



## JENKINTOWN BOROUGH COUNCIL

### PUBLIC MEETING

May 24<sup>th</sup>, 2023 7:00 P.M.

700 Summit Avenue, Jenkintown Pennsylvania  
(Also ZOOM, Live Streamed on Borough Facebook Page)

### MINUTES

1. **Call to Order:** President J. Connors called the meeting to order at 7:21 PM
2. **Pledge of Allegiance:** Mayor G. Lerman led those present in the Pledge of Allegiance.
3. **Roll Call:**
  - **Council Members Present:** Councilor A. Khalil, Councilor A. MacHaffie, Councilor A. Narva, Councilor D. Ballard, President J. Connors, Vice President C. Soltysiak, Councilor D. Pancoe, Councilor J. Bruno, Councilor M. Marlowe
  - **Council Members Absent:** Councilor A. Bartlett (Excused), Councilor K. McGlenn, Councilor C. Sperger
  - **Others Present:** Manager G. Locke, Chief T. Scott, Mayor G. Lerman, Solicitor P. Hitchens, Engineer K. Hassan
4. **Approval of Minutes: April 25<sup>th</sup>, 2023:** On motion made by President J. Connors, seconded by Councilor D. Ballard, the motion approving the April 25, 2023 council meeting minutes was approved unanimously.
5. **Approval of Payrolls dated May 4<sup>th</sup> and May 18<sup>th</sup> in the amount of \$161,005.81 and Invoices totaling \$430,273.93:** On motion made by Councilor D. Ballard, seconded by Councilor J. Bruno, the motion approving payrolls dated May 4<sup>th</sup> and May 18<sup>th</sup> in the amount of \$161, 005.81 and Invoices totaling \$430,273.93 was approved unanimously.
6. **Public Comment (Not pertaining to Public Hearing(s)):** None at this time.
7. **Presentations**
  - **Police Officer Commendation (00:04:24):** Sgt. A. Sulpizio was recognized for Bravery from an incident involving an armed individual in the early morning hours of November 14, 2022.
  - **Jenkintown School District - Annual Budget Presentation (00:14:00):** Business Manager Karen Ovington was present for the presentation.
    - Councilor D. Pancoe asked if the slideshow would be made available. Ms. Ovington said it will be available on their website and it could also be emailed. Councilor D. Pancoe also asked if the new construction currently underway would change this. Solicitor P. Hitchens said the Board of Assessment would interject. Ms. Ovington stated there hasn't been a change in assessment since the 1990's.
    - Solicitor P. Hitchens mentioned how a county assessment would probably keep this the same. Solicitor P. Hitchens also went on to describe the new legislation about EIT.
    - Vice President C. Soltysiak about avoiding any delays after a construction project is completed to when it gets added to the books. Solicitor P. Hitchens confirmed the Board of Assessment is who is informed of completed projects, so it is important they are kept up with.
    - **(00:36:04)** Councilor D. Ballard explained why taxes must go up when there is no assessment. This led into a discussion about how taxes are affected by assessments.

## 8. Public Hearings –

- **Fence Ordinance** - Borough Zoning Ordinance, 2023-4. 181 “Fences”. **(00:07:20)** Please refer to Stenographer’s transcription.
- **Towing Ordinance** - Borough Ordinance, 2023-5. 171 “Vehicles and Towing”. **(00:38:45)** A public hearing is not legally required because it is not considered a zoning ordinance. Solicitor P. Hitchens turned it over to Chief T. Scott to describe the changes to the current ordinance.
  - Councilor D. Ballard asked if the ordinance references a time limit. Chief confirmed the ordinance indicates the company must respond within 15 minutes, but not necessarily be here within that time.

9. **Public Comment:** None at this time.

## 10. Committee Reports:

- **Administration and Finance:** Councilor D. Ballard gave the following updates:
  - **Interceptor ‘A’ Construction Project Billing Closeout w/Cheltenham** - 31K Payment made to Cheltenham Township as fair payment of JB monies owed while bill is finalized. Abington and Borough have issued offer to Cheltenham Township Solicitor for disputed work billed from the Interceptor A construction project. Cheltenham is in receipt of the offer, and it is under consideration.
  - **ACT 511 Business Tax – First Quarter Review** - A memo is provided in the meeting packets. A summary review has shown that following the first quarter of 2023 we are trailing 2022 in all Act 511 tax categories except for LST (Local Service Tax). The net differences are shown below by category but in total, Act 511 taxes are down \$132,613.65. Of the \$132,613.65 BPT makes up about 80% of that number. While the revenue in these two categories is being negatively affected by the timing of filings, additionally the main decrease in BPT is being caused by the actions of two (2) businesses.
    - **Lincoln Investment** Planning indicated a move out of the Borough and has requested a refund of previously paid BPT in the amount of (\$28,300).
    - **Merrill Lynch Pierce Fenner made** a larger estimated payment in 2022, ~\$115,500, in addition to their \$24,500 2021 final payment. This year they have filed for lesser gross receipts & therefore liability, resulting in a 2023 estimated payment of \$53,100 & no 2022 final payment.
  - **Real Estate Tax – First Quarter Review** - Real Estate Tax collections are as expected and on schedule. The Tax Collector’s report will be in the meeting packets.
  - **2019, 2020, 2021 & 2022 Borough Pension Audits** - Audits have been completed on site and the auditor will now complete the remainder of the audit remotely. There were a few minor notifications of issues that will need to be addressed but no apparent major issues or violations and any issues noted will assist in developing a more permanent procedure for payment and reporting moving forward.
- **Building, Zoning and Revitalization:** Councilor J. Bruno gave the following updates:
  - **Planning Commission**
    - focusing on Air BnB’s and Pedestrian/Bike Safety.
  - **Adoption/Implementation of Grading Permit**
    - The Borough has not previously had a grading permit. The Borough Engineer has provided a proposed grading permit that would be used when performing work on a property that effects grading & surface run off. This work would include grading of properties for projects such as installing drainage and grading of land including work associated with pool installations.
      - **(00:52:27)** Councilor A. Khalil asked to explain what a grading permit is. Mgr. G. Locke deferred to Engineer K. Hassan to for the details. It deals mainly with pools.

- **Vacant Property Registry/Tracking**
  - A list of all vacant properties has been created and shared between Code Enforcement and the JPD. The list includes ownership, contact, condition(s) and tracks progress of any ongoing issues. The list will provide up to date information that can be used by the various Departments that become involved with properties that are left vacant or unattended.
- **501 Washington Lane – Apartment Building**
  - All approvals are in place. Interior demolition plan has been issued. UCC Building permits are under review. PaDep is reviewing the EDU application.
- **821 Homestead Road – Proposed apartment building**
  - All approvals are in place for the exception of EDU release.
- **415/425 Johnson Street- 419 York Road – Commercial / Apartments**
  - The Zoning Hearing Board has granted the requested zoning relief (17 apartments).
- **101 York Road – Take 5 Oil Change Facility**
  - Building permits have been approved.
- **93 York Road – Jenkintown Commons Limited Partnership #3 and BAP Jenkintown, LLC – Grocery Store**
  - Pre-construction meeting was held this past Monday. Construction could start by the end of this calendar year.
- **459/471 York Road – Retail / Apartments**
  - No New updates.
- **610 York Road – Zoning Permit (Signage New Jersey School of Medicine)**
  - The Zoning Board approved the signage.
- **610 York Road – Zoning and Use ‘Tiny Town’**
  - The property owner has completed the parking calculation for the entire property and accounted for Tiny Town and other proposed businesses. Zoning & Use permit approved and PaDep EDU and UCC building applications can be filed.
- **610 York Road – Zoning and Use received for a proposed ‘Starbucks’**
  - Borough received a Conditional Use Application today.
- **604 West Ave (Building to the right of Immaculate Conception Church) – Side Yard Setback Variance**
  - Zoning Board approved the variance on April 27<sup>th</sup>.
- **Public Safety:** Vice President C. Soltysiak provided the following updates:
  - **Revision of Borough Towing Ordinance 2023-5 Towing Ordinance**
    - Discussed and approved earlier in tonight’s meeting.
  - **School Safety Zone Project**
    - It was awarded to Armour Electric & Sons Inc. and they plan on starting this summer hoping to be ready by the new school year.
  - **Fire Department**
    - Fire Commission met prior to the Committee Workshop meeting last week. They discussed consolidation of operations, ongoing internal Leadership meetings, training, vehicle repairs to 96 pumper and the FEMA Grant that pays for recruitment & retention of firefighters. The Fire Companies have decided on #99 as the proposed Station number and Chief Lynch reported having reserved that number with Montgomery County.
    - A By-Law committee was formed, and their first meeting is in June.
  - **Fire Apparatus Pumper Truck 96**
    - An estimate of \$100,000 was received – this includes ALL work needed. Fire Chief Lynch will review the entire estimate to determine what really needs to be repaired as it is drivable and can be used to transport people.

- **Police Department Body Cameras Deployed**
  - The Police Department has trained all personnel and deployed the Axon Body Camera 3's for all personnel.
- **Police Department AED's - Permission to Gift to JSD**
  - The Police Department would like to give the old AED's to the JSD for placement at the Jenkintown School Building. The JPD received four new Zoll AED's to replace the old AED's. The AED's were donated from the Abington Health Foundation and received on Friday, April 14, from Dr. Gerard Cleary, Senior VP, Chief of Staff, and Chief Medical Officer Jefferson Health- Abington, and Dr. Seth Newman, Medical Staff President Jefferson Abington Hospital.
- **Public Works:** Councilor D. Sines Pancoe gave the following updates:
  - **Lindy Properties Parking Lot Agreement**
    - Carolyn Hirsh Lindy has proposed entering into a lease w/ the Borough similar to the lease the Borough and Lindy have for the 'Pump House' Leedom Street parking lot that would cover the Greenwood Avenue and Cedar Street Parking Lot. It would allow public parking during certain hours that would be negotiated. The Borough would maintain the lot including signage & stripping and would be for a nominal fee. The Borough would enforce the parking regulations that were in place.
  - **Greenwood Avenue and Washington Lane**
    - This project is still on the books but not moving forward.
  - **MONTCO 2040 Implementation Grant – York Road (SR611) Safety Plan**
    - The Borough received an award to move forward with this project.
  - **Newbold Road/Vernon Road Paving Project**
    - Mgr. G. Locke mentioned there is no start date yet as the intent to award the project to the second lower bidder is being reviewed.
  - **Bike Shared Lanes and Signage (Newbold and Vernon)**
    - Abington was awarded a MONTCO grant for this project.

Councilor D. Ballard inquired as to whether there could be a table at the music series to advise the public about the current projects happening around the Borough.

- **Jenkintown School District:** Councilor A. Narva gave the following updates:
  - 150 Committee meeting was held Monday evening.
  - School District goals – DEI Presentation
  - K – 3 Social Studies Curriculum being developed.
  - They are coming up with other initiatives for support to students, especially those with academic or behavioral problems – one of which is how to greet them each morning upon entering the school.
  - Security camera upgrade and installations are continuing. The website overhaul is also coming up.
- **Jenkintown Community Alliance:** Councilor C. Sperger (Absent). Councilor D. Pancoe mentioned attending the 150 Committee meeting Monday evening. Councilor D. Ballard asked if the JCA would take the lead. Councilor D. Pancoe thinks No – Dr. Takacs is hoping for a multipronged approach. Councilors D. Ballard and D. Pancoe further discussed this topic.
- **Jenkintown Human Rights Commission:** Councilor A. Khalil had nothing to report.

**11. Engineer's Report:** Khal Hassan of Pennoni gave the following updates:

- 821 Homestead project is progressing.
- 93 York Road – PennDOT nor MONTCO Conservation PC have not issued permits yet.
- 501 Washington – recording plans progressing.
  - Councilor J. Bruno asked if the 501 and 93 projects are working together. Engineer K. Hassan confirmed yes on stressing they work together.
  - (01:15:48) Councilor D. Ballard asked about a round-about at Washington and Wyncote. Engineer K. Hassan commented on seeing more and more of these being implemented since they are a cheaper alternative. This could very well be brought up for this location but at this time

could not comment as to whether it would work or not. Councilor A. Narva asked if they are pedestrian friendly, and Engineer K. Hassan said no.

(President J. Connors left at 8:38 PM)

Councilor A. MacHaffie commented about a round-about at Linda/Vista/Cedar/Cheltona. Mayor G. Lerman mentioned a traffic 'bean'. Engineer K. Hassan explained this is described as traffic diet as another mechanism used to slow traffic.

**12. Public Works' Department Report:** Jim Riggins (Absent) – Mgr. G. Locke will include this report with the Manager's Report.

**13. Solicitor's Report:** Solicitor P. Hitchens said his office continues to provide services on a as requested or as needed basis.

**14. Mayor's Report:** Mayor G. Lerman gave the following updates:

- Blame to Councilor A. Bartlett for the Red and Blue Fair Dunk Tank
- The fair turned out to be a very successful event despite the weather.
- Color Day is Friday.

**15. Police Chief's Report:** Chief T. Scott gave the following updates:

- We lost two crossing guards last month but were able to hire one more.
- The Towing Ordinance was previously discussed and approved.
- We are hoping to have a list to the Civil Service Commission in June or July of those qualified candidates who applied for employment.
- The body cameras are being worn by all of the officers and we have the Taser 7's and all officers have been trained on these as well.
- We have received part of the reimbursement from the PCCD for the cameras.
- Both Borough and Police Department are on the same server.
- There are still steering wheel locks available, and it has been opened to Kia owners as well.
- We are anticipating kicking off the Summer Safety Program once the school year comes to an end.
- We are working on installing equipment boxes in all patrol cars to organize and protect the equipment that is now stored in the rear of each patrol vehicle.
- We have been attending the organizational meetings for the Sunset 5k and the Fall Arts Festival. We are securing logistical assets from the County Dept of Safety to assist.
- We have met with the owners of the Fig Café regarding quality-of-life issues and will continue to work to improve the situation at that location.
- June 17<sup>th</sup> – there is a recital at the dance studio and an estimated 400 people to attend, so Chief was asked to help facilitate traffic and parking on West Avenue.
- Pedestrian Crossing signs recently received by Public Works will be posted around the school and a few other locations.
- Speed signs will be placed on York Road to start collecting statistics.
- Over the next few months, we and Abington will develop an ordinance for the overweight trucks that travel on Washington Lane.

(01:31:24) Councilor D. Ballard asked questions about speed and traffic enforcement, particularly around York Road and West Avenue. Chief Scott stated the statistics show the accidents are mostly non-reportable and rear collisions (speed and distracted drivers). The other concern is pedestrian safety. This will also be taken into consideration when discussing the traffic safety plan. This led into a discussion between Chief T. Scott and Councilors D. Pancoe, D. Ballard, and Vice President C. Soltysiak.

**16. Manager's Report:** Manager G. Locke gave the following updates:

- **Public Works report:** All employees attended flagger training on Tuesday. Park maintenance is being performed per plan: Town Square and all public spaces. Bulk pickup in April was 156 items for 55 homes. Jim, along with Mgr. Locke and Chief Scott have been attending the safety meetings for the Sunset 5K; Tuesday is the last one. Vice President C. Soltysiak brought up the graffiti in the Borough and started a discussion among other Council Members, the Chief and the Mayor about ways we are trying to address this issue.

- The DCNR grant for Cedar Street Park was closed out and the final amount of funding (\$13,000) was received last night. Another one, Greenways & Trails Program Grant through the DCED (\$75,000) is being closed out. The Borough requested and received a one-year extension for the \$100k funding DCED grant for Cedar Street drainage.
- Pension Audit is completed. Mgr. Locke explained the audit hadn't been done in a few years due to Covid and Finance had changed four different hands in three years, so it made this year challenging but it was completed.
- BPT and Mercantile Tax – Memo was written, but we are no longer at \$136K. As of today, we are at \$93K.
- MONTCO 2040 Implementation – We did receive the York Road (Pedestrian/Traffic Safety Plan) Funding. The is on the agenda to accept the funding and ask permission to advertise.

## **ORDER OF BUSINESS**

- 1. Zoning Ordinance - 2023-4. 181- 82 Borough Zoning Fence Ordinance:** (00:12:13) Councilor J. Bruno made a motion, seconded by Councilor A. MacHaffie, to approve Zoning Ordinance – 2023-4. 181-82 Borough Zoning Fence Ordinance.  
Motion Approved 9 – 0
- 2. Towing Ordinance - 2023-5. 171 - Revision of Borough Towing Ordinance:** Vice President C. Soltysiak made a motion, seconded by Councilor D. Ballard, to approve Towing Ordinance – 2023-5, 171 – Revision of Borough Towing Ordinance.  
Motion Approved 9 - 0
- 3. MONTCO 2040 Implementation Grant – York Road (SR611) Safety Plan:** Vice President C. Soltysiak made a motion, seconded by Councilor A. MacHaffie, to accept the awarded grant funding from Montgomery County and permission to advertise the project for public bid.  
Motion Approved 8 – 0
- 4. Jenkintown Night Market Agreement:** Councilor D. Ballard made a motion, seconded by Councilor J. Bruno, to enter into an agreement as presented with the Jenkintown Community Alliance & Evergreen Events for the Jenkintown Night Market (Farmers Market/Local Food Artisans).  
Motion Approved 8 - 0
- 5. Parking Lot Agreement w/ Lindy Properties:** Councilor D. Sines Pancoe made a motion, seconded by Councilor A. Khalil to enter into an agreement as presented with Lindy Properties for the Greenwood/Cedar Street parking lot.  
Councilor A. Khalil asked about signage for a neighbor with needs. She also made a comment about resident's respect to traveling safe and signage. Councilor D. Pancoe asked about usage. Mgr. Locke said the signage will resemble Leedom Street signage. Councilor J. Bruno asked about the length of the lease. Mgr. Locke stated it can be renewed in one year.  
  
Motion Approved 8 – 0

**NEW BUSINESS AND DISCUSSION** – None at this time.

**EXECUTIVE SESSION** – Vice President C. Soltysiak said a meeting will be held to discuss personnel matters.

**ADJOURNMENT** – Vice President C. Soltysiak made a motion, seconded by Councilor J. Bruno, to adjourn the meeting at 9:24 PM.