

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUSINESS MEETING  
AUGUST 18, 2016**

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**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 Eckman, Duffy, MacFarland and Zimmerman.
- 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 the Board met to discuss legal and personnel matters.

**1) Consent Agenda**

- A) **MOTION:** Supervisor Zimmerman made a motion to move the minutes of July 21, 2016 into the record. Supervisor Eckman seconded the motion. The motion *passed* 3-0-2 with Supervisors Sorgini and Duffy abstaining.
- B) **MOTION:** Supervisor Duffy made a motion to move the minutes of August 4, 2016 in to the record. Supervisor MacFarland seconded the motion. The motion *passed* 3-0-2 with Supervisors Zimmerman and Eckman abstaining.
- C) **MOTION:** Supervisor Zimmerman made a motion to approve the consent agenda items 1(b) and 1(c) into the record. Supervisor Eckman seconded the motion. The motion *passed* 5-0.

**2) New Business**

- A) Review of s-16-06/Rowe Tract, 222 Collegeville Rd. – Mikelen, LLC.
  - i) Mr. Mrozinski reviewed the project.
  - ii) Rolph Graf, principal engineer of the Rowe Tract, presented the project and stated they will comply with all review letters with the exception of the waivers. He said the Planning Commission did recommend final approval with the caveat that a fee in lieu of sidewalks be paid by the applicant.
  - iii) Mr. Woodrow went over his July 6 review letter stating that while there are a few minor items he said he would have no issue with approving the plan. He further explained the waiver requests and why he recommended granting the application.
  - iv) Supervisor Eckman opened discussion about the requested sidewalk waiver, saying she preferred the sidewalk be continued. Mr. Woodrow said this was not an impossible task and if the Board preferred it should be no problem to continue the sidewalk. She discussed the concrete aprons in the neighborhood. Mr. Graf said that there is an embankment and that while a portion of that will be graded, there is a sanitary lateral on the embankment for Lot 1 which they will not be grading as it may require rerouting of laterals and other disturbances that they had not taken into consideration. Mr. Graf illustrated to the Board on the plan where the sanitary lateral easement was located.
  - v) Supervisor MacFarland asked for clarification as to where the existing sidewalk was located.

- vi) Supervisor Duffy said the lot is heavily wooded and asked how many trees would be removed. Mr. Graf said that the ordinance only requires replacement for trees 8 inches in diameter or larger and the majority of the trees are under that size. Supervisor Duffy asked since a significant number of trees are being removed would he be willing to do a fee in lieu of replacement? Mr. Graf said they would but there are really no place on the lot to replace the trees being removed. He said he would be willing to meet with Mr. Woodrow to discuss.
  - vii) Mr. Michael Clement said that he would pay a fee in lieu of trees because this, along with the sidewalks, does not make sense for this property. He said they were not looking to short the citizens of the Township.
  - viii) Solicitor Rice asked how many trees greater than 8 inches are on the site. Mr. Graf said there between 10-15. Mr. Clement said roughly 8 trees at \$300 per tree. Solicitor Rice said someone needs to put a number on the number of trees and that would need to be resolved prior to the Resolution that will be prepared for next meeting. Supervisor Duffy agreed and would like a tree count before the next meeting.
  - ix) Solicitor Rice clarified that after the subdivision the property will be two acres and that the existing house on the property would remain.
  - x) Chairman Sorgini said that details will be worked out between the applicant and the Township regarding the fees and the Resolution will be before the Board for approval at the September meeting.
- B) Consideration of a Resolution approving the preliminary/final land development plan for the John James Audubon Center at Mill Grove.
- i) Solicitor Rice reviewed the Resolution, including the issues of compliance and waiver requests. Mr. Mrozinski said that the Township would be reimbursed by the County for inspection fees. He said the fees shall be charged to the Applicant on a time and material basis.
  - ii) Supervisor MacFarland said that because his wife is a fulltime employee of the John James Audubon Center he will recuse himself from both the discussion and vote.
  - iii) **MOTION:** Supervisor Duffy made a motion to approve the Resolution for the preliminary/final land development plan for the John James Audubon Center at Mill Grove, granting waivers 8(a) through 8(t) with the exception of 8(c) SLDO Section 123-33.K as to Township professional consultant fees. Supervisor Zimmerman seconded the motion.
    - (1) Chairman Sorgini said that the John James Audubon Center was a jewel in the township and this facility would be a benefit to the citizens of the Township and beyond.
    - (2) Lee Altodonna, a member of the Joint Advisory Committee for County and the John James Audubon Center, said this was a great partnership and a win for all parties. He expressed his thanks on behalf of the Advisory Board
 The motion *passed* 4-0-1 with Supervisor MacFarland abstaining.
- C) Consideration of a request from the Collegeville Fire Company to waive the temporary sign permit fee for the 5<sup>th</sup> annual “Hero Run 5k”.
- i) Mr. Mrozinski reviewed the request for the fee waiver.
  - ii) **MOTION:** Supervisor Eckman made a motion to approve the request from the Collegeville Fire Company to waive the temporary sign permit fee for the 5<sup>th</sup> annual “Hero Run 5k”. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
- D) Consideration of auction of Township parcel – Cresson Street.
- i) Solicitor Rice reviewed the history of the parcel stating these were lots commonly referred to as “movie lots”. He stated that under the Township Code in order to sell the lots they need to

advertise the sale. He said the Board would need to establish a minimum bid and what restrictions would be place on the parcel.

- ii) Supervisor Duffy asked if these parcels were being sold as one lot. Solicitor Rice said they were being sold as one lot. He said that they could be split but it makes more sense to sell as single lot due to the lot size.
  - iii) Supervisor MacFarland asked if the lots had been assessed as to their value. Solicitor Rice said he did not have that information but could find out. Supervisor MacFarland said since this is the Township's property he feels they should get the assessed value.
  - iv) Chairman Sorgini expressed concern about the liquidation of Township lands while recognizing that the lots in question are unusable. Supervisor Eckman agreed stating that it is open space that could be protected by a conservation easement, even if it is not being used. She feels it should remain undeveloped and would like that assurance going forward.
  - v) Solicitor Rice noted that no taxes are being paid on the lots so there may not be an appraised value.
  - vi) Chairman Sorgini called for a motion. No motion was made.
  - vii) James Jones, whose property surrounds the lots in question, said these properties were in the middle of his yard and not accessible or contiguous to any other property. He discussed a potential in-kind trade of property by which he would give the Township lots bordering Township opens space in return for the lots surrounded by his property. He said that he has purchased similar lots so could establish a value.
    - (1) Supervisor Zimmerman opened a discussion on a land swap. Supervisor Eckman asked about deeds and Mr. Jones said he has presented all of his deeds and noted that the parcels he is offering in a land swap are accessible
    - (2) Chairman Sorgini said that he understands what precipitated these discussions but still has issues with selling Township land.
    - (3) Supervisor Duffy asked Mr. Jones if he had any plans to subdivide the property. Mr. Jones said he would agree to a deed restriction to only place one additional house on the property.
  - viii) Kirsten Deal, Tax Collector of Lower providence Township, said that the Movie Lots are typically assessed for \$500. Mr. MacFarland found this helpful and would support a land swap.
  - ix) **MOTION:** Supervisor MacFarland made a motion to authorize the auction of Township Parcel – Cresson Street, conditioned upon a land swap. Supervisor Zimmerman seconded the motion.
    - (1) Supervisor Eckman clarified that the bidder would have to show proof of ownership of any land they were proposing to swap. Supervisor MacFarland clarified that the Township has the option of not accepting any bids.The motion *passed* 5-0.
- E) Authorization for participation in the Skippack Creek MS-4 consortium.
- i) Mr. Woodrow reviewed the participation proposal and the July 22 letter from Lower Salford Township Supervisor Christopher Canavan.
  - ii) **MOTION:** Supervisor MacFarland made a motion to authorize participation in the Skippack Creek MS-4 consortium. Supervisor Duffy seconded the motion. The motion *passed* 5-0.
- F) Consideration of fee agreement with McMahon Associates for the Multi-Modal Grant.
- i) **MOTION:** Chairman Sorgini made a motion to table this request. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.

G) Consideration of a resolution authorizing Tax Collector's new bank account.

- i) Ms. Rudolf reviewed the request by the Tax Collector to switch account to TD Bank. She said that since this is the Township's bank, linking the accounts together could result in lower fees.
- ii) Chairman Sorgini asked if there were any negatives. Ms. Rudolf said this was a common action by Townships.
- iii) Supervisor Duffy asked if there were any malfeasance by a future tax collector, would the Township's assets be held liable. Solicitor Rice said that under the code the Tax Collector was required to post a bond to cover this issue.
- iv) **MOTION:** Supervisor Zimmerman made a motion to approve a resolution authorizing Tax Collector's new bank account. Supervisor Duffy seconded the motion. The motion *passed* 5-0.

**3) Announcements**

- A) The Planning Commission meeting will be held August 24 at 7 p.m.
- B) The Zoning Hearing Board meeting will be held August 25 at 7 p.m.

**4) Comments**

- A) Supervisor Eckman stated that Valley Forge Park will have a grand opening of the Sullivan Bridge, the pedestrian and bike bridge over the Schuylkill River, on Friday August 19.

**5) Courtesy of Floor**

- A) Kirsten Deal thanked the board for passing the bank resolution and said that she could look up the parcel numbers for the movie lots in question.
- B) Mr. Jones asked what his next step would be in the movie lot auction process. Solicitor Rice said that this would be advertised, bids would be received and opened and the bid would be awarded within 60 days of opening. He said that staff would analyze bids and then the Board would vote to whether or not to accept the bid. Mr. Woodrow said there would be instructions in the advertisement as to how to make a bid.

**6) Adjournment**

- A) **MOTION:** Supervisor MacFarland made a motion to adjourn the meeting. Supervisor Zimmerman seconded the motion. The motion *passed* 3-0. The meeting adjourned at 8:35 p.m.

Next Business Meeting: September 1, 2016  
September 15, 2016