

The stated meeting of the Board of Commissioners of the Township of Abington was held on Thursday, May 9, 2019 at the Township Administration Building, Abington, PA., with President Luker presiding.

**CALL TO ORDER:** 7:32 p.m.

**ROLL CALL:** Present: Commissioners MYERS, BRODSKY, ROTHMAN, DiPLACIDO, WINEGRAD, THOMPSON, SCHREIBER, CARSWELL, SPIEGELMAN, VAHEY, GILLESPIE, ZAPPONE, BOWMAN, KLINE, LUKER

Also Present: Township Manager MANFREDI  
Assistant Township Manager WEHMEYER  
Township Solicitor CLARKE  
Township Treasurer BLUMENTHAL

**PLEDGE OF ALLEGIANCE**

**BOARD PRESIDENT ANNOUNCEMENTS:**

Announcement - Public Hearing Regarding Verizon Cable Franchise Renewal for the Township of Abington:

President Luker announced that an initial step in the cable franchise renewal process is to conduct a public hearing to satisfy the notice and comment requirements of the Federal Cable Act. The Township of Abington Board of Commissioners will hold a public hearing regarding cable franchise renewal with Verizon. The public hearing will take place on June 13, 2019 at 7:00 p.m. at the Municipal Building located at 1176 Old York Road, Abington, PA, 19001. Citizens are invited to testify. The purpose of the public hearing is to review the past performance of Verizon and to identify the future cable-related community needs of the Township of Abington. A formal public notice regarding this hearing will be publicized. Questions may be directed to Ms. Terry Castorina of the Township Manager's Office at 267-536-1000.

President Luker announced that an Executive Session was held this evening for the purpose of receiving information.

President Luker announced that there is a new feature for our Board meetings. For the public, we added a time clock both as a courtesy to the speaker and so that the speaker shall not have to be interrupted by the meeting chairperson. This way, the speaker will know when he or she is getting close to the time allotted. When they get down to one minute remaining to speak, the time will flash in yellow, and when the time turns to 15 seconds, the time will flash in red, and then they will be asked to end their comments at that time.

**PRESENTATIONS:** None.

**PUBLIC COMMENT ON AGENDA ITEMS:**

Lora Lehman, 1431 Bryant Lane, said she is in favor of monies being approved for flooding projects.

**CONSENT AGENDA:**

Vice President Kline made a MOTION, seconded by Commissioner Spiegelman to approve Consent Agenda Items a. - i. as follows:

To approve the Minutes of the Board of Commissioners April 11, 2019 Regular Meeting.

To approve investments for the month of March 2019. It was noted that investments for the month totaled \$2,129,000.00. Interest rate yields ranged from 2.350% to 2.500%.

Motion to approve the Clearing Fund, the Deferred Revenue/Expense activity and Petty Cash balances for the month of March as previously circulated to the Board. Clearing fund receipts and disbursements for the month of March 2019 were \$4,537.02 and (\$13.50), respectively. Deferred Revenue/Expense receipts and disbursement for the month of March 2019 were \$5,478.29 and (\$88.00), respectively.

To approve the Advance and Travel Expense activity for March 2019 as previously circulated to the Board. Advance and Travel Expense reports were \$0.00 and \$3,801.82, respectively. Three-month expenses totaled \$6,856.29.

To approve the amended Lincoln Financial 457(b) Deferred Compensation Plan to conform to the requirements of Code Section 457(b) and to add Roth Contributions, effective June 1, 2019.

To approve the First Amendment to Commonwealth Financing Authority Grant No. C000065056 extending the termination date to June 30, 2020.

To approve the Land Development Application for 3028 Raymond Avenue to extinguish and existing rain garden easement and rain garden and replace it with a new stormwater easement and stormwater drywell facility.

To update the Township Comprehensive Plan as prescribed by the PA Municipalities Planning Code, and establish and create a Comprehensive Plan Development Team Scope and Duties to be funded by appropriated 2019 funds for planning services, available funds remaining from the stormwater study, and funds from the parks and facilities study.

To advertise Ordinance No. 2165, amending Chapter 156 – “Vehicles and Traffic,” Article II – Traffic Regulations,” Section 14 – “Stop Intersections,” and Article III – “Parking Regulations,” Section 25 – “Parking Prohibited At All Times; No Parking Between Signs; No Parking Here To Corner,” to add “Stop” intersections on Green Road, Eagle Road, Moredon Road, Pembroke Road, Upsal Road, and Rubicam Avenue; add “No Parking Here To Corner” on Arbuta Road, Central Avenue and Montgomery Avenue.

MOTION was ADOPTED 15-0.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

**Public Works Committee –**

Item PW-02-050919:

Commissioner Rothman made a MOTION, seconded by Commissioner Brodsky to approve Change Orders #1 and #2 to support additional right-of-way for the ADA ramps to be installed at Easton Road and the two Rubicam Avenue intersections.

President Luker asked for any comments from Commissioners or staff.

Vice President Kline said information was provided by TPD just this evening and he questioned whether any reps of TPD or Simone Collins were present to answer questions.

Manager Manfredi replied Mr. Simone provided the additional information that he felt was required, which is a breakdown of \$9,060.00 to an hourly basis.

Vice President Kline referring to the items listed - PennDOT coordination/submission and addressing outstanding PennDOT comments/resubmission; weren't they already in coordination with PennDOT as part of the original contract and then this would be another 26 hours of coordination with PennDOT.

Tim Clark, Construction Services Manager, said further review would extend the hours beyond what was anticipated and additional ramps is additional work that could take up to 26 hours.

Vice President clarified that it still includes a contingency item of \$1,400. Is that correct?

Mr. Clark replied yes, it is still in there.

Vice President Kline offered an amendment to reduce change order by the amount of \$1,400 as he is not satisfied with explanation about the last two items totaling 26 hours.

Vice President Kline made a MOTION to AMEND the MOTION to only approve the change order of \$7,600.00, seconded by Commissioner Schreiber.

Commissioner Schreiber questioned what the ramifications would be if it was reduced.

Mr. Clark replied the project will not move forward without the review of the ramps.

Manager Manfredi said due to timelines to get this project done without losing the grant an additional \$1,400 was requested as contingency so they do not have to come back before the Board.

Vice President Kline expressed concern that if the Board approves the \$1,400 it will guaranteed be used, and it is not a critical item in completing the project as change orders already include contingency.

Commissioner Schreiber asked for clarification on the contingency amount of \$1,400.

Vice President Kline replied there was a certain amount expended for right-of-way work needed for implementation of the four ramps at this intersection and they want to add another \$1,400 to the change order in contingency so they could get the project completed prior to the grant timeframe expiring and not have to come back before the Board for approval of that additional \$1,400.

Mr. Clark replied change order #1 is \$9,000 and #2 is \$2,400 of which they know they need \$1,000 and the added \$1,400 would be for additional baseline request by PennDOT.

Vice President Kline said total of both change orders is \$11,400 and he wants to reduce it down to \$10,000, which would be reducing change order #2 by \$1,400.

Commissioner Schreiber said if that \$1,400 is needed would there be time to come back before the Board.

Mr. Clark replied they need the \$10,000 and \$1,400 is for contingency and the schedule is tight now.

Manager Manfredi added that no, they don't.

Vice President Kline said it is a \$160,000.00 contract and that is less than 1% of overall contract, they can expend the money, finish the project, and then come back to the Township and ask for the change order and justify the number.

Commissioner Vahey questioned whether the number of hours proposed is reasonable for the work to be done.

Mr. Clark replied he does not know if it is reasonable or not; however, in speaking with Peter Simone, he indicated that they are having trouble and delays with PennDOT, so that may be driving the increase in hours for design, which seems right to him. These ramps are complicated.

Vice President Kline withdrew his first motion to amend the original motion and the second was withdrawn by Commissioner Schreiber.

Vice President Kline made a MOTION to AMEND the MOTION to approve change order # 1 in the amount of \$9,000 and only approve change order #2 for a total of \$1,000 as opposed to the \$2,400 requested. There was no second on the motion to amend. Motion failed.

President Luker called for the vote on the original motion.

MOTION was ADOPTED 14-1. Vice President Kline opposed.

Item PW-03-050919:

Manager Manfredi clarified that during discussion in committee relating to construction costs in the amount of \$150,000 that was part of the motion that was forwarded onto the full Board that was only for construction costs. There is the cost of \$25,430 in engineering costs for design and drawings for the project, so motion would need to include that amount as well.

Commissioner Rothman made a MOTION, seconded by Commissioner Gillespie to approve the Ardsley Stormwater project up to \$150,000 and funding to come from General Obligation Note as well as an additional \$25,430 for engineering costs.

President Luker asked for any comments from Commissioners.

Commissioner Zappone commented that he spoke about this in committee and questioned whether the issue for his residents on Penn Avenue will be addressed.

Manager Manfredi replied there are two issues; there is the area that was studied in which Penn Avenue was at the end of. Mr. Filmyer indicated that the way it was engineered, downstream Penn Avenue would be relieved at the higher point; however, if we want to look at Penn Avenue itself, another study would need to be done from that point downward so there would be some relief for residents on Penn Avenue from this project.

Mr. Clark added that the chart showed by doing this work, it leveled out the flows throughout the system from Penn up through Monroe.

Commissioner Zappone said he wants assurance that this problem for his residents on Penn Avenue will be eliminated.

Manager Manfredi replied the only assurance would be through the overarching stormwater study that was authorized by the Board that will begin shortly where Penn Avenue would be studied and then consider spending construction dollars on whatever comes from that study.

Vice President Kline clarified that the additional \$25,430 will also be covered from the bond issue. Is that correct?

Manager Manfredi replied yes.

Commissioner Thompson urged his fellow Board members to approve this item as it would be a great help to the neighbors in that area.

MOTION was ADOPTED 15-0.

### **Public Affairs Committee -**

#### Appointments to the various Boards, Commissions and Committees:

#### **This section of the Board meeting and any comments during the meeting relating to it was transcribed verbatim as stated by each Commissioner.**

Commissioner Myers stated, "On Monday morning, and I don't know exactly what time, I had read my agenda and I saw the appointments to various Boards, Commissions and Committees, so I quickly, and I had no other information, emailed Manager Manfredi and asked will we be getting the information on the Boards, Commissions and the applicants, specifically, and he replied that he had not received anything yet, which I understood. I just learned tonight that an email went out on May 6<sup>th</sup>, same day Monday at a little before eight o'clock at night from the Vice President to every member of this Board except me. I am not sure if that was on purpose, or...it's absolutely the most unusual level of professionalism I've ever seen. I am extremely disappointed by this and I would hope that this never happens again, and if there was a reason that I was left off of this email, I would certainly like to know, and because I was left off of this email, I have no idea who the applicants are and I am unable to vote on this tonight, and that isn't fair. Also, that is no way to treat a Commissioner of 22 years and it doesn't matter when any of us are leaving."

Commissioner Kline stated, "I sent the email out. My past experience with Commissioner Myers has been...I cannot trust her with any bit of information and she is the last person to be talking about integrity and that's the reason I left her off. I will not include her on any email whatsoever. She has been...proven to me in the past that I cannot trust her with any bit of information. So, I apologize to the Board about that, but the last few years have taught me that she is not to be trusted."

Commissioner Myers stated, "I certainly can be trusted. Commissioner Kline and I do have a history; however, he brought that on himself."

Commissioner Kline stated, "Created by you."

Commissioner Myers stated, "Not by me. I would like to request that if Commissioner Kline cannot act professionally with every Commissioner on this Board that he not be made in charge of any committee, any special committee until he leaves on December 31<sup>st</sup>."

Commissioner Spiegelman said the only item on the agenda is appointments to the various Boards, Commissions and Committees and turned it over to Vice President Kline.

Vice President Kline said the Interview Committee met with about 12 or 13 residents in reference to seven volunteer Board positions. At the end of those interviews, the committee also interviewed a few of them by phone making sure we were all on the same page. So if there is no objection, he will put forth a motion of the appointments and their related volunteer Boards for a one-vote approval. There were no objections.

Vice President Kline made a MOTION, seconded by Commissioner Spiegelman to approve appointments of Liz Smith to the Economic Development Committee; Melissa Bonasch to the Environmental Advisory Council; Joe Acsenzi to the Shade Tree Commission; Joe Milano to the Library Board of Trustees; Nick Brown to the Planning Commission; David Forbes to the Vacant Property Review Board and Kristin Chapin to the Human Relations Commission.

President Luker asked for any comments from Commissioners.

Commissioner Gillespie stated, "We represent every one in this community, and if you leave off one Commissioner no matter how you feel about that Commissioner and whatever your personal...whatever is...Commissioner Myers represents the people in her ward, and if she can't vote, that is wrong, wrong, wrong."

Commissioner Zappone stated, “You know really, we should all be getting along. I mean this back and forth stuff and party affiliation has no business in this room. I’m sure everybody does not get along with everybody up here, but we need to get along. We represent 57,000 residents in this Township and we just need to get along because half of them are sitting out here.”

MOTION was ADOPTED 15-0.

Supplementary Item of Appointment:

Commissioner Spiegelman made a MOTION, seconded by Commissioner Schreiber to appoint acting-Chairman Jim Webb of the Environmental Advisory Council to be the formal Chairman of the EAC.

MOTION was ADOPTED 15-0.

President Luker said, “Having been on the Board a number of years, and Vice President Kline with all due respect, what you did...I don’t know your reasons for it...you stated your reason, I don’t think it is a good one because there are 15 of us and we are all supposed to work together for the good of the residents of Abington Township. We just wasted 10-15 minutes of time in my opinion over something that did not need to happen and I think the reason for it is personal, and that is my personal opinion, and we can discuss that at a later time.”

**Finance Committee –**

Treasurer’s Report:

Township Treasurer Jay W. Blumenthal reported that for the month of April 2019 monies received from various departments were deposited into Republic Bank totaling \$21,333,713 as compared to last year of \$14,971,718 representing an increase of \$6,361,995; YTD \$36,889,468 as compared to last year of \$35,677,884 representing an increase of \$1,211,584. Real estate taxes transferred to Finance Department during the month of April 2019 was \$15,081,167 representing an increase of \$6,879,194 and balance to be collected for the year was \$6,298,701.

Also, collections in March were below by about the same amount as increase in April due to timing of when tax bills were sent out, which was a little later this year as well as the due-date was later.

Item FC-02-050919:

Vice President Kline made a MOTION, seconded by Commissioner Vahey to approve March expenditures as previously circulated to the Board in the amount of \$1,928,417.86 and salaries and wages in the amount of \$2,945,307.98, and authorizing proper officials to sign vouchers in payment of bills and contracts as they mature through the month of June 2019.

Roll call resulted in motion being passed 15-0.

**PUBLIC COMMENT:**

Lora Lehmann, 1431 Bryant Lane, expressed concern about the speaking rules.

**REMARKS OF COMMISSIONERS:**

Commissioner Bowman announced that the Roslyn Day celebration will be held on Saturday, June 1<sup>st</sup> from 1-5 p.m. at Roslyn Park and Mr. Micciolo and the Roslyn Day Committee did a good job planning it and it has been a successful event in the past.

Commissioner Zappone reminded his residents that the Ardsley Community Association will be having its Fifth Annual Yard Sale on Saturday, June 1<sup>st</sup> from 8 a.m.-noon. Call him for any further information.

Commissioner Gillespie said three weeks ago, she had the pleasure and honor of attending a Scout Court of Honor for Eagle Scout Cedric Fitzgerald of her ward, and it is great to see scouts here tonight and she thanked them for attending. Eagle Scouts are goal-oriented with higher levels of planning and preparation skills; they volunteer for religious and non-religious organizations; donate money to charitable groups and work with others to make improvements in the neighborhood. They are usually in leadership positions in employment and in their community and regularly participate in outdoor activities, and they are fantastic. She congratulated Cedric Fitzgerald of Boy Scout Troop 437.

Commissioner Vahey welcomed Boy Scout Troop 304 who were present this evening from St. Luke's Church of Glenside. Also, he will be holding a Town Hall Meeting on May 15<sup>th</sup> at Glenside United Church of Christ to discuss the construction of Switchville Crossing at 7 p.m.

Commissioner Spiegelman said he wants to address a concerning rumor that was brought to his attention this week in regards to the War Memorial Island project where the various war memorials that are located at inaccessible locations throughout the Township will be consolidated into a beautifully redesigned area of the island strip on Old York Road across from Temple Beth Am and Lions Gate (Penn State's residence hall).

There is a rumor circulating that this project was going to involve *'relocating graves and gravestones of military personnel from the old Abington Cemetery'* and that is absolutely not true at all, and research was done where we were able to trace this rumor back to a resident's email distribution.

Please note that under no circumstances would we ever disturb the graves of military personnel or anyone else. This project is intended to create an island with war memorials so people can appreciate them and understand the history of all Abington residents over the course of many generations who have given their life for service to our country.

Commissioner Carswell stated, "I am really disappointed in the behavior of an individual tonight of our group and I've come to really respect this group each individually and collectively, and especially in front of young members of our community here tonight, and I think we owe an apology to our fellow Commissioner Myers. You will never see me act like that and I hope that we don't ever see it again from our group, so my apology."

Commissioner Schreiber announced that the 26<sup>th</sup> Annual Roslyn Memorial Day Parade and Service will be held on May 27<sup>th</sup> on Memorial Day. Parade route begins at Salem Baptist Church at 11 a.m. proceeding down Woodland to Easton to Bradfield to Hillside Cemetery where there will be a very nice service followed by food served at the VFW. They are looking for more people to enter the parade, so if anyone is interested, please call 267-536-1004. Also, the Roslyn Pet Fair will be held on June 8<sup>th</sup> so mark your calendars.

Commissioner Brodsky said on behalf of the residents of his ward as well as Commissioner Rothman's ward, he thanked Chief Molloy and his officers for their work on a situation that happened this past weekend and it was difficult, but a job well-done, and we appreciate it.

Commissioner Rothman echoed those sentiments regarding our police department. They amaze him how they handled themselves professionally and so quickly, and we are lucky to have them as well as the volunteers of the McKinley Fire Company. He appreciates the transparency to the residents as it is really important, and he thanked them for it.

Also, on June 8<sup>th</sup> will be “Coffee with the Commissioners” at the Starbucks in Huntingdon Valley with himself and Commissioner Brodsky.

“Being involved in politics is a weird spot for people to be in and there are a lot of emotions that people have both in the community and up here, and I try to conduct myself in a bipartisan way at all times, within my family...everywhere. So I hope that, that spirit can be what we take away from this evening moving forward as opposed to this lingering.”

Commissioner DiPlacido presented a police hat and fire helmet and announced that our first responders will help patients’ battle illness and injury this spring by hosting a friendly blood drive competition, and they will take the time to see how many people they can get to vote for them. Blood drive will involve the police department and fire department called, “The Battle of the Badges,” and they will recruit themselves, family and community to this blood drive and you can vote for who you want to put your donation in for. Those who donate will receive a free T-shirt and \$5.00 Amazon gift card via email and appointments are strongly encouraged.

This event will be held on Monday, June 10<sup>th</sup> at the Edge Hill Fire Company from 9 a.m. – 7 p.m. and it is open to everyone, so come out and support whatever group you like and the winner will receive a plaque to hang in their facility and ultimately bragging rights. And, “When driving there, please drive like your kids live here.”

Commissioner Winegrad wished all the moms in the Township and to his mom a “Happy Mother’s Day!”

Commissioner Thompson thanked Congresswoman Dean and State Representative Sanchez for the PFAS roundtable discussion held earlier this week and it is encouraging knowing that those in Washington are watching out for our drinking water in this region, and many thanks to them. Also, he gave a shout out to the Shade Tree Commission for the new trees planted in Dougherty Park and they are much appreciated by the neighbors.

President Luker wished everyone a “Happy Mother’s Day!” He stated that, “I want to applaud Commissioner Carswell and Commissioner Rothman for their closing comments. I think they were spot on.”

Treasurer Jay Blumenthal commented that his daughter was standing in Starbucks when this gentleman walked in and stood next to her covered in blood and doused with gasoline, and it was a very traumatic experience for her, and he thanked Chief Molloy for what his officers did.

Also, regarding the War Memorial Island, himself along with Kevin Barron, Andy Oles and Ed Micciolo, who has been the driver on the fundraising, are having a fundraiser at the VFW on May 18<sup>th</sup> from 7-11 p.m. \$25.00 tickets are on sale in his office and pavers are also for sale.

**ADJOURNMENT:** 8:34 p.m.

Respectfully submitted,

Richard J. Manfredi, Township Manager/Secretary

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Approved  
June 13, 2019

