

The stated meeting of the Board of Commissioners of the Township of Abington was held on Thursday, February 13, 2025 via webinar and in-person at the Township Administration Building, Abington, PA, with President Hecker presiding.

CALL TO ORDER: 7:01 p.m.

ROLL CALL: Present: Commissioners BRODSKY, DiPLACIDO, LANEY-MARTIN, BROWNE, WINEGRAD, HENRY, ZAPPONE, YOUNG-GERTZ, SPIEGELMAN, SCHREIBER, BOWMAN, VAHEY, HECKER
Excused: Commissioners ROTHMAN, BOLE

Also Present: Township Manager Christman
Township Solicitor Clarke

PLEDGE OF ALLEGIANCE

BOARD PRESIDENT ANNOUNCEMENTS: None.

SWEARING IN OF OFFICER MALIK WILLIAMS:

Chief Molloy said on behalf of the Abington Township Police Department, we welcome our newest police officer, Officer Malik Williams.

President Hecker administered the Oath of Office to Police Officer Malik Williams of the Abington Township Police Department on this 13th day of February 2025.

PUBLIC COMMENT ON AGENDA ITEMS:

Adele Kubel, resident, expressed concern about the minutes. She was also concerned about “billionaire developers and speculators who buy and blight homes in every neighborhood.” Plastic bags are non-issues. Abington is packed with trash and garbage that is ignored. Convenience store plastic drink cups and food debris are on all the larger streets, and rat infestation is not addressed. Plastic bags are the Board’s priority, but when stores charge any amount of money for a bag, then it is about the money, and paper bags should replace plastic at no cost. Also, she has pictures of piles of garbage in commercial areas.

Jackie Pickering, resident, Rydal Park, commented that she previously spoke about how Costco provides free boxes. They slice up the top of the box, put their stuff on shelves and then put the empty boxes at the checkout. Whole Foods credits \$0.05 for every reusable bag the customer brings in and they do not charge for paper bags. Target will also reimburse \$0.05 for every bag reused, and they charge \$0.10 for their reusable bags. We don't want everyone to just use paper bags as they will end up in the landfill, but we want to encourage everyone to take care of the environment.

Ethan Simon, resident, Hemlock Circle, commented that if the Board decides not to institute a fee, he urged to reinstate the requirement to use recycled paper because paper bag use increases when older style one ordinances are passed. So, if you are implementing a policy that will increase the use of paper bags, why not have a provision that requires the use of recycled paper.

A policy could reduce the aggregate cost to the community by having a pay-for-service model, which is the convenience fee and make it a choice for people and not penalize those who are already using reusable bags to pay more than their fair share. He encouraged the Board to reconsider the fee and reinstate the need to use recycled paper.

Lora Lehmann, resident, commented that Karin McGarry-Rosen and her team did an amazing job bringing information about plastic bags, and she hopes it will be passed tonight. Also, what is the salary for the Tax Collector and the Treasurer?

President Hecker clarified that the Treasurer position is an unpaid position, and the sole purpose of that is to sign certain checks on behalf of the Township, so no additional dollars flow from the Township for that role.

CONSENT AGENDA:

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to approve Items a.- h. as listed under the Consent Agenda as follows:

To approve the minutes from the Board of Commissioners Regular Meeting of January 9, 2025.

To adopt Resolution No. 25-005 authorizing the destruction of certain Police Records.

To authorize advertisement of a Traffic Safety Ordinance amending Chapter 156 – “Vehicles and Traffic,” Article III – Section 25 “Parking Regulations,” - “No Parking Here to Corner” to add the following restrictions: No Parking Here to Corner on Rosemont Lane, south end, south side, 30 ft. east of Huntingdon Road, Keswick Avenue, east side, move existing sign from south of Oakdale Avenue to a point 70' south of Oakdale Avenue, south side 30' east from the intersection with Keswick Avenue, and “Special Parking Zones” 1226 Hall Avenue, “Handicapped Parking.”

To approve 2025 Tree City USA application and proclamation recognizing April 25, 2025 as Arbor Day.

To authorize the Township Manager to sell excess Township vehicles and equipment in accordance with Section 1501 of the First-Class Township Code.

To approve the revisions made to the following sections of the Civil Service Rules and Regulations:

- Section 3.8 Public Notice
- Section 3.9 Recording and Filing Applications
- Section 4.3 (a) Notice of Examinations
- Section 4.4 Written Examination
- Section 5 (a) Physical Fitness Testing
- Section 5.4 (1) Appointment

To reject the Ardsley Wildlife Sanctuary Phase 2 Project Bids as opened on December 9, 2024 and authorize rebidding of the project.

To approve a contract time extension for MECO Constructors, Inc. through October 1, 2025 for the Inclusive Park and Playground.

MOTION was ADOPTED 13-0.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Item BOC-08-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Schreiber to approve the Preliminary/Final Major Subdivision and Land Development for LD-22-01 DJS Associates located at 1603 & 1617 Old York Road and adopt Resolution No. 25-006.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC-09-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Schreiber to open a Public Hearing.

MOTION was ADOPTED 13-0. Public Hearing opened at 7:26 p.m.

A court reporter was present to transcribe the testimony from the public hearing.

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to close the Public Hearing.

MOTION was ADOPTED 13-0. Public Hearing closed at 7:35 p.m.

Vice President Vahey made a MOTION, seconded by Commissioner Schreiber to adopt Ordinance No. 2225 amending the Code of the Township of Abington at Part II [General Legislation], Chapter 162 [Zoning], by amending Article XXI [Use Regulations], Section 2103 [Categories of Permitted Uses], and the Comprehensive Use Matrix Appendix to add provisions for Use C-40 – Tobacco Store, Smoke Shop and Vape Shop.

MOTION was ADOPTED 13-0.

Item BOC-10-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to adopt Ordinance No. 2226 for Single-Use Plastics and Expanded Polysterene Foam Products.

President Hecker asked for any comments from Commissioners.

Vice President Vahey said the Board at its last meeting amended the ordinance to remove the requirement to print that the material is recycled. It did not remove the requirement that the material must be recycled and must have at least 40% postconsumer material, which is still there.

Commissioner Spiegelman said he shares the concerns expressed by the EAC and residents regarding their fear that without the fee this will just shunt plastic bag use into paper bag use rather than going to reusable bags.

It will be some time before the ordinance is in full effect, and when that happens, he will survey whether the word has been getting out to larger retailers and small local businesses that reusable bags are the way to go or has there just been a shift from plastic to paper, which is what we don't want. If the latter is the case, he will be asking Board leadership and Township administration for an agenda item to amend this ordinance with a bag fee.

Commissioner Zappone reminded his colleagues that Abington Township are leaders and not followers. This will create and cause an undue burden on his residents to have to go out and buy these special bags, so please remember we are leaders.

Commissioner Bowman questioned whether the idea of \$0.10 is going to make people bring a recycled bag.

Commissioner Laney-Martin said in her retail business she has been moving towards trying to find bags per the requirements of this ordinance and paper is easier to find, so the ordinance should include a fee.

Commissioner Winegrad agreed that it is a nuisance fee and it's annoying, but it would provide an incentive for people to bring reusable bags, and he is definitely in support of a ban on single-use plastics.

Commissioner Schreiber said she is not in favor of a charge for paper bags, which is an annoyance. She agreed with Commissioner Spiegelman to revisit this in six months to a year to see if it made a difference. Also, stores do not have to use paper bags, and they can use cloth bags, but we need to focus more on getting rid of Styrofoam as there is no need for it.

Commissioner Bowman said he supports the ordinance as it is now.

Commissioner Henry said she is in support of the ban. Regarding the fee, she feels it may be something that happens at the County level, and she is happy to see various versions at the local level, so we can decide what works best, and she would not want to pay a fee right now.

Commissioner Zappone asked who will enforce this? Will there be a special squad making sure people are not carrying around plastic bags?

President Hecker replied this is a ban from plastic bags being used in the store, not banning individuals from having them in their possession if they happened to shop somewhere else where those things are available. He imagines this will be a complaint-driven enterprise that we would follow up on, but not proactively policing stores. This is a first step, and we can analyze to see what's working and what's not, and if it is not working, we will then decide what is in the best interest of the Township.

Commissioner Spiegelman said this is about whether the store provides something for the customer, ideally, we want the customers to bring their own, but it is a nuisance fee.

Commissioner Bowman clarified that a store may still charge for a bag, however, the Township is not mandating it. Is that correct?

President Hecker replied yes.

Commissioner Bowman said then that is the way it should be.

Commissioner Young Gertz said Commissioner Spiegelman has the most reasonable approach and we can revisit this issue, and she will be happy to help him do that.

Commissioner Spiegelman commented that Commissioners Henry and Young-Gertz are very, very good Commissioners.

Commissioner DiPlacido said he has listened to everyone speak on this, which is not political or trying to follow anyone. These bags need to be eliminated and that will help the environment. He is willing to work with Commissioner Spiegelman and every other Commissioner, but the basis of this ordinance is to eliminate plastic bags, so let's eliminate them.

MOTION was ADOPTED 12-1. Commissioner Zappone opposed.

Item BOC-11-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to recommend approval to enter into a three (3) year agreement with the County of Montgomery, beginning October 15, 2024 and ending September 31, 2027 for providing snow and ice clearance on County highways, bridges, sidewalks and approaches and adopt Resolution No. 25-007.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC-12-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Schreiber to adopt Resolution No. 25-008 to appoint the following Tax Collection Committee (TCC): Primary voting delegate, Jeannette Hermann, First alternate voting delegate, Christopher Christman and Second alternate voting delegate, Monica Embery, effective February 14, 2025, due to the retirement of Richard J. Manfredi.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC-13-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to adopt Resolution No. 25-009 to appoint Christopher S. Christman as Chief Administrative Officer for the Township of Abington's Non-Uniformed and Police Pension Plans, effective the 13th day of February 2025.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC-14-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Schreiber to appoint Travis D'Onofrio to the Shade Tree Commission to fill a term ending 12/31/2028 and Peaches Cooper to the Environmental Advisory Council to serve a term ending 12/31/2027 as included in Exhibit "A" and as recommended by the Shade Tree Commission and Environmental Advisory Council.

President Hecker asked for any comments from Commissioners. There were none.

MOTION was ADOPTED 13-0.

Item BOC-15-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Schreiber to approve Change Order #1 for AKRF, Inc. for construction administration services for the Inclusive Park and Playground in the amount of \$11,000.

President Hecker said we had a very nice groundbreaking ceremony last Friday at Roychester Park for the inclusive park, and he thanked Township staff, and most importantly, the families who were there to help usher in this new era for kids in the Township. He has been incredibly impressed and moved by the passion and commitment of these families who are wonderful people. Working together with them over the past year or two has demonstrated what is possible in the community when you harness this spirit of commitment on behalf of a group of individuals. It will be wonderful, and he can't wait to see it in September when it opens.

President Hecker asked for any comments from Commissioners.

Commissioner Zappone said last week, we had the ribbon cutting of Ardsley, and he thanked Vice President Vahey for being there as well as the library staff, Parks Department and Jessica Tholey. It was a great event, many of his residents were there, and upgrading our parks is a good direction to go in.

MOTION was ADOPTED 13-0.

Item BOC-16-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Zappone to authorize contingency funding for the Inclusive Park and Playground project in the amount of \$50,000 for any unforeseen expenditures during construction.

President Hecker asked for any comments from Commissioners.

Commissioner Winegrad said he is a huge proponent of the inclusive park; however, where is the \$50,000 coming from?

Ms. McIlvaine replied the \$50,000 will come from the Township's contingency fund.

Commissioner Winegrad questioned whether it is subject to ARPA's regulations and rules.

Ms. McIlvaine replied the entire project needs to be compliant as a piece of it is being funded by CDBG funding and it needs to comply with federal guidelines.

Commissioner Young-Gertz said while attending the groundbreaking ceremony and seeing firsthand the progress and speaking with the families and everyone involved, she urged the Board's support as it is money well spent. A myriad of problems can come up, but this project deserves to get to the finish line, and she encouraged everyone to support it.

Commissioner Spiegelman said to have been able to witness the groundbreaking ceremony and for the dream of this inclusive park that so many people worked hard to make happen is like a slice of heaven.

MOTION was ADOPTED 13-0.

Item BOC-17-021325:

Vice President Vahey made a MOTION, seconded by Commissioner Spiegelman to adopt Resolution No. 25-010 setting the compensation for the Abington Township Tax Collector for the period 2026 through 2029.

President Hecker asked for any comments from Commissioners.

Commissioner Bowman said Ms. Lehmann makes a good point in that this is the time to establish what the Tax Collector does make, and it should be public knowledge. There is a formula for the salary and the results from the past five years should be published. He does not believe there is any conflict and that she will serve with distinction, but during this transition, it should be put out in the public domain.

MOTION was ADOPTED 13-0.

Item FC-01-021325:

Commissioner Winegrad made a MOTION, seconded by Commissioner Brodsky to approve the December 2024 expenditures in the amount of \$4,079,630.89 and salaries and wages in the amount of \$2,730,795.22 and authorize the proper officials to sign and approve invoices and supporting documentation in payment of bills and contracts as they mature through the month of March 2025.

Roll call resulted in motion being passed 13-0. Commissioners Rothman and Bole were absent during roll call.

PUBLIC COMMENT:

Adele Kubel, resident, presented photos of a building near the Crestmont playground with no roof on it for the past eight years that should be taken down before it collapses. It is disgusting and degrades the neighborhood. Also, she presented a photo of a building at Old York and Welsh where people live and rent that has a broken window and holes throughout.

Cakky Evans, Associate Member of the EAC, thanked the Board for taking this step as the EAC worked very hard. West Chester Borough has a Sustainable Storefronts Recognition Program for business owners to have their businesses recognized for leadership with this important issue, and it explains how they can participate. Also, she is excited about the inclusive program, which demonstrates our wonderful Township, and our leadership should keep on shining.

Ross Able, resident of Washington Lane with Jenkintown Abington Neighbors and Bike Montgomery County, thanked Manager Christman, Chief Molloy, and Commissioner Winegrad for our recent conversations and he appreciates the partnership. There were 185 pedestrians and cyclists who were hit and injured by vehicles in 2017-2023 according to PennDOT. Five of them were killed which equals to a person on the ground hit every 13-14 days in Abington.

It is time to take traffic calming in Abington seriously. There are a myriad of plans and studies on the shelf that aspire to this, and we are falling drastically short. Other towns are upgrading the safety and design of their streets and leaving us in the dust. This is one of the most requested asks from the community and our current reactive approach is insufficient and these injuries and deaths are preventable. He asked the Board and Township staff to establish a regular ongoing citizen and Township-lead approach and to invest in complete streets and traffic calming proactively.

Cheltenham Township has a Traffic Calming Committee and policy, and suggested engaging Jenkintown, Cheltenham officials as well as our state reps to pursue a multi-municipal traffic calming study for Rt. 611 and commit to Vision Zero to achieve zero traffic fatalities in our town.

Lora Lehmann, resident, commented that regarding the functions of the Tax Collector and Treasurer; she tried to find out how much money was collected and how much was turned in, which was not transparent. Also, when meetings are canceled, she would like to know why. She was also concerned about the transparency of the EDC as well as overruns for the inclusive park. And regarding the 2241 Old Welsh Road item, they did not have the correct documents to make it to a voting meeting.

Fran Early, resident, commented that he is glad that the plastic bags will be eliminated; however, there will be more boxes taken from big box stores, local grocery stores and Mom & Pop stores that are waxed and will be thrown in the recycling and should not be.

ADJOURNMENT: 8:23 p.m.

Respectfully submitted,

Liz Vile, Recording Secretary

The following ordinances and resolutions were adopted by the Board of Commissioners on February 13, 2025:

Ordinance No. 2225
Ordinance No. 2226
Resolution No. 25-005
Resolution No. 25-006
Resolution No. 25-007
Resolution No. 25-008
Resolution No. 25-009
Resolution No. 25-010