



**JENKINTOWN BOROUGH COUNCIL
PUBLIC MEETING
February 28th, 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:** Mayor A. Dobbs 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 M. Bickerton, Mayor A. Dobbs, and Director of Finance R. Ware.
4. **Approval of Minutes: January 24th, 2018:** On motion of President D. Pancoe, seconded by Councilor C. Soltysiak, the motion approving the January 24th, 2018 council minutes were approved unanimously.
5. **Approval of Payrolls dated February 1st and February 15th in the amount of \$165,775.65 and Invoices totaling \$403,907.53.** On motion of Vice President R. Bunker, seconded by Councilor J. Conners, the motion approving payrolls dated February 1st and February 15th in the amount of \$165,775.65 and invoices totaling \$403,907.53 were approved unanimously.
6. **Public Comment:** None at this time.
7. **Presentations:**
 - **Proposed Development at Abington Friends School:** Vice President R. Bunker highlighted that Abington Friends School is looking to update their athletic fields and build a new athletic center. The proposal includes a new track, turf field and new lighting. Mike Rufo, a representative on behalf of Abington Friends School, appeared before Council to discuss the proposed project. Mr. Rufo noted that the field upgrades would cost approximately three million dollars. Abington Friends School is also looking to control/reduce the run off rate by 70% and have been in communication with Abington Township as to the multimodal grant to help with water control at the intersection of Washington Lane and Greenwood Avenue. Mr. Rufo noted that the biggest impact to Jenkintown residents would be the newly proposed lights, however Abington Friends School was very sensitive to the light spillage onto nearby properties. The proposal uses LED light fixtures with full cut off and aiming the light directly onto the field and not the track surrounding the field. The higher light fixtures, 70 feet and 80 feet, would allow the lights to be shining directly down.

Solicitor S. Kilkenny noted that this project is taking place within Abington Township, however affects some Jenkintown residents. Solicitor S. Kilkenny reached out to Abington Friends School to present the proposal to Jenkintown Borough residents and Borough Council.

Vice President R. Bunker and Councilor K. McGlonn thanked Mr. Rufo for the presentation and answering the concerns of the residents and of Borough Council.

Maya Cheek, 614 Washington Lane, noted that Abington Friends School is a great neighbor, however encourages the construction team to be mindful that the area is a residential area and that noise may travel. Ms. Cheek also noted that she was the president of the School Board and was looking to collaborate on the use of the field.

Catherine Vance, 705 Washington Lane, asked Mr. Rufo how this would affect the property values in the area? Mr. Rufo responded that they do not expect a large change in the property values however enhancements always raise values. Ms. Vance also asked Mr. Rufo to elaborate on the lighting. Mr. Rufo noted that most of the year the lighting will not be used due to the winter months or the summer months.

Peter Costello, 304 Nice Avenue, asked Mr. Rufo if they intend to use the lights in the morning or on weekends. Mr. Rufo responded by stating that they do not anticipate the lights to be used in the morning or on weekends.

Robert Firth, 402 Vernon Road, asked Mr. Rufo if there was any anticipation on an increase in traffic. Mr. Rufo noted that there was no anticipation due to the traffic and practice times not changing.

Vice President R. Bunker made a motion, seconded by Councilor M. Golden, that Jenkintown Borough Council supports this improvement project provided that the lights be shut off at 9pm. Motion approved unanimously.

- **Jenkintown School District Budget:** Dr. Jill Takacs and Jenkintown School District Finance Director Zorian Dubenko appeared before Council to discuss Jenkintown School District's current budget and the problems that they are facing regarding shortfalls in the budget. Jenkintown School District Finance Director Z. Dubenko noted that most of these shortages are due to the constant reassessment appeals which reduces the income that the School District receives as well as the rising costs of PSERS.

Vice President R. Bunker asked if the reassessments were from commercial properties or residential properties. Jenkintown School District Finance Director Z. Dubenko noted that most of the reassessments are residential reassessments.

Mayor A. Dobbs asked about the enrollment for the younger grades. Dr. J. Takacs noted that the School District is trying to keep class sizes low due to the students being more dependent learners at that age. Dr. J. Takacs noted that these students require more one on one interaction.

Councilor K. McGlenn asked what the current budget deficit is for the 2018-2019 school year. Dr. J. Takacs noted that the deficit started at \$811,000 however the School District is now anticipating that the deficit will be approximately \$621,000 however this is a moving target. Dr. J. Takacs noted that the School District is looking at ways to increase revenue and decrease expenses, however the contract negotiation with the teachers are currently being discussed. Jenkintown School District Finance Director Z. Dubenko noted that there is a final budget meeting workshop in March and then the budget adoption in June.

Councilor K. Farrell asked if the School District is looking into program cuts. Dr. J. Takacs noted that the program cuts are possible, however the School District does not want to cut the programs.

Alyson Lester, 315 Greenwood Avenue, asked Jenkintown School District Finance Director Z. Dubenko if the reassessments of the old Strawbridges building (610 York Road) and the Lindy properties were more impactful than the residential reassessments. Jenkintown School District Finance Director Z. Dubenko noted that the Strawbridges building (610 York Road) and the Lindy properties were larger numbers, however the amount of residential reassessments are more frequent.

Mayor A. Dobbs asked what the residents and the Borough can do regarding the rate of reassessments. Dr. J. Takacs noted to get the word out and explain what reassessments do to the School District. Dr. J. Takacs also noted that bringing in business would also increase tax revenue.

Maya Cheek, School Board President, noted that when the School District receives notice of an assessment of a questionable property they do fight the reassessment.

Alex Khalil, 515 Greenwood Avenue, reached out to alumni for alumni donations. She will also be spearheading a grant writing workshop for grants to help fund the School District.

Christopher Devers, 415 Hillside Avenue, asked how much mercantile taxes the School District receives. Jenkintown School District Finance Director Z. Dubenko noted that they split the mercantile taxes with the Borough. Mr. Devers asked if the percentages could be changed. Mayor A. Dobbs noted that the School District receives about 50% if not more of the Borough taxes and 100% of the Earned Income Tax. The Borough tries to accommodate the School District however the Borough has expenses to pay too.

- **Proposed Development at 606-610 Summit Avenue – Summit House Assoc. 2018:** Solicitor A. Fritzges appeared before Council to represent her clients pertaining to the proposed development of 606-610 Summit Avenue. This development would include a 55 plus apartments which has been proposed to be both on the Salem Baptist Church property as well as the Borough property, which the Summit House Assoc. 2018 responded to in the RFI that the Borough completed during 2017. This building would be a mixed use building with commercial on the first floor and 75 residential units above. The applicant, the Summit House Assoc. 2018, submitted an application for a conditional use hearing which will be held on Wednesday March 28th as well as a Zoning Hearing Board Hearing which will be held on Tuesday March 13th.

Noam Roizman, Vice President of the Summit House Assoc. 2018, noted that they have been working on this project for over a year not. The proposed development would have retail on the first floor as well as covered parking, with four stories of residential units above.

Rhett Chiliberti, Maser Consulting, appeared before Council to discuss the site plans that were drawn by Maser. The proposed plans show approximately a one acre lot with 42 parking spaces on the ground floor. Mr. Chiliberti noted that as the property currently sits it is mostly impervious, however the proposed project will add more pervious surface than what is currently there.

Joseph Augstine, Kitchen Associates, noted that the units would be mostly one bedroom, with some two-bedroom units. The design of the building was influenced by buildings like 210 and 419 York Road.

Solicitor S. Kilkenny noted that the applications for the Conditional Use and the Zoning Hearing Board Hearing have been filed. The Conditional Use will be going before Council and the Zoning Hearing Board Hearing will be going before the Zoning Hearing Board. Solicitor S. Kilkenny noted that there is no decision being made tonight, as this is just a presentation of the proposed project and to help answer any questions that the Council may have.

Mayor A. Dobbs asked what the Zoning Hearing Board is hearing. Solicitor A. Fritzges noted that the Zoning Hearing Board will be hearing three items, density of units, amount of commercial space required on the ground floor and the setback from the building façade.

Noam Roizman noted that the project was not assisted living but independent living. They are also looking to make this building energy efficient and are proposing installing solar panels on the roof. Mr. Roizman noted that there will be controlled access to the living facilities and that the building would have its own laundry facility. Mr. Roizman noted that the estimated real estate tax is \$126,574 total which would be \$98,302 to the School District and \$19,550 to the Borough.

Rhett Chiliberti noted that the preliminary studies show that age restricted facilities tend to have less parking demands. Public Transportation also helps with the parking demands.

President D. Pancoe asked if the developers would consider bussing their residents to the public transportation centers like the train station. Isreal Roizman, Vice President of the Summit House Assoc. 2018, noted that they could consider it.

Councilor J. Lugar asked what kind of retail could be expected in the business uses on the first floor. Isreal Roizman noted that it could include uses that would benefit the tenants such as a barber shop or doctor's office. Noam Roizman noted that it would not be a kin to large deliveries such as a restaurant.

Councilor M. Golden asked if the developers believe there would be any school age children living in this development. Isreal Roizman noted that there would be none.

Bill News, 431 Newbold Road, asked how large the units would be. Isreal Roizman noted that a one bedroom unit would be approximately 700 sf and a two bedroom unit would be approximately 980 sf.

Eric Horowitz, 149 Cedar Street, noted that there are five properties on Cedar Street that back up to the rear of the property on Summit Avenue. Currently, these properties on Cedar Street have a wall that backs up to their property. The currently proposal will have windows and lights. Mr. Horowitz is also concerned about trash removal and parking on Cedar Street. Joe Augustine noted that the trash will be collected internally then brought out to Summit Avenue for collection.

President D. Pancoe asked what the rear building elevations would look like. Mr. Augustine noted that they will provide rear elevations, however it is the intent to have the rear of the building look like the front of the building. Mr. Augustine also noted that there will be green landscaping around the property.

Michael Galvin, 346 Walnut Street, asked what the proposed rents would be. Isreal Roizman noted that a one bedroom apartment would be approximately \$850 per month and a two bedroom apartment would be approximately \$1,100 per month.

Shannon Schloth, 134 Greenwood Avenue, asked if the developers were planning to partner with anyone, specifically a nonprofit, on this project. Isreal Roizman noted that there are not planning on partnering with anyone on the project.

Suzanne Hunter, 428 Vernon Road, asked if the developers plan on this development being low income. Isreal Roizman noted that there is no hud housing or subsidiary, it is just low rent.

David Nicholson, 105 Cedar Street, believes that this project is a nice for the Borough as it includes residential and retail. Mr. Nicholson noted that this project will also bring in a lot of visitors to the Borough as people will be visiting their family and friends. Mr. Nicholson asked if the parking spots would be designated by units. Isreal Roizman noted that the parking spaces will not be unit designated.

Councilor K. Farrell wanted to clarify that this project is not a nursing home. Isreal Roizman confirmed.

Alyson Lester, 315 Greenwood Avenue, asked if the developers would give the Borough the list of facilities that were used in the parking analysis. Isreal Roizman stated that they would.

Shannon Schloth, 134 Greenwood Avenue, asked if the developers have received the their loans yet and if there would be income tiering. Isreal Roizman noted that they have not received loans and that they have to market the building to 62 and older. If the building does not reach capacity, the developers can then market to 55 and older, however cannot go lower than 55.

Katie Costandino, 418 Hillside Avenue, asked if there could be kids using the school district even with being above 55. Isreal Roizman replied no.

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 Committee held a presentation regarding the possible redevelopment of 93 York Road. The Building, Zoning and Revitalization Committee asked the developers of 93 York Road to come back and represent their presentation. Councilor K. Farrell also wanted to note that the Jenkintown2035 Comprehensive Plan public review period was coming to an end in the near future and it is the Borough's intent to approve the plan in March. Councilor K. Farrell asked that the public engage with County Planner Marley Bice regarding any comments or input.
- **Public Safety:** Councilor C. Whitney noted that there were minutes provided with the monthly meeting materials.

- **Public Works:** Councilor J. Conners noted that there were minutes provided with the monthly meeting materials. Councilor J. Conners highlighted that the Borough will be applying for the 2018 PA Small Water Grant which is due within the next few days.
 - **Jenkintown School District:** Councilor K. McGlonn noted that she met with Dr. Takacs regarding school funding issues and concerns. Councilor K. McGlonn also noted that the School District is currently looking for a new Elementary School Principal. Also, the School District is looking to have the crossing guards recertified for training. Police Chief A. DiValentino noted that the Police Department did receive a video to retrain their crossing guards. The training will take place in the near future and will take place here at Borough Hall.
 - **Jenkintown Community Alliance:** Councilor K. Farrell noted that the Arts Fest will be held on September 16th 2018 and planning has begun. The next meeting will be held on March 6th.
 - **Multi-Municipal Group:** Councilor M. Golden noted that the Pennsylvania Municipal League will be attending a meeting in the near future to discuss ways and projects in which the League can benefit the Borough.
 - **2035 Comprehensive Plan:** President D. Pancoe wanted to thank all that helped during the 2035 Planning and Steering Committee work.
9. **Engineers Report:** Engineer M. Bickerton noted that there was a report with the monthly meeting materials. Engineer M. Bickerton highlighted that they have reviewed the light at Township Line Road, Summit Avenue and Washington Lane. The compliant came during the Public Works meeting in February.
 10. **Solicitor's Report:** Solicitor S. Kilkenny noted that his office worked with the Borough on Right to Know Documentation as well as zoning issues regarding Roizman's development at 610 Summit Avenue and Taco Bell's proposal at 459/471 York Road.
 11. **Mayor's Report:** Mayor A. Dobbs highlighted that she has been working with the Police Department regarding the shootings in Florida and the ongoing engagement regarding the emergency plan between the Police Department and School District. Mayor A. Dobbs also noted that Police Chief A. DiValentino has had multiple requests to speak to the public in the past month, including with Channel 10 news regarding the recent Florida school shooting. Mayor A. Dobbs was excited to announce that the Police Department will be going through their fifth accreditation assessment, which will be taking place during March 12th through March 14th. After this round of accreditation, the Police Department intends to obtain the CALEA status. Mayor A. Dobbs noted that the Police Department is also working on the Opioid Crisis Response, which is going well. Finally, Mayor A. Dobbs noted that she has been working with Councilor C. Soltysiak, Kwanis and Jenkintown Borough Public Works Department on placing permanent signs along the Sunset Run route to delineate the route permanently all year long. Copies of the draft sign can be found with the monthly meeting materials and they are looking to install the signs on the back of existing poles / signs.
 12. **Police Chief's Report:** Police Chief A. DiValentino noted that there was a report with the monthly meeting materials. Police Chief A. DiValentino noted that they are ready for the accreditation process. Police Chief A. DiValentino also noted that they had their first incident involving JPAR, which Jenkintown Police Department was able to call Montgomery County Crisis Center and the individual is now receiving treatment in a recovery center in Bucks County.
 13. **Public Work's Report:** Borough Manager G. Locke noted that there was a report with the monthly meeting materials. Borough Manager G. Locke highlighted that the Public Works Department had a laborer resign and they are looking to replace that laborer as soon as possible. Also, Borough Manager G. Locke highlighted that the drainage issue on the 400 block of Florence Avenue has been completed today and final paving will take place during the 2018 Paving Program.
 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 SEPTA is looking to hold a presentation on their flood mitigation plan on March 21st during the Building, Zoning & Revitalization meeting. SEPTA will also be hosting an open house on March 27th regarding the ADA upgrades.

Vice President R. Bunker wanted to note that he read a comment that PennDOT has not done much for Jenkintown Borough. Vice President R. Bunker wanted to note that PennDOT gave the Borough money for the School Signalization lights at all locations, the streetscape along York Road, and the battery backups for the traffic lights to name a few.

Borough Manager G. Locke also noted that there were three resolutions that would need to be discussed under New Business. These resolutions include resolutions for the appointments to the Zoning Hearing Board and Planning Commission as well as the resolution for the 2040 Implementation Grant which the Borough is applying for to install planters along York Road.

President D. Pancoe noted that the Borough intends to install these planters to help act as a buffer between the cars and the pedestrians along York Road. Councilor K. Farrell noted that these planters should help with the midblock crossing that is currently taking place in the Borough.

Councilor M. Golden asked for an update regarding the removal of the three midblock crosswalks that PennDOT installed in areas that are not controlled. Borough Manager G. Locke noted that the crosswalks are currently blocked off and the Borough has requested that PennDOT install permanent blocking measures until the crosswalks can be removed. Borough Manager G. Locke noted that the crosswalks will be removed once weather allows.

President D. Pancoe noted that the Borough did also meet with SEPTA, PennDOT and Abington to discuss the Noble Bridge closure which will be taking place in 2019. The traffic detours for this project will be going around the Borough. The bridge will be reduced to one lane each direction.

ORDER OF BUSINESS

- 1. Borough Council Re: Proposed Taco Bell Development:** Councilor M. Golden made a motion to continue to support Taco Bell provided that; they pay taxes on an assessed value of \$854,730 which is a 50% increase than the current assessment as well as close the drive thru at 12 AM, midnight.

Councilor K. McGlenn asked who completes and determines assessments.

Solicitor S. Kilkenny noted that the Borough can require any applicant to be bound by reasonable conditions such as 12 AM midnight drive thru closing time, however the tax issue is bound by second class county code and borough code and the Borough of Jenkintown does not have the authority to do these things, nor does Solicitor S. Kilkenny find this condition reasonable. All taxpayers are to be treated equally and Solicitor S. Kilkenny cannot find anywhere in Pennsylvania State Law where this would be applicable, therefore he does not find the tax motion legal.

Councilor M. Golden asked if they could make it a donation rather than a tax assessment. Solicitor S. Kilkenny noted that there is no basis in which this motion is allowed. Councilor M. Golden stated that Council can still approve the motion as stated anyway.

Councilor K. McGlenn noted that they motion can be modified to allow for the 12 AM closing time, however not include the tax assessment.

Alyson Lester, 315 Greenwood Avenue, asked about an impact fee. Solicitor S. Kilkenny reminded the public and Council that this is not time for public comment.

Councilor M. Golden noted that the Borough asked the developers to bring in their financial documents showing the implications of taxes. Councilor M. Golden noted that it was made clear that if the developers did not bring in the numbers that "they would be screwed" because the Borough wants to know the impact on taxes. Councilor M. Golden feels as though there is a lack of clarity.

Councilor M. Golden amended his motion to withdraw Council support from the Taco Bell proposal. Councilor C. Whitney seconded.

Vice President R. Bunker noted that the School District is operating is \$600,000 of debt and the Borough is operating in \$300,000 of debit. The Borough needs development. The Borough will not know what the

assessment will be but can estimate. This will also improve the infrastructure in that area. Vice President R. Bunker noted that the development is beneficial to the Borough and asks to maintain support.

Councilor C. Soltysiak asked if the Borough can still impose the 12 AM closing time. Solicitor S. Kilkenny noted that they could impose reasonable conditions.

President D. Pancoe noted that the Borough has yet to receive a Zoning Hearing Board application for the proposed Taco Bell. Mayor A. Dobbs asked why they have not. Solicitor A. Fritzges, solicitor for the proposed Taco Bell noted that they have submitted the Zoning application that the Borough is completing and that must be denied before the Zoning Hearing Board Application can be submitted. Currently, the applicant is waiting for the review to be completed.

Solicitor A. Fritzges noted that the developers for Taco Bell are working with independent appraisers to find out the current costs of the building and the proposed taxes that Taco Bell would bring in should it be built. They also have hired an expert to complete a physical analysis of the property. Solicitor A. Fritzges is asking that this vote be tabled until April to allow for the developers of Taco Bell an opportunity to bring in the report from independent appraisers.

President D. Pancoe noted that it could be heard before the March 21st Building, Zoning & Revitalization Committee meeting.

Vice President R. Bunker made a motion, seconded by Councilor K. McGlenn to table the discussion and decision on the support of Taco Bell. A roll call vote was conducted and the vote reflected the following members saying yes; Vice President R. Bunker, Councilor A. MacHaffie, Councilor J. Conners, Councilor K. Farrell, Councilor D. Ballard, President D. Pancoe, Councilor J. Lugar, Councilor K. McGlenn, Councilor M. Ashton Young, Councilor C. Whitney and Councilor C. Soltysiak. The roll vote reflected the following members saying no; Councilor M. Golden.

Councilor C. Whitney did want to note that he was not fond of having to approach the developers more than once about the tax numbers needing to be provided.

By a vote of 11-1 the motion to table the discussion and decision on the support of Taco Bell was approved. The presentation of the tax appraisal will be during the March 21st Building Zoning & Revitalization Committee meeting.

NEW BUSINESS AND DISCUSSION:

President D. Pancoe noted that there are upcoming meetings and hearings regarding upcoming developments. President D. Pancoe highlighted that the Zoning Hearing Board hearing for 606-610 Summit Avenue is tentatively scheduled for Tuesday, March 13th at 7:00 PM at Jenkintown Borough Hall. Additionally, the Conditional Use Hearing for 606-610 Summit Avenue that will be heard before Borough Council is scheduled to be held on Wednesday, March 28th at 7:30 PM at Jenkintown Borough Hall.

President D. Pancoe also highlighted that the Abington Zoning Hearing Board hearing for Abington Friends School is scheduled to take place on Tuesday, March 20th at 7:00 PM at Abington Township Building which is located at 1176 Old York Road.

Resolution #2018-7 Montco 2040 Implementation Grant: President D. Pancoe made a motion, seconded by Councilor K. Farrell, to approve Resolution #2018-7 applying for the Montco 2040 Implementation Grant not to exceed the amount of \$123,000 to be used for the installation of a pedestrian traffic barrier in the form of raised planters interspaced within the existing streetscape elements in the Borough of Jenkintown. Per the Montco 2040 Implementation Grant, the Borough is required to place a 20% match not to exceed \$24,600.

Motion passed 12-0

Resolution #2018-8 Zoning Hearing Board Appointment: Councilor K. Farrell made a motion, seconded by Councilor C. Soltysiak, to approve Resolution #2018-8 appointing Anne Brennan to the Jenkintown Borough Zoning Hearing Board with a term to expire on December 31, 2020.

Motion passed 12-0

Resolution #2018-9 Zoning Hearing Board Appointment: Councilor K. Farrell made a motion, seconded by Councilor C. Soltysiak, to approve Resolution #2018-9 appointing Linda Manfredonia to the Jenkintown Borough Zoning Hearing Board with a term to expire on December 31, 2022.

Motion passed 12-0

Resolution #2018-10 Jenkintown Planning Commission & Civil Service Commission Appointment: Councilor K. Farrell made a motion, seconded by Councilor C. Soltysiak, to approve Resolution #2018-10 appointing Phil Zimmerman, Gabriel Lerman, Jon McCandlish, Glen Morris, John Krebs and Gregory Biles to the Jenkintown Borough Planning Commission and Gary Hutnick to the Jenkintown Borough Civil Service Commission.

Motion passed 12-0

Councilor J. Conners made a motion, seconded by Vice President R. Bunker, to extend the change order for the PA Small Water Grant. This change order will extend the deadline until April 23rd for the closeout of the PA Small Water Grant.

Motion passed 12-0

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.