

The stated meeting of the Board of Commissioners of the Township of Abington was held via webinar and in-person at the Township Administration Building, Abington, PA., on Thursday, September 9, 2021, with President Spiegelman presiding.

CALL TO ORDER: 6:43 p.m.

ROLL CALL: Present: Commissioners THOMPSON via webinar, BRODSKY via webinar, BOLE via webinar, CARSWELL in person, ROTHMAN via webinar, MYERS in-person, ZAPPONE via webinar, BOWMAN via webinar, DiPLACIDO in-person, WINEGRAD in-person, VAHEY in-person, SCHREIBER in-person, HECKER in-person, SPIEGELMAN in person
Excused: VAUGHN

Also Present: Township Manager MANFREDI
Township Solicitor CLARKE

PLEDGE OF ALLEGIANCE

BOARD PRESIDENT ANNOUNCEMENTS:

President Spiegelman announced that an Executive Session was held this evening at 6 p.m. regarding an employment matter.

Commissioner Vahey thanked the Board of Commissioners for their support of the Parks Committee last month. We now need to populate that committee with residents throughout the Township, and he requested the Board seek out applicants within each of their wards and make recommendations.

President Spiegelman announced that the Board of Commissioners New Business – Item BOC-02-090921 has been removed from tonight’s agenda.

PRESENTATIONS: None.

PUBLIC COMMENT ON AGENDA ITEMS:

Joe Rooney, Maple Avenue, expressed concern about the amount of speaking time, and no response to his emails.

Lora Lehmann asked for the Fair Housing resolution as well as the residential rehabilitation specialist items to be removed from the consent agenda; also, she expressed concern about not getting an answer about the in-fill development on the Penn State property.

CONSENT AGENDA:

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

To approve the minutes of the Board of Commissioners Regular Meeting of August 12, 2021.

To approve release of Escrow No. 1 on the Land Development – LD-19-07 – Abington Terrace, LLC – Abington CHOP & YMCA Project located at 1059, 1067 and 1073 Old York Road.

To ratify the U.S. Department of Justice Federal Fiscal Year 2020 Emergency Federal Law Enforcement Assistance Grant Program Agreement and adopt Resolution No. 21-025.

To adopt Resolution No. 21-026 authorizing application to the PECO Green Region Open Space Program.

To accept the Financial Reports for July 2021 including Investments, Clearing Fund, Deferred Revenue/Expense Activity; Petty Cash Balances; Travel Expenses and Statement of Conditions.

To adopt Resolution No. 21-023 recognizing that the Township's minimum municipal funding obligation for the calendar year 2022 with respect to the Municipal Non-Uniformed Employee, Police and Non-Uniformed Employee Defined Contribution Plans is \$732,518, \$3,213,603, and \$190,000, respectively.

To adopt the Abington Township Fair Housing Resolution No. 21-024 and grant authority to publicly advertise a Fair Housing Officer for the Township of Abington.

To approve a contract for a residential rehabilitation specialist resulting from a request for proposals (RFP closed July 30, 2021).

To approve the Investment Advisory Agreements between the Township of Abington and PFM Asset Management LLC ("PFMAM").

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

MOTION was ADOPTED 14-0.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

BOARD OF COMMISSIONERS:

Item BOC-01-090921:

Vice President Hecker made a MOTION, seconded by Commissioner Vahey to approve the stipulation to settle the matter of Noble Town Center (new owner Paramount JSM) v. the Montgomery Assessment Appeals ET AL and authorize Wisler Pearlstine to sign the stipulation on behalf of the Township of Abington.

President Spiegelman asked for any comments from Commissioners.

Commissioner Vahey clarified that this was discussed previously; however, the change in ownership was influx at that time, so we could not reach a conclusion. Is that correct?

Manager Manfredi replied that he believes so.

MOTION was ADOPTED 14-0.

LAND USE COMMITTEE:

Item LU-02-090921:

Commissioner Thompson announced that as an employee of KCBA Architects, who is the architect for this project, he will recuse himself from any discussion and vote on this agenda item.

Commissioner Winegrad read agenda item LU-02-090921 - to consider the request of Penn State University (PSU) for Enactment of Zoning Map and Text Amendments into the record, and he called on Vice President Hecker.

Vice President Hecker said PSU representatives are here this evening, and this project has been underway for several years predating his return to the Board. His predecessor had been working with the Chancellor's predecessor on the proposal to build a new academic building on the campus of Penn State Abington.

Tonight, the applicant is requesting that the Board of Commissioners consider authorizing advertisement for a public hearing to occur at the October Regular Board Meeting to review the substance of the matter and vote on whether to move forward with the proposed text/map amendments as written, with changes, or not at all.

Proposed map amendment involves three properties located on PSU's campus that they purchased in the past and has served previously as residential homes zoned R-1, and PSU would like to rezone them to CS-Community Service such as the remaining contiguous property, which will allow PSU to make greater use of those existing structures.

Also, there are 17 permitted uses under the CS-Community District's regulations and E-14 governs all schools listed under that one category. Text amendment proposes to create a new category, E-18 to the existing CS-Community Service District governing colleges/universities in the Township pertaining to PSU and Manor College, and details within the text amendment provide additional governance over what can and cannot be done.

If advertisement is approved and then request for text/map amendments are approved at the public hearing next month, it will enable PSU to submit a land development application for a new academic building.

There have been considerable conversations with the neighbors, and he has met with neighbors individually at least four times including most recently last Thursday evening making sure that all their questions and concerns were addressed. PSU has done a good job in working with the neighbors to address their most significant concerns.

Dr. Margo DelliCarpini, Chancellor of Penn State Abington, thanked the Board for including this item on tonight's agenda as well as consideration of PSU's proposal of text/map amendments, which will allow the process of building a new academic building on campus. We are here this evening to be considered in the next step of the Township's process specifically to request that the Board of Commissioners set a date for a public hearing on the project.

The project began in 2014 with the completion of our Campus Master Plan, and since then, there has been planning, feasibility and traffic studies. PSU held four community meetings where the project was shared, and community feedback was provided. So, we worked on a proposal that meets the academic needs of the campus as well as being respectful of the community in which we reside.

In July 2021, we received approval from the Committee of the Whole to present before the Township's Planning Commission in which we did in July and August, and we are this evening to request advancing it to the public hearing phase. We are requesting a map amendment that would provide Community Service zoning to our contiguous campus and a text amendment that would create an E-18 use for colleges/universities, which do have different needs from K-12 campuses, and that would permit PSU to work with the Township on the land development phase on the first new academic building built on campus since 1973.

Vice President Hecker made a MOTION, seconded by Commissioner Myers to authorize advertisement of a Public Hearing on the map/text amendment presented by Penn State University to occur at the October Board of Commissioners Meeting.

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

MOTION was ADOPTED 13-0. Commissioner Thompson recused himself from voting and Commissioner Vaughn was absent.

PUBLIC SAFETY COMMITTEE:

Item PS-02-090921:

Commissioner Schreiber made a MOTION, seconded by Commissioner DiPlacido to appoint candidate Timothy Connelly from the Civil Service Eligibility list to the position of Probationary Police Officer provided he successfully completes the Background, Physical, Psychological tests and all entry requirements of the Municipal Police Officers' Education and Training Commission Act 120 Training, effective October 15, 2021.

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

MOTION was ADOPTED 14-0.

FINANCE COMMITTEE:

Receive Treasurer's Report:

Township Treasurer Jay W. Blumenthal reported that revenues deposited into Republic Bank for August 2021 was \$3,437,083 as compared to last year of \$3,850,889 representing a decrease of (\$413,806); YTD \$62,728,713 representing an increase of \$10,710,801 over prior year. Real estate taxes transferred to the Finance Department from August 2021 was \$48,891 representing a decrease of (\$95,420) over prior year. YTD, 97% has been collected with 3% remaining.

Item FC-01-090921:

Commissioner Vahey made a MOTION, seconded by Commissioner Myers to approve the July 2021 expenditures in the amount of \$1,961,462.43 and salaries and wages in the amount of \$3,072,806.91, and authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of October 2021.

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

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

PUBLIC COMMENT:

Joe Rooney, Maple Avenue, expressed concern that the Township's flagpole has been "politicized."

Lucia Weiss said this is the second meeting she attended on Zoom of the Township Commissioners and Planning Committee, and she is disappointed that she is unable to hear about what is going on and how things are moving along as well as when it is appropriate for the public to speak.

President Spiegelman replied we are working on the technical difficulties, and it is far from perfect and frustrating for all of us, but we will get it resolved sooner rather than later.

Cakky Evans, EAC member, announced that Villanova University will be hosting a Municipal Stormwater Workshop on October 12, 2021, from 8:30 a.m. – 3:30 p.m. and she requested that a representative from the Township attend.

Lora Lehmann expressed concern that communication needs to be improved in the Township and about the consent agenda. She feels the Penn State ordinance will affect Manor College, and she questioned how many units can be built from the development in Willow Grove.

A resident from Rydal commented that his home is adjacent to the property that was divided into five lots, and he expressed concern about stormwater runoff onto his property; also, his property is located at the end of a sewer line and there is no backflow protection valve and there was a leakage into his basement, and he asked for that to be addressed.

President Spiegelman replied that someone will get in touch about those issues.

ADJOURNMENT: 7:29 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary

The following resolutions were adopted by the Board of Commissioners on September 9, 2021:

Resolution No. 21-023

Resolution No. 21-024

Resolution No. 21-025

Resolution No. 21-026