

The stated meeting of the Public Affairs Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, April 4, 2016 at the Township Administration Building, Abington, PA., with Commissioner Spiegelman presiding.

**CALL TO ORDER:** 7:31 p.m.

**ROLL CALL:** Present: Commissioners SPIEGELMAN, BOWMAN, SCHREIBER, ROTHMAN, KALINOSKI

Township Manager LEFEVRE  
Assistant Township Manager WEHMEYER  
Director of Parks and Recreation WENDELL  
Township Solicitor CLARKE

Also Present: Commissioners LUKER, KLINE, MYERS, MARKMAN, SANCHEZ, GILLESPIE, HECKER, DiPLACIDO

**MINUTES:** Commissioner Spiegelman made a MOTION, seconded by Commissioner Rothman to approve the minutes of the March 2, 2016 Public Affairs Committee Meeting.

MOTION was ADOPTED 5-0.

Economic Development Committee Report:

Doug Callantine, Chairman of the Economic Development Committee, reported that the mission of the EDC is to promote economic development within the Township.

Over the last 12-15 months, the EDC has been working on many things including an updated resource guide and we created a quick-sheet in which copies were provided to the Board.

The EDC helped reestablished the Roslyn Valley Business Association with the help of Commissioners Schreiber and Myers along with residents and business owners, who are very active doing a number of projects within the Township.

Last year, the EDC began working with a few Commissioners as well as business owners on the Old York Road/Susquehanna project and developed a plan of action to acquire properties that have not been available for many years; demolish them and redevelop that entire corner, which is the keystone of the Township. Two grants were applied for from DCED and PennDOT hoping to receive notice by June or July.

The EDC outlined new criteria for qualifications and five new members have been added to the committee.

The EDC has supported a number of projects such as Penn State Housing project; Bernie's Restaurant; and the revitalization of the Abington Shopping Center, and we continue to meet with business owners in the area to understand what their needs are.

The EDC has also participated in the Montgomery County walking audit of the Noble area and the Board of Commissioner recently adopted some of the output from that audit as it relates to curb-cuts and crosswalks in that area.

#### 2016 Potential Goals of the EDC -

Last year, the EDC met with officials of neighboring jurisdictions in regards to their economic development goals and we would like to continue that going forward. We also have been supported of Penn State and partnering with the Abington Art Center on the Innovation Incubator project. We will continue supporting the Roslyn Valley Business Association; support the Keswick Village; and assist McKinley businesses to promote Township Line Road.

Also, we help facilitate immediate needs of local institutions; encourage new business development in the Township; and the Multi-Modal Fund Grant Projects for Noble and Old York Road/Susquehanna Road.

The EDC would like to work with the Township on ways to fund matches for the grants applied for and the two existing grants for Noble and Crestmont requires a match of up to \$900,000 and match for Old York Road/Susquehanna requires a match of up to \$600,000, which essentially are investments for the Township.

#### Environmental Advisory Council Report:

Jennifer Sherwood, Chairperson of the EAC, reported we are seven members appointed by the Board of Commissioners and there are associate members and volunteers as well. Our objectives are to help the environment, advise the Township and educate the public on going green.

We have focused on sustainability; protecting our watersheds; improving open space and education missions.

STARR Communities helps the EAC assess sustainability; we held an Energy Savings Expo and partnered with the EDC to create a shop local program with a "Go Green" rewards card. We received a 75% scholarship from STARR and used rain barrels to fund the balance. Penn State Abington became a STARR affiliate, so they are onboard to partner with the EAC.

Once a year, we hold an Energy Savings Expo at the Abington Library for those who want to save energy at home. A volunteer created a website called, [www.makebenproud.com](http://www.makebenproud.com), which is an unbiased listing of clean energy prices from all of our suppliers.

We created a shop local program and a “Go Green” rewards card that urges people to take “green actions” earning points and the card when filled becomes a discount card to local businesses.

We continue to protect our watersheds assisting the Township in meeting the Clean Water Act and MS4 requirements and also provide low cost rain barrels as a service to the residents. Another way to manage water is with riparian buffers and the EAC partnered with the Tookany/Tacony Frankford Watershed Partnership that took the lead in this project and created one in Ethel Jordan Park.

William Penn Foundation has funded many initiatives and they are now funding a Delaware River Watershed Initiative in which the DRW runs all the way to New York State. The part that affects Abington is called the Upstream Suburban Philadelphia Cluster that includes five watersheds and Abington has three of them.

Another goal is to improve open space, so we are often cleaning, maintaining and taking care of trees partnering with the Shade Tree Commission.

Educating the public is one of goals as well and we offer a variety of workshops and use social media and participate at community events and have displays throughout the Township.

Our new partnership is with the Pennsylvania Audubon Society, and last March, we became an Audubon Bird Town with the help of the Abington Senior High School Earth-Serve Club, and by being a member, the Audubon Society helps the EAC with workshops and provides information and on certifying your yard as a habitat and also to encourage organic yard practices. We also host free bird walks throughout Abington and everyone is welcome to join us.

Check out our website for upcoming events and we encourage the Board to list them in their newsletters.

Finally, once a year, we honor someone in the Township that helped with the environment, and last year, the award went to Redeemer Valley Garden. We accept nominations all year round.

Commissioner Spiegelman asked for any comments from Commissioners.

Commissioner Schreiber questioned whether there is an explanation on the EAC's website about how to have a bird habitat and the "Go Green" rewards program.

Ms. Sherwood replied yes, there is information about the card on our website, and she will add a link to Audubon Pennsylvania, which has info on how to certify your yard.

Commissioner Markman thanked members of the EAC for everything they do as they are an asset to the Township.

Commissioner Kalinoski asked for the price of the rain barrels.

Ms. Sherwood replied \$40 and up.

Commissioner Spiegelman commended members of the EAC for their significant increase of the EAC's presence on social media, particularly Facebook.

Parks and Recreation Report:

Doug Wendell, Director of Parks and Recreation, announced there will be a trip to New York to see the Tennis Championship that is in September and tickets are still available.

Commissioner Schreiber asked about any new upcoming trips.

Mr. Wendell replied he will accept any suggestions for new places to visit.

Resolution No. 16-016 – Fair Housing

Commissioner Spiegelman made a MOTION, seconded by Commissioner Kalinoski to adopt Resolution No. 16-016. Annual Fair Housing Resolution to further Fair Housing practices within the Township of Abington.

Commissioner Spiegelman asked for any comments from Commissioners or staff.

Community Director, Mr. Van Strother explained that Abington Township is an entitlement community under Federal Fair Housing Act and our obligation is reporting fair housing and requires the governing body on an annual basis to pass a resolution that is before the Board tonight for consideration.

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

MOTION was ADOPTED 5-0.

Substantial Amendment to the Community Development Block Grant

Commissioner Spiegelman made a MOTION, seconded by Commissioner Kalinoski to advertise the Public Hearing on the Substantial Amendment to the Community Development Block Grant scheduled for 7:30 p.m. on Thursday, July 14, 2016 in the 2<sup>nd</sup> Floor Board Room of the Abington Township Administration Building, located at 1176 Old York Road, Abington.

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, asked what the amendment is for the block grant.

Mr. Strother replied it is still in draft form and the governing body has not seen it yet. This is just a motion to advertise and then it will be spelled out.

MOTION was ADOPTED 5-0.

Resolution No. 16-017 – Supporting the Grant Application to DCNR for the Development of the Natural Resources in the Ardsley Wildlife Sanctuary

Commissioner Schreiber made a MOTION, seconded by Commissioner Kalinoski to approve Resolution No. 16-017, which supports the application to the DCNR for a grant to improve the natural habitat in the Ardsley Wildlife Sanctuary.

Commissioner Spiegelman asked for any comments from Commissioners or staff.

Mr. Wendell commented that this is just a routine requirement by DCNR for any grant applications.

Commissioner Kline questioned whether there is any match for this grant.

Rita Stevens, Chairperson of the Shade Tree Commission, replied the match will come from MS4 money. It is a \$40,000 grant application from DCNR with a \$20,000 match to come from MS4 funds including a little over \$20,000 that was raised in-kind, totaling an \$80,000 project.

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

MOTION was ADOPTED 5-0.

House Bill 340 (PN 2947)

Commissioner Spiegelman made a MOTION, seconded by Commissioner Rothman to request State Representative Dean's support in opposing House Bill 340 in its present format.

Commissioner Spiegelman asked for any comments from Commissioners or staff.

Manager LeFevre explained that this a Bill that has been passed out of the House Government Committee, although, he is not sure whether it has been scheduled for a vote by the full House or it will be scheduled for a vote by the full House.

However, the State Association of Township Commissioners representing First Class Townships are opposed to this Bill. Montgomery and Delaware Counties Association of Township Commissioners have also opposed the Bill and have requested that individual municipalities to voice their opposition to their local representative should it come to the House for a vote.

Proposed Bill makes several changes to the requirements for Executive Sessions and redefines what is included under deliberation and limits any discussion on one specific employee on a personnel matter. It would require recording Executive Sessions and to retain those recordings for a specific amount of time, which raises legal questions.

We have very few Executive Sessions despite the number of employees working for the Township, and last year, there was one Executive Session that involved more than one employee and to suggest speaking about it publicly is totally inappropriate. So for theses reasons it is before the Board tonight for consideration, and depending on how this committee and the full Board reacts, staff will pass on our concerns to State Representative Dean.

Commissioner Hecker questioned whether anyone has spoken with State Representative Dean about this matter directly.

Manager LeFevre replied he has spoken with her Chief of Staff, but until this Board takes action, we cannot do much else.

Commissioner Myers asked would Executive Sessions be recorded regardless of the topic of discussion?

Manager LeFevre replied if this Bill is passed, yes.

Commissioner Myers asked what would be done with those recordings?

Manager LeFevre replied they would be retained for one year and would not be subject to “Right To Know” requests. The intent is to provide, for example, a Commissioner, who was not in attendance at that Executive Session the opportunity to listen to the tape.

Commissioner Myers commented that she is not sure she sees the downside of it. What is the opposition?

Manager LeFevre replied the main issue would be having meetings on personnel matters that would be limited to one specific employee, and in the past, this Board had Executive Sessions involving more than one employee. Discussion on more than one employee will have to be discussed in public and that is inappropriate.

Commissioner Myers asked for an example that would involve more than one employee.

Solicitor Clarke replied the concern regarding that provision is, at this time, the collective bargaining position would remain, so if there was discussion about a union contract that could be done in Executive Session. For example, there may be discussion about restructuring a department and this not only applies to Townships, but also School Districts moving personnel around as well as the budget process where they may be layoffs in one department.

This Bill would require that discussion to be done in public or it would have to be done in small-batch discussions meaning that the Manager could discuss it with a few Commissioners at one time and then another few Commissioners at another time, which does not seem to be very productive.

Commissioner Myers clarified that it must be a personnel matter, and as of now, the definition of a personnel matter is much broader, and this would narrow it down. Is that correct?

Solicitor Clarke replied yes, it would need to pertain to a particular employee. The other revision that is problematic is changing the word “deliberation.” The courts expanded the “Right To Know” Law, which allowed the Board to take informational sessions to provide information to the Board during Executive Sessions and that does not qualify as deliberation. This Bill would attempt to override that court decision.

Commissioner Rothman clarified that this Bill as drafted will put the privacy of personnel at risk.

Manager LeFevre replied yes, it will certainly present that problem.

Commissioner Spiegelman questioned whether there is anything shady going on throughout the Commonwealth that this Bill was drafted to combat.

Manager LeFevre replied there is no problem in this Township, and he is not aware of any problems in any municipalities in Montgomery County.

Commissioner Schreiber said, for example, if more than one employee had to be drug-tested and then it was discussed in public because it was more than one person; would that be a HIPPA violation?

Solicitor Clarke replied there can be some privacy issues implicated.

Commissioner Spiegelman asked for any public comments.

Lora Lehmann, 1431 Bryant Lane, suggested “finding the right amendments to include things that are needed and cover the things that are problematic causing the Bill to come forward instead of opposing the Bill, which would be a better solution.”

Also, “we are rarely told what the topic is during an Executive Session and it might be something that the residents would be interested in knowing about.”

Commissioner Spiegelman clarified that during the Board of Commissioners meeting, President Luker always announces there was an Executive Session that was held on a certain day and time regarding a legal or personnel matter.

Solicitor Clarke added that what President Luker announces is exactly what is required by the law.

MOTION was ADOPTED 5-0.

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

Lora Lehmann, 1431 Bryant Lane, expressed concern that she feels “economic development in this Township deals with businesses and we are taking the family aspect out.”

**ADJOURNMENT:** 8:40 p.m.

Respectfully submitted,

Michael LeFevre, Township Manager

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