

6:30 PM I Conditional Use Hearing on 525 Virginia Drive

**STATED MEETING AGENDA**  
**BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP**  
**TUESDAY, JUNE 13, 2023 7:00 PM**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CORRESPONDENCE AND ANNOUNCEMENTS**

Announce Appointments to be made at July Stated Meeting

**PRESENTATION**

J Presentation of the DRAFT UDT Open Space Plan

**COMMITTEE REPORTS**

Economic Development & Finance Committee, next meeting August 1, 2023

Public Safety, Works & Services Committee, next meeting August 1, 2023

Planning, Parks & Library Committee, next meeting August 23, 2023

**MUNICIPAL AUTHORITY REPORT**

F Project Status Report

**STANDARD BUSINESS**

- A Move to accept the minutes of the May 9, 2023 Stated Meeting and the May 30, 2023 Special Meeting without reading.
- B Move to approve the Tax Collector's Report for the month of May.
- C Call on the 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 May.

**DISCUSSION ITEMS**

- G Discuss Zoning Hearing Board Cases & Planning Commission Agenda for June.
- H Discuss Upper Dublin School District Natatorium MOU.

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

**ACTION ITEMS**

- I Consider action on Conditional Use for 525 Virginia Drive.
- K Consider motion to approve the donation of an electric bike from Caddick Construction for the Police Department in an amount of \$2,925.
- L Consider motion to authorize lowest responsible Bid for Fort Washington Fire Grounds Project to Foresite Concepts, Inc. at a cost of \$205,885.80.
- M Consider action on Resolution #23-2508 to Designate Signatory Authorization for the Hazard Mitigation Grant Program for the Willow Manor Stream Bank Stabilization Project.
- N Consider motion to approve 50 applications for Hurricane Ida Relief Fund (HIRF) – Round 2 Grants in the amount of \$139,703.87 and 28 applications for Hurricane Ida Relief Fund – Round 3 – Group 1 Grants in the amount of

- \$88,257.00.
- O     Consider     authorization to Supplement Boles Smyth Associates Construction Phase Services contract in a supplemental amount not to exceed \$20,410 for reassignment of ADA Ramp Design for the Limekiln Pike Sidewalk project.
  - P     Consider     action on Resolution #23-2509 authorizing filing Redevelopment Assistance Capital Program (RACP) Application for the Township Building.
  - Q     Consider     action on Resolution #23-2510 authorizing support of Senate Bill 671 amending the Local Tax Enabling Act and repealing the Sterling Act.
  - R     Consider     action on Resolution #23-2511 adopting the 2022 Montgomery County Hazard Mitigation Plan.
  - S     Consider     action on Resolution #23-2512 authorizing application for DEP Growing Greener Grant for the Willow Manor Stream Bank Stabilization Project.
  - T     BOARD AND COMMISSION APPOINTMENTS:  
       Consider     action on appointments to  
                          Building Code Board of Appeals  
                          Environmental Protection Advisory Board  
                          Library Board  
                          Shade Tree Commission  
                          Zoning Hearing Board

**NEXT MEETING**     July 11, 2023 7:00 PM

**ADJOURN**           to Executive Session to discuss personnel.

Agenda posted: 6/9/23

A Stated Meeting of the Board of Commissioners (BOC) of Upper Dublin Township (UDT) was held on Tuesday, June 13, 2023, at 7:00 P.M. in person at 520 Virginia Drive Auditorium with Ira Tackel presiding following a Conditional Use Hearing on 525 Virginia Drive held at 6:30 PM.

In attendance were Commissioners Ira Tackel, Robert McGuckin, Liz Ferry, Cheryl Knight, Meredith Ferleger, 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 dispensed in reciting the pledge of allegiance to the flag as it was done previously at the Hearing.

ROLL CALL:

Mr. Tackel dispensed in the roll call as it was done previously at the Hearing.

CORRESPONDENCE AND ANNOUNCEMENTS:

Mr. Tackel announced that at the Board of Commissioners Stated Meeting on July 11, 2023, the Board will be appointing members to the following Boards and Commissions:

- Human Relations Commission – completion of one three-year term ending November 30, 2023

Applications should be made online at [www.upperdublin.net/government/boards-commissions/](http://www.upperdublin.net/government/boards-commissions/) and submitted by June 27, 2023 for consideration at July's Stated Commissioners' meeting.

PRESENTATIONS:

Tab J - Presentation of the DRAFT UDT Open Space Plan:

Derek Dureka, Director of Parks and Recreation, and Kaitlin Mills, HRG, gave a presentation on the DRAFT UDT Open Space Plan.

Ms. Ferleger: In looking at this map, I see a few properties that seem unrealistic – is this the final map of the plan that will go before the board for approval?

Mr. Dureka: All of the properties of interest in this map are what the Open Space Committee recommended to be in the plan. However, not every property of interest on the map is an acquisition interest. A chart will be provided to define what type of interest there is for each property: Acquisition, Access Easement, or Conservation Easement.

Ms. Ferry: I want to make sure we aren't identifying the need for sidewalks and then asking residents to pay for it.

Mr. Dureka: The plan is not to mandate the installation of sidewalks, but to identify where the missing sidewalks are and then when a community is redeveloped or subdivided in the future, we will have an opportunity to ask them to put in those sidewalks. Having the sidewalks identified in the plan now will help the chances of a grant for them in the future.

Dr. Scarpello: Will the bike lanes be taken away from the lanes of the road or require road widening?

Mr. Dureka: We have not gone to that level at this time but have worked with the Montgomery County Planning Commission to identify where bike lanes would make the most sense. Having these in the plan will help chances of being awarded grants in the future.

Mr. McGuckin: Have you examined pedestrian crosswalks?

Mr. Dureka: Pedestrian crossings are included in the identified 67 missing connections.

COMMITTEE REPORTS:

Economic Development and Finance Committee (EDF):

Mr. McGuckin reported that they did not meet this month. The next meeting will be August 1, 2023.

Public Safety, Works and Services Committee (PSWS):

Mr. McGuckin reported that they did not meet this month. The next meeting will be August 1, 2023.

Planning, Parks and Library Committee (PPL):

Ms. Ferleger reported that they did meet this month and announced the EPAB has welcomed a new associate member, Ms. Laina Stricker, Ward 5. Dr. Scarpello stated that they also received an update on the Sunny Willow Swim Club Easements. The next meeting will be August 22, 2023.

Tab F - Municipal Authority Report:

None.

STANDARD BUSINESS:

Tab A – Move to Accept the Minutes of the May 9, 2023 Stated Meeting without reading:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept the minutes of the May 9, 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 May 2023:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to accept the Tax Collector’s Report for the month of May 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 May 2023 and highlighted the following:

Mr. Fountain: All aspects of project construction, review, in-sketch, and pre-submission planning are being reviewed in daily communication between myself, the Zoning Officer, Code Enforcement Director, and Township Manager.

Tab D – Call on Township Manager for his Report:

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

Mr. Ferguson: I am pleased to announce the Visiting Nurses Association will be moving into the North Hills Community Center and will be providing services to the community. They will open on July 11, 2023 and have hours two days a week. This was accomplished with much support from Representative Sanchez. Grand Opening information will be shared as it becomes available.

We have also created a section on our website dedicated to the new township building and we will continue to update with any appropriate information.

Dr. Scarpello: I wanted to acknowledge the Police Department for acquiring their accreditation.

Ms. Ferleger: I would like to echo Dr. Scarpello’s comments and add that the accreditation process involves over 400 standards they have to meet, and the assessors were extremely impressed as they found zero issues of with compliance. This is an incredibly rare accomplishment and is only the second time it has ever taken place in the Commonwealth and the first time a municipal police department has achieved this distinction. We are very fortunate to have our Police Department in our community.

Mr. Ferguson: I’d like to point out that as part of the new township building, the layout, set-up, and safety protocols of the police station are part of that accreditation. The process of designing the police building has been remarkably efficient due to how knowledgeable our Police Department is, and they are working to get the new facility in compliance with the accreditation group’s blessing.

Mr. McGuckin: I would like to ask that we explore a cross-walk from the Maple Glen Elementary School to the soccer fields across the street.

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

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

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

Ms. Knight motioned, with Dr. Scarpello seconding, to accept the disbursements from the various Township accounts in the amount of \$4,429,320.66 as follows:

Total of Proposed Disbursements	\$2,135,292.59
Estimated Payroll	\$1,200,000.00
Interim Check Run Expenses	\$1,094,028.07
<b>Grand Total</b>	<b>\$4,429,320.66</b>

Mr. McGuckin:    The amounts seem higher than usual?

Mr. Bleemer:        The Hurricane Ida Relief Fund (HIRF) payments that were approved last month were included in this period which was over a half million dollars.

Mr. Tackel:         That is a pass-through?

Mr. Bleemer:        That is correct.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

DISCUSSION ITEMS:

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

Ms. Giles reviewed the June 26, 2023 Zoning Hearing Board meeting agenda that has the following matters scheduled for discussion:

**Application #2480 for the Property at 1673 Dillon Road, Maple Glen:**

A variance is needed to allow a side yard setback of 17 feet 6 inches where 25 feet is required for the construction of an addition. The Property is Zoned A Residential.

Zoning Hearing Board Update from May 2023:

The Woods have withdrawn, and we expect them to come back with a substantially revised plan. Notifications will go out when that happens.

Ms. Giles reviewed the June 20, 2023 Planning Commission meeting agenda. This meeting has the following matter scheduled for discussion:

**Review of Land Development Application UD #23-02 for proposed Upper Dublin Township Municipal Building at 801 Loch Alsh Ave:**

Upper Dublin Township is proposing to construct a municipal building with associated parking and public works facilities at 801 Loch Alsh Avenue. The gross floor area of the proposed administration building is approximately 53,000 square feet, and the proposed public works facility square footage is approximately 11,000. The site contains an area of 10.48 Acres, and the total area to be impacted by development is 6.5 acres. The property is Zoned A Residential. The subject Application is scheduled for review and discussion at the June 20, 2023 Upper Dublin Township Planning Commission meeting. No formal decisions or official recommendations will be made at the June meeting; however, a formal recommendation is expected at the July 18th, 2023 Planning Commission meeting.

**Tab H – Upper Dublin School District Natatorium MOU:**

Mr. Ferguson stated that there was an MOU update from a meeting with the School District at a Township/School District liaison meeting. An acknowledgement of the MOU reviewed by our solicitor concluded with the Superintendent and Township Manager meeting to identify public use time. There is a plan to meet with the Superintendent soon to define a schedule.

Mr. McGuckin stated that this has been an ongoing issue for quite some time and asked that the Board be updated on progress.

**PUBLIC COMMENT/QUESTIONS - ITEMS NOT ON AGENDA:**

Vince Castronuovo, stated that the LA Fitness Pool will be closing as of September 1, due to high lifeguard salaries. Mr. Castronuovo asked the Board to consider removing the requirement of lifeguards at this institution.

The Board continued discussion on the lifeguard ordinance.

Eileen Seeburger, 285 Wenner Way, asked if the lifeguard requirement could be for seasonal pools and if the pool was for therapy, could the requirement be dropped if contracts were changed to say you must swim with a partner.

Ted Fricker, 1449 N Limekiln Pike, warned this may be a slippery slope for trying to define types of businesses. I think they should choose whether they are willing to take on the liability or not.

The Board decided to revisit amending the lifeguard ordinance as a discussion item at the next Stated Meeting.

Chris Gardner, 385 Ambler Road, asked if the township buildings had been condemned and why they were being demolished. Mr. Gardner expressed concern about the cost to rebuild the township buildings and suggested repairing instead.

Mr. Fricker expressed concern about selling 530 Virginia Drive and the need to conserve our open space, especially with the location being so close to Township resident amenities and being an opportunity for connectivity.

Ms. Ferry expressed concern about the township sharing a notice about an event held by a private club through the school district and asked if there could be a policy about what information the township shares.

The Board continued discussion on what the township should share. The Board decided not to change the current township policy on how to disseminate information.

Ms. Seeburger expressed her concern with this event being held on school grounds.

Mr. Fricker expressed his concern about a policy on what information to share.

ACTION ITEMS:

Tab I – Consider action on Conditional Use for 525 Virginia Drive:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve the Conditional Use for 525 Virginia Drive.

Mr. Fountain suggested to the Board to either postpone or accept the conditions that were accepted earlier.

The Board continued discussion on Conditional Use for 525 Virginia Drive.

Mr. Ferguson suggested that the applicant meet with Township staff and solicitor to go over the conditions that need further clarification.

Ms. Ferleger motioned, with Dr. Scarpello seconding, to table action on Conditional Use for 525 Virginia Drive until next month.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab K – Consider motion to approve the donation of an electric bike from Caddick Construction for the Police Department in an amount of \$2,925:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to approve the donation of an electric bike from Caddick Construction for the Police Department in an amount of \$2,925.

Mr. Caddick mentioned he had just completed the Citizen Police Academy and complimented the Police Department on a great program.

VOTE ON MOTION            ALL YES            MOTION CARRIED



Tab L – Consider motion to authorize lowest responsible Bid for Fort Washington Fire Grounds Project to Foresite Concepts, Inc. at a cost of \$205,885.80:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to authorize lowest responsible Bid for Fort Washington Fire Grounds Project to Foresite Concepts, Inc. at a cost of \$205,885.80.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab M – Consider action on Resolution #23-2508 to Designate Signatory Authorization for the Hazard Mitigation Grant Program for the Willow Manor Stream Bank Stabilization Project:

Dr. Scarpello motioned, with Mr. McGuckin seconding, to approve Resolution #23-2508 to Designate Signatory Authorization for the Hazard Mitigation Grant Program for the Willow Manor Stream Bank Stabilization Project.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab N – Consider motion to approve 50 applications for Hurricane Ida Relief Fund (HIRF) – Round 2 Grants in the amount of \$139,703.87 and 28 applications for Hurricane Ida Relief Fund – Round 3 – Group 1 Grants in the amount of \$88,257.00:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to approve 50 applications for Hurricane Ida Relief Fund (HIRF) – Round 2 Grants in the amount of \$139,703.87 and 28 applications for Hurricane Ida Relief Fund – Round 3 – Group 1 Grants in the amount of \$88,257.00.

Mr. Ferguson thanked Township staff members Sue Lohoefer and Liz Ridgway for their efforts in coordinating the application process for the Hurricane Ida Relief Fund as well as assisting Horsham Township in their own process.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab O – Consider authorization to Supplement Boles Smyth Associates Construction Phase Services contract in a supplemental amount not to exceed \$20,410 for reassignment of ADA Ramp Design for the Limekiln Pike Sidewalk project:

Dr. Scarpello motioned, with Ms. Fritzges seconding, authorizing to Supplement Boles Smyth Associates Construction Phase Services contract in a supplemental amount not to exceed \$20,410 for reassignment of ADA Ramp Design for the Limekiln Pike Sidewalk project.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab P – Consider action on Resolution #23-2509 authorizing filing Redevelopment Assistance Capital Program (RACP) Application for the Township Building:

Mr. Tackel motioned, with Mr. McGuckin seconding, to approve Resolution #23-2509 authorizing filing Redevelopment Assistance Capital Program (RACP) Application for the Township Building.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab Q – Consider action on Resolution #23-2510 authorizing support of Senate Bill 671 amending the Local Tax Enabling Act and repealing the Sterling Act:

Mr. Tackel motioned, with Mr. McGuckin seconding, to approve Resolution #23-2510 authorizing support of Senate Bill 671 amending the Local Tax Enabling Act and repealing the Sterling Act.

Mr. Ferguson gave a brief background on this Senate Bill 671.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab R – Consider action on Resolution #23-2511 adopting the 2022 Montgomery County Hazard Mitigation Plan:

Ms. Knight motioned, with Dr. Scarpello seconding, to approve Resolution #23-2511 adopting the 2022 Montgomery County Hazard Mitigation Plan.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab S – Consider action on Resolution #23-2512 authorizing application for DEP Growing Greener Grant for the Willow Manor Stream Bank Stabilization Project:

Dr. Scarpello motioned, with Mr. McGuckin seconding, to approve Resolution #23-2512 authorizing application for DEP Growing Greener Grant for the Willow Manor Stream Bank Stabilization Project.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab T – Consider action on appointments to the following Boards and Commissions:

Mr. McGuckin motioned to appoint Marc Osias to the Building Code Board of Appeals for a five-year alternate term ending June 30, 2028.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Mr. Osias was appointed to the Building Code Board of Appeals for a five-year alternate term ending June 30, 2028.

Mr. McGuckin motioned to appoint Andrew Kamnick to the Building Code Board of Appeals for a five-year alternate term ending June 30, 2028.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Mr. Kamnick was appointed to the Building Code Board of Appeals for a five-year alternate term ending June 30, 2028.

Mr. McGuckin motioned to appoint Austin Faberman to the Environmental Protection Advisory Board for a three-year term ending June 30, 2026.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Mr. Faberman was appointed to the Environmental Protection Advisory Board for a three-year term ending June 30, 2026.

Mr. McGuckin motioned to appoint Michael Haas to the Environmental Protection Advisory Board for a three-year term ending June 30, 2026.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Mr. Haas was appointed to the Environmental Protection Advisory Board for a three-year term ending June 30, 2026.

Mr. McGuckin motioned to appoint Eric Lindhult to the Environmental Protection Advisory Board for a three-year term ending June 30, 2026.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Mr. Lindhult was appointed to the Environmental Protection Advisory Board for a three-year term ending June 30, 2026.

Mr. McGuckin motioned to appoint Joan Ryder Ludwig to the Library Board for a three-year term ending June 30, 2026.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Ms. Ryder Ludwig was appointed to the Library Board for a three-year term ending June 30, 2026.

Mr. McGuckin motioned to appoint Diane Billas to the Library Board for a three-year term ending June 30, 2026.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Ms. Billas was appointed to the Library Board for a three-year term ending June 30, 2026.

Mr. McGuckin motioned to appoint Glenn Meyer to the Shade Tree Commission for a five-year term ending June 30, 2028.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Mr. Meyer was appointed to the Shade Tree Commission for a five-year term ending June 30, 2028.

Mr. McGuckin motioned to appoint Patrick McMonagle to the Zoning Hearing Board for a three-year alternate term ending June 30, 2026.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Mr. McMonagle was appointed to the Zoning Hearing Board for a three-year alternate term ending June 30, 2026.

Mr. McGuckin motioned to appoint Leonard Karp to the Zoning Hearing Board for a five-year term ending June 30, 2028.

Dr. Scarpello motioned to close.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Mr. Karp was appointed to the Zoning Hearing Board for a five-year term ending June 30, 2028.

NEXT MEETING:

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

ADJOURNMENT:

Mr. McGuckin motioned, with Dr. Scarpello seconding, to adjourn to Executive Session from which the Board will not return.

VOTE ON MOTION

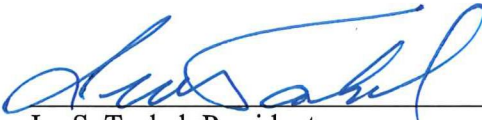
ALL YES

MOTION CARRIED

Respectfully submitted,

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

ATTEST:

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