

6:30 PM K Conditional Use Hearing #2516 for 550 Pinetown Road.

**STATED MEETING AGENDA  
BOARD OF COMMISSIONERS OF UPPER DUBLIN TOWNSHIP  
TUESDAY, FEBRUARY 13, 2024 7:00 PM**

**CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL  
CORRESPONDENCE AND ANNOUNCEMENTS**

Appointments to BOC Committees

25 Years of Service Award: John Hummel achieved February of 2024

**PRESENTATION**

Jack Smyth 5-year Municipal Authority Update

Library – Strategic Plan

**MUNICIPAL AUTHORITY REPORT**

F Project Status Report

**STANDARD BUSINESS**

- A Move to accept the minutes January 9, 2024 Stated Meeting and the January 23, 2024 Special Meeting without reading.
- B Move to approve the Tax Collector's Report for the month of January.
- 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 January.

**DISCUSSION ITEMS**

- G Discuss Zoning Hearing Board Cases & Planning Commission Agenda for February.
- H Discuss Plastic Bag Ordinance.
- I Discuss First Owner Disclosure Ordinance.
- J Discuss Upper Dublin Township Commissioners Scholarship at Temple – Ambler University.

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

**ACTION ITEMS**

- K Consider action on Conditional Use #2516 550 Pinetown Road subject to a written decision by Solicitor.
- L Consider motion to approve the Conditional Use Findings of Fact, Conclusions of Law and Decision for CU #2518 1657 Limekiln Pike.
- M Consider action on Resolution #24-2528 to authorize a Montco 2040 Grant Application requesting funds in the amount of \$105,000 for the Construction of Pickleball Courts at Twining Valley Park.
- N Consider action on Resolution #24-2529 Establishing Meeting Dates for 2024.
- O Consider motion to approve advertisement for Public Hearing on Plastic Bag Ordinance.

- P     Consider     action on lowest responsible Bid for 2024 Concrete Curbs and Sidewalks in the amount of \$109.75 per linear foot of curb, \$23.75 per square foot of 4-inch sidewalk, and \$26.75 per square foot of 6-inch sidewalk/apron, with an alternate bid for pop-drains at \$449.75 per drain installed as needed.
- Q     Consider     action on lowest responsible Bid for 2024 Mill and Overlay for the total amount of \$405,900.00.
- R     Consider     action on Resolution #24-2530 for Excel Investments LLC, UD #23-08, 110-114 Girard Ave., Minor Subdivision Approval.
- S     Consider     action on appointment to the Upper Dublin Township Open Space Plan Implementation Advisory Group.
- T     Consider     motion to approve Professional Service Contract for the New Township/Police Building and Public Works Addition – Commissioning Verification Authority/Testing Adjusting Balancing Services to Butler Balancing Co, Inc. in an amount not to exceed \$75,000.
- U     Consider     motion to approve the Professional Service Contract for the New Township/Police Building and Public Works Addition – Construction Testing and Special Inspection Services to Earth Engineering, Inc. in an amount not to exceed \$110,000.

**NEXT MEETING**     Tuesday, March 12, 2024 7:00 PM  
**ADJOURN**

Agenda posted: 2/9/24

A Stated Meeting of the Board of Commissioners (BOC) of Upper Dublin Township (UDT) was held on Tuesday, February 13, 2024, at 7:00 P.M. in person at 520 Virginia Drive Auditorium with Ira Tackel presiding following a Conditional Use Hearing #2516 for 550 Pinetown Road held at 6:30 PM.

In attendance were Commissioners Ira Tackel, Meredith Ferleger, Cheryl Knight, Alyson Fritzges, Harm Scherpbier and Joseph Rudolph. Commissioner Gary Scarpello attended virtually via Zoom. 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 Conditional Use Hearing.

ROLL CALL:

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

CORRESPONDENCE AND ANNOUNCEMENTS:

Mr. Tackel stated that the Board of Commissioner Committees will meet at Stated meetings on an ad-hoc basis and that there will be no regularly scheduled meetings. The various committees of the Board of Commissioners were formed as follows:

- Economic Development and Finance Committee – Gary Scarpello, Chairperson; Harm J. Scherpbier and Joseph A. Rudolph.
- Public Safety, Works and Services Committee – Meredith L. Ferleger, Chairperson; Cheryl Knight and Harm J. Scherpbier.
- Planning, Parks, Recreation and Library Committee – Alyson J. Fritzges, Chairperson; Joseph A. Rudolph and Cheryl Knight.

Mr. Tackel announced that John Hummel received the 25 years of Service Award.

PRESENTATION:

Jack Smyth presented a 5-year Municipal Authority Update.

Mr. Ferguson reemphasized that since 2018, the Municipal Authority has completed various infrastructure projects totaling \$29.27 million dollars without raising tax payer dollars.

Mr. Tackel added an announcement, stating that at the January 23, 2024 Special BOC meeting, bids were approved for the New Township/Police Building and Public Works Addition project and that demolition will begin in the next two weeks.

Cheri Fiory, Library Director, presented on the Library's Strategic Plan.

Mr. Tackel stated that the Upper Dublin Library received the 2022 Pennsylvania Library of the Year award.

Mr. Scherpbier stated that residents have expressed to him that due to the construction along Virginia Drive, that it is difficult to get to the Library. Mr. Scherpbier asked if it would be possible to add an additional library sign at the Pinetown Road entrance.

Mr. Ferguson stated that investing in new signage would be considered township infrastructure and could be a discussion for the Board.

Ms. Ferleger stated that permanent signage for the library was put on hold until staff was back in the township building due to the tornado, but agrees that better temporary signage may be beneficial.

MUNICIPAL AUTHORITY REPORT:

Tab F – Project Status Report:

Nothing additional to the written report.

STANDARD BUSINESS:

Tab A – Move to Accept the Minutes of the January 9, 2024 Stated Meeting and the January 23, 2024 Special Meeting without reading:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to accept the minutes the January 9, 2024 Stated Meeting and the January 23, 2024 Special Meeting without reading

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab B – Motion to Approve the Tax Collector’s Report for the month of January 2024:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to accept the Tax Collector’s Report for the month of January 2024.

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 2024 and highlighted the following:

Construction continues for the 1125 Virginia Drive and 122-128 Jackson Ave projects as well as the renovations for the Fort-325 Pennsylvania. There is a plan approval for 550 Pinetown Road later in the agenda.

Ms. Ferleger asked when The Fort is slated to open.

Mr. Fountain stated he would find out whether they have a projected opening date.

Tab D – Call on Township Manager for his Report:

Mr. Ferguson submitted his written report for the month of January 2024, and highlighted the following:

Non-public personnel within the township have been CPR/First Aid certified. 9 of 28 built Craig-Y-Nos properties have been surveyed. Emails have been sent requesting compliance to the remaining properties. The township has been working with Paul Siegle, Environmental Consultant, regarding the coordination of project grants with D’Huy Engineering and the Philadelphia Energy Authority (PEA). The PEA is assisting with submitting an application for funding by the EPA under the Climate Pollution Reduction Act. A grant award announcement is predicted to be late summer.

Mr. Scherpbier motioned, with Ms. Fritzges seconding, to accept the Manager’s Report for the month of February 2024 without reading.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab E – Move to accept the Disbursements from the Various Township Accounts for the Month of January 2024:

Mr. Scherpbier motioned, with Ms. Ferleger seconding, to accept the disbursements from the various Township accounts in the amount of \$4,283,493.48 as follows:

Total of Proposed Disbursements	\$2,566,000.32
Estimated Payroll	\$1,250,000.00
Interim Check Run Expenses	\$467,493.16
<b>Grand Total</b>	<b>\$4,283,493.48</b>

VOTE ON MOTION            ALL YES            MOTION CARRIED

DISCUSSION ITEMS:

Tab G - Discuss Zoning Hearing Board (ZHB) Cases and Planning Commission (PC) Agenda for February 2024:

Ms. Giles reviewed the February 26, 2024 Zoning Hearing Board meeting agenda that has the following matters scheduled for discussion:

**Application #2523 for 1574 Tralee Drive, Dresher**

A special exception is needed to permit the construction of an attached in-law suite. The Property is Zoned A-1 Residential.

**Application #2524 for 1811 Norristown Road, Maple Glen**

A special exception and two variances are requested regarding the non-permitted expansion of an existing non-conforming detached garage. The Property is Zoned A Residential.

**Application #2496 for the Property at 1457 N Limekiln Pike, Dresher**

The Applicant has requested a list of variances, determinations, prior agreement modifications, special exceptions, and a violation appeal related to the nonpermitted construction of a 1,500

square foot structure and driveway expansion in the rear yard and side yard areas. The Property is Zoned A Residential. This matter was opened and continued from the October 2023 meeting and will continue at the 2/26/24 meeting. A settlement is being discussed among all interested parties.

**Zoning Hearing Board Update from January 2024:**

None.

Ms. Giles reviewed the February 20, 2024 Planning Commission meeting agenda that has the following matters scheduled for discussion:

**Review Request for Waiver of Land Development for Proposed Temporary Double-Wide Office Trailer at 275 New Jersey Drive, UD#24-1**

The Applicant, Upper Dublin School District, has submitted a Request for Waiver of Land Development for a proposed temporary double-wide office trailer to replace an existing single-wide office trailer in the parking lot of 275 New Jersey Drive in Fort Washington, associated with the existing bus depot use. The Property is zoned GFW- Greater Fort Washington district. This matter is scheduled for review and recommendation of approval during the February 20th, 2024 Planning Commission meeting. If a recommendation of approval is granted by the Planning Commission, the matter would then appear on the agenda of a future Board of Commissioners meeting for formal approval.

**Review of Proposed Dresher Overlay Text Amendment for 1650 N Limekiln Pike, UD#23-09**

The Planning Commission will review the proposed text amendment and accompanying concept plan, which proposes text amendments to Upper Dublin Township's Dresher Overlay zoning district. The concept plan submitted with the zoning text change application details the proposed conversion of the former Santander Bank to a Dunkin Donuts drive-thru at 1650 N Limekiln Pike/MCTMP#54-00-05365- 00-8 (the Property), an outparcel in the George's Market/Dreshertown Plaza Shopping Center, which is the intended result if the proposed zoning changes were formally approved.

The Property is a 16.1-acre Property located within the SC- Shopping Center district and the Dresher Overlay district. Comments from the Twp. Zoning Officer, the Engineer, the Traffic Engineer, the Fire Marshal, and the County will be discussed. It is likely that this Applicant will need to return to the Planning Commission for another review after feedback is received and revisions are made following the February 20th 2024 meeting.

Ms. Fritzges asked that Ms. Giles send the board what was submitted for the Dresher Overlay text amendment proposal.

**Tab H – Plastic Bag Ban Ordinance:**

Mr. Brooman stated that the compliance time period was changed from 3 months to 6 months, so the Ordinance wouldn't take effect for 6 months, and the first infraction once the Ordinance was in effect would be a warning.

Ms. Fritzges brought attention to the verbiage change regarding charging 10-cents per bag.

Mr. Tackel stated the purpose of that verbiage was to discourage price gouging for paper bags.

Mr. Scherpbier suggested leaving in the verbiage stating 10-cents could be charged for a paper bag, but to take out the verbiage that states 10-cents could be charged for a reusable bag.

Ms. Fritzges requested that after the ordinance goes into effect, a report be supplied from the township manager that shows what resources are being used to enforce the ordinance.

Tab I – First Owner Disclosure Ordinance:

Mr. Fountain summarized last month's introduction of the First Owner Disclosure ordinance and stated a provision was added to count in resales of properties and land within a 5-year period. Additionally, verbiage regarding enforcement was included. The Point-of-Sale ordinance would need amended to include the First Owner Disclosure ordinance.

Ms. Fritzges asked what is needed from the township before a property transfer.

Mr. Fountain stated that the Point-of-Sale application currently includes inspections such as the house number and curb and sidewalk. However, the First Owner Disclosure would be added in order to protect home buyers so they are more informed about covenants, deeds, and restrictions on a property before purchase.

Tab J – Upper Dublin Township Commissioners Scholarship at Temple – Ambler University.

Mr. Ferguson summarized that in 1989, a former Commissioner donated \$20,000 intending to award Upper Dublin students attending Temple Ambler and majoring in Communications or Theater. Students would be able to apply for a maximum grant of \$1,000. However, Temple Ambler has said there are years with no applicants in those majors and has asked to lift the major requirement so other Upper Dublin students had access to apply for the grants.

The Board agreed to put a motion for action on amending the Upper Dublin Township Commissioners Scholarship at Temple – Ambler on the next Board of Commissioners Stated Meeting agenda.

PUBLIC COMMENT/QUESTIONS - ITEMS NOT ON AGENDA:

None.

ACTION ITEMS:

Tab K – Consider action on Conditional Use #2516 550 Pinetown Road subject to a written decision by Solicitor.

Ms. Fritzges motioned, with Ms. Ferleger seconding, to approve Conditional Use #2516 550 Pinetown Road subject to a written decision by Solicitor.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab L – Consider motion to approve the Conditional Use Findings of Fact, Conclusions of Law and Decision for CU #2518 1657 Limekiln Pike.

Ms. Fritzges motioned, with Ms. Ferleger seconding, to approve the Conditional Use Findings of Fact, Conclusions of Law and Decision for CU #2518 1657 Limekiln Pike.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab M – Consider action on Resolution #24-2528 to authorize a Montco 2040 Grant Application requesting funds in the amount of \$105,000 for the Construction of Pickleball Courts at Twining Valley Park.

Dr. Scarpello motioned, with Ms. Ferleger seconding, to approve Resolution #24-2528 to authorize a Montco 2040 Grant Application requesting funds in the amount of \$105,000 for the Construction of Pickleball Courts at Twining Valley Park.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab N – Consider action on Resolution #24-2529 Establishing Meeting Dates for 2024.

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve Resolution #24-2529 Establishing Meeting Dates for 2024.

VOTE ON MOTION            ALL YES            MOTION CARRIED

Tab O – Consider motion to approve advertisement for Public Hearing on Plastic Bag Ordinance.

Mr. Tackel motioned, with Ms. Ferleger seconding, to approve advertisement for a Public Hearing on Plastic Bag Ordinance.

VOTE ON MOTION            ALL YES            MOTION CARRIED



Tab P – Consider action on lowest responsible Bid for 2024 Concrete Curbs and Sidewalks in the amount of \$109.75 per linear foot of curb, \$23.75 per square foot of 4-inch sidewalk, and \$26.75 per square foot of 6-inch sidewalk/apron, with an alternate bid for pop-drains at \$449.75 per drain installed as needed.

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve lowest responsible Bid for 2024 Concrete Curbs and Sidewalks in the amount of \$109.75 per linear foot of curb, \$23.75 per square foot of 4-inch sidewalk, and \$26.75 per square foot of 6-inch sidewalk/apron, with an alternate bid for pop-drains at \$449.75 per drain installed as needed.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab Q – Consider action on lowest responsible Bid for 2024 Mill and Overlay for the total amount of \$405,900.00.

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve the lowest responsible Bid for 2024 Mill and Overlay for the total amount of \$405,900.00.

Mr. Ferguson stated that this bid was about \$20,000-\$25,000 less than what was anticipated.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab R – Consider action on Resolution #24-2530 for Excel Investments LLC, UD #23-08, 110-114 Girard Ave., Minor Subdivision Approval.

Ms. Fritzges motioned, with Ms. Ferleger seconding, to approve Resolution #24-2530 for Excel Investments LLC, UD #23-08, 110-114 Girard Ave., Minor Subdivision Approval.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab S – Consider action on appointment to the Upper Dublin Township Open Space Plan Implementation Advisory Group.

Ms. Fritzges motioned, with Ms. Ferleger seconding, to approve appointments to the Upper Dublin Township Open Space Plan Implementation Advisory Group.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab T – Consider motion to approve the Professional Service Contract for the New Township/Police Building and Public Works Addition – Commissioning Verification Authority/Testing Adjusting Balancing Services to Butler Balancing Co, Inc. in an amount not to exceed \$75,000.

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve the Professional Service Contract for the New Township/Police Building and Public Works Addition – Commissioning Verification Authority/Testing Adjusting Balancing Services to Butler Balancing Co, Inc. in an amount not to exceed \$75,000.

Ms. Fritzges asked where D'Huy Engineering stops and Professional Services start as to ensure we are not overlapping costs.

Mr. Ferguson clarified that this should be the final professional service contract and it includes everything except for engineering and design.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

Tab U – Consider motion to approve the Professional Service Contract for the New Township/Police Building and Public Works Addition – Construction Testing and Special Inspection Services to Earth Engineering, Inc. in an amount not to exceed \$110,000.

Ms. Ferleger motioned, with Dr. Scarpello seconding, to approve the Professional Service Contract for the New Township/Police Building and Public Works Addition – Construction Testing and Special Inspection Services to Earth Engineering, Inc. in an amount not to exceed \$110,000.

VOTE ON MOTION                      ALL YES                      MOTION CARRIED

*The Board re-addressed Tab S to clarify that they approve appointing Commissioner Scherpbier to the Upper Dublin Township Open Space Plan Implementation Advisory Group.*

NEXT MEETING:

Tuesday, March 12, 2024 Stated Meeting at 7:00 PM.

ADJOURNMENT:

Ms. Ferleger motioned, with Dr. Scarpello seconding, to adjourn the meeting.

VOTE ON MOTION

ALL YES

MOTION CARRIED

Respectfully submitted,

  
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Jesse Conte, Recording Secretary

ATTEST:

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