

6:30 PM Executive Session to Discuss Litigation

**STATED MEETING AGENDA  
BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP  
TUESDAY, MARCH 14, 2023 7:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**CORRESPONDENCE AND ANNOUNCEMENTS**

25 Years of Service Award: Terry Friel achieved March 18, 2023

**PRESENTATIONS**

- D'Huy Engineering to present status update on the Township Building
- Steve Hartman, Carroll Engineering, to present update on Craig-Y-Nos Sewer Plan

**COMMITTEE REPORTS**

Economic Development & Finance Committee, next meeting Tuesday, May 2, 2023  
Public Safety, Works & Services Committee, next meeting Tuesday, May 2, 2023  
Planning, Parks & Library Committee, next meeting Tuesday, May 23, 2023

**MUNICIPAL AUTHORITY REPORT**

G Presentation by Jack Smyth

**STANDARD BUSINESS**

- A Move to accept the minutes of February's Stated Meeting without reading.
- B Move to approve the Tax Collector's Report for the month of February.
- C Call on Township Engineer for his report.
- D Call on the Manager for his monthly report, Questions, Move to accept.
- E Move to accept the disbursements from the various Township accounts for the month of February.

**DISCUSSION ITEMS**

F Discuss Zoning Hearing Board Cases & Planning Commission Agenda for March.

**PUBLIC COMMENT/QUESTIONS – ITEMS NOT ON AGENDA**

**ACTION ITEMS**

- H Consider motion to approve Site Layout, General Building Layout and Exterior Facade of Township Building.
- I Consider motion to approve Settlement in the Appeal of Bethlehem Gatehouse, LLC and Cedar Road Gatehouse, LLC from the Decision dated December 20, 2021, of the Upper Dublin Township Zoning Hearing Board, Commonwealth Court Docket No. 124 C.D. 2022.
- J Consider action on Resolution #23-2495 to update Signatory Authorization for FFTA for the Limekiln Sidewalk Project.
- K Consider action on Resolution #23-2496 to approve township-wide maintenance agreements as part of the TE-160 process to revise or add traffic signals.
- L Consider action on Resolution #23-2497 to approve the Verizon Cable Franchise Agreement for a five (5) year term.

- M     Consider     motion to advertise for Solar Panel Placement Ordinance Amendment.
- N     Consider     action on Resolution #23-2498 to authorize a PA DCNR C2P2 grant application for tree planting at Twining Valley Park & Susquehanna Woods.
- O     Consider     action on Resolution #23-2499 to authorize a PA DCNR C2P2 grant application for a Sunny Willow Swim Club Trail, Utility & Conservation Easement.
- P     Consider     action on Resolution #23-2500 to authorize a PA DCNR C2P2 grant application for a Pumptrack at Twining Valley Park.
- Q     Consider     motion to approve purchase a 2015 Harley Davidson Police motorcycle from the Warrington Police Department for \$11,000.

**NEXT MEETING**     Tuesday, April 11, 2023 7:00 PM

**ADJOURN**

Agenda posted 3/10/2023

A Stated Meeting of the Board of Commissioners (BOC) of Upper Dublin Township (UDT) was held on Tuesday, March 14, 2023, at 7:00 P.M. in person at 520 Virginia Drive Auditorium with Ira Tackel presiding following an Executive Session held at 6:30 PM.

In attendance were Commissioners Ira Tackel, Liz Ferry, Robert McGuckin, Meredith Ferleger, Cheryl Knight, Alyson Fritzges and Gary Scarpello. Also present were Kurt Ferguson, Township Manager; Jonathan Bleemer, Assistant Township Manager and Finance Director; Tom Fountain, Township Engineer; and David Brooman, Township Solicitor.

PLEDGE OF ALLEGIANCE:

Mr. Tackel asked all present to join in reciting the pledge of allegiance to the flag.

ROLL CALL:

Mr. Tackel called the roll call and received responses that all seven of the Commissioners were in attendance.

CORRESPONDENCE AND ANNOUNCEMENTS:

Mr. Tackel announced that Terry Friel received 25 years of Service Award.

Mr. Tackel announced that Winterfest was held on Friday, February 24 and Saturday, February 25, and it was a very successful event. Mr. Tackel thanked all of the staff and volunteers for such a well run event.

PRESENTATIONS:

Status Update on the Township Building:

Arif Fazil, D'Huy Engineering, and Mike O'Rourke, GKO Architects, presented on the updates to the Township Building design.

Mr. Fazil asked for direction from the Board whether or not to explore the Geothermal option.

The Board discussed all of the options and decided to move forward with gathering further information on all four options, including the Geothermal, and asked that Mr. Fazil come back with more detailed information.

Update on Craig Y Nos Sewer Plan:

Mr. Ferguson gave background on the DEP mandate for the Craig Y Nos area and the upcoming sewer project.

Steve Hartman, Carroll Engineering, presented the DEP mandate and the Component 3M.

Public Comment on Craig Y Nos Sewer Plan:

Deborah Hill, 1062 Twining Road, asked why there wasn't homework done in preparation for this project as there seem to be many discrepancies.

Mr. Ferguson stated that there are a few properties that will need to be addressed individually and he would be happy to meet with those residents on an individual basis.

Mark Coleman, 1046 Twining Road, stated that he installed his own water main and asked if he was involved in this project. Mr. Coleman also asked about possible grant funding and who would be contacting Rep. Sanchez's office about that funding.

Mr. Ferguson stated that the Township would work with the local representatives on possible grant funding.

Michael Brown, 1026 Windsor Avenue, stated that the project line looks to run right through his property and asked why it didn't go around his property. Mr. Brown asked who would be responsible to pave the road. Mr. Brown stated he had plans to build a structure on the vacant lot in the back of his property and that he was already connected to sewer.

Dave Secouler, 925 Drexel Avenue, requested to see the 2017 DEP letter as well as the most recent Notice and stated that should have been released to the residents in 2017. Mr. Secouler stated he purchased his home in 2019, but might not have if he had known about this mandate. Mr. Secouler asked if the DEP could offer any type of waivers.

Maria Garcia, 3328 Craig Y Nos Avenue, stated that she just installed a new septic system in 2016. Ms. Garcia stated that she is a single mom on a fixed income and cannot afford this.

Charlie Breinig, 1115 Camp Hill Road, confirmed the total cost was \$30,000-35,000 and asked how long these systems would last. Mr. Breinig also requested when calculating the cost difference of gravity versus grinder to include the cost of grinder pump replacement.

Bill Gouak, 1004 Drexel Avenue, asked if it would be an even fee for everyone. Mr. Gouak asked for copies of the communication with DEP regarding this mandate.

Jon Barnitz, 940 Craig Y Nos Avenue, stated that he had a grinder pump installed at his mountain house and he did not pay anything except for the line from the house to the grinder pump.

Mr. Coleman asked about the low interest loan. Mr. Tackel stated that the township would provide a low interest loan to those residents affected.

Dennis, 1004 Drexel Avenue, asked why if the township knew a year ago why was there only a schematic design today.

Mr. Brown, asked if this is a DEP mandate and the residents are financially obligated to pay, what are the financial penalties if they don't.

John Tucker, 1015 Camp Hill Avenue, asked why would he need a grinder pump if he is able to use a gravity system. Mr. Tucker questioned who would be responsible for the road. Mr. Tucker also asked if tying in to public water would also be mandated.

The Board encouraged everyone to contact their local representatives with questions and concerns as well.

Eric Storck, 1003 Camp Hill Road, stated that he purchased his property on December 23, 2022 and asked why the township didn't divulge this information then. Mr. Storck also asked if the cost included filling in the septic tank. Mr. Hartman answered that it did not include that cost.

COMMITTEE REPORTS:

Economic Development and Finance Committee (EDF):

Mr. McGuckin reported that they did not meet this month. The next meeting will be May 2, 2023.

Public Safety, Works and Services Committee (PSWS):

Mr. McGuckin reported that they did not meet this month. The next meeting will be May 2, 2023.

Planning, Parks and Library Committee (PPL):

Ms. Ferleger reported that they did not meet this month. The next meeting will be May 23, 2023.

Tab G - Municipal Authority Report:

Jack Smyth, Boles Smyth, presented on updates to the office park.

STANDARD BUSINESS:

Tab A – Move to Accept the Minutes of the February 14, 2023 Stated Meeting without reading:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept the minutes of the February 14, 2023 Stated meeting without reading.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab B – Motion to Approve the Tax Collector's Report for the month of February 2023:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept the Tax Collector's Report for the month of February 2023.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab C – Call on Township Engineer for his Report:

Mr. Fountain submitted his written report for the month of February 2023 and highlighted the following:

Mr. Fountain:                      The Stuart Creek HOA has recently retained a landscape planner to repair the buffer area. The two ongoing projects on Jackson Avenue have just submitted building permits. I would be happy to answer any questions you may have.

Tab D – Call on Township Manager for his Report:

*Discussed later in the agenda.*

Tab E – Motion to accept the Disbursements from the Various Township Accounts for the Month of February 2023:

Ms. Knight motioned, with Dr. Scarpello seconding, to accept the disbursements from the various Township accounts in the amount of \$2,895,495.80 as follows:

Total of Proposed Disbursements	\$1,387,323.65
Estimated Payroll	\$1,200,000.00
Interim Check Run Expenses	\$308,172.15
<b>Grand Total</b>	<b>\$2,895,495.80</b>

VOTE ON MOTION

ALL YES

MOTION CARRIED

DISCUSSION ITEMS:

Tab F - Discuss Zoning Hearing Board (ZHB) Cases and Planning Commission (PC) Agenda for March 2023:

Ms. Giles stated that the March 21, 2023 Planning Commission meeting has been cancelled due to there being no items to discuss. The April meeting has the following matters scheduled for discussion:

Review of Conditional Use Application for 525 Virginia Drive- Proposed Apartment Development

Review of Preliminary/Final Land Development Application for proposed Townhouse Development at 1840 Norristown Road, Maple Glen (Goodman Tract)

Ms. Giles reviewed the March 27, 2023 Zoning Hearing Board meeting agenda that has the following matters scheduled for discussion:

**Application #2436 for the Property located at 525 Virginia Drive, Fort Washington:**

Several variances related to the proposed construction of a 225-unit apartment development within a FEMA delineated floodplain are requested. The Property is zoned GFW- Greater Fort Washington District and is within the Floodplain Conservation Overlay District.

**Application #2458 for the Property at 1708 N Limekiln Pike, Dresher:**

The Applicant is appealing the Zoning Officer’s determination/requesting an interpretation regarding whether the proposed Dunkin’ Donuts with drive-through services is a drive-through facility and is a permitted use. The Applicant also seeks a variance to allow drive-through services, and a variance to allow the business to open to the public at 5:00AM rather than 6:30AM. The Property is Zoned CR-I Commercial Retail Class I and falls within DO-Dresher Overlay District. A portion of the Property is within the Floodplain Conservation District. This

matter was opened and heard at the December and January meetings, then continued to the March meeting, where it is expected to conclude.

**Application #2464 for the Property at 1410 E. Butler Pike, Ambler:**

The Applicant is appealing the Zoning Officer's determination regarding Upper Dublin Township Zoning Code Section 255-82.S. In the alternative, they are seeking a variance to allow two new apartment buildings and associated parking lots to be constructed in an area that contains woods, streams, and open space areas which are required to be preserved or incorporated where possible. The Property is Zoned AHS- Apartment House Special District, and falls within the Floodplain Conservation District. This matter has been postponed since January; the Applicant must appear this month or withdraw.

**Application #2463 for 1245 Hoffman Road, Ambler:**

Two side yard setback variances, a front yard setback variance, and a special exception are needed for the construction of a covered porch and rear yard building addition. The property is Zoned A Residential.

**Application #2471 for 1445 N Limekiln Pike, Dresher:**

A front yard setback and a use variance are needed to allow a detached garage to be erected in a front yard area, as opposed to a side or rear yard, which also encroaches into the front yard setback. The Property is Zoned A Residential.

**Application #2472 for 131 Anbury Lane, Willow Grove:**

Two side yard setback variances are needed for the construction of a detached pavilion and for the installation of a shed. The Property is Zoned B Residential.

**Application #2473 for 3241 E Bruce Drive, Dresher:**

A variance and special exception are needed to allow the construction of an attached in-law suite. The Property is Zoned B Residential.

Zoning Hearing Board Update from February 27, 2023:

**Application #2436 for the Property located at 525 Virginia Drive, Fort Washington:**

The project received a recommendation of approval after review by the Planning Commission at the February 21st meeting as required by the Zoning Code. This matter was opened and during the February meeting. The Township Engineer was present as approved by the Board, though no testimony was requested at that time. The matter has been continued to the March meeting.

Ms. Ferry: Mr. Fountain, will you speak on this issue?

Mr. Fountain: If I am asked any questions, I will answer.

Mr. McGuckin: Mr. Brooman, does your recommendation remain the same?

Mr. Brooman: Yes.

Tab D – Call on Township Manager for his Report:

Mr. Ferguson submitted his written report for the month of February 2023, and highlighted the following:

Mr. Ferguson: Our Natural Resource Manager has prepared a buffering plan for our property and provided additional buffers at the Highland Avenue driveway. This plan will be discussed at Shade Tree Commission meeting this Thursday. I will meet with the residents of Highland Avenue on Friday to discuss other possibilities and alternatives.

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept the Manager’s Report for the month of February 2023 without reading.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Mr. Tackel announced that this Saturday, March 18, 2023 at 7:00 pm Upper Dublin Township and the Upper Dublin Education Foundation would be hosting the Winning Cards Casino night held at the Mercedes Dealership in Fort Washington.

PUBLIC COMMENT/QUESTIONS - ITEMS NOT ON AGENDA:

Ted Fricker, 1449 Limekiln Pike, asked what the proposed square footage of the new township building is versus what square footage we had previously and what we already have available. Mr. Fricker opposed selling 530 Virginia Drive and implored the Board to build a township building within our budget.

Lance Shapiro, 1511 Fort Washington Avenue, stated that the joint memo released by the School District and the Township seemed disingenuous and was not well received by the residents. Mr. Shapiro is opposed to selling open space and is against spending more than we need to for the township building. Mr. Shapiro asked for better communication with the residents.

Ms. Ferry stated that she has raised the idea of looking for other sites for years and the school district has not explored all options with regards to the location of the bus depot.

The Board continued discussions about 455 Virginia Drive as a possible site for the bus depot, but concluded that it is not seem to be a feasible site due to being in the floodplain.

Sean Black, 1424 Highland Avenue, asked why the Board voted to approve public access to the Highland driveway when it was initially only supposed to be emergency access for the police. Mr. Black is opposed to the sale of open space and asked the Board to seek other ways to bridge the funding gap for the township building.

Susan Vorwork, non-resident, stated that she is part of Friends of the Meetinghouse and asked the Board to consider not approving any development on those fields.



Mark Chadwick, 211 Apel Avenue, stated that there should be other design options for the township building. Mr. Chadwick suggested it be a simple and durable design which would cost less.

Michael Haas, 107 Orlando Avenue, stated he appreciated the engineers focus on sustainability even at an increased cost. Mr. Hass asked if the Board would take input from the residents on the design of the new township building.

Veronika Lambert, 320 Bellaire Avenue, agreed with previous comments that there needs to be more communication regarding school district/township collaboration. Ms. Lambert stated that the residents have been working tirelessly to replant trees lost in the tornado and is opposed to the sale of open space.

Ann Marie Stockbower, 521 Summit Avenue, expressed concern about the proposed development between the soccer fields and the public library. Ms. Stockbower asked about the space at the library and if there was any thought to putting a department there in an effort to reduce the cost of the township building. Ms. Stockbower also expressed concerns about renting out space in the library in regards to the safety of the children and the proposed size of the parking lot at the new township building.

Jen Kuznits, 704 Spring Avenue, opposed the sale of 530 Virginia Drive and expressed concern of increased traffic on Highland Avenue. Ms. Kuznits asked the Board to reduce the overall budget for the new township building.

Ginny Vitella, 701 Lake Drive, stated that there was a petition with over 950 signatures opposing the sale of 530 Virginia Drive. Ms. Vitella stated the new township building was too big and we need to look at alternative options in order to lower the cost.

Greg Stockbower, 521 Summit Avenue, asked the Board to reduce the budget for the new township building and opposed the sale of open space.

Ali Feldman, 1426 Jonathan Way, recommended the Board consider EV charging stations in the new design.

ACTION ITEMS:

Tab H – Consider motion to approve Site Layout, General Building Layout and Building Massing of Township Building:

Mr. Tackel motioned, with Dr. Scarpello seconding, to approve Site Layout, General Building Layout and Building Massing of Township Building.

ROLL CALL VOTE ON MOTION	YES	COMMISSIONERS TACKEL, KNIGHT, FERLEGER, FRITZGES, FERRY, SCARPELLO
	NO	MCGUCKIN

MOTION CARRIED

Tab I – Consider motion to approve Settlement in the Appeal of Bethlehem Gatehouse, LLC and Cedar Road Gatehouse, LLC from the Decision dated December 20, 2021, of the Upper Dublin Township Zoning Hearing Board, Commonwealth Court Docket No. 124 C.D. 2022:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve Settlement in the Appeal of Bethlehem Gatehouse, LLC and Cedar Road Gatehouse, LLC from the Decision dated December 20, 2021, of the Upper Dublin Township Zoning Hearing Board, Commonwealth Court Docket No. 124 C.D. 2022.

VOTE ON MOTION            ALL YES            MOTION CARRIED

The Board directed D’Huy and GKO to look at all HVAC options presented and alternatives for solar energy.

Tab J – Consider action on Resolution #23-2495 to update Signatory Authorization for FFTA for the Limekiln Sidewalk Project:

Dr. Scarpello motioned, with Mr. McGuckin seconding, to approve Resolution #23-2495 to update Signatory Authorization for FFTA for the Limekiln Sidewalk Project.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab K – Consider action on Resolution #23-2496 to approve township-wide maintenance agreements as part of the TE-160 process to revise or add traffic signals:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to approve Resolution #23-2496 to approve township-wide maintenance agreements as part of the TE-160 process to revise or add traffic signals.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab L – Consider action on Resolution #23-2497 to approve the Verizon Cable Franchise Agreement for a five (5) year term:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve Resolution #23-2497 to approve the Verizon Cable Franchise Agreement for a five (5) year term.

ROLL CALL VOTE ON MOTION            YES            COMMISSIONERS TACKEL,  
KNIGHT, FERLEGER, FRITZGES,  
FERRY, SCARPELLO

RECUSED    MCGUCKIN

MOTION CARRIED

Tab M – Consider motion to advertise for Solar Panel Placement Ordinance Amendment:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to advertise for Solar Panel Placement Ordinance Amendment.

Mr. Brooman explained this was an amendment to the Solar Panel Ordinance for solar panels on residential roofs to be consistent with the UCC.

Mr. McGuckin asked if this would allow residents to install more solar panels on their roofs.

Mr. Brooman answered that it would.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab N – Consider action on Resolution #23-2498 to authorize a PA DCNR C2P2 grant application for tree planting at Twining Valley Park & Susquehanna Woods:

Dr. Scarpello motioned, with Mr. McGuckin seconding, to approve Resolution #23-2498 to authorize a PA DCNR C2P2 grant application for tree planting at Twining Valley Park & Susquehanna Woods.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab O – Consider action on Resolution #23-2499 to authorize a PA DCNR C2P2 grant application for a Sunny Willow Swim Club Trail, Utility & Conservation Easement:

Dr. Scarpello motioned, with Mr. McGuckin seconding, to approve Resolution #23-2499 to authorize a PA DCNR C2P2 grant application for a Sunny Willow Swim Club Trail, Utility & Conservation Easement.

Ms. Fritzges:                      What is the match?

Mr. Dureka:                      It is a 50/50 match, approximately \$250,000.

Ms. Ferleger:                      If we approve the grant application, are we bound to act on the grant?

Mr. Ferguson:                      This grant does not pre-obligate the Board, there is still time to decide.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab P – Consider action on Resolution #23-2500 to authorize a PA DCNR C2P2 grant application for a Pumptrack at Twining Valley Park:

Dr. Scarpello motioned, with Ms. Ferleger seconding, to approve Resolution #23-2500 to authorize a PA DCNR C2P2 grant application for a Pumptrack at Twining Valley Park.

ROLL CALL VOTE ON MOTION                      YES                      COMMISSIONERS TACKEL,  
KNIGHT, FERLEGER, FRITZGES,  
MCGUCKIN, SCARPELLO

NO                      FERRY

MOTION CARRIED

Tab Q – Consider motion to approve purchase of a 2015 Harley Davidson Police motorcycle from the Warrington Police Department for \$11,000:

Mr. McGuckin motioned, with Ms. Ferleger seconding, to approve purchase of a 2015 Harley Davidson Police motorcycle from the Warrington Police Department for \$11,000.

Chief Wheatley stated this was a great opportunity and something the Police Department has been interested in.

Ms. Ferleger asked if there were any donation opportunities and Chief Wheatley answered that is something that could be looked into.

VOTE ON MOTION

ALL YES

MOTION CARRIED

NEXT MEETING:

Tuesday, April 11, 2023 Stated Meeting at 7:00 PM.

ADJOURNMENT:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to adjourn the meeting.

VOTE ON MOTION

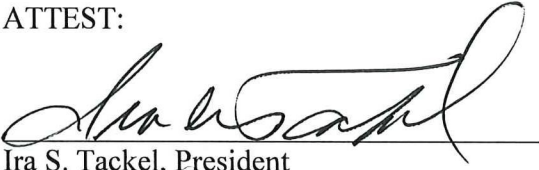
ALL YES

MOTION CARRIED

Respectfully submitted,

  
\_\_\_\_\_  
Jesse Conte, Recording Secretary

ATTEST:

  
\_\_\_\_\_  
Ira S. Tackel, President