting, Borough Council voted to approve the borrowing of \$250,000 from Republic Bank for a term of 15 years to purchase real estate located at 433 & 435 Cedar Street Jenkintown PA. The Borough was approached by the property owner who indicated that he would prefer to sell the land to the Borough rather than a developer. Information received from business owners and residents through the public survey and information sessions held for the 2035 Comprehensive Plan included input that pocket parks and open space was desired. The Jenkintown Environmental Action Committee has been active over the last two years identifying parcels that would accommodate small pocket parks or seating areas throughout the Borough and they strongly supported a project of this nature. The initial plan has been for the Borough to secure this open space, continue the process to gather public input, and apply for available grant funding to accomplish the desired outcome at the lowest possible cost to the Borough taxpayer.

Councilor K. Farrell finished this statement by stating that Council felt this was a rare opportunity to acquire and develop open space in a town that has very little open space at this point. The Borough plans to apply for grant funds through several different granting authorities that will enable opportunities to create the greenspace and amenities needed to help decongest the area and allow for an area that will improve the health and welfare of the residents. The planning process will involve public input and information sessions, and the implementation of those plans is expected to take place over the next couple years. Councilor K. Farrell wanted to stress to the residents that there are no definitive plans regarding this space yet and will be relying on public input

to help determine the best use for this space. Also, Council understands that the purchase of this property will remove its tax revenue which is approximately \$9,000 a year, which was primarily school taxes; the long-term vision for preservation of green space and the serendipity of this property being offered to the borough at a discount seemed to this forward-thinking Council to be a wise purchase for the future of the community. Additionally, the Borough was made aware that developers were intending to purchase the property and were proposing to place three-unit town homes on each lot which would increase the density in an already dense neighborhood.

Councilor M. Golden was happy to see that the residents care about Jenkintown and want to be involved. Councilor M. Golden wanted the residents to know that real estate is one of the only things that can be discussed in executive session and can't be discussed publically as then other bidders know the intention of the Borough. Councilor M. Golden encourages the residents to speak to any Councilors directly should they have any questions regarding the purchase or anything else.

President D. Pancoe and Councilor J. Conners invited any and all residents to call them personally should they have any questions regarding the Cedar Street acquisition or any other matters.

President D. Pancoe also wanted the residents to know that the Borough intends to keep the Cedar Street properties as they are during 2017 as the Borough intends to plan during 2017.

Kate Pettit, 210 Hillside Avenue, wanted to note to the Borough that she felt as though a Councilor was rude on Facebook.

Vice President R. Bunker stated as though he was not being rude on Facebook but simply responding to accusations and false statements.

Mary Doheny, 431 Cedar Street, wanted to know if the Borough was still collecting rent from the property to which President D. Pancoe responded by stated that the Borough is still receiving rent on those properties.

Borough Manager G. Locke wanted to give an update regarding 303 Runnymede Avenue. Since the last meeting the tenants time for appeal has expired. A citation has been written to the tenant for running a concrete business and delivered to the District Court.

Solicitor N. Taylor-Smith stated that the Judge is only to set the fine not hear the case as the case can only be heard before the Borough's Zoning Hearing Board. The timeframe that the fine is set as well as the cost of the fine is up to the judge; as she could state that there is no fine or set a fine up to \$500. Solicitor N. Taylor-Smith also wanted to note that she did not direct anyone to do anything she only answered questions that were asked.

Mayor E. Foley wanted to know if the residents would have an opportunity to speak at the hearing to which Solicitor N. Taylor-Smith answered that they would not have that opportunity as this is to only set a cost for the citation. Solicitor N. Taylor-Smith also wanted to note that there would be no discussion of any criminal acts only the violation in question.

Joann Treacy, 215 Runnymede Avenue, wanted to know if another citation will be issued for all other zoning violations to which Solicitor N. Taylor-Smith stated that she could not answer that question at this time. Ms. Treacy then asked what happens if citation is paid. Solicitor N. Taylor-Smith responded by stating that each new violation may result in a new citation.

Councilor K. McGlenn stated that Council is aware of the frustration of the residents, unfortunately it's a part of the legal process.

Peggy Downs, 301 Runnymede Avenue, stated that they have given Borough Manager G. Locke evidence of the tenants of 303 Runnymede Avenue running a log splitting business but nothing was done to stop it. Ms. Downs wanted Council to know that actions speak louder than words.

Ryan Downs, 301 Runnymede Avenue, wanted to highlight that the citation written in January is from the complaint / operation in November. Why did it take so long?

Lucy Malone, 507 Runnymede Avenue, wanted to note that only one citation has been issued to which Solicitor N. Taylor-Smith responded by stating that only one violation has occurred so far. Ms. Malone responded by stating that if you walk past the home on any day you will see the operation of a business.

President D. Pancoe stressed to the public that the Borough is looking for the impact that the code talks about and that impact is open to interpretation by the Zoning Officer.

Peggy Downs, 301 Runnymede Avenue, wanted to note that the tenant of 303 Runnymede Avenue has no license, no tax, and insurance is inferior to code but is still in operation within the Borough to which President D. Pancoe responded by stating that it is under investigation.

Solicitor N. Taylor-Smith stated that when the Borough gets notice of a hearing date set by District Court the date will be made known to the interested parties.

7. Presentations: None at this time

8. Committee Reports

- **Administration and Finance:** A written report was provided in Dropbox. Vice President R. Bunker highlighted that there were two items on the agenda pertaining to Administration and Finance. Those items were the ClearGov Financial Software, and to extend the current trash contract a couple months to allow for the proper bidding procedures. Vice President R. Bunker also highlighted that the Borough received a transfer tax in the amount of \$38,000 for 610 York Road.
- **Building, Zoning and Revitalization:** A written report was provided in Dropbox. Councilor K. Farrell highlighted that Marley Bice from the Montgomery County Planning Commission appeared before the Building, Zoning and Revitalization Committee to present a draft of the 2035 Comprehensive Plan.
- **Public Safety:** A written report was provided in Dropbox.
- **Public Works:** A written report was provided in Dropbox. Councilor J. Conners highlighted that the Public Works Department used thirty tons of salt and 1200 gallons of brine in the first storm of the winter. Councilor J. Conners also highlighted that the Borough placed a bid on PennBid for the new solid waste & recycling collection and disposal contract. The Borough will be opening these bids at the end of the week.

Councilor K. Farrell wanted to thank Borough Manager G. Locke for working with PECO and Verizon for organizing the old telephone pole removal. These poles will be removed by January 31st.

- **Jenkintown School District:** Councilor K. Farrell stated that the School has had their first presentation of the 2017-2018 Budget tonight. The School District is looking to adopt the budget on February 13th. Also, Councilor K. Farrell stated that the School District is looking into adding two additional classrooms in the Elementary School and updating the media center in the Middle School & High School.
- **Jenkintown Community Alliance:** No Report.
- **Multi-Municipal Group:** No Report. Councilor K. McGlenn wanted to highlight that she attended the Building One America summit in Philadelphia. Councilor K. McGlenn fully enjoyed this summit which was about learning how to make communities safe again.
- **Comprehensive Plan:** President D. Pancoe did want to highlight that the Borough will be meeting with Marley Bice from the County Planning Commission to discuss the 2035 Comprehensive Plan draft and outline the timeframe for the completion of the Comprehensive Plan.

9. Public Work's Report: A written report was provided in Dropbox. Public Works Foreman K. Riggins highlighted that the Public Works Department was involved with the Holiday activities within the Borough and preparing for winter weather.

Mayor E. Foley asked Public Works Foreman K. Riggins about the light on the corner of Walnut Street and Runnymede Avenue as the light was turned today, due to the wind. Public Works Foreman K. Riggins stated that the Public Works Department addressed the light, but he will reach out the Consortium as the pole may need to be replaced.

- 10. Engineers Report:** A written report was provided in Dropbox. Engineer K. Hassan highlighted that Pennoni Associates has been working on the Welcome Sign with Glanzmann Subaru. Pennoni is currently receiving alternate costs for different materials. Speedwell Construction, Glanzmann Subaru's contractor, suggested that the Borough look into using brick for the sign which is significantly less than limestone. Engineer K. Hassan highlighted that he will be meeting with Borough Manager G. Locke and the County Planners on January 25th to discuss the 2040 Implementation Grant to help offset the costs of the Welcome Sign.
- 11. Solicitor's Report:** Solicitor N. Taylor-Smith highlighted that his office has been working with the Borough on a few code matters, Right to Know requests, voter services issues due to ward vacancies, and preparing and advertising new bid specs for the trash hauling.
- 12. Mayor's Report:** No Report.
- 13. Police Chief's Report:** A written report was provided in Dropbox.
- 14. Manager's Report:** A written report was provided with the monthly meeting materials. Borough Manager G. Locke wanted to highlight PECO started their gas main replacement project last week and Verizon is removing poles within the Borough. Borough Manager G. Locke highlighted that the Borough has over 70 poles that Verizon must remove by January 31st. The Borough plans on placing an infrastructure timeline on the website as soon as all information is received. Borough Manager G. Locke wanted to highlight that the JCI LED light project is winding down, but recently the Borough Administration saved \$46,000 on the lights.

ORDER OF BUSINESS

- 1. Resolution #2017-1 Appointment to the Jenkintown Zoning Hearing Board:** President D. Pancoe made a motion, seconded by Councilor J. Conners, to approve Resolution #2017-1, appointing Vincent McCabe to the Jenkintown Zoning Hearing Board.
Motion passed 11-0
- 2. Appointment of Chairperson of Building, Zoning and Revitalization Committee:** President D. Pancoe made a motion, seconded by Councilor M. Golden, to appoint Councilor Kieran Farrell as the chairperson of the Building, Zoning & Revitalization Committee.
Motion passed 11-0
- 3. Appointment of Chairperson of Public Safety Committee:** President D. Pancoe made a motion, seconded by Councilor M. Ashton Young to appoint Councilor C. Whitney as the chairperson of the Public Safety Committee.
Motion passed 11-0
- 4. Resolution #2017-2 General Fee Schedule:** President D. Pancoe made a motion, seconded by Councilor M. Ashton Young, to approve Resolution #2017-2 for the 2017 General Fee Scheduled as presented.
Motion passed 11-0
- 5. 2017 Proposed Paving Project Engineering Proposal:** Councilor J. Conners made a motion, seconded by Vice President R. Bunker, to approve the proposal submitted by Pennoni Associates for the 2017 Paving Project in the amount not to exceed \$7,870.
Motion passed 11-0
- 6. ClearGov Financial Transparency Software:** Vice President R. Bunker made a motion, seconded by Councilor J. Conners to approve the proposal for ClearGov Financial Transparency Software in the amount not to exceed \$2,500.
Motion passed 11-0

- 7. Resolution #2017-3 Trash & Recycling Contract Extension:** Vice President R. Bunker made a motion, seconded by Councilor J. Conners, to approve Resolution #2017-3 extending the current contract with Republic Services for the collection and hauling of the Borough's trash and Recycling until March 31, 2017.
Motion passed 11-0

NEW BUSINESS AND DISCUSSION: Mayor E. Foley urged Council to live stream the public meeting. Councilor J. Conners agrees. Councilor M. Ashton Young wanted to note that social media is restricted in other municipalities in regards to what Councilors or Commissioners post. Vice President R. Bunker does not want false statements posted on social media in regards to what Council is doing. Councilor C. Soltysiak agrees the Borough should live stream their meetings but would like to see it appear through the website. President D. Pancoe would also like to have a volunteer live stream the meetings as to make sure the whole meeting was being recorded.

Councilor M. Golden wanted to give Laurie Durkin and Justin Mixon an award for their service to Borough Council. President D. Pancoe did not recall ever giving any Councilors an award after their term had been up, however President D. Pancoe did read an appreciation statement for Laurie Durkin. President D. Pancoe asked that this item be addressed during the next Administration and Finance meeting.

EXECUTIVE SESSION On motion of President D. Pancoe, seconded by Councilor J. Conners, the motion to move into Executive Session for discussion of matters of real estate.

At the conclusion of Executive Session, President D. Pancoe announced that an Executive Session was held for the purpose of discussing matters of real estate. A motion made by President D. Pancoe seconded by Vice President R. Bunker to go back into the public meeting passed unanimously

ADJOURNMENT: On motion of President D. Pancoe, seconded by Vice President R. Bunker, the motion adjourning the meeting passed unanimously.