

The stated meeting of the Board of Commissioners of the Township of Abington was held on Thursday, September 14, 2023, via webinar and in-person at the Township Administration Building, Abington, PA, with President Hecker presiding.

CALL TO ORDER: 7:00 p.m.

ROLL CALL: Present: Commissioners BRODSKY, ROTHMAN, DiPLACIDO, BROWNE, WINEGRAD, HENRY, ZAPPONE, SPIEGELMAN, BOLE, SCHREIBER, BOWMAN, VAHEY, HECKER
Excused: Commissioners VAUGHN, CARSWELL

Also Present: Township Solicitor CLARKE

PLEDGE OF ALLEGIANCE

BOARD PRESIDENT ANNOUNCEMENTS: None.

PUBLIC COMMENT ON AGENDA ITEMS:

Lora Lehmann, resident, expressed concern about additional payments for properties at Old York Road, and she would like to see line items for York and Susquehanna in the budget.

Ms. Wehmeyer replied there are no outstanding payments. The project was grant-funded by PennDOT's multimodal grants.

CONSENT AGENDA:

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

To approve the minutes from the Board of Commissioners Regular Meeting of August 10, 2023.

To approve the payment release #2 (final) in the amount of \$15,200.00 for the abatement of existing structure located at 1100 Old York Road.

To approve the escrow request release #1 for LD-19-11 JSF Management, LLC for the properties located at 1538-1546 Easton Road in the amount of \$497,795.21.

To appoint Mitchell Gertz to the Environmental Advisory Council for a term ending on 12/31/24 as included in Exhibit A.

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

MOTION was ADOPTED 13-0.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Item BOC-04-091423:

Vice President Vahey made a MOTION, seconded by Commissioner Schreiber to ratify authorization for Special Counsel, Kathleen Thomas, to file legal action in the Montgomery County Court of Common Pleas in the matter of Abington Township v. ADA, LLC.

Solicitor Clarke explained that Ms. Thomas is Special Counsel to the Business Tax Office, and following consultation with Treasurer Blumenthal and Mr. Manfredi, we decided that it is necessary to file a lawsuit in the Montgomery County Court of Common Pleas against the business of Carmen's Auto Group owned by ADA, LLC.

The business is located at 1705 Easton Road in Willow Grove, and they have not paid their taxes from 2015 to 2022. They are currently delinquent in the amount of \$55,174.00 in which audits have been completed and a lawsuit should be filed to recover delinquent taxes.

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

MOTION was ADOPTED 13-0.

Item BOC-05-091423:

Vice President Vahey made a MOTION, seconded by President Hecker to approve a settlement regarding the appeal of the Zoning Hearing Board decision regarding 974 Leopard Road and authorize the Solicitor to execute the Stipulation of Settlement and take all necessary steps to resolve the appeal.

Solicitor Clarke explained that the Township is currently defending an appeal of the November 15, 2022 decision of the Zoning Hearing Board denying an application regarding the height of a fence in the front yard. The property is a corner lot, and the fence is in the rear yard, and there was no opposition to the application at the hearing and all eleven neighbors submitted letters of support.

The yard contains a pool that the fence will screen and enclose, and we have negotiated a settlement for the property owners to install plantings to soften the impact of the fence height along the side yard for the neighbors.

The property owners will install all eight shrubs and two Hydrangeas to screen each section of the fence and they will also be required to maintain and replace the plantings, as necessary. We are asking for the Board's approval to settle this matter and execute the stipulation settling the matter in the Court of Common Pleas.

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

MOTION was ADOPTED 13-0.

FINANCE COMMITTEE:

Item FC-01-091423:

Commissioner Winegrad made a MOTION, seconded by Commissioner Spiegelman to approve the July 2023 expenditures in the amount of \$3,035,171.32 and salaries and wages in the amount of \$2,356,789.36 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 October 2023.

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

Item FC-02-091423:

Commissioner Winegrad made a MOTION, seconded by Vice President Vahey to adopt Resolution No. 23-014 recognizing that the Township's minimum municipal funding obligation for the calendar year 2024 with respect to the Municipal Non-Uniformed Employee, Police and Non-Uniformed Employee Defined Contributions Plans, is \$923,065.00, \$3,584,974.00, and \$258,500.00, respectively.

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

MOTION was ADOPTED 13-0.

PENSION COMMITTEE:

Item PC-01-091423:

Commissioner Winegrad made a MOTION, seconded by Commissioner Spiegelman to approve a change in fees for the Defined Contribution Plan participation to \$20 per plan member annually, and set the fee schedule as illustrated in Exhibit E.

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

MOTION was ADOPTED 13-0.

PUBLIC COMMENT:

Adele Kubel, resident, commented that she previously submitted a petition regarding blight, and she expressed concern about the development of apartment complexes.

Sue Mozar, Mary Baker, Kimberly Illingworth and Rachel George, residents of the 100 block of Cricket Avenue, said that two houses on their block have been down to the beams for six years, which are ugly, dangerous, and deteriorating, and this past Monday, the shell of a house at 118 Cricket Avenue collapsed after a rainstorm, and the house at 122 Cricket will be next. They expressed concern about safety for the children and the houses have been an eyesore, dangerous, decreases their property value, and need to be demolished.

Commissioner Browne replied he visited the area and took many pictures and Township staff have assessed the situation and are aware that both buildings are in eminent danger. He is committed to and will be working with Commissioner Vahey and Township officials making sure this will be addressed in an expeditious manner.

Ms. Mozar asked for a timeframe.

Vice President Vahey replied he does not have a date for when demolition will take place; however, it will happen soon.

Fran Early, resident, commented that the houses will be leveled by the end of next week.

Charles Baus, resident, commented that he previously appeared before the Board regarding rampant speeding and traffic violations occurring daily on the 1100 block of Highland Avenue, which are safety issues that need to be addressed, and he provided data from the police department's traffic survey.

He requested that the Board direct all Township vehicle drivers to obey posted speed limits as well as employees of the school district and hospital. Also, he submitted a non-emergency citizen service request through the Township's website requesting the installation of pedestrian crosswalks at the intersection of Guernsey and Horace Avenues as well as installation of speed cushions.

Commissioner Spiegelman replied he will speak with the Township Manager about it.

Mike Tobin, resident, asked for the list of qualifications for the EDCs Executive Director, and what will take place first, the budget, appointing the Board of Directors, or hiring the Executive Director?

Vice President Vahey replied that nothing will happen until the EDC Board is appointed.

Lora Lehmann, resident, expressed concern about blight, the approval of Nifty Fifty's and the amount of parking space, and the Future Land Use chapter.

Richard Veith, resident, commented that he sent an email along with photos about access to Overlook from his side of Rt. 63, and he filed a complaint about the removal of trees resulting in weeds growing at 1747 Edge Hill Road.

President Hecker replied he will follow up on both matters.

ADJOURNMENT: 7:44 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary

Resolution No. 23-014 was adopted by the Board of Commissioners on September 14, 2023.