

The stated Working Session of the Board of Commissioners of the Township of Abington was held on Thursday, February 8, 2024 via webinar and in-person at the Township Administration Building, Abington, PA, with President Hecker presiding.

CALL TO ORDER: 7:35 p.m.

PRESENT: Commissioners BRODSKY, ROTHMAN, DiPLACIDO, LANEY-MARTIN, BROWNE, WINEGRAD, HENRY, ZAPPONE, SPIEGELMAN, BOLE, SCHREIBER, BOWMAN, VAHEY, HECKER

Also Present: Township Manager Manfredi
Assistant Legal Counsel Gallagher

CONSIDER APPROVAL OF MINUTES:

President Hecker made a MOTION, seconded by Vice President Vahey to approve the minutes from the Working Session of January 11, 2024.

MOTION was ADOPTED 14-0.

UNFINISHED BUSINESS:

Discuss Single-Use Plastics & Expanded Polystyrene Products Ordinance:

Ms. Karin McGarry-Rosen, Chair of the EAC, said the point of the ordinance is to encourage residents to bring their reusable bags to the store, and 92% of those who participated in the survey indicated they already have them, so there is no cost to taxpayers. Bags are provided at educational events held by the EAC.

Regarding the environmental impact, there are microplastics in the Tacony/Tookany Creek and there is a link to their study.

Last November, Mr. Faran Savitz of Penn Environment showed a photo of a whale in his presentation and there were questions about it to which Mr. Savitz provided his response in a written statement that was read into the record.

The EAC gave a public presentation in October regarding the proposed ordinance and another one will be held at the NAACP in Willow Grove. Also, she visited a few local businesses to see how they feel about the ordinance.

Penn Environment indicated that the best practice for the environment would be to ban plastic bags, which will eliminate waste, pollutants, and litter and provide a compliant paper bag as an alternative with a fee, and the fee is to encourage residents to bring their reusable bags. Health impacts were provided; there was no source found that recycles Styrofoam food containers; and regarding large grocery orders where no bags are provided, residents most likely would place the items in the cart and then into their car to take home.

President Hecker asked for any comments from Commissioners.

Commissioner Rothman asked about the visit to local businesses.

Ms. Rosen replied that she visited 12 businesses and spoke with a manager/owner at four of them as the other eight did not have a decision-maker onsite, and those she spoke with knew this was coming and would adapt. After visiting the businesses, she realized that bags for prescription medicine should be excluded from the ban.

Ms. Andrea Soo, EAC Secretary, said we will provide education as well as six months of notification for all businesses and residents so they can prepare.

Commissioner Spiegelman clarified that many of the surrounding municipalities already have this type of ordinance in place so many residents who shop elsewhere will be used to it, and he supports it.

Commissioner Bowman said he supports it, and you only forget to bring your bag once.

Commissioner Zappone questioned whether the proposed ban will be for hefty trash bags as well.

Ms. Rosen replied no.

Commissioner Zappone asked what's the difference?

Ms. Rosen replied the ban is for single-use plastic bags from a retailer that transports goods from store to home and the ban does not include trash bags.

Commissioner Zappone said he is opposed to the ban, and it was said, "there is no cost," but if you don't have them, you must buy them, so there is a fee. Also, it is additional revenue for the businesses that are charging for paper bags.

Ms. Rosen replied the EAC is willing to use part of its budget to pay for any reusable bag that a resident needs to prepare for this ban, and although there is an initial cost to purchase reusable bags, there would be no additional cost to reuse them.

Commissioner Zappone asked how many humans died from using plastic bags?

Ms. Rosen replied she does not have that information.

Commissioner Schreiber questioned whether studies have shown how effective bans are in reducing plastic waste. There was a study done in New Jersey where they banned plastics, but because people are using other plastic items, it seems to be increasing the use.

Recently, she bought food at a deli from another municipality that was put in a plastic container and placed into a paper bag, and she was charged for the paper bag and not the plastic container, which seems so wrong, so there is not a lot of consistency and study to make this ban effective.

Ms. Rosen said Mr. Faran Savitz of Penn Environment provided a written statement regarding the recent Freedonia study on the effectiveness of New Jersey's plastic bag law, which she read into the record.

Commissioner Brodsky requested a summary of Ms. Rosen's findings to be sent via email so he can review the matter further.

Commissioner Laney-Martin asked about the educational component for residents and business owners on the importance of this that could help them adapt to the change and gain compliance.

Ms. Rosen replied we created graphics for educational purposes about why this is being proposed including a copy of the draft ordinance.

Vice President Vahey said regarding the definition for "compliant paper bag," which is very detailed and specific, he would like more information on what the options are for paper bags as well as other types of regulations that can be considered by the Board.

Commissioner Spiegelman concurs that education is important, and he asked for a copy of Mr. Faran's written statement.

Commissioner Browne said if this ban goes into effect, he suggested making reusable bags readily available; forecasting the budget; sponsorship by some of the larger businesses to offer free bags as well as providing an online resource, which will be crucial to its success.

Commissioner Henry said she is in support; however, has there been any investigation about loss prevention, shoplifting, etc.

Ms. Rosen replied one of the business owners indicated there has been an increase in theft, and we will look into whether other municipalities are having that issue.

President Hecker said the Board will wait for further information and keep the dialog ongoing.

Presentation of the Preliminary Major Land Development application LD-23-01 for the location at 711 Fox Chase Road, Jenkintown, PA 19046 (St. Basils):

Ms. Alyson Zarro, Esquire representing the applicant, Toll Mid-Atlantic LP Company Inc. introduced Brian Thierrin, representing Toll Brothers, Jeff Madden, PE with ESE Consultants, and Sandy Koza Traffic Engineer with McMahon Associates, and said the St. Basils site is approximately 46 acres located at 711 Fox Chase Road and previously subject to a rezoning to add the Age-Restricted Carriage Home Overlay District as well as a conditional use process in which approval was granted to allow for a sewer line connection in the Riparian Buffer Zone 2.

The site's main frontage is on Fox Chase Road and proposed will be a main entrance of a two-way intersection into the community of 150 carriage homes with clubhouse, pool, parking, and several stormwater management facilities throughout the site as well as an emergency access.

At the rear of the site is the Pennypack Creek Tributary along with existing woods that will remain. There is an extensive buffer of 125 ft. setback and within that setback is a 40 ft. wide buffer located closer to proposed homes and an 85 ft. wide green area as requested by the neighbors.

Last December, the applicant appeared before the Planning Commission to present the plan as well as to request waivers and they recommended approval. The waiver requests are listed in the Township Engineer's review letter dated November 13, 2023.

Mr. Jeff Madden, said regarding Waiver #4 relating to sidewalk and curb, proposed is to have the sidewalks along the entire frontage of the property remain as well as add sidewalks between the road and ultimate right-of-way in front of the proposed basin, and the request by the Planning Commission was to take the sidewalk along the frontage and push it as far back from the road as possible closer to the right-of-way and then meet the existing sidewalk up against the road.

Mr. Khal Hassan, Township Engineer, said he is not opposed to Waiver #4 relating to sidewalk and curb; however, if the Board votes in favor of the plan, the applicant will need to provide a condition that they agree to whatever sections of existing sidewalk will be replaced or rehabbed that it will be completed as part of the plan. The other waiver requests are standard, and he has no objection to them.

Ms. Zarro continued that there is an existing traffic signal at the intersection, and a new intersection with signal upgrades and curb ramps is proposed, and that application will be submitted after the plan advances.

President Hecker asked for any comments from Commissioners.

Commissioner Spiegelman said if the sidewalk/curb waiver is granted would that result in any part of the frontage being without sidewalks.

Ms. Zarro replied we are providing the entire sidewalk. The waiver is about the location where the sidewalk ties back into the existing sidewalk offsite.

Commissioner Winegrad clarified that the applicant will comply with comments as listed in Pennoni's review letter dated November 13, 2023 as well as their review letter dated November 17, 2023. Is that correct?

Ms. Zarro replied yes.

President Hecker said the Board will determine the next steps.

Presentation on parking meters, parking by application, and related costs and fees:

Deputy Chief Porter said the parking meters have been in deplorable condition and frequently out of service at any given time. All the meters are old, no longer in production, and costly to repair, and they also require two individuals to retrieve coins, maintain and service them.

Some alternatives would be to replace the meters at a cost of \$600 each plus monthly service fees or multi-space meters costing about \$6,000 each plus fees. Another alternative is contactless parking, and the police department is recommending Park Mobile. It would remedy the ineffectiveness of current meters with initial investment; there would be minimal maintenance costs; it is a user-based convenience fee if using a credit card; and credit card transaction fees would be paid by the Township.

Park Mobile is the highest rated app for contactless parking nationwide with the most users; surrounding municipalities are using it; and there are no upfront costs to the Township.

Next steps would be to amend the Township code and a parking rate increase is recommended. The Township would need to approve a contract with the provider initially for three years and then annually, and there would be a 45–60-day lead time from the acceptance of the contract to go live.

Options are to remove the meters by the Township and install signage at Park Mobile's expense or meters stay in place with stickers placed on them with zone payment instructions and installation of signage at Park Mobile's expense.

Currently, parking rates are \$0.25 per hour and proposed is to raise that to \$1.00 per hour to help offset costs for parking enforcement. Payment options are to call a toll-free number and make a payment; use PayPal; or a prepaid card. We would provide monthly/annual parking stickers to accommodate seniors and those who are exempt.

Implementation would include outreach to the business community and other stakeholders; public information campaign; installation of signage; grace period; enforcement; and continuous evaluation of the program.

President Hecker asked for any comments from Commissioners.

Commissioner Browne asked how long would the \$1.00 per hour rate increase be in effect?

Deputy Chief Porter replied it would take effect now until it was deemed necessary to increase covering expenses.

Commissioner Winegrad questioned whether a cost analysis has been done to see whether costs will be covered.

Deputy Chief Porter replied yes, parking revenue has decreased significantly over the past several years, and we checked with surrounding municipalities and their parking revenue has increased by 90% over the past three months since implementing Park Mobile.

Commissioner Schreiber asked about enforcement.

Deputy Chief Porter replied the parking enforcement officer has access to the administration portion of the app that shows whether the parking time has expired.

Commissioner Spiegelman asked for the timeframe of implementation.

Deputy Chief Porter replied about two months after entering into an agreement with Park Mobile and then a grace period.

Commissioner Spiegelman asked for a map of all currently metered areas where Park Mobile would be implemented if this is approved.

President Hecker said it is time to bring this Township up to the 21st Century, and many people have experience using this app and Park Mobile's customer service is first rate.

Preliminary Land Development Plan for 711 Fox Chase Road – (St. Basil's) – further questions/comments:

Commissioner Rothman said residents have asked him to clarify with the applicant the following items relating to the most recent iteration of the plan. What is the size of the buffer?

Ms. Zarro replied the total setback area is 125 ft., and within that area, there will be a 40 ft. wide planted buffer that has been shifted back behind the 85 ft. wide green area.

Commissioner Rothman confirmed that there will be no cut-thru from the proposed new property to either the Crosswicks neighborhood or Fox Chase Manor. Is that correct?

Ms. Zarro replied that is correct. There will be no cut-thru.

Commissioner Rothman asked for the location of the drainage basins, and what the traffic impact will be once this project is completed.

Ms. Zarro replied there are two infiltration basins towards the front of the site and three basins in the rear and all five will be naturalized.

Ms. Sandy Koza, Traffic Engineer representing the applicant, said a traffic study was completed including traffic turning movement counts during am/pm peak hour at the intersection with Manor College as well as two adjacent signalized intersections. Trip generation: a.m. peak hour will be 53 trips and 61 in the p.m. Proposed is a full upgrade of the traffic signal and our access will be the fourth leg of that intersection. Curb ramps and pedestrian crossings will be upgraded as well.

Commissioner Rothman asked about the a.m. peak hour trips when it was a school.

Ms. Koza replied according to the Institution of Transportation Engineers, the school generated 149 trips in the morning and 43 trips in the afternoon when school was out.

Commissioner Rothman said there is a group of former St. Basil's students who asked about getting some of the school building bricks. Also, what is the approximate completion date of the project?

Ms. Zarro replied fall of 2025.

PUBLIC COMMENT:

Adele Kubel, resident, expressed concern that new land development will result in an enormous amount of congestion as well as car collisions. Also, the plastic bag ban will not work, and bags should be provided.

Joe Rooney, resident, expressed concern that the plastic bag ban will mostly impact poor people, minorities, and the elderly and will make shopping less convenient and more expensive, which is a bad idea. Also, we should get rid of the parking meters.

Liz Kerr, resident, expressed concern about rodents coming into her home due to construction.

Kathy and Tom Dwyer, residents, expressed concern about an increase in traffic, noise and pollution as well as flooding in the surrounding area due to construction.

Lora Lehmann, resident, expressed concern about the discussion and decision-making process of agenda items.

Manager Manfredi clarified that all discussions are held in public, and all decisions are made in public.

Nancy O'Neill, resident, commented that she supports the plastic bag ban.

Mike Tobin, resident, asked about the project timeline such as when the demolition/construction will begin.

Commissioner Rothman replied he will check on it.

Brad Turner, resident, thanked the Board for their support of the inclusive playground; also, regarding the parking meters, he asked about a discounted rate for Abington residents.

President Hecker replied we will speak with Deputy Chief Porter about that.

Cakky Evans, Associate Member of the EAC, commented that education is important. Upper Merion Township recently passed an ordinance banning plastic bags and Weis Markets posted signs they will be banning them, and the ordinance required two months' notice to customers.

Rick Bruce, resident, commented that he has not heard a before/after comparison between the temporary school occupation turning into a 24/7, 365 days-a-year residential occupation in terms of effluent waste and what will be done to manage pollution from the construction process.

President Hecker replied we will make sure answers are provided.

Karen Milovcich, resident, expressed concern about overdeveloping our Township bringing in more people, cars, trash, and pollution.

ADJOURNMENT: 9:46 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary