



## JENKINTOWN BOROUGH COUNCIL

### PUBLIC MEETING

July 26<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 to order the meeting at 7:10 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. Bartlett, Councilor D. Ballard, President J. Connors, Councilor D. Pancoe, Councilor J. Bruno, Councilor M. Marlowe
  - **Council Members Absent:** Councilor A. Narva, Vice President C. Soltysiak (Excused), Councilor K. McGlonn, Councilor C. Sperger
  - **Others Present:** Chief T. Scott, Mayor G. Lerman, Mgr. G. Locke, Engineer K. Hassan, Solicitor P. Hitchens
4. **Approval of Minutes:** On motion made by President J. Connors, seconded by Councilor D. Ballard, the motion approving the June 28, 2023, council meeting minutes was approved unanimously.
5. **Approval of Payrolls dated June 29<sup>th</sup> and July 13<sup>th</sup> in the amount of \$164,462.63 and Invoices totaling \$175,988.49:** On the motion made by Councilor D. Ballard, seconded by Councilor J. Bruno, to approve the Payrolls dated June 29<sup>th</sup> and July 13<sup>th</sup> in the amount of \$164,462.63 and Invoices totaling \$175,988.49 was approved unanimously.
6. **Public Comment:** None.
7. **Public Hearings – (00:03:24)** President J. Connors deferred to Solicitor P. Hitchens – **Continued (Both Conditional Use Hearings originally scheduled for this evening have been Continued at the Applicant's request)**
  - Jenkins Court Realty Co, LP  
610 Old York Rd Suite 375, Jenkintown PA 19046  
Proposed to construct 2 new buildings - 2,522 sq ft Coffee/Café w/drive through and Walkup 1000 sq ft frozen desserts.  
Conditional Use Hearing before Borough Council for Drive through use/window 181-57B.1(a) and 181-57B.1(a)(3).

**(00:04:13)** Councilor J. Bruno made a motion, seconded by Councilor D. Ballard, for the continuance of the hearing of Jenkins Court Realty Co, LP, 610 Old York Rd to August 23 at 7 PM here at Borough Hall in person and virtually on Facebook.

- 459-471 Old York Road, LLC  
10063 Sandmeyer Lane, Philadelphia PA 19116  
Proposed to construct a new apartment building.  
Conditional Use Hearing before Borough Council for the Apartment Building Use 181-49(B)1.

**(00:04:56)** Solicitor P. Hitchens mentioned having spoken to their attorney and they will be readvertising for their hearing at the cost of the applicant. No need to make a motion at this time.

**8. Engineer's Report:** Khal Hassan, Pennoni gave the following updates:

- They have been completing their preliminary reviews for the land development projects for 610 Old York Road and 604 West Avenue.
- They have been providing sanitary sewer assistance to the Borough.

**9. Public Works' Department Report:** Jim Riggins was not present, so any matters will be brought up during the Manager's Report.

**10. Solicitor's Report:** Solicitor P. Hitchens gave the following updates:

- His office will continue to provide services on an as needed or as requested basis.
- **(00:07:05)** Details about an Assessment Appeal (610 Old York Road) involving the Borough and the School District. A two-day trial in the Court of Common Pleas was held in November 2022. This order was issued June 29, 2023. The judge rejected all the reports from the District/Borough; only accepting those from the taxpayer. The Borough and School District as a result will owe money back to the taxed owner. Councilor A. Khalil asked why the judge ordered this? A decision was made to have Solicitor P. Hitchens send it to Council. **(00:11:19)** Councilor D. Pancoe asked why it included so many years. Solicitor P. Hitchens explained. **(00:12:43)** Councilor A. Khalil asked if there was anything we can do to prevent this in the future. Per Solicitor P. Hitchens, unfortunately, no. President J. Conners asked if the School District is going to appeal. Solicitor P. Hitchens is still waiting to hear from their Solicitor. He also added the deadline to file an appeal has not yet expired. **(00:13:21)** Councilor J. Bruno asked what the refund split is between the School District and the Borough. Solicitor P. Hitchens said, not including interest and just based off of our back of the envelope calculations it is \$838k (S.D.) and \$172k (Boro). **(00:14:48)** Councilor D. Ballard asked if it matters that the space is fully occupied. This led to a discussion about reassessment.
- **(00:18:28)** President J. Conners asked about attendance at a ZHB hearing if a conditional use hearing was in play. Solicitor P. Hitchens gave advice to not comment or opinion if conditional use has not taken place. Additional questions from Councilors J. Bruno, D. Pancoe, D. Ballard, A. MacHaffie continued this discussion.

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

- He thanked the fire department for a great 4<sup>th</sup> of July parade.
- Town Hall scheduled for August 3<sup>rd</sup> with State Rep Nelson at the High School auditorium from 6:30 – 8 PM.
- August 10<sup>th</sup> – Take 5 Oil Change – Grand Opening.
  - Councilor A. Khalil asked about the number of employees. Mgr. G. Locke said the number is unknown.

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

- Axon will be replacing the in-car cameras as part of the grant received used for the body cameras.

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

- **Public Works updates:** They have had preconstruction and field meetings with contractors and Pennoni engineers at the School Zone Safety at Walnut and West. They received the enhanced directional sign for Greenwood and York and scheduled the installation for later this week. They have been working with the Police Department on the radar sign on York Road (relocating and charging as needed). The funds have been received from the trash/recycling grant. Half of the receptacles have been received (for recycling); still waiting for the trash receptacles. Once we have all of them, they will be placed throughout the Borough.
- Plan reviews
  - Working on Building and Zoning Permit Reviews/Approvals
  - Working on EDU releases with DEP/AQUA
- Budget Meetings set.

**(00:35:19)** Councilor A. Khalil asked about the rotting façade on the custom shirt business. Mgr. G. Locke said he would have it inspected.

## ORDER OF BUSINESS

1. **Second Alarms Coverage: 2023 Arts Fest:** President J. Conners made a motion, seconded by Councilor A. MacHaffie, to approve funding the Second Alarmers coverage for the 2023 Annual Arts Festival.  
Motion Approved 8 – 0
2. **Professional Services Engagement – Bellevue Communications:** President J. Conners made a motion, seconded by Councilor M. Marlowe, to authorize the Borough to engage Bellevue Communications to provide professional consulting and communications services.  
Motion Approved 8 – 0
3. **PSAB - Junior Council Person Program:** Councilor D. Ballard made a motion, seconded by Councilor D. Pancoe to approve Resolution #2023-16 authorizing participation in the Pennsylvania State Association of Boroughs Junior Council Program.  
Motion Approved 8 – 0
4. **Parking Lots Lease – Jenkintown Uptown Garage, LLC:** Councilor D. Ballard made a motion, seconded by Councilor J. Bruno, to enter a one-year lease as provided for the two parking lots at 526 and 600-602 Greenwood Avenue, Jenkintown.
  - a. Councilor A. Khalil asked if residents could obtain permits to park in the lots at night. Mgr. G. Locke said they are still working out the details as there are repairs needed at 526. Perhaps they can add signage in the future. **(00:39:30)** Mgr. G. Locke commented on Councilor A. Khalil’s concerns about the special needs resident in the area.  
  
Motion Approved 8 – 0
5. **Ordinance #2023-4 Storm Water – Update as required by MS4:** Councilor D. Pancoe made a motion, seconded by Councilor A. MacHaffie, to publicly advertise the updates to the Storm Water Ordinance.  
Motion Approved 8 – 0
6. **Ordinance #2023-5 Washington Lane – 6 Ton Weight Limit Ordinance:** President J. Conners made the motion, seconded by Councilor M. Marlowe, to authorize the Borough Solicitor to prepare, and publicly advertise Ordinance #2023-5, amending the Borough Code regarding the weight limit on Washington Lane.  
Motion Approved 8 – 0

## NEW BUSINESS AND DISCUSSION

- **Jenkintown School District:** Councilor A. Narva (Absent). President J. Conners did mention a conversation with Megan O'Brian about having a joint session between the School Board and Council – looking for possible dates in September or October.
- **Jenkintown Community Alliance:** Councilor D. Sines Pancoe gave the following updates:
  - Not sure about the partnership between the JCA and the School District, but she attended a JCA meeting and the 150<sup>th</sup> anniversary of the Borough was discussed. JCA is willing to take the lead, while the School District is also doing something. Mgr. G. Locke added the JCA had asked about using Borough Hall for a 150 Committee meeting on August 15<sup>th</sup> 6:30 – 8:30 PM.

Councilor D. Pancoe thanked Mgr. G. Locke for addressing the sign at 440 York Road.

- **Jenkintown Human Rights Commission:** Councilor A. Khalil reported no complaints.

**(00:47:30)** Councilor D. Pancoe started a conversation about sidewalk width regulations. Mgr. G. Locke and Engineer K. Hassan gave the code requirements for ADA. Councilor A. Khalil asked if we are obliged to ADA. Solicitor P. Hitchens clarified who and what requirements may be in place for public versus private properties. Engineer K. Hassan further explained that any new project has to comply with ADA requirements. Retrofitting is complicated for ADA compliance. Mgr. G. Locke added in the right of way one can go for technically infeasible waiver from PennDOT.

**(00:53:24)** Councilor D. Pancoe asked about signage about all Borough property for no smoking. A brief discussion took place. Mgr. G. Locke recommended this topic be brought up at the Committee Workshop meeting.

**EXECUTIVE SESSION:** Right after calling this meeting to order, President J. Conners mentioned an executive session was held prior to this meeting to discuss personnel matters.

Just prior to adjourning this meeting, President J. Conners stated there would be an executive session to discuss personnel matters following this meeting.

**ADJOURNMENT:** President J. Conners adjourned the meeting at 8:06 PM.