

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUSINESS MEETING  
MAY 5, 2016**

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**Executive Session:** The Executive Session was called to order at 6:34 p.m. on a motion by Supervisor Zimmerman, seconded by Supervisor Duffy. Present were Supervisors Mr. Sorgini, Mrs. Eckman, Mr. Duffy and Mrs. Zimmerman. Also present were Solicitor Mr. Rice, Interim Township Manager Alison Rudolf, and Assistant Township Manager Geri Golas. The session adjourned at 7:34 p.m. on a motion by Supervisor Duffy, seconded by Supervisor Zimmerman.

**Call to Order:** Chairman Sorgini called the meeting to order at 7:35 p.m.

**Pledge of Allegiance**

**Roll Call:**

- a. The following members were in attendance: Chairman Sorgini, Supervisors Duffy, Eckman and Zimmerman. Supervisor MacFarland was absent.
- b. Also in attendance were: John Rice, Township Solicitor; Alison Rudolf, Interim Township Manager; William Roth, Director of Special Projects and Technology; Mike Mrozinski, Community Development Director; Timothy Woodrow, Township Engineer; Geri Golas, Assistant Township Manager, John Primus, Director of Public Works; and Stanley Turtle, Chief of Police.

Chairman Sorgini announced that prior to the meeting an executive session was held to discuss legal, personnel and real estate matters.

**1) Consent Agenda**

- A) **MOTION:** Supervisor Zimmerman made a motion to approve the consent agenda items 1(a) and 1(b) including moving the meeting minutes of April 21, 2016 into the record. Supervisor Duffy seconded the motion. The motion *passed* 4-0.

**2) New Business**

- A) Consideration of LD-13-05, Audubon Square Shopping Center, Phase V, S. Trooper Road, preliminary/final land development plan to construct a hotel and two restaurants.
  - i) Solicitor Rice reviewed the preliminary/final approval land development plan.
  - ii) Mr. Woodrow said he had no concerns with any of the waiver requests. Chairman Sorgini confirmed that the applicant will comply with all items previously discussed in the review letters.
  - iii) **MOTION:** Supervisor Duffy made a motion to approve the following waivers included in the written resolution: SLDO Section 123.31; SLDO Section 123.32; SLDO Section 123.33; SLDO Section 123-339(c); SLDO Section 123-35.B(3); SLDO Section 123-36.A(2)(d); SLDO Section 123.36.B(1); SLDO Section 123-37.C; SLDO Section 123-37.L(2)(a); SLDO Section 123-37(M)(2)(b); SLDO Section 123-21; SLDO Section 123-44. Supervisor Zimmerman seconded the motion. The motion passed 4-0.
  - iv) **MOTION:** Supervisor Zimmerman made a motion to approve LD-13-05, Audubon Square Shopping Center, Phase V., S. Trooper Road, preliminary/final land development plan to construct a hotel and two restaurants. Supervisor Eckman seconded the motion. The motion *passed* 4-0.
- B) Consideration and possible authorization to advertise Ridge Pike West Zoning Ordinance Amendment and map change.
  - i) Mr. Mrozinski reviewed the Ridge Pike West Zoning Ordinance Amendment and map change. He said that everyone in the district would be notified via certified letter advising

- them of a public hearing. Mr. Mrozinski reminded the board that he has applied for a grant in order to create a plan to assist in traffic and development issues in this district.
- ii) Solicitor Rice said that because this is a map change everyone in the district will receive a certified letter and a copy of the ordinance and, as a result, the hearing will most likely not be held until June.
  - iii) **MOTION:** Supervisor Eckman made a motion to authorize advertising the Ridge Pike West Zoning Ordinance Amendment and Map change. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.
- C) Consideration of a Memorandum of Understanding between Lower Providence and Alison Rudolph.
- i) Solicitor Rice reviewed the Memorandum of Understanding for Alison Rudolf as a consultant to the Township.
  - ii) **MOTION:** Supervisor Zimmerman made a motion to approve the Memorandum of Understanding for Alison Rudolf as a consultant to the Township. Supervisor Eckman seconded the motion. The motion *passed* 4-0.
- D) Approval of Conservation Easement Agreement of Sale, 20 Moyer Road.
- i) Solicitor Rice reviewed the easement agreement stating this was a 65-acre tract of which contains and landfill and buildings and is under jurisdiction of DEP and EPA due to a landfill on the property. He stated that since this is an orphan property there have been issues with dumping and other illegal activity. Carmela Farms LLC has bid on the property and will provide some oversight to the property. He noted that the current property owners are absent and this agreement is between Carmella farm LLC and the Township.
  - ii) Supervisor Eckman stated that this approval will not put the Township in any liability and that any maintenance responsibilities with the landfill will be worked out between the property owner and the DEP. Solicitor Rice clarified the Township and DEP's involvement with the property.
  - iii) **MOTION:** Supervisor Duffy made a motion to approve the Conservation Easement Agreement of Sale for 20 Moyer Road. Chairman Sorgini seconded the motion. The motion *passed* 4-0.
- E) Consideration of a resolution amending and restating the existing Employee 457 Contribution Plan Document.
- i) Geri Golas reviewed the proposed resolution stating it has been amended and restated to comply with IRS regulations. She reported that the Township's solicitor has reviewed the Plan Document.
  - ii) **MOTION:** Supervisor Eckman made a motion to approve the resolution amending and restating the existing Employee 457 Contribution Plan Document. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.
- F) Consideration of a resolution amending the restating the existing Defined Contribution Plan Document for full-time non-uniformed employees.
- i) Geri Golas reviewed the proposed resolution, noting that the key change to the Plan Document is the increase in the Township contribution rate from 6% to 8%, which was a result of 2015-2018 contract negotiations.
  - ii) **MOTION:** Supervisor Eckman made a motion to approve the resolution amending the restating the existing Defined Contribution Plan Document for full-time non-uniformed employees. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.
- G) Authorizing to award contract for 2016 Gunite Projects.

- i) John Primus reviewed the scope of the Gunitite projects, noting this is part of a systematic repair of aging storm water pipes. He requested that the Board to approve awarding the \$18,000 contract to Tri-State Grouting.
  - ii) **MOTION:** Supervisor Duffy made a motion to authorize the awarding of the contract for the 2016 Gunitite Projects. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.
- H) Authorization for the Emergency Management Coordinator to apply for public assistance reimbursement for the Jonas snowstorm.
  - i) Geri Golas reviewed the reimbursement request and the designated resolution. She requested that the Township designate Charles DeFrancesco as the authorized agent.
  - ii) **MOTION:** Supervisor Zimmerman made a motion to authorize the Emergency Management Coordinator to apply for public assistance reimbursements for the Jonas snowstorm. Supervisor Eckman seconded the motion. The motion *passed* 4-0.
- I) Authorization to advertise an ordinance creating a Riparian Buffer Overlay Zone.
  - i) Solicitor Rice reviewed the ordinance, stating his had been reviewed and recommended for adoption by both the Lower Providence Township Planning Commission and the Montgomery County Planning Commission.
  - ii) Supervisor Eckman asked Solicitor Rice to clarify how residents in the buffer zone would be affected. Solicitor Rice said normal maintenance and household activities such as mowing and gardening are excluded as a land disturbance. However, major construction that would disturb the area would require a conditional use hearing to in order to receive approval.
  - iii) **MOTION:** Supervisor Eckman made a motion to approve the authorization to advertise an ordinance creating a Riparian Buffer Overlay Zone. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.
- J) Adoption of resolution recognizing the week of May 15-21, 2016 as Police Week in Lower Providence Township
  - i) Supervisor Eckman read the resolution proclaiming the week of May 15-21 2016 as Police Week in Lower Providence Township.
  - ii) **MOTION:** Supervisor Zimmerman made a motion to recognize the week of May 15-21, 2016 as Police Week in Lower Providence Township. Supervisor Eckman seconded the motion. The motion *passed* 4-0.
  - iii) Chief Turtle thanked the Board for recognizing the officers for their effort.
- K) Adoption of resolution recognizing the week of May 15-21, 2016 as Public Works Week in Lower Providence Township.
  - i) Supervisor Duffy read the resolution proclaiming the week of May 15-21 as Public Works Week in Lower Providence Township.
  - ii) **MOTION:** Supervisor Duffy made a motion recognizing the week of May 15-21, 2016 as Public Works Week in Lower Providence Township. Supervisor Eckman seconded the motion
  - iii) Mr. Primus thanked the Board for recognizing the hard work of the Public Works staff.
- L) Cancellation of first Board of Supervisors meeting in July.
  - i) Supervisor Sorgini said that traditionally the Board cancelled the first meeting in July, this year scheduled for July 7, 2016, in recognition of the hard work of the staff during the Township's Independence Day Celebration.
  - ii) **MOTION:** Supervisor Sorgini made a motion to cancel the July 7, 2016 Board of Supervisors meeting. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.

**3) Announcements**

- A) The Parks and Recreation meeting will be held May 10 at 7 p.m.
- B) The Sewer Authority will meet on May 11 at 7:30 p.m.
- C) The Library Board of Trustees meeting will be held May 16 at 7 p.m.

**4) Comments and other Business**

- A) Solicitor Rice announced that the Township will be advertising an amendment to the Police Pension Ordinance as a result of the collective bargaining agreement entered into last year.

**5) Adjournment**

- A) **MOTION:** Supervisor Zimmerman made a motion to adjourn the meeting. Supervisor Eckman seconded the motion. The motion *passed* 4-0. The meeting adjourned at 8:35 p.m. An Executive Session was called to order at 8:32 p.m. on a motion by Supervisor Duffy, seconded by Supervisor Zimmerman. The session adjourned at 8:55 p.m. on a motion by Supervisor Duffy, seconded by Supervisor Zimmerman.

Next Business Meeting: May 19, 2016  
June 2, 2016