

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
SEPTEMBER 15, 2016**

Call to Order: Chairman Sorgini called the meeting to order at 7:40 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 an Executive Session was held to discuss legal and real estate matters.

1) Consent Agenda

- A) **MOTION:** Supervisor Duffy made a motion to approve the consent agenda items 1(a), 1(b) and 1(c)(1), with item 1(c)(2) being tabled, including moving the meeting minutes of September 1, 2016 into the record. Supervisor MacFarland seconded the motion. The motion *passed* 5-0.

2) New Business

- A) Consideration of a request for a waiver pursuant to Chapter 83 Open Burning requirement to construct an outdoor fireplace a minimum of 15 feet from combustible materials – 2807 Foster Avenue.
 - i) Mr. Mrozinski reviewed the waiver request.
 - ii) Deron Platt, of AMC Nursery and Landscaping, described the project and the confusion regarding the regulation. He explained that when designing hardscape projects that include a fire pit they are designed to the NFPA standard of 10 feet from combustible material. The fire pit as constructed is currently 12 feet from combustibles. He stated that he was not aware of the zoning ordinance requiring a distance of 15 feet. Mr. Platt did say that the fire pit was only indicated by a symbol on the plans rather than a label, which would have been understood by the Township staff. He said that the Fire Marshal has been consulted and did not feel this distance would compromise safety issues as it is within the NFPA guidelines.
 - iii) Supervisor Eckman asked what triggered the inspection and discovery of the discrepancy. The homeowner said they replaced fencing, which required a permit.
 - iv) The applicant showed an aerial photo of the property, noting which trees had been removed and pointing out that the closest tree was 30-40 feet from the fire pit.
 - v) Supervisor MacFarland asked for clarification of the current distance from the house. The applicant confirmed that it was 12 feet from the center of the fire pit to the corner of the roofline. Supervisor MacFarland said that according to the code the distance measured is from the edge of the block work rather than the fire pit. He asked if the homeowner's insurance would be compromised by this distance. The applicant said that it was not and if this waiver is accepted by the Township it will be accepted by their insurance provider.

vi) **MOTION:** Supervisor Duffy made a motion to grant the waiver pursuant to Chapter 83 Open Burning requirement to construct an outdoor fireplace a minimum of 15 feet from combustible materials. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.

B) Review of bids for Cresson Street lots.

i) Mr. Rice said that the sale of two small Township lots was advertised and bids were opened this past Monday. He said that there was one bidder, James Jones, with a proposal to restrict the lot to one home and swap lots with the Township for one that he owns adjacent to open space. Solicitor Rice noted that no other compensation was offered. He recommended tabling the matter until the lot offered in exchange can be examined.

ii) **MOTION:** Supervisor Zimmerman made a motion to table accepting the bid for Cresson Street lots. Supervisor MacFarland seconded the motion.

(1) Solicitor Rice said, in response to Mr. Jones, that they will discuss the agreement of sale and restrictions. He said the Township will contact Mr. Jones to work on necessary paperwork

The motion *passed* 5-0.

C) Approval of Mascaro Ballfield lease.

i) Mr. Rice reviewed the project and the lease agreement.

ii) Supervisor MacFarland asked for clarification of language in C(4), asking if “Methacton Baseball” is a specific organization. Supervisor Duffy said that the name was Methacton Baseball Association and Solicitor Rice will add “Association” to the lease agreement to clarify.

iii) **MOTION:** Supervisor MacFarland made a motion to approve the Mascaro Ballfield lease, conditioned upon adding “Association” to Section C(4). Supervisor Duffy seconded the motion. The motion *passed* 5-0.

D) Consideration of fee agreement with McMahan Associates for the Multi-Modal Grant.

i) Solicitor Rice stated he had reviewed the agreement and has no issues or comments.

ii) Ms. Rudolf reviewed the fee agreement. She noted that the agreement has been approved by PennDOT and will have a Total Maximum Agreement of \$1,390,782.41. She stated that there is a \$1 million Multi-Modal grant that will help pay for this along with a cost sharing with funding provided by alternate sources.

iii) Supervisor Duffy stated that this project was being funded by grants and other sources including Audubon Land Development and that taxes would not be raised for this project. He said that this will straighten out the problematic intersection and reduce accidents.

iv) Supervisor MacFarland clarified the two price points within the contract. Mr. Woodrow said that because they were very early on in the design process the cost associated with the fees could be reduced based on what alignment is chosen and approved.

v) **MOTION:** Supervisor Eckman made a motion to approve the fee agreement with McMahan Associates for the Multi-Modal grant. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.

3) **Announcements**

A) The Library Board of Trustees meeting will be held September 19 at 7 p.m.

B) The Zoning Hearing Board will meet September 22 at 7 p.m. – *Cancelled*

C) The Planning Commission will meet on September 28 at 7 p.m.

D) The Township’s Fall Festival will be held Saturday, October 1 from 11 a.m. to 4 p.m. in Eagleville Park. More information can be found on the Events and Happenings page of the Township website, lowerprovidence.org.

4) Comments

- A) Supervisor Duffy announced that the Library is holding a Comedy Night on October 26 at Shannondell. Tickets are available at the library.
- B) Supervisor Eckman said that the Business Development Committee held their monthly meeting. She reported that there are a few potential reports for redevelopment that they hope to be able to announce shortly. She said one project which has been presented is for the redevelopment of the Collegeville Inn.

5) Adjournment

- A) **MOTION:** Supervisor Zimmerman made a motion to adjourn the meeting. Supervisor MacFarland seconded the motion.
 - i) Chairman Sorgini noted that the board will adjourn into an executive session and will not reconvene.The motion *passed* 5-0. The meeting adjourned at 8:00 p.m.

Next Business Meeting: October 6, 2016
 October 20, 2016
2017 Budget Meeting: October 13 at 5 p.m.