

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
JUNE 15, 2017**

Call to Order: Chairwoman Eckman called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Roll Call:

- a. The following members were in attendance: Chairwoman Eckman, Supervisors Duffy, MacFarland and Sorgini. Supervisor Zimmerman was absent.
- b. Also in attendance were: John Rice, Township Solicitor; Don Delamater, Township Manager; William Roth, Director of Special Projects and Technology; Mike Mrozinski, Community Development Director; Karl Lukens, Director of Parks and Recreation; Park Tim Woodrow, Township Engineer; Geri Golas, Assistant Township Manager; John Primus, Director of Public Works; Stanley Turtle, Chief of Police and Jennifer Reed, Student Representative.

Chairwoman Eckman announced that prior to the meeting the Board met to discuss personnel, and real estate matters.

1) Consent Agenda

- A) **MOTION:** Supervisor MacFarland made a motion to approve the consent agenda items 1(a), 1(b) and 1(c), including moving the meeting minutes of June 1, 2017 into the record and reviewing and accepting the minutes of the Board of Supervisors/Lower Providence Fire Company workshop meeting of May 22, 2017. Mr. Sorgini seconded the motion. The motion *passed* 4-0.

2) Presentations

- A) Presentations to Kelly Hallman and Carina Tse recognizing their service to the Lower Providence Township Parks and Recreation Board.
- B) Presentation on the 2016 Audit
 - i) Mr. Matt Baker of Maillie LLP presented the audit.
 - (1) Supervisor MacFarland asked for an explanation for the relative lack of movement in Capital Asset Net. Mr. Baker said that Capital Assets increases for current year acquisitions at cost and is decreased by the allocation of that through depreciation over a period of time based on what is purchased. He said they tend to balance, but if capital expenditures exceeds that depreciation then it increases.

3) New Business

- A) Consideration of Resolution #17-19 granting preliminary/final approval for subdivision plan S-17-01 for 1418 Gertrude Avenue
 - i) Solicitor Rice reviewed the resolution and the conditions for approval.
 - ii) Supervisor Sorgini asked Mr. Woodrow if he approved of the waivers being granted. Mr. Woodrow said that he did.
 - iii) **MOTION:** Supervisor Sorgini made a motion to approve Resolution #17-19 granting preliminary/final approval for subdivision plan S-17-01 for 1418 Gertrude Avenue. Supervisor MacFarland seconded the motion.
 - (1) Harold Baird, Lincoln Street, questioned the decision to require a turnaround, stating this put an undue burden on the property owner in an established neighborhood where no other turn-around currently exists. Mr. Woodrow said he has spoken with the developer

and they believe they have a plan that will address this without placing a burden on the property owner.

The motion *passed* 4-0.

B) Consideration of application process for the Delaware Valley Workers Compensation Trust.

- i) Ms. Golas reviewed the Township's option to utilize the Delaware Valley Workers Compensation Trust to insure its coverage for their 2018 renewal of the Township's Workers Compensation Insurance. She explained that this is a risk sharing pool that has been used by the Township for insurance needs and that they have enjoyed a positive experience both financially and from a customer service standpoint. Ms. Golas said the Township staff will review the final proposals in order to make a recommendation to the Board regarding the best insurance solution. She requested they authorize staff to proceed with the application process.
- ii) **MOTION:** Supervisor MacFarland made a motion to authorize staff to begin the application process for the Delaware Valley Workers Compensation Trust. Supervisor Sorgini seconded the motion. The motion *passed* 4-0.

C) Consideration of lease agreement between Montgomery County and Lower Providence Township for the Audubon Recreation Fields

- i) Mr. Lukens reviewed the need to renew the lease, stating that the lease had been reviewed and updated by the Township's solicitor. He said that one change to agreement is the ability to permit out for more than one year at a time and can be permitted for up to five years if the Township so desires. Mr. Lukens also noted that the agreement states that they will work with the Audubon Center for overflow parking for special events
- ii) Supervisor Eckman asked for clarification as to what was the Meeting House as noted in the lease. Mr. Lukens said that he believes it is the church but that the agreement is just for the area they currently use and the lease only refers to that building as a boundary.
- iii) Supervisor Duffy asked if this had been seen by the ARA board, noting that, in regard to archeological surveys, it put the burden on ARA or the Township if any improvements were to be made. Mr. Lukens said that they did not review but he did reach out to them to see if they had anything they wanted to address. He said their largest concern was to be able to have a commitment to use the fields for up to five years at a time. Mr. Lukens said the archeological portion was not going to be changed as it was county mandated.
- iv) Supervisor MacFarland clarified that, should the Township wish, they can offer a permit to ARA for up to five years. Mr. Lukens agreed. Supervisor MacFarland expressed concerns regarding the 90 day notice period for termination, stating it may make ARA reluctant to make an investment in the fields. Mr. Lukens said the previous notice period was 60 days and this was an extension. He said it was similar to the terms for the Mascaro fields.
- v) Supervisor Duffy discussed the difference between a permit and a lease and how it affects this property. Supervisor MacFarland asked if the County dictated these conditions. Mr. Lukens said they did and stated that this agreement provides some measure of security to ARA.

D) **MOTION:** Supervisor Sorgini made a motion to approve the lease agreement between Montgomery County and Lower Providence Township for the Audubon Recreation Fields. Supervisor MacFarland seconded the motion. Motion *passed* 4-0.

E) Ordinance amendment update – authorization to advertise

- i) Solicitor Rice reviewed the ordinance amendments, stating it corrects a confusing provision re properties that are split zone. He said it had been sent to the Township and County planning commissions and he is seeking to advertise the hearing for the July 20 meeting.

- ii) **MOTION:** Supervisor Sorgini made a motion to authorize the advertisement of the Ordinance Amendment Update. Supervisor MacFarland seconded the motion. The motion *passed* 4-0.

4) Announcements

- A) The Park and Recreation Board will meet on June 20 at 7 p.m.
- B) The Zoning Hearing Board will meet on June 22 at 7 p.m.
 - i) Mr. Mrozinski said that the Zoning Hearing Board meeting will be a continuance of the June meeting which dealt with Lidl Supermarket.
- C) The Planning Commission will meet on June 28 at 7 p.m.
 - i) Mr. Mrozinski said that the Planning Commission will address three items: the Gambone family subdivision on Woodlyn Avenue; a proposed sub development off of Level Road; and questions or discussion regarding the Zoning District Boundary Tolerance Revision.
- D) The Township's Independence Day Celebration will be held Monday, July 4 in Eagleville Park. There will be a concert at 6:30 p.m. followed by fireworks at dusk.

5) Comments and Other Business

- A) Supervisor MacFarland reported that the Business Development Committee meeting was a success and that the 100 Businesses in 100 days, to wrap up on July 26, has been well received. He said they also discussed the development of Ridge Pike west after recent re-zoning and recent development in the Audubon area. Finally, they discussed further development at the end of Ridge Pike including Lidl and how to encourage other businesses to join Lidl in that area.
- B) Supervisor Sorgini said that the Annual Lower Providence Fire Department's annual Fireman's Fair continues through June 17. He encouraged residents to visit the fair and support the fire company.
- C) Jennifer Reed presented her report which covered the recent graduation as well as the success of Methacton High School students at the Intel International Science and Engineering Fair in Los Angeles. Ms. Reed reported that the annual elections for student office took place at the end of the school year with the freshman election to be held in the fall.

6) Courtesy of the floor

- A) Harold Baird, Lincoln Street, expressed concerns regarding an adjoining property which he claims was originally developed without proper permitting. He said the property has since been sold and purchased and he again claims is being developed and operated without proper regulation.
 - i) Chairwoman Eckman said that there is a long list of questions regarding that property than can't be addressed at this meeting.
 - ii) Solicitor Rice said that both Mike Mrozinski and Tim Woodrow have visited the property and he is expecting a report. He reviewed several of Mr. Baird's concerns and how they were addressed in a previously issued court order. Solicitor Rice said that he knows Mr. Woodrow has some recommendations regarding the stormwater and said that should be addressed outside of the public meeting. Mr. Baird reiterated that the previous court ruling stated that the property must abide by all Township and County rules and regulations. Solicitor Rice said the first step was to visit the site and before he takes any action he needs to get that site report and they need to communicate with the property owner regarding what needs to be done. Mr. Baird said that he only wants the property owner to follow all codes and ordinances. Solicitor Rice outlined the steps in moving forward with resolving the issue, saying that communicating with the property owner was the first step.

iii) Chairwoman Eckman asked Mr. Baird to work with Solicitor Rice, Mr. Mrozinski and Mr. Woodrow and said that this issue will be resolved. Solicitor Rice said he will have more information for Mr. Baird after he talks to Mr. Mrozinski and Mr. Woodrow.

7) Adjournment

A) **MOTION:** Supervisor Sorgini made a motion to adjourn the meeting. Supervisor MacFarland seconded the motion. The motion *passed* 4-0. The meeting adjourned at 8:30 p.m.

Next Business Meeting: *July 6, 2017 – Cancelled*
 July 20, 2017