

The stated meeting of the Public Affairs Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, May 2, 2018 at the Township Administration Building, Abington, PA., with Commissioner Spiegelman presiding.

CALL TO ORDER: 7:47 p.m.

ROLL CALL: Present: Commissioners SPIEGELMAN, BOWMAN, SCHREIBER, DiPLACIDO, MYERS

Township Manager MANFREDI
Assistant Township Manager WEHMEYER
Township Solicitor CLARKE
Director of Engineering/Code MONTGOMERY
Parks & Recreation Director OLES

Also Present: Commissioners LUKER, KLINE, SANCHEZ, GILLESPIE, HECKER, ZAPPONE, THOMPSON, ROTHMAN, VAHEY, BRODSKY

APPROVAL OF MINUTES:

Commissioner Spiegelman made a MOTION, seconded by Commissioner Myers to approve the minutes of the April 4, 2018 Public Affairs Committee Meeting.

MOTION was ADOPTED 5-0.

PRESENTATION: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Item PA-01-051018:

Commissioner Spiegelman made a MOTION, seconded by Commissioner Schreiber to support the (TTF) Tookany/Tacony Frankford Watershed Partnership project and offer an in-kind contribution of \$20,000.00.

Commissioner Spiegelman asked for any comments from Commissioners or staff.

Ms. Montgomery noted that this project is at Alverthorpe Park.

Commissioner Sanchez asked for the nature of the in-kind contribution.

Mr. Oles replied we will use some of our resources to move and store material for the project.

Commissioner Spiegelman asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, expressed concern about the “use of this money and suggested a priority list of projects.”

MOTION was ADOPTED 5-0.

Item PA-02-051918:

Commissioner Spiegelman made a MOTION, seconded by Commissioner Myers to approve submitting a letter of intent to apply for 2019 Tree Vitalize grant in the amount of \$16,000.00; \$8,000.00 from Tree Vitalize and \$8,000.00 from Township (cash/ in-kind). Our Letter of Intent (LOI) was submitted on May 1st deadline. This in no means commits us to accepting or applying for the grant.

Commissioner Spiegelman asked for any comments from Commissioners or staff. There were none.

Commissioner Spiegelman asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, commented that “a whole forest is dying and is that at the top of the tree vitalize priority list?”

MOTION was ADOPTED 5-0.

Item PA-03-051018:

Commissioner Spiegelman made a MOTION, seconded by Commissioner Myers to adopt Ordinance No. 2154 adopting a certain inter-municipal agreement for the purchase of pool chemicals and supplies among numerous municipalities and authorizing the Township Manager to execute said inter-municipal agreement.

Commissioner Spiegelman asked for any comments from Commissioners or staff. There were none.

Commissioner Spiegelman asked for any public comments. There were none.

MOTION was ADOPTED 5-0.

Item PA-04-051018:

Commissioner Spiegelman made a MOTION, seconded by Commissioner Schreiber to advertise Ordinance No. 2156 amending Chapter 126, “Real Estate Registry - Vacant Properties,” at Section 126-4 – “Registration Statement and Fees; Local Agent,” Subsection D – “Waiver of Registration Fee.”

As noted in Executive Summary; Commissioner Schreiber has requested consideration of an amendment to the vacant property ordinance as she has concerns that not requiring an appraisal allows vacant property owners to represent that they are marketing their property at fair market value to avoid being charged the required fees and possibly never fill the vacancy. Currently, the ordinance provides for a one-time waiver of fees, and that is only an available option for the first six months after property becomes vacant. After the six-month mark, registration fees will be imposed.

In order to assure that the owner of a vacant property is in fact marketing their property at fair market value, Commissioner Schreiber is recommending that the Township institute a fair market value test in the “actively selling, renting, marketing,” section of the ordinance.

Commissioner Spiegelman asked for any comments from Commissioners or staff.

Commissioner Kline asked for the status of the matter of registration fee.

Manager Manfredi replied it will be a future agenda item either June or July.

Commissioner Spiegelman asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, commented that she does not remember this being discussed at the Vacant Property Review Board meeting.

MOTION was ADOPTED 5-0.

Item PA-05-051018:

Commissioner Spiegelman made a MOTION, seconded by Commissioner Schreiber to approve a Memorandum of Understanding between the Pennsylvania Human Relations Commission (hereinafter “PHRC”) and Abington Township Human Relations Commission (hereinafter “ATHRC”).

Commissioner Spiegelman called on Joanne Kleiner, Chairperson of the ATHRC.

Ms. Kleiner explained that the Pennsylvania Human Relations Act requires that we, as a State Commission, notify one another about complaints received. The PAHRC has a short statute of limitations as complainants have 180 days to file and case law is unsettled as to whether if a complainant files with the ATHRC are their rights preserved under the State Act, and if they file with the ATHRC, a complainant must also file with the PAHRC within 180 days. They can file online or with ATHRC and we would then forward it to the PAHRC. Complainant has the option to first mediate the claim with the ATHRC even if it is a claim that would fall under the purview of the PAHRC and the PA HRC will not act on the complaint until we notify them that it is either resolved; mediation has failed or expiration of six months.

For employment claims, the ATHRC notifies the complainant that they can file with the EEOC and for housing claims they can file with HUD.

Part of the purpose of the Memorandum of Understanding is to protect people because of the short statute of limitations and the other is to promote alternative dispute resolutions giving them more opportunity to mediate with the ATHRC without having their claim be jeopardized and there is also a confidentiality provision. By State law, proceedings of mediation are always kept confidential and a mediator can never be subpoenaed to come to court and asked what happened. Also the Memorandum of Understanding is a five-year term and we can terminate it upon 30 days notice, but if neither side terminates, it continues automatically for additional five-years. The confidentiality provision also has a 30-day termination period.

Commissioner Spiegelman asked for any comments from Commissioners.

Commissioner Schreiber said if the complainant files with PAHRC but goes to the ATHRC for mediation and does not like the mediator for example, can they still go to Pennsylvania at that time.

Ms. Kleiner replied yes, because if they filed with the State, they preserved their rights.

Commissioner Myers clarified that someone can file directly with the ATHRC first and then file with the PAHRC. Is that correct?

Ms. Kleiner replied yes they can if it is a claim that deals with anything that is covered under State law, but the ATHRC has protected classes that are not covered under State and Federal law, so for those, they have to come to the ATHRC. For example, anything regarding LGBT issues is not covered under State and Federal law.

If it is a claim of protected classes under State and Federal law they have the option of coming to ATHRC or going to the State, but if they come to the ATHRC, they would be foreclosing their rights under the State and Federal law. So if the other side does not agree to mediate or the mediation does not result in a resolution then they do not have the option to litigate. So when they come to the ATHRC, we advise them to file with the State as well and the State gives them the opportunity to first try for a more peaceful resolution with the ATHRC and their rights will still be preserved.

Commissioner Myers asked how many complaints has the ATHRC had?

Ms. Kleiner replied we haven't, although there were two complaints from Abington filed with the PAHRC, but they would not disclose the nature because the ATHRC has not yet entered into the Memorandum of Understanding.

Commissioner Myers commented that the ATHRC has done a wonderful job visiting various organizations and providing education.

Commissioner Spiegelman asked for any public comments. There were none.

MOTION was ADOPTED 5-0.

Item PA-06-051018:

Commissioner Spiegelman made a MOTION, seconded by Commissioner Schreiber to approve appointments to specific Boards, Commissions and Committees as follows:

- Library Board of Trustees – Lauren Greaves – term ending 12-31-2020
- Shade Tree Commission – Collin Watson – term ending 12-31-2022
- Environmental Advisory Council – John Sorrentino - term ending 12-31-2020

Commissioner Spiegelman asked for any comments from Commissioners or staff.

Commissioner Myers clarified that these candidates were recommended by each individual committee. Is that correct?

Commission Spiegelman replied yes.

Commissioner Vahey said his constituent Collin Watson's company donated tons of trees to Township parks and he enthusiastic about Collin's appointment.

Commissioner Spiegelman asked for any public comments. There were none.

MOTION was ADOPTED 5-0.

PUBLIC COMMENT:

Commissioner Spiegelman asked for any general comments relating to Public Affairs.

Lora Lehmann, 1431 Bryant Lane, commented that in regards to the Police Pension Association card she received in the mail; she feels “it looks like it comes from Abington Police, and it does not, it is a nonprofit, and there was a sentence on it explaining that, but she does not see it on there anymore.” Also, she asked for the County Commissioner meetings to be put on Township’s channel and she expressed concern about the public speaking rules.

Matt Toomey, 2102 Fortune Road, commented that he saw these meetings on Township calendar and decided to attend.

ADJOURNMENT: 8:13 p.m.

Respectfully submitted,

Richard J. Manfredi, Township Manager/Secretary

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