



JENKINTOWN BOROUGH COUNCIL
PUBLIC MEETING
September 26th, 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 J. Lugar, Councilor C. Whitney, Councilor C. Soltysiak, Councilor K. Farrell, Councilor A. MacHaffie, Councilor M. Golden, Councilor K. McGlonn and Councilor D. Ballard.
 - **Council members absent:** Councilor J. Conners, and Councilor M. Ashton Young.
 - **Others Present:** Manager G. Locke, Solicitor S. Kilkenny, Engineer K. Hassan, Mayor A. Dobbs, Police Chief A. DiValentino, Public Works Foreman K. Riggins and Director of Finance R. Ware.
 4. **Approval of Minutes: August 22nd, 2018:** On motion of Councilor C. Whitney, seconded by Councilor J. Lugar, the motion approving the August 22nd, 2018 Council Meeting minutes were approved unanimously.
 5. **Approval of Payrolls dated August 30th and September 15th in the amount of \$158,954.53 and Invoices totaling \$156,809.21.** On motion of Councilor D. Ballard, seconded by Councilor C. Soltysiak, the motion approving payrolls dated August 2nd and August 16th in the amount of \$161,460.25 and invoices totaling \$651,819.97 were approved unanimously.
- Councilor M. Golden asked if he could receive copies of the following invoices; Pennoni Associates as related to traffic engineering, Rudolph Clarke, The Law Office of Sean Kilkenny as related to "legal services", and the football boosters. Councilor M. Golden wanted to also note that he has no relation to Golden Equipment Company.
6. **Public Comment:** None at this time.
 7. **Public Hearing: Non-Conforming Use Expansion Amendment:** President D. Pancoe made a motion, seconded by Councilor K. Farrell, to open the public hearing. The motion passed unanimously.

Solicitor S. Kilkenny asked that Council open the Public Hearing regarding the Non-Conforming Use Expansion Amendment. Solicitor S. Kilkenny explained the Public hearing policies and procedures prior to the commencement of the hearing itself. A Court Stenographer was in attendance and transcribed the hearing. Solicitor S. Kilkenny gave a brief overview of the Non-Conforming Use Expansion Amendment. The proposed Ordinance would amend Section 187-87 to further restrict and limit the extension, expansion or change of nonconforming uses, including a limitation that any singular or cumulative extension or enlargement to a building for a nonconforming use shall not exceed 25% of the footprint of said building.

President D. Pancoe noted that the Montgomery County Planning Commission made a recommendation that was in a slight variance than the proposed Ordinance. Solicitor S. Kilkenny noted that they did, and the review from the County is only a recommendation who overall recommends the Ordinance. Solicitor S. Kilkenny noted that the recommendation is a slight variation and does not see the recommendation as a binding recommendation and suggests that the Ordinance be moved forward.

President D. Pancoe asked if there was public comment on Ordinance #2018-2 pertaining to the Non-Conforming Use Expansion Amendment. No public comment was received at this time.

President D. Pancoe made a motion, seconded by Councilor J. Lugar, to go back into the Borough's monthly meeting, and continue with the agenda items listed. The motion passed unanimously.

8. Presentations:

- **Roizman Development Inc. 610 Summit Avenue:** Alyson Fritzges, Attorney for Roizman Development, appeared before Council to discuss the proposed building at 610 Summit Avenue. Ms. Fritzges noted that they are appearing before Council this evening to receive preliminary Land Development approval. Ms. Fritzges noted that since the Conditional Use hearing before Council, the building is now a four-story, 64 apartment building with commercial on the first floor. Ms. Fritzges noted that they appeared before the Jenkintown Borough Planning Commission in August and September, receiving a recommendation for preliminary approval with conditions based on the transformer location and the sightlines for the garages. Additionally, Ms. Fritzges noted that they have also appeared before the Jenkintown Borough Design Review Board receiving a recommendation for preliminary approval from that board as well.

Presentations were also given by Joe Augustine, Architect from Kitchen & Associates, as well as Rhett Chiliberti, Civil Engineer with Mazer Consulting, to discuss the new layout of the building as well as address the comments of the transformer on the side of the building as opposed to the rear of the building as well as PECO requires the location to be where it is proposed. Ms. Fritzges noted that the applicant will approach PECO to receive confirmation of the location of transformer. Additionally, the sight lines for the garage were addressed, opening the garage more to allow for more sight for cars and pedestrians alike.

President D. Pancoe asked questions pertaining to the retaining wall along the side of the property backing up to the residents on Cedar Street. President D. Pancoe asked about the fence and arborvitaes and asked if they were removed from the landscape plan and are no longer being proposed. President D. Pancoe would like to see sight information pertaining to the sight views for those who back this property along Cedar Street. Mr. Roizmann noted that a fence and arborvitaes are still being proposed and installed.

Alyson Lester, 315 Greenwood Avenue, asked what the fencing materials were as she was concerned they would flood the backyards of the residents on Cedar Street. Ms. Fritzges noted that the fence was a solid aluminum fence with no hole.

Eric Horowitz, 449 Cedar Street, asked how tall the fence was. Ms. Fritzges noted that it was six feet tall which was the regulation height by Jenkintown Borough Code.

8. Committee Reports

- **Administration and Finance:** Vice President R. Bunker noted that there was information provided with the monthly meeting materials. Vice President R. Bunker highlighted that the Borough is entering into budget season and have published a list of dates that the public budget workshops will be held on. Vice President R. Bunker wanted to thank the Borough Administration for the grants that have been awarded to the Borough recently. It was noted that it was approximately \$500,000 in grant awarding. Finance Director R. Ware highlighted the MMO calculations, which is the Borough's contributions to the pension plan. Vice President R. Bunker highlighted that the non-uniform is 100% funded, however the uniform pension is 90% funded. The Borough will be increasing their contribution into the uniform pension fund to increase the percentage funded.
- **Building, Zoning and Revitalization:** Councilor K. Farrell noted that there was information provided with the monthly meeting materials. Councilor K. Farrell highlighted that the committee has been working with both the Planning Commission and the Design Review Board on the various development projects within the Borough.
- **Public Safety:** Councilor C. Whitney noted that there was information provided with the monthly meeting materials. Councilor C. Whitney noted that the committee has been reviewing the Fire Department trainings.

- **Public Works:** Councilor C. Soltysiak noted that there was information provided with the monthly meeting materials. Councilor C. Soltysiak highlighted the handicap ramp update as well as the crosswalk on Florence Avenue being completed. Additionally, the playground grant is almost completed except for a few punch list items and the Borough should be the close out reports in October.
- **Jenkintown School District:** Councilor K. McGlonn noted that she met with the School District to which they discussed the proposed vestibule addition and a progress report on that. Additionally discussed, was the updated location of the bonfire which was moved back to the baseball field this year. Councilor K. McGlonn highlighted that she wanted to thank the Public Works Department for all their work on the path. Councilor C. Soltysiak noted that the School District is rebidding the vestibule work as they were not pleased with the prices received.
- **Jenkintown Community Alliance:** Councilor K. Farrell noted that the 2019 ArtsFest went very well. President D. Pancoe wanted to thank Public Works and the Police Department for all their efforts to make the event a success.
- **Multi-Municipal Group:** Councilor M. Golden highlighted that the PA Municipal League is holding a summit for the 119th league annual summit which is in Pittsburgh. Councilor M. Golden asked if the Borough has begun using the grant system offered the PA Municipal League. Finance Director R. Ware noted that the Borough has received log in credentials and has begun learning how to navigate the system. The Borough will also be discussing granting systems with the School District to allow for the School District to begin searching for grants through the Borough's PA Municipal League account.

President D. Pancoe noted she would like to move to the Order of Business to complete the first item. Solicitor S. Kilkenny noted that he would like to have on record the conditions in which the applicant intends to comply with. Ms. Fritzges, Attorney for Roizman Development, noted that the applicant intends to comply with the Borough Engineer's review letter, as well as Traffic Engineer's review letter and the Jenkintown Borough Planning Commission's recommendation letter.

- 10. Engineers Report:** Engineer K. Hassan noted that there was a report with the monthly meeting materials. Engineer K. Hassan highlighted that the CDBG handicap ramp project is approximately 75% completed. Additionally, Engineer K. Hassan highlighted that a notice to proceed has been issued to the paving contractor, General Asphalt. Engineer K. Hassan noted that the Borough received two grants, one for \$100,000 for Cedar to Walnut / Mather Road culvert as well as the Small Water Grant in the amount of \$390,000.
- 11. Solicitor's Report:** Solicitor S. Kilkenny noted that the Solicitors Office is working with the Borough regarding various projects such as zoning code updates as well as land development matters. Additionally, Solicitor S. Kilkenny right to know submittals and other legal questions.
- 12. Mayor's Report:** Mayor A. Dobbs noted this month was living week across the nation. Mayor A. Dobbs highlighted that she visited the Chelsea twice. She noted that discussion topics included The Summit House project as well as their walkability concerns, specifically the pedestrian crosswalk right in front of them. They have timed the light and it is only 21 seconds. Mayor A. Dobbs noted that she will be addressing the concerns regarding the crosswalk.
- 13. Police Chief's Report:** Police Chief A. DiValentino noted that there was a report with the monthly meeting materials.
- 14. Public Work's Report:** Public Works Foreman K. Riggins noted that there was a report with the monthly meeting materials.
- 15. Manager's Report:** Borough Manager G. Locke noted that there was a report with the monthly meeting materials. Borough Manager G. Locke highlighted he has been attending trainings pertaining to the adoption of the 2015 International Construction Codes. The 2015 International Construction Codes go into effect October 1st, 2018. Borough Manager G. Locke noted that the Small Water Grant awarded will help repair the sanitary sewer system. The grant last year completed work on the eastside of town, this grant will complete the center of town. Borough Manager G. Locke wanted to note that this work does not require excavation. Borough Manager G. Locke also noted that there was an emergency situation on York Road on Sunday night as the sanitary sewer system backed up. Borough Manager G. Locke noted that it did go into two basements. With the assistance of

Abington Township the Borough was able to clean it out. The Borough will be doing the remediation cleaning and submit it to the general liability insurance carrier. Borough Manager G. Locke noted that the back up appears to begin in the area of 211 York Road.

Councilor K. Farrell wanted to thank the Borough Engineer, the Borough Manager, the Borough Administration and the Public Works Department for their assistance with the DCNR Playground Grant.

ORDER OF BUSINESS

1. **Ordinance #2018-2: Non-Conforming Use Expansion Amendment:** President D. Pancoe made a motion, seconded by Councilor J. Lugar, to adopt Ordinance #2018-2 pertaining to the non-conforming use expansion amendment.
Motion approved 10-0
2. **Roizman Development Inc./Summit House Associates 2018 - 610 Summit Avenue, Jenkintown Pa Preliminary Land Approval:** President D. Pancoe made a motion, seconded by Vice President R. Bunker, to approve the preliminary land development proposal subject to the applicant complying with conditions as stated by their attorney on the record.
Motion passed 10-0.
3. **Certificate of Payment #1 to NJS:** Vice President R. Bunker made a motion, seconded by Councilor K. McGlonn, to pay NJS in the amount of \$125,172.000 for the 2017 CDBG Accessible Curb Cut Ramp Installation as per Pennoni Associates recommendation. This amount does not include the 10% retainage.
Motion approved 10-0.
4. **Act 511 "Per Capita" Tax:** Vice President R. Bunker made a motion, seconded by Councilor J. Lugar, to repeal the Act 511 Per Capita Tax.
Motion approved 10-0.
5. **Advertisement of Ordinance #2018-1: Medical Marijuana Grower/Processor:** Vice President R. Bunker made a motion, seconded by Councilor C. Soltysiak, to advertise Ordinance #2018-1, amending Ordinance #2017-1 which provided for regulations governing medical marijuana dispensary and medical marijuana grower/processor uses. This Ordinance will add additional language that requires this use to be listed as a conditional use
Motion approved 10-0.
6. **Resolution #2018-26 Safer Routes to Transit Grant (DVRPC):** Vice President R. Bunker made a motion, seconded by Councilor C. Soltysiak, to approve Resolution #2018-26 in support Safer Routes to Transit Grant. This grant funds applicants that demonstrate a commitment to pursue final design and construction funding immediately following DVRPC's technical assistance.
Motion approved 10-0.
7. **Resolution #2018-27 Appointment to the Design Review Board:** Councilor K. Farrell made a motion, seconded by Councilor J. Lugar, to approve Resolution #2018-27 appointing Alison Danilak to the Design Review Board Committee.
Motion approved 10-0.
8. **Resolution #2018-28 Appointment to the Design Review Board:** Councilor K. Farrell made a motion, seconded by Councilor J. Lugar, to approve Resolution #2018-28 appointing Michael Quigg to the Design Review Board Committee.
Motion approved 10-0.
9. **Appointment of Part Time Police Officer:** Councilor C. Whitney made a motion, seconded by Councilor D. Ballard, to appoint Garrett Owen Vail as a part-time police officer with the Jenkintown Police Department
Motion approved 10-0.

Police Chief A. DiValentino wanted to note that Garrett Vail lives in Churchville and graduated from Solebury High School. Additionally, Mr. Vail is an Arcadia University graduate and holds a Bachelor of Arts in criminal justice degree. Police Chief A. DiValeninto noted that Mr. Vail graduated from the Montgomery County Municipal Police Academy. 1 of 12 interviewed, two candidates before you now.

10. Appointment of Part Time Police Officer: Councilor C. Whitney made a motion, seconded by Councilor C. Soltysiak, to appoint Steven Elliot Heath as a part-time police officer with the Jenkintown Police Department

Motion approved 10-0.

Police Chief A. DiValentino wanted to note that the other part-time officer, Steven Heath, worked in the Borough of Jenkintown previously. Mr. Heath is now a Sergeant with Northampton Police Department and holds a Masters in criminal justice. Mr. Heath is also an active shooter instructor as well as a hostage negotiator. Police Chief A. DiValeninto noted that Mr. Heath has a lot to offer the community and will be a great benefit to the Department.

NEW BUSINESS AND DISCUSSION:

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