

BOROUGH OF JENKINTOWN
JENKINTOWN, PENNSYLVANIA

MINUTES OF REGULAR COUNCIL MEETING

JULY 24, 2006

CALL TO ORDER:

Vice-President Golden called the July Meeting of the Borough Council to order in Council Chambers of Borough Hall at 7:30 p.m. this 24th day of July 2006.

PLEDGE OF ALLEGIANCE:

Mayor Wall led all present in the Pledge of Allegiance to the flag.

ROLL CALL:

Mr. Clark, Mr. Davis, Ms. Dobbs, Ms. Goldman, Mr. Madden , Mr. McCabe, Ms. Wolff, Vice-President Golden and (8). Mr. Kilkenny, Mr. Montanaro, Ms. Pancoe, and President Whitney asked to be excused (12).

OTHER OFFICIALS PRESENT:

Mayor Gregory Wall, Solicitor Michael Hynes, Police Chief Albert DiValentino, Secretary/Manager Edwin Geissler, Assistant Manager Meghan Jack.

APPROVAL OF MINUTES:

Councilman Madden moved, seconded by Councilman Davis, to approve the minutes of the June 26th 2006 Regular Council Meeting, as presented.

MOTION CARRIED, all present voting "AYE".

APPROVAL OF PAYROLLS AND INVOICES:

Councilman McCabe reported the fund expense totals for the various funds for the month of June 2006, as listed in detail in the agenda packet and summarized below:

General Fund (including 2 payrolls)	\$ 192,273.06
Streetlight Tax Fund	\$ 1,077.98
Fire Tax Fund	\$ 6,476.85
Fire Apparatus/Building Reserve Fund	\$ 5,170.60
Solid Waste Collection Service	\$ 21,873.48
Sanitary Sewer Fund	\$ 2,000.00
Street Tax Account	\$ 2,018.30
Capital Account	\$ 21,103.99
Police Pension Fund	\$ 14,597.72
Non-Uniformed Employees Pension Fund	\$ 1,454.48

Councilman McCabe moved, seconded by Councilman Davis, to approve the payrolls and invoices for the month of June 2006, as listed in the agenda packet.

MOTION CARRIED, all present voting "AYE"

CITIZEN COMMENTS:

Dennis Cline, 701 West Avenue, spoke regarding the proposed Rental License Permit Ordinance. Mr. Cline stated that an Ordinance of this nature must follow certain criteria; it must be compatible with the health, welfare, and safety standards and not simply be cosmetic or aesthetic, it cannot be discriminatory, and it must be exercised within a reasonable manner. After reviewing the proposed Ordinance, Mr. Cline has serious doubts as to whether or not it meets these criteria. Ultimately, the question that needs to be addressed is will this help or hinder landlords? Mr. Cline feels that it would overburden the landlords, making a third party responsible for these regulations.

Councilman Madden stated that there are concerns regarding this Ordinance and that he would like it sent back to the Committee. Vice-President Golden concurred, stating that it will be on the Committee agenda in September. Councilman Madden asked if it would be advertised, to which Manager Geissler replied no.

Peggy Anne Ferguson, 323 Nice Avenue, spoke regarding the situation with the curb in front of her house. Ms. Ferguson stated that she has been calling the Borough since 2004 after the snowplow broke the curb. She was told this February that a claim was put in to the insurance company and has since called in May and June and spoke with Theresa, but has heard nothing since and the curb is getting worse and worse. Councilman McCabe asked if this is something that can be handled at the Committee level, to which Manager Geissler replied yes. Councilman McCabe informed Ms. Ferguson that there were no Committee Meetings in August, so it would not be addressed until September as things like this that come before Council usually always go back to the appropriate Committee. Ms. Ferguson stated that she was not looking for this to be solved tonight, but wanted someone to look into it further. Manager Geissler informed Council that the claim was denied by the Insurance Company, but we can certainly look into it again.

COMMITTEE REPORTS:

Administration & Finance:

Vice-President Golden reported that his minutes were in the packet and that there was one item on the agenda.

Public Works:

Councilman McCabe reported that his minutes were before everyone with nothing on the agenda.

Public Safety:

Councilman Madden reported that the minutes were before everyone, handwritten, and that he would type them and get them to everyone.

Building, Planning & Zoning

Councilwoman Goldman stated that the minutes were in the agenda packet and that there were no items on the agenda.

Jenkintown School Board:

Councilwoman Goldman reported that there is no contract and that they have entered into fact finding to settle, which should occur in August. The link is on schedule to complete before the school year opens. The bid for Phase II has been awarded. New teachers have been hired for all positions, with the exception of Home Economics.

JCA:

Councilman Dobbs reported that Moira has left her position, so they will be hiring within the next three weeks. In the interim, Anne McAffie will be filling in for Moira. There will be another BID Public Hearing on September 20th due to the fact that the lines of the boundary map had to be reconfigured. A meeting on the Jazz Festival/Brew Tasting will be held this week between the JCA and Administration. Councilman Clark asked if the new hire will also be the Main Street Manager, to which Vice-President Golden replied that the issue would come before Council, but that the Executive Director of the JCA is generally appointed to that position. Councilman McCabe stated that Council decides that.

Redevelopment Oversight Committee:

Vice-President Golden reported that there would be a meeting among the municipalities along 611 regarding working together. This is preliminary first step and will include Jenkintown, Cheltenham, Abington, Upper Moreland, Hatboro, and Horsham. Manager Geissler added that 611 has been declared a special zone, so there may be more funding available to the Communities along that corridor, but that he would have to find out more.

Solicitor's Report:

Solicitor Hynes stated that he had no report per say, but wanted to advise that Council had considered taking land in Abington Township for open space. If this is to be pursued, all paperwork must be filed by September 1, 2006. Councilman Clark asked if this was possible with the date being soon. Councilwoman Dobbs asked if this could be discussed in Executive Session, to which Solicitor Hynes stated if acquisition were discussed, to which Vice-President Golden stated that is what would be discussed.

Mayor's Report:

Mayor Wall stated that he had no report at this time.

Chief's Report:

Chief DiValentino reported that he and Councilman Madden attended a banquet regarding accreditation.

Assistant Manager's Report:

Ms. Jack stated that she had no report.

Manager's Report:

Manager Geissler informed Council that Johnson Street is completed with the exception of punchlist items and the planting of trees. The Town Square has had a lot of work done to it, but it is still experiencing a great deal of vandalism. Councilman McCabe asked for an update on Elm Avenue, to which Manager Geissler replied that he and the Engineer discussed the situation and will probably recommend holding and re-bidding at the next Committee meeting. Councilwoman Wolff asked if the landscapers who worked on the Town Square will be permanent, to which Manager Geissler replied that they are scheduled for the remainder of this season, which is through the fall. Councilwoman Dobbs asked if there would be any patchwork on Elm Avenue in the meantime, to which Manager Geissler replied that there would have to be. Mayor Wall asked for a status report on Healy Street, to which Manager Geissler replied that the work was scheduled, but the weather has prohibited to date.

ORDER OF BUSINESS

MONTGOMERY COUNTY PLANNING COMMISSION

Vice President Golden moved, seconded by Councilman Davis, to enter into contractual negotiations with the Montgomery County Planning Commission for their Community Planning Assistance Program.

MOTION CARRIED, all present voting "AYE"

APPOINTMENT OF FULL TIME POLICE OFFICER

Councilman Madden moved, seconded by Councilman Davis, to retain Probationary Police Officer Rory Tuffy as a Full Time Police Officer with the Jenkintown Borough Police Department and to instruct the Borough Secretary to notify the Jenkintown Borough Civil Service Commission in writing the position of Borough Council in accord with Section 806 of the Jenkintown Borough Civil Service Commission Rules and Regulations.

MOTION CARRIED, all present voting "AYE"

EXECUTIVE SESSION

Councilman Madden moved, seconded by Councilman Davis, to adjourn to executive session at 8:07 p.m. to discuss matters, as permitted under the sunshine laws.

MOTION CARRIED, all present voting "AYE"

RECONVENE:

Councilman McCabe moved, seconded by Councilman Davis, to reconvene the Order of Business at 9:00 p.m.

MOTION CARRIED, all present voting "AYE"

Other Business:

Open Space Property:

Councilman Davis moved, seconded by Councilwoman Davis, to authorize the advertisement of an Ordinance to take property in Abington Township for Open Space use.

MOTION FAILED 2 "AYE" votes (Dobbs, Davis)
6 "NAY" votes (Clark, Golden, McCabe,
Madden, Wolff, Golden)

Harper Appraisal:

Councilman Madden moved, seconded by Councilwoman Goldman, to authorize the Administration to have an appraisal done on the property at 611 Harper Avenue.

MOTION CARRIED, all present voting "AYE"

Town Square Strip Appraisal:

Councilman Clark moved, seconded by Councilman Madden, to authorize the Administration to have an appraisal done on the Town Square property.

MOTION CARRIED, all present voting "AYE"

Business Information:

Solicitor Hynes stated that he in receipt of a copy of a letter sent from JCA to the Borough requesting certain information. The Tax Ordinance forbids the Borough from providing certain information and delineates the items that can be provided. Councilwoman Dobbs stated that the JCA wanted this information before their next mailing regarding the September Public Hearing. Vice-President Golden stated that he does not see the problem, as it has been done before, to which Manager Geissler replied that the Borough has not, but KSK has during their market survey. Councilman Clark asked if anyone can come in and get information from the Borough, to which Solicitor Hynes stated yes, anything that is of public record. Councilman Madden asked if this was a labor-intensive task, to which Solicitor Hynes stated yes, as he knows it and that there are certain time constraints in the Open Records Act. Councilwoman Dobbs asked how else they are supposed to get the information, to which Solicitor Hynes stated that he cannot really answer that as it is a policy decision for Council. Manager Geissler stated that the Chamber of Commerce is the best source of information. Councilman McCabe asked the Solicitor if he is stating that giving out this type of information is against our Code, to which Solicitor Hynes stated yes, all information on the tax return is confidential. Councilman McCabe moved, seconded by Vice-President Golden, to call the question to vote as to whether or not to provide this information.

MOTION CARRIED: 4 "AYE" votes (Madden, Golden,
Goldman, Dobbs.
4 "NAY" votes (Clark, Davis, Wolff,
McCabe)
Mayor casted the vote of "AYE"

ADJOURN:

Councilman McCabe moved, seconded by Councilman Davis, to adjourn the July 24, 2006 Regular Council Meeting at 9:20 this 24th day of July 2006.

MOTION CARRIED, all present voting "AYE"