



**JENKINTOWN BOROUGH COUNCIL
PUBLIC MEETING
January 24th, 2018
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 K. Farrell, Councilor J. Conners, Councilor J. Lugar, Councilor C. Whitney, Councilor C. Soltysiak, Councilor A. MacHaffie, Councilor M. Golden, Councilor D. Ballard, Councilor M. Ashton Young, and Councilor K. McGlonn.
 - **Council members absent:** None.
 - **Others Present:** Manager G. Locke, Chief A. DiValentino, Solicitor S. Kilkenny, Solicitor A. Ciuca, Engineer K. Hassan, Public Works Foreman K. Riggins, Fire Marshal K. Lynch, , and Director of Finance R. Ware.
4. **Approval of Minutes: December 11th, 2017 & January 2nd, 2018:** On motion of Councilor J. Conners, seconded by Vice President R. Bunker, the motion approving the December 11th, 2017 and January 2nd, 2018 council minutes were approved unanimously.
5. **Approval of Payrolls dated December 21st, January 4th and January 18th in the amount of \$248,251.50 and Invoices totaling \$343,867.08.** On motion of Vice President R. Bunker, seconded by Councilor J. Lugar, the motion approving payrolls dated December 21st, January 4th and January 18th in the amount of \$248,251.50 and Invoices totaling \$343,867.08 were approved unanimously.
6. **Public Comment:** None at this time.
7. **Presentations:**
 - **Taco Bell Proposal – 459 / 467 York Road – Riley, Riper, Hollin, & Colagreco:** Alyson Fritzges, representative of Riley, Riper, Hollin, & Colagreco, appeared before Council to discuss the proposed development of Taco Bell that would be located at 459/471 York Road. Included in the proposal would be a drive-thru facility open until 2AM. Taco Bell intends to extend the streetscape past their property on York Road, include stormwater management on site and change the current pedestrian light in front of the building to a traffic signal. The entrance of the Taco Bell would line up with the entrance to the Chelsea to allow for the traffic light to flow. Taco Bell intends to match their building with the surrounding buildings such as the stone tower on Taco Bell is to match the stone tower on the Chelsea, stucco on Taco Bell to match the color of the façade of the Chelsea and Dunkin Donuts. Taco Bell will also have an outdoor patio / seating area. The front of the building will be facing York Road with a majority of the building facing Cherry Street. Taco Bell has already spoken to PennDOT about the possibility of changing the pedestrian light to a traffic light and PennDOT preliminarily approves. Taco Bell would not open their restaurant without a traffic signal and are looking to spend two million dollars in improvements.

President D. Pancoe asked about pedestrian accommodations for York Road as well as why is Taco Bell not refurbishing the existing building. Alyson Fritzges responded by stating that the sidewalks are to remain and in the rear and side on Cherry Street there will be buffering or green space between the building and the sidewalk. Alyson Fritzges also stated that the current building does not allow for easy or safe access and would be very hard to retrofit into a quick service restaurant.

Councilor C. Soltysiak asked if this is the only design or style. Alyson Fritzges noted that its very hard to change the type of structure due to the service. They must include ventilation, hvac, and other means and methods to turn it into a quick service restaurant that will comply with the codes.

Councilor K. McGlonn asked if the drive thru until 2 am was an important feature. Alyson Fritzges noted that it is very important as 65% of business comes through the drive thru. Ms. Fritzges noted that the company intends to become part of the community and currently has 110 stores in 4 states and has not had an issue. Ms. Fritzges also noted that they are looking to handle the hours in an agreement and then start restricting in the agreement should issues arise.

Councilor A. MacHaffie noted that this is a reasonably priced alternative for some. The signal at York Road at their entrance encourages slower traffic.

Councilor J. Conners asked about the ventilation in proximity to the residential dwellings. Alyson Fritzges noted that the closest houses are 146ft away, which is the rear of the house. The grading is also towards 611.

Councilor D. Ballard asked if they believed that the light would encourage people to cut through Johnson Street. Alyson Fritzges stated that the hope was to allow cars to safely exit Cherry Street onto York Road instead of cutting through Johnson.

Tim Dibble, 260 Mather Road, asked if the owners are looking to make the building LEED Certified. Alyson Fritzges noted that there is not much they can do to make the building LEED Certified. Councilor M. Golden noted that these issues may be better answered during the Land Development process.

Mr. Dibble also asked why PennDOT was quick to change protocol for a private developer when the municipality has been approaching PennDOT for years about only three lanes on York Road. President D. Pancoe noted that there is already a light there that is signaled so changing it to a traffic light is easier than creating only three lanes on York Road.

Councilor M. Golden noted that there is no other economical support from the building. Jeff Lustig has tried for seven years.

Vice President R. Bunker noted that this development is a tax benefit to the Borough and also will include public improvements and employment for the Borough.

Councilor C. Whitney noted that he was against the drive thru in town not because it is a blight but because he is prejudice against them.

President D. Pancoe noted that the Planning Commission was "vehemently" against it. President D. Pancoe also asked what the implications of allowing drive thrus in the future due to this one. Solicitor S. Kilkenny noted that the drive thru only runs with the site and is not binding for other sites.

Katie Costandino, 418 Hillside, noted that she regularly attends the School Board meetings and they are currently looking at an \$800,000 deficit for the 2018/2019 School year. What is the best-case scenario of beginning to see this money be implemented into the Borough should it be approved. Alyson Fritzges noted it would take approximately 18 months. Ms. Costandino also noted that the School District is looking to increase taxes 2.4% and apply for an exception to increase them more.

Councilor K. Farrell noted that she was conflicted as it would help with tax revenue which a majority goes to the school district, however the Borough has not received much public support.

Vice President R. Bunker wanted to know how the proposed project would be an eyesore.

Councilor M. Ashton Young noted that Borough Council is not making the decision, it is the Zoning Hearing Board that will be making the decision.

After much discussion, Vice President R. Bunker made a motion, seconded by Councilor J. Lugar to send the Borough Solicitor, The Law Offices of Sean Kilkenny, to the Zoning Hearing Board Hearing in support of the Taco Bell Proposal. Motion approved unanimously.

8. Committee Reports

- **Administration and Finance:** Vice President R. Bunker noted that there were minutes provided with the monthly meeting materials.
- **Building, Zoning and Revitalization:** Councilor K. Farrell noted that there were minutes provided with the monthly meeting materials. Councilor K. Farrell highlighted that the Borough received a new building inspector, Bob Ellis. The Borough has also worked on closing out two property maintenance issues that have been ongoing to a few months now. Additionally, the Borough will be sending out a mailer in the real estate tax bills about the new Residential Use & Occupancy Ordinance.
- **Public Safety:** Councilor C. Whitney noted that there were minutes provided with the monthly meeting materials. Councilor K. Farrell asked Public Works Foreman K. Riggins to barricade off the handicap ramps along York Road that PennDOT installed without any traffic control devices.
- **Public Works:** Councilor J. Conners noted that there were minutes provided with the monthly meeting materials. Councilor J. Conners highlighted that the Borough sent the 2018 Paving specs to PennDOT for approval and the Borough will be receiving their new dump truck in February.
- **Jenkintown School District:** Councilor K. McGlenn noted that Borough Council is aware of the current budget restraints with the Jenkintown School District. Councilor K. McGlenn also noted that Dr. Takacs was pleased to hear that the Borough moved their public meetings to Wednesday.

Vice President R. Bunker noted that the Borough has begun the search to relocate Borough Hall and place the Borough owned properties on Summit Avenue back onto the tax parcels. This should be able to additionally help with the current deficits that the Borough and the School District are seeing, however the Borough receives only 10% of the real estate tax.

- **Jenkintown Community Alliance:** No Report.
- **Multi-Municipal Group:** Councilor M. Golden noted that there is a conference for Strategies for Older Suburbs in March.

9. **Engineers Report:** Engineer K. Hassan noted that there was a report with the monthly meeting materials. Engineer K. Hassan highlighted that they have confirmed the possibility to construct a second speed hump on the 100 block of Cedar Street. Engineer K. Hassan also highlighted that the 2018 PA Small Water Grant is ready for submission.
10. **Solicitor's Report:** Solicitor S. Kilkenny noted that his office worked with the Borough on Right to Know Documentation as well as the Redevelopment Authority Agreement between Jenkintown Borough and the Montgomery County Redevelopment Authority.
11. **Mayor's Report:** No Report.
12. **Police Chief's Report:** Police Chief A. DiValentino noted that there was a report with the monthly meeting materials.
13. **Public Work's Report:** Public Works Foreman K. Riggins noted that there was a report with the monthly meeting materials. Public Works Foreman K. Riggins highlighted that the Borough fixed some holiday lights with the help of Fire Marshal K. Lynch and Orkin Electric. Public Works Foreman K. Riggins also highlighted that the Borough purchased a new salt spreader for the F250 which will help allow the Borough to salt smaller streets such as Linden Street, Pear Street and Healy Street.
14. **Manager's Report:** Borough Manager G. Locke noted that there was a report with the monthly meeting materials. Borough Manager G. Locke highlighted that the Borough is currently preparing for the Annual Audit which will begin on February 5th. Additionally, the Green Light Go Grant is 100% complete. The playground grant pathway is complete and the new lease has been drafted. The Borough has additionally picked out the piece of equipment. The Borough will be completing the playground grant within the coming weeks.

ORDER OF BUSINESS

- 1. Redevelopment Authority Agreement:** Vice President R. Bunker made a motion, seconded by Councilor M. Golden, to approve the Redevelopment Authority Agreement between the Borough of Jenkintown and the Redevelopment Authority of the County of Montgomery as it is the Borough's intent to convey the property located at 700 Summit Avenue to the Redevelopment Authority and for the Redevelopment Authority to assist the Borough with the redevelopment of the property in accordance with Redevelopment Law and Redevelopment Cooperation Law.
Motion passed 12-0
- 2. ParkMobile Agreement:** Vice President R. Bunker made a motion, seconded by Councilor J. Conners, to enter into an agreement with ParkMobile to allow for the payment of parking within the Borough of Jenkintown to be able to be accessed remotely through ParkMobile.
Motion passed 12-0
- 3. Advertisement of Proposed Sanitary Sewer Construction "Interceptor A" RFP:** Vice President R. Bunker made a motion, seconded by Councilor J. Conners, to advertise an RFP to lending institutions in regard to the borrowing to fund the sanitary sewer "Interceptor A" repairs taking place.
Motion passed 12-0
- 4. Resolution #2018-5 PA Small Water Grant:** Councilor J. Conners made a motion, seconded by Vice President R. Bunker, to approve Resolution #2018-5 applying for the PA Small Water and Sewer Program grant not to exceed \$390,786 from the Commonwealth Financing Authority to be used for repairs to Jenkintown's sewer system. Per the PA Small Water Grant, the Borough is required to place a 15% match not to exceed \$68,962.
Motion passed 12-0
- 5. Resolution #2018-6 Recognition of the 1968 Memphis Sanitation Workers Strike:** President D. Pancoe made a motion, seconded by Councilor J. Lugar, to approve Resolution #2018-6 recognizing February 1, 2018 as the 50th anniversary of the loss of lives which sparked the 1968 Memphis sanitation workers strike. Borough Council call on our community to participate in a national Minute of Reflection at 4:20 p.m. on that date, to remember that event and its significance.
Motion passed 12-0

NEW BUSINESS AND DISCUSSION:

Councilor M. Golden noted that it was brought to his attention that a worker that was contracted to work with SEPTA had a giant bullet and "MAGA" sign while working the ticket booth for the women's march. It was noted that Councilor C. Soltysiak was able to get the sign, the bullet and the worker removed from the Jenkintown ticket booth.

Councilor C. Whitney noted that himself and Vice President R. Bunker had a discussion regarding Pioneer Fire Company. Councilor C. Whitney noted that Pioneer Fire Company has not made steps towards upgrading their training and that currently none of their officers are in compliance with the training standards set forth by the independent study that the Borough had completed. Vice President R. Bunker asked to stop allocating their budget unless it is for emergency equipment, that Pioneer Fire Company not be in charge on a fire scene, and that Pioneer Fire Company could not be Borough Fire Chief until progress is made towards receiving the additional training. Vice President R. Bunker wanted to note that this was not to be negative towards the volunteers, and that the Borough is not enthusiastic about these procedure changes, however, should the Borough allow this to continue they will be looking at great liability. Vice President R. Bunker is looking for progress towards the standards.

Solicitor S. Kilkenny noted that the Borough appreciates their emergency responders and reached out to William Jenaway, President of VFIS, regarding the training study completed by the Borough. Mr. Jenaway stated that other municipalities have passed similar motions and also believes that if the Borough does not then the Borough will be opening themselves up to more liability.

President D. Pancoe asked if Pioneer was made aware of these requirements. Vice President R. Bunker noted that it was discussed at the last Fire Commission meeting. Councilor K. Farrell wondered if all of Pioneer Fire Company was made aware of these requirements.

Councilor M. Golden felt as though Council was at a disadvantage because there was no motion in front of them. Vice President R. Bunker noted that there was no motion, that these requirements were just a report. Councilor C. Soltysiak asked if Pioneer Fire Company was ever given an end date for their compliance. Vice President R. Bunker noted that Pioneer Fire Company was given an eighteen month compliance period, however in the first six months there has been no attempt to comply.

Councilor C. Whitney noted that they have six weeks to schedule their class with Montgomery County Fire Academy and if nothing is completed by April then a decision needs to be made.

President D. Pancoe asked staff to post the agenda atleast one week ahead of time. Borough Manager G. Locke noted the change.

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 Vice President R. Bunker seconded by Councilor C. Soltysiak to go back into the public meeting passed unanimously

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