

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
APRIL 21, 2016**

Executive Session: The Executive Session was called to order at 7:00 p.m. on a motion by Supervisor Zimmerman, seconded by Supervisor MacFarland. Present were Supervisors Mr. Sorgini, Mrs. Eckman, Mr. Duffy, Mr. MacFarland and Mrs. Zimmerman. Also present were Assistant Township Manager Geri Golas and Solicitor Mr. Rice. The session adjourned at 7:30 p.m. on a motion by Supervisor MacFarland, seconded by Supervisor Zimmerman.

Call to Order: Chairman Sorgini called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Roll Call:

- a. The following members were in attendance: Chairman Sorgini, Supervisors Duffy, Eckman MacFarland and Zimmerman.
 - b. Also in attendance were: John Rice, Township Solicitor; Mike Mrozinski, Community Development Director; Timothy Woodrow, Township Engineer; Karl Lukens, Director of Parks & Recreation; Geri Golas, Assistant Township Manager, John Primus, Director of Public Works; Stanley Turtle, Chief of Police and Denise Walsh, Community Relations Coordinator.
- Chairman Sorgini announced that prior to the meeting an executive session was held to discuss legal and personnel matters.

1) Consent Agenda

- A) **MOTION:** Supervisor Zimmerman made a motion to approve the consent agenda items 1(a), 1(b), and 1(c) including moving the meeting minutes of April 7, 2016 into the record. Supervisor Eckman seconded the motion. The motion *passed* 5-0.

2) Presentations

- A) Presentation to Detective Reginald Nealy in recognition of 25 years of service with the Lower Providence Township Police Department.

3) New Business

- A) Consideration of a resolution converting the variable rate portions of the 2006 A Notes and 2008 Notes to a fixed interest rate.
 - i) Geri Golas explained the request to convert the rate. She said that the fixed rate is about to expire and this will allow them to take advantage of historically low rates rather than reverting to a variable interest rate
 - ii) Jeffery Calhoun from the Delaware Valley Regional Finance Authority reviewed the current fixed and variable rates and explained the benefit of converting to a fixed rate.
 - iii) Chairman Sorgini asked how many years the payments would be amortized. Mr. Calhoun said that the 2008 would be spread out over eight years and the 2006 notes would be spread out over six years.
 - iv) Discussion was held as to the current expiring rates versus the variable and current fixed rates.
 - v) Supervisor MacFarland asked if the maturity dates would change with the rate. Mr. Calhoun said they would not and that the reduced rate would be spread evenly over the terms of the loan. He also stated there would be no conversion costs.
 - vi) Supervisor Duffy asked if they could calculate the ultimate savings of converting to the fixed rate. Mr. Calhoun said that could not be calculated since the current fixed rates are expiring

and the only alternative would be to accept the risk of a variable rate or a new fixed rate at the current market rate.

vii) **MOTION:** Supervisor Zimmerman made a motion to approve the resolution converting the variable rate portions of the 2006 A Notes and 2008 Notes to a fixed interest rate. Supervisor Eckman seconded the motion. The motion *passed* 5-0.

B) Consideration of a resolution for LD-15-04 Dunkin Donuts, 2600 Ridge Pike, preliminary/final land development plan to construct a drive-thru restaurant.

i) Solicitor Rice reviewed the resolution.

ii) Bernadette Kearney, on behalf of the applicant, discussed the traffic impact fee, stating that Dunkin' Donuts will generate fewer new vehicle trips than the gas station which was formerly on the site. Because of this she feels there should not be a traffic impact fee. Mr. Woodrow said that according to the Traffic Engineer the theory behind the memo made sense but he was not sure of the exact figure.

iii) Solicitor Rice reviewed the board's option for voting on the resolution.

iv) Supervisor MacFarland asked if there was any detriment to the applicant by tabling this until the traffic impact fee had been clarified. Ms. Kearney said the applicant wishes to move forward with this project.

v) Chairman Sorgini confirmed that the applicant will comply with all conditions associated with the granted waivers.

vi) **MOTION:** Supervisor Eckman made a motion to approve a resolution for LD-15-04 Dunkin Donuts, 2600 Ridge Pike, preliminary/final land development plan to construct a drive-thru restaurant contingent upon review by Casey Moore of the Traffic Impact fees and mutual agreement between the Township and the applicant. Supervisor MacFarland seconded the motion. The motion *passed* 5-0.

C) Consideration of LD-13-05, Audubon Square Shopping Center, Phase V., S. Trooper Road, preliminary land development plan to construct a hotel and two restaurants.

i) Mr. Mrozinski reviewed the development plan.

ii) Bernadette Kearny, on behalf of the applicant, said that conditional use for this project was issued in March. She reviewed the waivers requested and the request to have the resolution approved contingent on the resolution being prepared. Brad Macy of Audubon Land Development said they had a tenant who is growing increasingly pessimistic that they would not get this project moving forward.

iii) Solicitor Rice noted that this was the first appearance of the applicant before the Board for the land development plan. Mr. Macy distributed a list of waiver requests. Solicitor Rice said it was his opinion that it would be bad practice to approve something prior to having a written resolution. Mr. Macy said that there were only a few small items that needed minor adjustments while they would be in compliance with the remainder of the issues.

iv) Solicitor Rice said there are several review letters in the file. Mr. Macy said they would all be will comply. Mr. Macy discussed submissions to PennDOT to which Solicitor Rice said that these had been concerns that items were being filed with PennDOT without the Township being made aware. He stated he would like to add to the resolution that the applicant was to notify the Township of any submissions as well as any meetings with PennDOT. Mr. Macy agreed.

v) Supervisor Eckman asked if the stormwater management concerns outlined in Mr. Woodrow's December letter had been addressed. Mr. Woodrow said that they had and conceptually they are in accordance. Supervisor Eckman said that while they do not want to

slow things down it is a complicated submission and with the Board looking at it for the first time they want to make sure they look at it thoroughly so as to make sure they are doing it correctly.

- vi) Chairman Sorgini asked if any of the waiver requests were a cause for concern. Mr. Woodrow said they are the result of three years of conversations between the applicant and staff. He discussed some of the particular requests but said they have been worked through and he would not take any exception to any of the waivers.
- vii) Supervisor MacFarland asked if there was anything the Board could do to help appease the potential tenant that this would go forward despite not passing the plan that evening.
- viii) Supervisor Zimmerman asked if they could pass the preliminary/final plan at the next meeting? Solicitor Rice said that they could and cut it down from two steps to one.
- ix) Chairman Sorgini reiterated, for the taped audience, the Board's favorable position toward this project.
- x) Discussion was held as to what the Board could do to assist the applicant without passing the preliminary/final approval. Supervisor Duffy proposed drafting a letter to the applicant stating their intent.
- xi) **MOTION:** Supervisor Duffy made a motion to authorize the Township Solicitor to prepare a letter to Audubon Land Development advising them that the preliminary final approval will be on the May 5 agenda of the Board of Supervisors. Supervisor Zimmerman seconded the motion.
 - (1) Supervisor MacFarland suggested that they add to letter that they presently see no objections to the plan itself.
 - (2) Supervisor Duffy accepted amended Motion.
 - (3) Bernadette Kearney brought up the minor modification to March 1 Casey Moore's letter. Solicitor Rice said that would be spelled out in the Resolution.

The motion *passed* 5-0.

D) Consideration and possible authorization to advertise Ridge Pike West Zoning Ordinance Amendment and map change.

- i) **MOTION:** Supervisor Duffy made a motion to table this item until the final draft of the Resolution is received. Supervisor Zimmerman seconded the motion. The motion passed 5-0.

E) Consideration of a request from the Audubon-Oaks Lions Club for waiver of yard sale permit fee.

- i) Mr. Mrozinski reviewed the waiver request.

F) **MOTION:** Supervisor Zimmerman made a motion to approve the request from the Audubon-Oaks Lions Club for waiver of yard sale permit fee. Supervisor Duffy seconded the motion. The motion *passed* 5-0.

G) Consideration of a resolution authorizing participation in the Delaware Valley Regional Planning Commission's Transportation and Community Development Initiative (TCDI) Grant Program.

- i) Mr. Mrozinski reviewed the resolution request. He stated this would be a \$100,000 grant with a 20% match. Mr. Mrozinski said the funds would be used to study and promote transportation improvements in conjunction with the proposed Ridge Pike West Zoning Amendment. After informal conversation he said there are interested shareholders who would be willing to contribute matching funds for the study.
- ii) Chairman Sorgini said the potential for a second bridge is key to development of that area.
- iii) Supervisor Eckman asked if part of scope would be to look at intersections in Collegetown. Mr. Mrozinski said that it would. They have attempted to get some cooperation and input

from the Colledgeville Borough but they are not willing to come forward since this type of study has been proposed before with no results. He noted that this would make sure the Township has an accurate picture in order to make recommendations. Supervisor Eckman asked if Colledgeville Borough would be interested in participating in matching funds. Mr. Mrozinski said they would not.

iv) Supervisor MacFarland asked if the matching funds sources have been identified. Mr. Mrozinski said that they had. Supervisor MacFarland asked for a clarification of the scope of work. Mr. Mrozinski said that the study would take place in the summer and would be done over a three-year period with public input. The study would not begin until the Arcola Bridge re-opened and traffic patterns adjusted.

H) **MOTION:** Supervisor Duffy made a motion to approve a resolution authorizing participation in the Delaware Valley Regional Planning Commission's Transportation and Community Development Initiative (TCDI) Grant Program. Supervisor MacFarland seconded the motion.

i) Supervisor MacFarland asked if in the approval meant that the Township would pay the 20% matching funds if they are not forthcoming. Mr. Mrozinski said that it would. Mr. Mrozinski said he feels there is a likelihood of success in receiving the grant as the proposal has been vetted and the county was supportive.

The motion *passed 5-0*.

I) Authorization to award 2016 road reconstruction bid.

i) Mr. Woodrow reviewed the scope of the bid. He said they were pleased in the reduction of the bids due to the drop in cost of petroleum. He proposed to award the bids to ReCon Construction and Bracalente Construction. Mr. Woodrow said that since the bid total came in significantly lower than budgeted, he proposed adding three additional roads to be repaired. He said he spoke to the low bidder who agreed to hold their prices for the additional roads. Mr. Woodrow discussed the various options for repairing the roads.

ii) Supervisor Eckman asked if there were any issues, under bidding regulations, to add additional roads. Solicitor Rice said the bid spec allowed for adding additional roads to be added at the Township's discretion.

iii) **MOTION:** Supervisor Duffy made a motion to authorize awarding the 2016 road reconstruction bids. Supervisor Zimmerman seconded the motion. The motion *passed 5-0*.

J) Authorization for additional expenditure for Perkiomy Trailblazers Camp.

i) Karl Lukens reviewed the resolution. He stated this will allow the expansion of the camp to allow more children to attend and that all expenses are offset by registrations.

ii) **MOTION:** Supervisor MacFarland made a motion to approve the additional expenditure for Perkiomy Trailblazers Camp. Supervisor Zimmerman seconded the motion. The motion *passed 5-0*.

K) Consideration of Separation of Employment Agreement and General Release.

i) Solicitor Rice reviewed the details of the release.

ii) **MOTION:** Supervisor MacFarland made a motion to approve the Separation of Employment Agreement and General Release. Supervisor Zimmerman seconded the motion. The motion *passed 5-0*.

L) Consideration of a resolution of appointing the Assistant Township Manager to serve as Secretary to the Board of Supervisors.

i) Solicitor Rice reviewed the resolution to have Geri Golas as the Secretary to the Board of Supervisors. Ms. Golas said she is currently the treasurer and assistant Township secretary.

- ii) **MOTION:** Supervisor Zimmerman made a motion to approve the resolution of appointing the Assistant Township Manager to serve as Secretary to the Board of Supervisors. Supervisor Eckman seconded the motion. The motion *passed* 5-0.

4) Announcements

- A) The Planning Commission will meet on April 27 at 7:00 p.m.
- B) The Zoning Hearing Board will meet on April 28 at 7:00 p.m.

5) Comments and other Business

- A) Solicitor Rice said the planning commission will be reviewing several ordinances at their next meeting. This will be advertised for second meeting in May.
- B) Supervisor MacFarland asked what are the next anticipated steps for the vacant Township Manager position. Chairman Sorgini said they are in the process of seeking to hire interim manager for six to twelve months during which they will also conduct a comprehensive and thorough search for a new Township Manager.
- C) Supervisor Duffy stated that Township Supervisors and staff are available via phone or email to answer any resident's questions.

6) Adjournment

- A) **MOTION:** Supervisor MacFarland made a motion to adjourn the meeting into an Executive Session. Supervisor Duffy seconded the motion. The motion passed 5-0. The meeting adjourned at 8:35 p.m. The Supervisors entered into a second Executive Session at 8:43 p.m. on a motion by Supervisor Duffy, seconded Supervisor Eckman. The session adjourned at 9:20 p.m. on a motion by Supervisor Eckman, seconded by Chairman Sorgini.

Next Business Meeting: May 5, 2016
May 19, 2016