

The stated meeting of the Board of Commissioners of the Township of Abington was held as a Zoom webinar and teleconference on Thursday, February 11, 2021 with President Spiegelman presiding.

CALL TO ORDER: 6:32 p.m.

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

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

PLEDGE OF ALLEGIANCE

BOARD PRESIDENT ANNOUNCEMENTS: None.

PRESENTATIONS: None.

PUBLIC COMMENT ON AGENDA ITEMS:

Lora Lehmann, resident, expressed concern about the amount of public speaking time and that committee meetings should be held to address the chairpersons; also, about the minutes, and “missing information on the application of the 244-apartments.”

Theresa Kates, resident, expressed concern about the development of 244-apartments adding more children to the schools as well as additional residents utilizing services that Abington offers. Has any money been set aside for that?

President Spiegelman replied that the School District is the majority property taxing entity on all Abington Township’s commercial and residential properties, and the School District needs to sign off on any development plans that would potentially add to the population, so it is reviewed and vetted by the School District.

Ms. Kates asked for the estimated number of school children that could be added to the school system.

President Spiegelman replied these apartments are not expected to bring in families with children due to the configuration and that they are being marketed to target a combination of millennials with no children and those who may be downsizing, but still want the work/travel lifestyle.

Commissioner Thompson added that typically school districts in Pennsylvania are required to do a master plan every 10-years or so, and as part of that plan, they do a demographic study on population growth and density and that study is a projection of growth based on current developments. Abington School District did theirs a few years ago and this application has been on the books for about 10 years, so the numbers for those apartments were built into the demographic study that was published by Abington School District. He suggested that the resident reach out to the School District to find out how they calculated those numbers.

Paul E. Morse, Jr., resident, said regarding the Baederwood land development plan; as former President of the Abington School Board, “90% of projections are incorrect,” and it is imperative that the School District and the Township take that into consideration. Also, there is only one road leading up to the apartments, which is not a good situation for the health, safety, and welfare of the Abington community as well as for the firefighters. He also expressed concern that the apartments are right up against an embankment and fire trucks cannot get back there; also, about traffic backing up on The Fairway and there are too many apartments in a small area, so he asked the Board of Commissioners to vote “no” on the application.

CONSENT AGENDA:

Vice President Hecker made a MOTION, seconded by Commissioner Thompson to approve Items a. – c. as listed under Consent Agenda as follows:

To approve the minutes from the Board of Commissioners Regular Meeting of January 14, 2021.

To submit a letter of support regarding the Regional Greenhouse Gas Initiative (RGGI) to the Pennsylvania Environment Quality Board (PA EQB).

To accept the Financial Reports for December 2020; including Investments; Clearing Fund; Deferred Revenue/Expense Activity; Petty Cash Balances; Travel Expenses and Statement of Conditions.

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

MOTION was ADOPTED 15-0.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

BOARD OF COMMISSIONERS NEW BUSINESS:

Item BOC-02-021121:

Vice President Hecker made a MOTION, seconded by Commissioner Myers to adopt Resolution No. 21-005 ratifying the Declaration of Disaster and State of Emergency from January 28, 2021 to February 11, 2021 and approving the Declaration through February 18, 2021.

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

MOTION was ADOPTED 15-0.

LAND USE COMMITTEE NEW BUSINESS:

Item LU-01-021121:

Commissioner Thompson made a MOTION, seconded by Commissioner Winegrad to approve the Preliminary/Final Land Development Application of Baederwood Residential Properties, LP for the property located at The Fairway to construct a 244-unit apartment building with associated improvements and grant all requested waivers, subject to the applicant's voluntary agreement to continue negotiations with the adjacent property owner to acquire secondary access to the property for firefighting equipment, per SALDO Section 146-41.B.(1)(d).

President Spiegelman called on Commissioner Winegrad for any comments as this is in his ward.

Commissioner Winegrad said this application has been vetted and presented before the ZHB in 2017, and in 2018 when it was approved, and then a land development plan was presented with several iterations noting that Fire Marshal Rohrer indicated that fire trucks will be able to get there and it is a safe project; also, improvements will be made to The Fairway. His main concern has been whether this building will be safe, and according to Fire Marshal Rohrer and the experts, it is, so for that reason this should move forward.

President Spiegelman asked for any other comments from Commissioners. There were none.

MOTION was ADOPTED 14-1. Commissioner Zappone opposed.

Item LU-02-021121:

Commissioner Thompson made a MOTION, seconded by Commissioner Winegrad to approve the Hunter Soccer Club Land Development application to construct a new synthetic turf field at Penbryn Park.

President Spiegelman asked for any comments from Commissioners.

Commissioner Thompson commented that he, along with residents of Ward 6 are in support of this project and we would like to see it move forward, so he urged the Board to vote in favor of it.

Mr. Khaled R. Hassan, Township Engineer, clarified there are waivers requested to be granted, although the applicant does not need them, which is the NPDES permit required by DEP and Montgomery County Conservation District for stormwater facilities and the applicant will comply, so therefore a waiver is not required. The second one is that the applicant provide escrow and they have, so no waiver is required.

MOTION was ADOPTED 15-0.

FINANCE COMMITTEE NEW BUSINESS:

Receive Treasurer's Report:

Township Treasurer Jay W. Blumenthal reported that revenues deposited into Republic Bank for the month of January 2021 totaled \$1,233,081 as compared to last year of \$1,277,460 representing a decrease of \$44,379. Real estate tax bills were mailed last week.

Item FC-01-021121:

Commissioner Vahey made a MOTION, seconded by Commissioner Myers to approve the December 2020 expenditures in the amount of \$3,863,200.46 and salaries and wages in the amount of \$2,180,071.06 and authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of March 2021.

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

Roll call resulted in motion being passed - 14-0. Commissioner Brodsky was absent during roll call.

PUBLIC COMMENT – general matters:

Lora Lehmann, resident, expressed concern about the amount of public speaking time; the structure of the agenda, and asked for a public meeting to be held on PREIT prior to the Planning Commission meeting.

Marc Bozzacco, resident, commented that the State's current marijuana laws for minor possession under 30 grams results in 30-days in jail or \$500 fine or option of one-year probation; second offense is double the penalty. Abington Township has paraphernalia laws that equate to a \$300 fine or 30 days in jail, and he spoke with many who feel that is unreasonable. Recently, Norristown and West Norriton have decriminalized minor possession of marijuana as well as other municipalities across the State, and he requested that the Board of Commissioners consider similar legislation to Norristown.

Commissioner Schreiber replied we have been looking into this matter and Township Solicitor has been reviewing ordinances from other municipalities. She has spoken with Chief Molloy, Manager Manfredi, President Spiegelman and Vice President Hecker about it, and it will be coming before the Committee of the Whole at a future date.

Ken Krawchuk, resident, commented that after joining the Libertarian Party in 1994, he spoke against the School District having police involvement for any type of drug offense, but then it was removed, and his concern is how many children's lives were ruined as well as how many lives have been ruined by the current cannabis State laws. He requested that the Board of Commissioners consider changing the law.

REMARKS FROM COMMISSIONERS:

President Spiegelman announced that following the Committee of the Whole Meeting, there will be an Executive Session of the Board of Commissioners to discuss a litigation matter.

Commissioner Myers announced that sadly this week, we lost Valerie Ward, and Valerie was the consummate volunteer. Valerie's volunteerism specifically with Abington PAL was where she spent a tremendous amount of time, but besides PAL, Valerie served on a hospital Board, she was President of the Willow Grove NAACP since 2011 and she volunteered with Community Policing; ACT; CAPT; she was active with her church and with the Roslyn Town Watch for many years, and she was a member of a Youth Aid Panel since its inception. Due to the incredible amount of her volunteer hours, it is hard to imagine that she had any time to herself.

Valerie worked at PAL as a volunteer every Friday and Saturday night since 2001 and she greeted the children as they came in and knew their names, and when a child was out-of-line, she gave that look to straighten out, and she did not demand respect, but she commanded it. Valerie was fair, strong, humble, selfless in her service, and a great leader, and she did all of this because she liked to be active and around people. She meant so much to all of us and it will be hard for PAL to go on without her. Valerie made Abington a better place to live for all of us and we thank her for it.

Commissioner Vaughn said she and Valerie Ward shared something in common and that is being part of Black Greek Sororities, which teaches you to uplift the community, to serve, to always be on your “A” game while holding your head high, mentor and to be a light for others, and Valerie was all of that. There will never be another person like Valerie, and she is grateful to have known her.

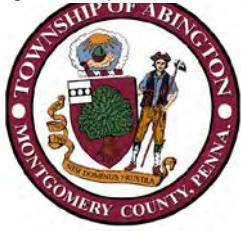
President Spiegelman thanked Ms. Val. We will never forget her and God Bless.

ADJOURNMENT: 7:15 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary

Resolution No. 21-005 was adopted by the Board of Commissioners on February 11, 2021.



TOWNSHIP OF ABINGTON

John L. Spiegelman, *President*
Thomas Hecker, *Vice President*
Richard J. Manfredi, *Township Manager*
Jay W. Blumenthal, *Treasurer*

RESOLUTION # 21-005 DECLARATION OF DISASTER AND EMERGENCY

February 11, 2021

WHEREAS, COVID-19 has been declared by the World Health Organization and the Centers for Disease Control and Prevention a “public health emergency of international concern”; **and**

WHEREAS, both the Commonwealth of Pennsylvania and Montgomery County have declared a state of emergency due to the identification of COVID-19 infected citizens; **and**

WHEREAS, on or about March 16, 2020 COVID-19 has caused or threatens to cause injury, damage, and suffering to the persons and property of Abington Township; **and**

WHEREAS, this incident has or is about to continue endangering the health, safety and welfare of a substantial number of persons residing in Abington Township and threatens to create problems greater in scope than Abington Township may be able to resolve; **and**

WHEREAS, Section 74-2.A of the Code of Ordinances of the Township of Abington requires that the Board of Commissioners ratify a Declaration of Emergency within seventy-two (72) hours; **and**

WHEREAS, emergency measures are required to reduce the severity of this disaster and emergency to protect the health, safety, and welfare of affected residents in Abington Township;

NOW, THEREFORE, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S.A, Section 7101 et seq., do hereby declare the existence of a disaster emergency in Abington Township and pursuant to the provision of Chapter 74 - Public Emergencies in the Abington Township Municipal Code, the President of the Board of Commissioners of the Township of Abington is authorized to declare a state of emergency and take any one or more of the specified measures per the legislation, and that the state of emergency in Abington Township is extended, the seventy two (72) duration requirement is waived, and the disaster declaration is affirmed for an additional seven (7) days subject to ratification by the Board of Commissioners at a future date.



FURTHER, the Abington Township Emergency Management Coordinator is directed to coordinate the activities of the emergency response, to take all appropriate action needed to alleviate the effects of this disaster, to aid in the restoration of essential public services, and to take any other emergency response action deemed necessary to respond to this disaster emergency.

STILL FURTHER, the Abington Township Manager is to act as necessary to meet the current exigencies as legally authorized under this Proclamation, namely, and to include, by the employment of temporary workers, by the rental of equipment, and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time consuming procedures and formalities normally prescribed by law, mandatory constitutional requirement excepted.

STILL FURTHER, the Board of Commissioners hereby waives the provisions of Section 74-2.A of the Code of Ordinances of the Township of Abington to the extent that ratification of the declaration of emergency is required within 72 hours of the declaration, and to the extent that further formal ratification is required pursuant to the Township Ordinance.

This declaration shall take effect immediately this eleventh day of February 2021.

DocuSigned by:

John L. Spiegelman

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John L. Spiegelman

President, Abington Township Board of Commissioners

DocuSigned by:

Richard J. Manfredi

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ATTEST:

Richard J. Manfredi

Township Manager & Secretary

Date: February 11, 2021