



**JENKINTOWN BOROUGH COUNCIL
PUBLIC MEETING
March 27th, 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:** Police Chief A. DiValentino 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 K. McGlonn, Councilor J. Lugar and Councilor A. MacHaffie.
 - **Council members absent:** Councilor M. Ashton Young, and Councilor T. Danilak.
 - **Others Present:** Manager G. Locke, Chief A. DiValentino, Solicitor S. Kilkenny, Engineer K. Hassan, Mayor E. Foley, Director of Finance R. Ware and Public Works Foreman K. Riggins.
4. **Approval of Minutes: February 27th 2017:** On motion of Vice President R. Bunker, seconded by J. Conners, the motion approving the February 27th 2017 council minutes were approved unanimously.
5. **Approval of Payrolls dated March 2nd 2017 and March 16th 2017 in the amount of \$140,976.73 and Invoices totaling \$123,241.20.** On motion of Vice President R. Bunker, seconded by Councilor K. Farrell, the motion approving payrolls and invoices passed unanimously.
6. **Public Comment:** Robert Naborn, 307 Runnymede Avenue, case of 303 Runnymede has escalated and there has been an exterior court case filed to which the defendant has been found guilty. Mr. Naborn wanted Council to know that he believes that the Borough's Solicitor gave the Borough the wrong advice which is why the situation has escalated. Mr. Naborn doesn't understand why the Borough would keep The Law Offices of Sean Kilkenny when the advice given has not been given correctly.

Solicitor S. Kilkenny stated that his office appeared before the Judge regarding 303 Runnymede Avenue and the Judge chose to keep the case open, asking that the Borough report any other findings of running a business to her. The criminal charges are not handled by his office, and are instead handled by the district attorney and privately. Solicitor S. Kilkenny is the Borough's civil attorney, not the criminal complaints.

Peggy Downs, 301 Runnymede Avenue, Police were called on to her home January 13th for a dispute. After multiple calls, the Police then informed Ms. Downs that a citation would be written. When Ms. Downs asked for a copy of the citation she was then informed that at the direction of the Solicitor's Office, the citation was not written as the Borough Solicitor determined that there was not enough evidence. Ms. Downs also wanted Council to know that she was under the impression that the Borough's Zoning Citation against the residents of 303 Runnymede Avenue was not to determine guilt, as guilt was found when the appeal was not filed in a timely fashion, however, to set a fine for such guilt. Ms. Downs asked that the date of that hearing be changed, as they would not be able to attend and wanted to be present to testify to which she was again told that they would not be changing the date as the hearing was only to set the fine. Ultimately, the fine was not set and the case is held open for six months.

Vice President R. Bunker believes that the issue here is the confusion of the Borough's stance in a civil matter versus a criminal matter. Vice President R. Bunker stated that the Borough brought forth a civil case, the zoning case, before the Judge which is when Solicitor S. Kilkenny represented the Borough.

President D. Pancoe wanted to reiterate that Borough Council is sympathetic towards Ms. Downs and feels as though Council is maintaining vigilance on this matter.

Patricia Harte, 79 Runnymede Avenue, asked Council what they are doing because she feels as though it is not enough. Why can't things move faster? Between the gentleman who appeared last week and Ms. Downs tonight, Ms. Harte feels as though Council is not doing anything.

President D. Pancoe wanted to clarify that the gentleman appeared last week regarding the status of his neighbor at 108 Walnut Street. Our manager has been pursuing and using the services of the Borough's Solicitor to help locate the owners and living trust. The Borough has taken multiple steps to remedy the situation and now multiple citations have been written.

Borough Manager G. Locke clarified the timeline of 108 Walnut Street. For years, the Borough could not locate a responsible owner. Once the property was bought years later, the Borough was informed that the owners began cleaning out the belongings in the house and realized that there was too much work that needed to be done. They have since halted working. The Borough originally filed four citations, which were never responded to and warrants were issued for their arrest. The Borough has since written three more citations, and are now asking to appear before the judge for an administrative search warrant, to go in the house and board up the roof. The Borough was unaware of the mold issue, as it is illegal for the Borough to enter the home.

Councilor K. Farrell wanted to clarify that the video had been forwarded to Solicitor N. Taylor-Smith. The Chief consulted with her to which Solicitor N. Taylor-Smith gave her opinion that it was neither in public nor directed at someone and therefore in her opinion she did not think it rose to the level of a citation. However, in the end, the Chief is the one who chose not to write the citation, not Solicitor N. Taylor-Smith.

Nancy Sigman, 79 Runnymede Avenue, where are we with 303 Runnymede Avenue and a business out of their home? Has a license been paid for?

Borough Manager G. Locke stated that they have filed for a business license with Berkheimer but cannot be an impact business. The business must be a no-impact business.

7. Presentations: None at this time.

8. Committee Reports

- **Administration and Finance:** A written report was provided in Dropbox.
- **Building, Zoning and Revitalization:** A written report was provided in Dropbox. Councilor K. Farrell highlighted that the Zoning Hearing Board denied the application for Glanzmann Subaru's request for 501 Washington Lane. The electronic school sign was granted with four conditions. The Borough will be putting out a survey for the Cedar Street Properties.
- **Public Safety:** A written report was provided in Dropbox.
- **Public Works:** A written report was provided in Dropbox. Councilor J. Conners highlighted that the PECO Gas Main replacement project is underway and on target. They plan to be on Rodman Avenue and Linda Vista Avenue on April 11th.
- **Jenkintown School District:** Councilor K. McGlonn reported that work session on fundraising to help create funds for the School. The School District also plans to approach Borough Council to have their fees waived for upcoming renovation project.
- **Jenkintown Community Alliance:** Councilor K. Farrell highlighted that the JCA had a lengthy discussion on the future of JCA.
- **Multi-Municipal Group:** Councilor M. Golden highlighted that there is a symposium this Friday March 31st.

- **Comprehensive Plan:** Councilor K. Farrell highlighted the 2035 Open House was held on March 22nd which was an opportunity for all to come and vote on what each person thought the Borough's priorities should be. The dots were then calculated and listed in order by most votes.
9. **Public Work's Report:** A written report was provided in Dropbox. Public Works Foreman K. Riggins highlighted that the Public Works Department along with Passerini Construction repaired seven of the eight sanitary sewer repairs. The eighth repair is on private property but the Borough is continuing to work to on this repair.
 10. **Engineers Report:** A written report was provided in Dropbox. Engineer K. Hassan highlighted that Pennoni Associates is hoping to hear this Wednesday on whether the Borough was awarded the PA Small Water Grant. Engineer K. Hassan highlighted that hopefully after tonight, that the Borough will allow Pennoni to file for the 2017 CDBG Grant.
 11. **Solicitor's Report:** Solicitor S. Kilkenny highlighted the Zoning Hearing Board Case for Faulkner Nissan that is going before the Zoning Hearing Board on April 27th.
 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 highlighted that the Borough is looking to contract with Abington for the traffic signal and street light maintenance contract. LED Lighting Procurement Project made settlement within the past few weeks. Installation is going to begin shortly. AQUA is replacing watermain work on Washington Lane between York Road and Greenwood Avenue as well as Township Line Road between Washington Lane and Summit Avenue. PECO is proceeding with their gas main project. They have completed Hillside Avenue and are proceeding onto Rodman and Linda Vista Avenues next. Verizon is also still removing poles and PECO will be restoring concrete, this should be the final area of the electric upgrade replacement project.

ORDER OF BUSINESS

1. **Pennoni Associates Inc. – Engagement letter:** Councilor J. Connors made a motion, seconded by Councilor C. Soltysiak, to accept the Engagement letter from Pennoni Associates Inc. as Borough Engineer & Traffic Engineer, retro-active from January 1, 2017.
Motion passed 10-0
2. **The Law Offices of Sean Kilkenny – Engagement letter:** Vice President R. Bunker made a motion, seconded by Councilor J. Connors, to accept the Engagement letter from The Law Offices of Sean Kilkenny as Borough Solicitor, retro-active from January 1, 2017.
Motion passed 10-0
3. **Tom Josiah Consulting LLC – Engagement letter:** Vice President R. Bunker made a motion, seconded by Councilor J. Connors, to accept the Engagement letter from Tom Josiah Consulting LLC as Borough Accountant, retro-active from January 1, 2017.
Motion passed 10-0
4. **Resolution #2017-5 Montco Community Development Block Grant:** Vice President R. Bunker made a motion, seconded by Councilor C. Soltysiak, to approve Resolution #2017-5 authorizing the application to the Montco Community Development Block Grant and commitment of matching funds not to exceed \$40,000.
Motion passed 10-0
5. **Funding Approval for Wildflower Plantings:** Vice President R. Bunker made a motion, seconded by Councilor M. Golden, to accept the Environmental Advisory Committee's proposal for the wildflower plantings on the Verizon lot, and the Library lot. This proposal is not to exceed \$4,500 and will be paid for through the Environmental Advisory Committee's budget.
Motion passed 10-0

6. **Building Inspection Services Change:** Vice President R. Bunker made a motion, seconded by Councilor J. Conners, to appoint Pennoni Associates as the Borough's Third Party Building Inspection Agency and Plan Reviewer.
Motion passed 10-0
7. **Site Access Agreement with Verizon:** Vice President R. Bunker made a motion, seconded by Councilor K. Farrell, to approve the Site Access Agreement with Verizon Pennsylvania to allow for limited access by the Environmental Advisory Committee to plant and maintain the wildflower planting
Motion passed 10-0
8. **Traffic Signal Maintenance Agreement:** Councilor J. Conners made a motion, seconded by Vice President R. Bunker, to approve the Traffic Signal and Street Light Maintenance Agreement with Abington Township. The hourly rate would be \$66 per hour for regular hours.
Motion passed 10-0
9. **Ordinance #2017-3 Borough Code Revision Permission to Advertise:** Councilor C. Whitney made a motion, seconded by Councilor K. McGlenn, to advertise Ordinance #2017-3, which contains the required language change to match the Borough Code to the Accreditation Standards.
Motion passed 10-0
10. **Zoning Hearing Board Appeal Hearing – Faulkner Nissan:** President D. Pancoe made a motion, seconded by Councilor J. Conners, to have the Borough Solicitor represent the Borough in support of the Zoning Officers denial of the Faulkner Nissan Zoning & Use Certificate.
Motion passed 10-0

NEW BUSINESS AND DISCUSSION: None.

EXECUTIVE SESSION On motion of Vice President R. Bunker, seconded by Councilor M. Golden, the motion to move into Executive Session for discussion of matters of real estate and litigation.

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 and litigation. A motion made by Vice President R. Bunker seconded by Councilor J. Conners to go back into the public meeting passed unanimously

ADJOURNMENT: On motion of Vice President R. Bunker, seconded by Councilor C. Soltysiak, the motion adjourning the meeting passed unanimously.