

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUSINESS MEETING  
SEPTEMBER 21, 2017**

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**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, Sorgini and Zimmerman.
- b. Also in attendance were: Peter Nelson, Township Solicitor; Don Delamater, Township Manager; William Roth, Director of Special Projects and Technology; Mike Mrozinski, Community Development Director; Tim Woodrow, Township Engineer; Casey Moore, Traffic Engineer; Geri Golas, Assistant Township Manager; John Primus, Director of Public Works; and Stanley Turtle, Chief of Police

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

**1) Consent Agenda**

- A) **MOTION:** Supervisor Sorgini made a motion to approve the consent agenda items 1(a), 1(b) and 1(c) including moving the meeting minutes of September 7, 2017 into the record. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.

**2) New Business**

- A) Consideration of a request for a waiver of fence requirements at 2745 Woodland Avenue.

- i) Mr. Mrozinski reviewed the waiver request.
- ii) Mr. Jarkowsky explained how the error was made in the construction of the fence. He said that he has received positive reviews of the fence from the neighbors. Mr. Jarkowsky said that the area has a history of being zoned residential/industrial and would like to bring it back to more residential feel while providing a safe space for his daughters. He feels the fence is consistent with the neighborhood and there are still ample site lines provided for turning onto Woodland Avenue. Mr. Mrozinski confirmed that there were no site distance issues.
- iii) Mr. Mrozinski said that it is solid fence, six feet in height, which puts it in violation of the ordinance. Mr. Jarkowsky said that the solid part of the fence is five feet with a one-foot lattice topping. Mr. Mrozinski said the ordinance also requires a minimum of four foot spacing in the fence in front yards. Supervisor MacFarland asked if a professional installer should have been aware of the permit requirements. Mr. Mrozinski said they should. Supervisor MacFarland asked if neighbors were okay with the fence as installed. Mr. Jarkowsky said that the neighbors that he spoke with had no issues.
- iv) Supervisor Sorgini asked if the neighbor who lodged the complaint was in attendance. Mr. Mrozinski said that they were not. Supervisor MacFarland asked what was the nature of the complaint. Mr. Mrozinski said the resident was not adjacent but thought that it might have been an issue of aesthetics.
- v) **MOTION:** Supervisor Sorgini made a motion to grant the waiver request. Supervisor MacFarland seconded the motion. The motion *passed* 5-0.

- B) Consideration Resolution 2017-25 granting approval of LD-16-07, Providence Place assisted care facility, 4000 Ridge Pike.

- i) Solicitor Nelson reviewed the resolution.

- ii) Mr. Keenan requested that the Parks & Recreation fee be re-evaluated with some relief granted. He asked the Board to consider the trail along the Perkiomen, the 3.2 acres dedicated to the Township as well as the fact a large portion of the property will remain open space be applied toward the fee. Mr. Keenan said the total fee is based on 160 rooms at a cost of \$1160 per dwelling unit. He said the Sewer Authority only assessed half an EDU per unit, which means, according to the Sewer Authority, they are only considered to have 80 dwelling units. Mr. Keenan asked if they would consider a reduced Park and Recreation fee based on the working model of 80 dwelling units for a total of \$92,500.
- iii) Supervisor Zimmerman asked how the 160 unit number was determined. Mr. Mrozinski said the number is calculated from a residential standpoint, not an EDU standpoint. He explained that not having any other criteria on which to base the fee, that is how it is calculated. Each unit is considered an individual dwelling. Solicitor Nelson asked if the units had kitchens. Mr. Keenan said they have kitchenettes of varying sizes but that the largest unit is a single bedroom unit.
- iv) Solicitor Nelson said the Township bases Parks and Recreation fee on SLDO which sets the definition of a unit while an EDU is based on what sewage a family would generate. Discussion was held as to how the trails and dedicated acreage could be taken into consideration when determining a fee. The applicant stated they are requesting a waiver, as the units do not have the same value as a home or townhome.
- v) Supervisor MacFarland asked what the Township has handled apartment complexes or the Shannondell facility. Mr. Mrozinski said he could not speak to anything that pre-dates his tenure and said this is the first structure of this type since he began at the Township. He noted that the fee schedule only offers specific choices for a fee such as non-residential, industrial or commercial. There are no other options for residential. Supervisor MacFarland asked if this fee is typically applied to a single-family home and that this fee is a much larger percentage of the value of the property than it would be for a single-family home. Mr. Mrozinski agreed.
- vi) Supervisor Duffy asked for an explanation of the costs of the unit and what that included. Discussion was held regarding the classification of the property. Chairwoman Eckman noted the Parks and Recreation fee is because a new user is added to the Township who will use the parks. She said that in this case the residents will not be using the parks as much as the average resident. Supervisor Duffy said this fee also applies to commercial and industrial properties that also don't use the facilities as much as the average resident.
- vii) Discussion was held as to the application of the Parks and Recreation Fee and if the value of the property should be taken into consideration.
- viii) Supervisor Duffy requested that the word "easement" be changed to "agreement" in paragraph 9 of the resolution to avoid future interpretation issues. Mr. Keenan agreed to the change.
- ix) Supervisor MacFarland asked if the applicant was in compliance with all recommendation letters. Mr. Keenan said they are or will be. Discussion was held regarding the status of permitting for the project.
- x) Public comment:
  - (1) Sean Dippold, Pechins Mill Road, said their key concern is routing traffic through the parking lot. He asked if this type of agreement had been negotiated in the Township or surrounding areas. Solicitor Nelson noted that the Township is not forcing residents to use the parking lot for access but that it is being provided as an alternative. He described

several areas in which this type of traffic flow has been negotiated. Mr. Dippold said that the Township had the opportunity to move the road during the planning process and chose not to do so.

- (2) John Organtini, Pechins Mill Road, asked if there had been an update to the July 17 McMahon study stating that the review letter indicated additional information be provided. Solicitor Nelson said that that information must be provided before the plans are provided. Mr. Woodrow said that since the July 17 letter there has been considerable follow-up between the applicant, PennDOT and the Township. He said the report has not yet been updated.
  - xi) **MOTION:** Supervisor Duffy made a motion to approve Resolution 2017-25 granting approval of LD-16-07, Providence Place assisted care facility, 4000 Ridge Pike with the amendment to Paragraph 9 changing “easement” to “agreement”. Supervisor Sorgini seconded the motion.
    - (1) Supervisor MacFarland asked for a consideration of an amendment to decrease the Parks and Recreation by 25%. Supervisor Duffy said that his concern is that the formula is in the SLDO ordinance and how this amendment would affect future development coming into the Township. Discussion was held regarding the dedication of land and trails to the Township and how that could be applied toward the Parks and Recreation Fee.
    - (2) The motion *did not pass* with a vote of 2-3.
  - xii) **MOTION:** Supervisor MacFarland made a motion to approve Resolution 2017-25 granting preliminary/final approval of LD-16-07, Providence Place assisted care facility, 4000 Ridge Pike with the amendment to Paragraph 9 changing “easement” to “agreement” and reducing the Park and Recreation Fee from \$185,600 to \$139,200. Supervisor Zimmerman seconded the motion. The motion *passed* 4-1.
- C) Consideration of Resolution 2017-26 granting approval of S-17-05, a seven-lot single-family subdivision at 306 Level Road.
- i) Ed Hughes, solicitor for the applicant stated they have no issues with the Resolution as prepared.
  - ii) **MOTION:** Supervisor Sorgini made a motion to approve Resolution 2017-26 granting preliminary/final approval of S-17-05, a seven-lot single-family subdivision at 306 Level Road. Supervisor Zimmerman seconded the motion.
    - (1) Supervisor Duffy asked for clarification as to whether six or seven lots were to be developed. Mr. Hughes said that it is seven total lots with six new development lots and one lot with an existing house that will be torn down and rebuilt. Discussion was held as to how the Park and Recreation fee will apply to this development.
    - (2) Motion *passed* 5-0
- D) Authorization to accept proposal for monthly lease of three copiers.
- i) Mr. Roth reviewed the lease contract proposal. He said they are adding a copier to the front office and reducing the costs overall.
  - ii) Supervisor MacFarland asked why this isn't part of next year's budget. Mr. Roth said that in order to adhere to the lease agreements they need to give notice and have this approved prior to the lease expiration.
  - iii) **Motion:** Supervisor MacFarland made a motion to accept the proposal for monthly lease of three copiers from Graffen Integrated Business Solutions dated September 8, 2017. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.

- E) Consideration of award of audit contract for the 2017, 2018, 2019 Township financial statements.
- i) Mr. Delamater reviewed the responses to the RFP which was posted on July 24. He recommended the Board accept the proposal from BBD.
  - ii) Chairwoman Eckman asked if they could go back to the current firm to see if they could match the lowest price. Mr. Delamater believes the RFP stated they would accept the lowest responsible bid.
  - iii) Supervisor MacFarland noted that the three of the lowest bids were very close but the higher ones were over 100% higher. Mr. Delamater explained that these were typically firms from out of the area who routinely submitted bids. He said the remaining firms were local and more familiar with the needs of a municipality.
  - iv) **MOTION:** Supervisor Sorgini made a motion to approve awarding the audit contract for the 2017, 2018 and 2019 Township Financial Statements to BBD. Supervisor MacFarland seconded the motion. The motion *passed* 5-0.
- F) Pension distribution authorization.
- i) Ms. Golas reviewed the benefit distribution request and asked the Board approve the calculations prior to distribution.
  - ii) **MOTION:** Supervisor Zimmerman made a motion to approve the pension distribution authorization for Brian Heidler. Supervisor Sorgini seconded the motion. The motion *passed* 5-0
- G) Consideration of Parks and Recreation Department's 5-Year Capital Plan.
- i) Mr. Lukens reviewed the Parks and Recreation 5-Year Capital Plan
  - ii) Supervisor Duffy said it was his understanding that Methacton may not be using the fields at Eskie Park and asked if that had been taken into consideration when planning the replacement of the backstop. Mr. Lukens said that he had reached out to both Methacton and ARA. He noted that one field is in greater disrepair so they will remove the fencing and turn the field into a multi-purpose field. Mr. Lukens said the upper field is in much better shape and will be upgraded.
  - iii) Supervisor MacFarland said the improvement list is comprehensive but asked if there were any plans to add to the system rather than maintaining existing properties. Mr. Lukens said that they have discussed adding a trail connection to the country trail but in reality they are playing catch-up for the five to six years when there was no money in the budget for the parks. Supervisor MacFarland agreed with his approach but wanted to make sure they were continuing to look forward.
  - iv) **MOTION:** Supervisor Sorgini made a motion to approve the Parks and Recreation Department 5-Year Capital Plan. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0.

### 3) Announcements

- A) The Planning Commission Meeting will be held on September 27 at 7 p.m.
- i) Mr. Mrozinski reported that the Lidl will make a presentation to the Planning Commission and a small two-lot subdivision on Appledale will also be discussed.
- B) The Zoning Hearing Board meeting will be held on September 28 at 7 p.m.
- i) Mr. Mrozinski said the Zoning Hearing Board will not meet as there are no hearings scheduled.
- C) The Township's 30<sup>th</sup> annual Fall Festival will be held October 7 from 11 a.m. to 4 p.m. in Eagleville Park. Details can be found at [www.lptrec.com](http://www.lptrec.com)

**4) Comments Courtesy of the Floor**

A) Supervisor MacFarland reported that the Business Development committee met last week. He said they are focusing on the business owners in the Ridge Pike District to inform them of zoning changes and the strategic direction of the zoning changes. He also noted that an ad hoc committee has been formed addressing the sign ordinance and they will be working with the business group so there is a more comprehensive and reasonable sign ordinance to be used throughout the Township. Supervisor MacFarland reported that the Audubon Shopping center is undergoing renovation and they are optimistic that new businesses will be appearing in the area and the shopping center will become more vibrant.

**5) Adjournment**

A) **MOTION:** Supervisor Sorgini made a motion to adjourn the meeting. Supervisor Zimmerman seconded the motion. The motion *passed* 5-0. The meeting adjourned at 8:40 p.m.

**Budget Workshop:** September 25 at 4:30 p.m.

**Next Business Meeting:** October 5, 2017  
October 19, 2017