

BOROUGH OF JENKINTOWN
JENKINTOWN, PENNSYLVANIA

MINUTES OF REGULAR COUNCIL MEETING

JANUARY 23, 2006

CALL TO ORDER:

President Whitney called the January meeting of the Borough Council to order in Council Chambers of Borough Hall at 7:30 p.m. this 23rd day of January 2006.

PLEDGE OF ALLEGIANCE:

Chief DiValentino led all present in the Pledge of Allegiance to the flag.

ROLL CALL:

Mr. Clark, Mr. Davis, Ms. Dobbs, Mr. Golden, Ms. Goldman, Mr. Kilkenny, Mr. Madden, Mr. McCabe, Ms. Pancoe, Ms. Wolff, Vice-President Montanaro, and President Whitney (12).

OTHER OFFICIALS PRESENT:

Mayor Gregory Wall, Solicitor Michael Hynes, Police Chief Albert DiValentino, Secretary/Manager Edwin Geissler, and Assistant Manager Meghan O'Brien.

APPROVAL OF MINUTES:

Councilman McCabe moved, seconded by Councilwoman Davis, to approve the minutes of the December 19th 2005 Regular Council Meeting and January 3rd 2006 Reorganization Meeting as presented.

MOTION CARRIED, all present voting "AYE".

APPROVAL OF PAYROLLS AND INVOICES:

Vice President Montanaro reported the fund expense totals for the various funds for the month of December 2005, as listed in detail in the agenda packet and summarized below:

General Fund (including 2 payrolls)	\$206,312.71
Streetlight Tax Fund	\$ 8,109.96
Fire Tax Fund	\$ 11,500.09
Fire Apparatus/Building Reserve Fund	\$ 1,629.00
Library Fund	\$ 3,000.00
Escrow Fund	\$ 360.00
Sewer Fund	\$ 868.24
Solid Waste Collection Service	\$ 16,106.00
Street Tax Fund	\$ 1,761.57
Capital Reserve Fund	\$ 109,730.27
Police Pension Fund	\$ 14,884.74
Non-Uniformed Employees Pension Fund	\$ 1,556.12

Councilman McCabe moved, seconded by Councilman Davis, to approve the payrolls and invoices for the month of December 2005, as listed in the agenda packet.

MOTION CARRIED, all present voting "AYE"

CITIZEN COMMENTS:

Councilman Golden moved, seconded by Councilman Davis, to recess the Regular Order of business to entertain comments from the audience.

MOTION CARRIED, all present voting "AYE"

Kathleen Geer, 407 Rodman Avenue, of the Zoning Hearing Board and Hiway Theatre spoke to Council about the recent zoning board hearings, six of which were businesses requesting variances for parking. This alone demonstrated the need for more parking in the area, and that something must be done to relieve the parking, so that something is being done for the community. President Whitney stated his opinion that he agrees with the sentiments of Ms. Geer and called upon the citizens of the Borough to bring their ideas before Council.

Tom Federman, 609 Summit Avenue, requested an extension of time to complete the Land Development of the aforementioned property. President Whitney stated that it was an item on the agenda that would be address at that time.

RECONVENE:

Councilman McCabe moved, seconded by Councilman Davis, to reconvene the Regular Order of business.

MOTION CARRIED, all present voting "AYE"

COMMITTEE REPORTS:

Administration & Finance:

Vice-President Montanaro reported that his minutes were in the agenda packet, that he would entertain any questions or comments, and that there were 2 items on the agenda.

Public Works:

Councilman McCabe reported that his minutes were in the agenda packet, that there was one item on the agenda and that he would be happy to entertain any questions.

Public Safety:

Councilman Madden reported that the minutes were not in the agenda packet, as he did not realize that it was his responsibility to do them being the new Chair, so would get them along to the Administration to distribute.

Building, Planning & Zoning

Councilman Golden reported that his minutes were in the agenda packet and that there are five items on the agenda.

Jenkintown School Board:

Councilwoman Dobbs reported that she attended the School Board Meeting and introduced herself to the board members. The school reported that they are under budget and on schedule for Phase I of the school project and that Mrs. Bock is retiring after 25 years of service to the First Grade of the Jenkintown Elementary School.

JCA:

Councilman Kilkenny reported that he spoke to Moira Shaughnessy regarding the various JCA activities and needs, and that he would be attending a meeting the next morning at 8:00 a.m. at Grace Presbyterian Church.

Redevelopment Oversight Committee:

Councilman Kilkenny stated that he had no report, and asked Councilman Golden if he had anything to add, to which Councilman Golden replied that he did not, but that he believed that the Planning Commission would have a report in February.

Solicitor's Report:

Solicitor Hynes reported that the final hearing on Foxcroft was held in December. Councilman McCabe asked Solicitor Hynes to bring everyone up to date with where we are in the process. Solicitor Hynes explained that we are waiting for the opposing Council to submit findings to the Zoning Hearing Board for a decision, with thirty days for an appeal. Councilman McCabe asked what the appeal time line is, to which Solicitor Hynes responded that it is three to four weeks out with thirty days to appeal. President Whitney asked Solicitor Hynes to educate the members of Council on Galman's intentions. Solicitor Hynes explained that there is an empty plot of land behind the houses on Washington Lane on which Galman proposes to build two five story apartment buildings. His previous three or four land development applications have been turned down, but the Board of Commissioners has approved this latest plan, which the Borough believes is in violation of the Abington Township Zoning Ordinances. To date, we have lost the initial ZHB hearing, appealed to the Common Pleas Court and lost, appealed to the Commonwealth Court and won, so we are now back to the Abington ZHB. President Whitney wanted the new members to understand that this development would negatively impact drainage, infrastructure and traffic on Greenwood Avenue and Washington Lane. Councilman Golden asked what the status of the companion suit, to which Solicitor Hynes stated that was appealed to the Common Pleas Court after an adverse decision from the ZHB. Councilman Madden asked how long we can drag this process out, to which Solicitor Hynes stated that an appeal to the Common Pleas Court would be six to nine months out; an appeal to the Commonwealth Court would be six to nine months out; and we could always appeal to the Supreme Court, so it would be roughly two years out if we lose. Councilwoman Dobbs commended Solicitor Hynes and Manager Geissler for their work on this matter. Solicitor Hynes also informed Council that he has been directed to collect delinquent taxes by the Administration.

Mayor's Report:

No Report.

Chief's Report:

Chief DiValentino reported that the three hour parking limits are going to be strictly enforced, that there is increased police activity on the traffic details, and that he is not going to move immediately on installing the cameras in the cars so that he can do more research.

Assistant Manager's Report:

Assistant Manager O'Brien stated that she has no report at this time.

Manager's Report:

Manager Geissler stated that the Borough is co-hosting the Montgomery County Borough's Association dinner on Thursday night, that there will be a zoning hearing on February 2, 2006 regarding the School District's request for relief from the permitted working hours, and that the Borough has received the plans and specifications for Phase II of the School Project.

ORDER OF BUSINESS

ORDINANCE 2006-1 TAX COLLECTOR

Vice President Montanaro moved, seconded by Councilman Golden, to authorize the advertising of an ordinance permitting the Tax Collector to charge a fee for the preparation of tax certifications, to allow the tax office to retain the fee and to set a not to exceed charge of thirty (30) dollars for each transaction.

MOTION CARRIED, all present voting "AYE"

TRANSFER OF FUNDS

Vice President Montanaro moved, seconded by Councilman Golden, to authorize the transfer of \$150,000.00 from the General Fund to the Capital Fund.

Councilman Davis asked if we can transfer the money back, to which Manager Geissler replied yes.

MOTION CARRIED, all present voting "AYE"

RESOLUTION Montgomery County Revitalization Program

Councilman Golden moved, seconded by Councilman Davis, to authorize the administration to present a resolution to the Commissioners of Montgomery County supporting the Montgomery County Revitalization Program.

MOTION CARRIED, all present voting "AYE"

LAND DEVELOPMENT 609 Summit Avenue

Councilman Golden moved, seconded by Councilwoman Pancoe, to allow for the extension of the Land Development Process if a letter of request is received in the specified time period. If no letter is received the request is denied.

Councilman Golden asked Manager Geissler for his opinion on what should be done, to which Manager Geissler stated that he is in favor of waiving the 90-day requirement, with which Solicitor Hynes agreed, as long as it was in writing. Councilman Golden asked when the letter would be needed, to which Solicitor Hynes stated 90 days from October 28, 2005.

MOTION CARRIED, all present voting "AYE"

LAND DEVELOPMENT 500 York Road

Councilman Golden moved, seconded by Councilwoman Dobbs, to approve the Land Development Application with the following conditions being met to the satisfaction of the Borough Staff and the Borough Engineer:

1. Record Plan to indicate the building set back lines
2. Identify the existing manhole use and termination in the current loading area.
3. Show on the Record Plan the dimension of the low wall along a portion of Rydal Road.
4. Show details of proposed trash enclosure and the proposed protection of the multi story garage structure adjacent to the proposed trash area. Details of water runoff, daily maintenance, vector control, and landscaping of area to be shown by note on the Record Plan
5. Show exterior lighting and the extent of the splash area.
6. File necessary Sanitary sewer calculations on the current discharge vs. proposed discharge
7. Installation of ADA approved curb cut ramps and the installation of a defined crosswalk from the parking lot with necessary regulatory signage.

MOTION CARRIED, all present voting "AYE"

GRANT SUBMISSIONS REVITALIZATION PROGRAM

Councilman Golden moved, seconded by Councilman Davis, to authorize the Administration to submit Grant Pre-Applications to the Montgomery County Revitalization Board for the following projects:

1. \$25,000.00 toward Main Street staffing
2. \$75,000.00 toward Engineering and other necessary documentation associated with the York Road Streetscape and Residential Traffic Calming Project.
3. \$50,000.00 toward Central Business District street amenities.

MOTION CARRIED, all present voting "AYE"

PHASE 3B JOHNSON STREET IMPROVEMENTS

Councilman McCabe moved, seconded by Councilman Golden, to authorize the Administration to proceed with drafting plans and specifications for the Phase 3B Project. This project is funded with Community Development Block Grant money, Revitalization Grant money and local match. Project will allow for the continuation of Phase 3A on remainder of Johnson Street extending to Cherry Street.

MOTION CARRIED, all present voting "AYE"

DETERMINATION OF CONDITION

Councilman Madden moved, seconded by Councilman McCabe, to authorize the Administration, with the written approval of Independent Fire Company, to have the Borough Engineer engage the services of a structural inspector to determine the immediate and further maintenance issues associated with the Independent Fire Company building as discussed during the budget sessions.

MOTION CARRIED, all present voting "AYE"

HOMETOWN STREETS GRANT

Councilman Golden moved, seconded by Councilman, to authorize Administration to send letters on behalf of Council to Representative Curry & Senator Washington urging their direct assistance with PA DOT now in having our application approved and funded.

Councilman Golden explained that the project is for York Road Streetscape and Borough-Wide Traffic Calming improvement. We have secured federal money and now are in need of PA DOT money in order to complete the whole project, which is necessary for safety and infrastructure.

MOTION CARRIED, all present voting "AYE"

NEW BUSINESS:

MRS. BOCK

Councilwoman Dobbs moved, seconded by Councilwoman Goldman, to send a letter to Mrs. Bock in recognition of her years of service to the Jenkintown Borough School District.

MOTION CARRIED, all present voting "AYE"

Solicitor Hynes informed Council that he had received a satisfactory letter from Tom Federman of 609 Summit Avenue.

RECESS:

Councilman McCabe moved, seconded by Councilman Davis, to recess this January 23rd Borough Council Meeting at 9:15 p.m. this 23rd day of January 2006 and reconvene Monday the 30th of January at 7:00 p.m.

MOTION CARRIED, all present voting "AYE"