

The stated meeting of the Board of Commissioners of the Township of Abington was held on Thursday, February 9, 2023, via webinar and in-person at the Township Administration Building, Abington, PA, with President Hecker presiding.

CALL TO ORDER: 7:01 p.m.

ROLL CALL: Present: Commissioners ROTHMAN, DiPLACIDO, VAUGHN, THOMPSON, WINEGRAD, HENRY, ZAPPONE, SPIEGELMAN, BOLE, SCHREIBER, BOWMAN, VAHEY, HECKER
Excused: Commissioners BRODSKY, CARSWELL

Also Present: Township Manager MANFREDI
Township Solicitor CLARKE

PLEDGE OF ALLEGIANCE

BOARD PRESIDENT ANNOUNCEMENTS:

President Hecker welcomed members of Boy Scout Troop 1 who were in attendance this evening.

PUBLIC COMMENT ON AGENDA ITEMS:

Joe Rooney, resident, said we all have seen the heartbreaking stories of the death and devastation after the earthquake that struck Turkey and Syria, and it makes him appreciate the blessings of living here in this wonderful country as well as the building codes and local government, and he hopes that everyone who can do so will donate to this national rescue effort. Also, he expressed concern about taxpayer dollars being used regarding agenda Item #BOC-06-020923 and was opposed to it.

Paul E. Morse, resident, expressed concern about agenda Item #BOC-06-020923 and was opposed to it.

Lora Lehmann, resident, expressed concern about the amount of public speaking time as well as agenda Item #BOC-06-020923.

CONSENT AGENDA:

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to approve Items a. – f. as listed under Consent Agenda as follows:

To approve the minutes from the Board of Commissioners Regular Meeting of January 12, 2023.

To approve the agreement between the Pennsylvania State University on behalf of its Penn State Abington campus and the Township of Abington.

To adopt Ordinance No. 2202, Traffic Safety Ordinance amending Chapter 156 – “Vehicles and Traffic.”

To adopt Ordinance No. 2203 amending Chapter 125 – “Real Estate Registry” and repealing all inconsistent ordinances.

Proclamation recognizing April 28, 2023 as Arbor Day.

To approve the Planning Assistance Contract between Commissioners of Montgomery County and Abington Township.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Item BOC-06-020923:

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to approve the Separation Agreement and Release between Abington Township and employee #4356 and to authorize the Township Manager to execute the agreement.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC-07-020923:

Vice President Vahey made a MOTION, seconded by Commissioner Winegrad to approve the promotion of Officers Matthew Fulginiti, Daniel Burgmann, Joseph Fallon and Paul Welsh to the rank of Probationary Sergeant effective March 13, 2023 providing they successfully complete the remaining portion of the promotional process.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC-08-020923:

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to appoint Ryan Comfort from the Civil Service Eligibility list to the position of Police Officer effective March 1, 2023.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC-09-020923:

Vice President Vahey made a MOTION, seconded by Commissioner Vaughn to advertise a Traffic Safety Ordinance amending Chapter 156 – “Vehicles and Traffic,” Article III – “Parking Regulations,” Section 25 – “Parking Prohibited At All Times; No Parking Between Signs; No Parking Here to Corner; Parking Prohibited Except Certain Hours; No Stopping or Standing; to add “No Parking” on the north side of the 2400 block of Rubicam Avenue between Easton Road and Arnold Avenue; “No Parking Here to Corner” on the east and west side of Fairview Avenue 30 feet north of the posted sign on the west side and 30 feet north of the corner on the east side of Fairview Avenue; “No Parking Between Signs” on the west side of Wanamaker Road 20 feet either side of the common driveway at the north and south end (636).

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC 10-020923:

Vice President Vahey made a MOTION, seconded by Commissioner Thompson to appoint Nicholas Brown to the Planning Commission for a term ending on 12/31/27 and Matre Manning to the Civil Service Commission for a term ending on 12/31/23 as included in Exhibit A.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

FINANCE COMMITTEE:

Item FC-01-020923:

Commissioner Winegrad made a MOTION, seconded by Commissioner Spiegelman to approve the December 2022 expenditures in the amount of \$5,411,285.52 and salaries and wages in the amount of \$3,509,065.74 and authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of March 2023.

President Hecker asked for any comments from Commissioners.

Vice President Vahey said Mr. Rooney, the chair of the Abington Township Republican Organization, who spoke earlier tonight about taxpayer dollars, has sued him and his colleagues supporting the LGBTQ community in this Township. He asked Solicitor Clarke how much money the Township has spent to defend this action.

Solicitor Clarke replied as of December 31, 2022 the Township has spent \$20,870.50 in legal fees defending the lawsuit.

Vice President Vahey said he appreciates Mr. Rooney's concern for responsible stewardship of taxpayer dollars, and he shares that concern. It is unfortunate that Abington taxpayers had to spend more than \$20,000 to defend Mr. Rooney's frivolous litigation. Whether or not Abington taxpayers will have to continue to foot this bill is entirely within Mr. Rooney's control.

Roll call resulted in motion being passed 13-0. Commissioners Brodsky and Carswell were absent during roll call.

PUBLIC COMMENT:

Linda Muntz, resident, asked for the status on the many deficiencies of the 100 York Apartment complex.

Manager Manfredi replied that a report has been maintained for all code enforcement activities at 100 York Road and 100 Washington Lane. The summary dates back to January 10, 2023 noting six residents have reached out regarding a variety of concerns and each complaint has been investigated, and notice of violations and/or citations were issued when violation of Township's code occurred.

Two of the resident's concerns were not Township code violations; three notice of violations were issued; two citations issued; one report for deficiency issued; there were six interactions with the property management group, two permit-related interactions; one request denied for inspection and three conversations regarding issues were brought to the Township's attention; five onsite inspections, one additional attempt was denied; two dispatches of the fire company, one for smoke detector alert and one for water coming through a fixture, and a letter was sent to the property owner requesting elevator inspections.

There have been consistent responses to complaints and follow-up making sure things were being done, and we are in the process of scheduling a meeting with Township officials, Township Solicitor, and property managers to discuss all the violations.

Adele Kubel, resident, expressed concern about blighted apartments and businesses on Old York Road and Edge Hill Road including decayed sidewalks, dumpster trash traveling down the roadway and demolished curbsides.

Commissioner Spiegelman replied that the properties on Edge Hill Road have been cited and they have until March 10th to remediate the damage or will be brought before the District Judge.

Joe Rooney, resident, expressed concern about the public meeting process.

Paul E. Morse, resident, expressed concern about a comment made about a citizen.

Lora Lehmann, resident, expressed concern about conditions at 100 York Apartments.

John Krantz, resident, 100 York Apartments, expressed concern about having no hot water and he has not been able to take a hot shower for almost 48 hours.

Mr. Chris Platt, Assistant Fire Marshal, replied that the fire department was dispatched this morning for water leaking through an apartment and the repair was made, and at 4:30 p.m., he spoke with maintenance who indicated that the boiler was turned back on and there were no leak issues. He will follow up on it.

Julee Mahon, resident, 100 York Apartments, expressed concern that the fire hoses have a 2014 date. Also, she was told that the 101 building will be renovated and to prepare for extra dirt and traffic on the one working elevator. The stairwells are disgusting, and the grounds are unkept, and she was told that, as a resident, to keep the complex clean, she will need to contact a cleaning service.

President Hecker said we will make sure all concerns are included in the discussion with property management next week.

Reeree Young, resident, 100 York Apartments, commented that she has not had hot water since this morning, and she wants to leave but cannot break the lease. What can the Township do to help residents?

Manager Manfredi replied the Township is doing everything we can under the law to enforce codes that have been violated as well as communicating with the State Department of Labor and Industry. We also reached out to property management to discuss these issues and a meeting has been scheduled.

Ms. Karla, resident, 100 York Apartments, expressed concern that property management has “prettied-up” the property as opposed to fixing the major damages and dangers that the tenants have repeatedly brought to them.

Manager Manfredi said any additional issues can be emailed to code@abingtonpa.gov or brought to the Township Administration or Code Department and they will be included in the discussion with property management.

Sarah Love Heuges, resident, 100 York Apartments, said she is encouraged to hear there is a meeting with property management and meetings should be ongoing.

Kizzy Wooten, resident, 100 York Apartments, expressed concern about the safety for her family, and she wants to be sure that the fire extinguishers in the building are working and certified; also, the elevators make loud noises, and she questioned whether they are certified and working properly.

Assistant Fire Marshal Platt replied that the fire extinguishers in the building were out-of-date, so he gave property maintenance a timeframe to correct it, and as of today, a vast majority of them have been corrected except for a few that need additional service, and after doing some research, the living unit apartments are not required to have fire extinguishers.

Commissioner Winegrad urged the residents to contact him. Also, he would like to be copied on emails so he can follow up to make sure that property maintenance codes are being adhered to.

George Clay, resident, 100 York Apartments, expressed concern about the nonfunctioning elevator and the one elevator that does work makes noises; also, about the amount of his utility bill in which no credit is given when there is no hot water.

Commissioner Bowman suggested that the residents consult with a lawyer as they have rights that can be vindicated in court by a judge who has the power to address many of these issues. The Township can only enforce the public laws and we certainly will do our part.

ADJOURNMENT: 8:06 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary

The following ordinances were adopted by the Board of Commissioners on February 9, 2023:

Ordinance No. 2202

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