

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
November 17, 2022**

Call to Order: Chairman Neights called the hybrid live/virtual meeting to order at 7:10 p.m.

Pledge of Allegiance

Protocol for Hybrid Meetings: Chairman Neights provided an overview of the protocols for public participation for members of the public attending the meeting virtually over Zoom.

Roll Call:

- a. The following Board members were in attendance: Chairman Neights, Vice Chair Coless, Supervisors Darby, MacFarland and Sorgini.
- b. Also in attendance were: E.J. Mentry, Township Manager; Michael Clarke, Township Solicitor; Tim Woodrow, Township Engineer, Mike Mrozinski, Community Development Director; Joe Chillano, Public Works Director; Police Chief Michael Jackson, and Student Representative Kaitlyn Phan.

Chairman's Comments

Chairman Neights announced that an executive session was held prior to the meeting on November 17, 2022, to discuss personnel and legal matters.

1) Presentations

- i) Municipal building project – Boyle Construction Management: Karen Duerholz, Vice President of Marketing and Customer Relations, and Tony Ganguzza, Project Executive
 - ii) Ms. Duerholz and Mr. Ganguzza presented an overview of the services the company could provide during a potential municipal building expansion/replacement project. From preconstruction through the completion of the project, they would supplement the Township staff, serve as project and construction manager, and manage the prime contractors, architects and engineers.
- B) Student representative report – Kaitlyn Phan

2) Consent Agenda

- A) **MOTION:** Vice Chair Coless made a motion to approve the consent agenda, moving the minutes of the Board of Supervisors business meeting of November 3, 2022 into the record, and approving the payment of bills in the amount of \$1,190,125.28, escrow release No. 16 for the Courts at Brynwood Phase I and escrow release No. 7 for the Courts at Brynwood Phase II. Supervisor Sorgini seconded the motion.
- i) Supervisor MacFarland noted that the 2022 budgeted amount for legal services had been exceeded as of August and asked Mr. Mentry to complete research to provide an explanation.
 - ii) There was no public comment.
 - iii) The motion *passed* 5-0.

3) Old Business

- A) Consideration of Resolution 2022-32 granting request for waiver of land development, Arrowhead Elementary School, 232 Level Road

- i) Mr. Mentry noted that the waiver was requested to put a shed on the property which is the site of an on-going project that is still within an NPDES permit.
 - ii) **MOTION:** Supervisor MacFarland made a motion to grant the request for waiver of land development, Vice Chair Coless seconded the motion.
 - iii) There was no public comment.
 - iv) The motion *passed* 5-0.
- B) Consideration of Ordinance No. 674 creating a Human Relations Commission
- i) Solicitor Clarke explained that the Board would be voting to amend the Township code to provide the creation of a Township Human Relations Commission to prohibit discrimination in housing, commercial property, employment and public accommodations.
 - ii) Supervisor Sorgini said he is opposed to discrimination but said that there are state and federal agencies that already exist to address such concerns. He said he would favor an anti-discrimination ordinance but not the creation of a commission.
 - iii) Supervisor MacFarland stated he agreed with Supervisor Sorgini and said he would prefer to see a more proactive rather than a reactive method. He said he is concerned that language in the ordinance goes beyond the PA Human Rights Act.
 - iv) Supervisor Darby said the ordinance would provide resources and protect members of the community.
 - v) Vice Chair Coless said she preferred not to use the state as the Township's barometer. She believes the ordinance is a great start and would like the commission to be proactive.
 - vi) Chairman Neights noted that the Board had been discussing the creation of a commission for some time. He noted that the commission will provide an outlet for someone who feels aggrieved and also provide training and facilitation.
 - vii) **MOTION:** Supervisor Darby made a motion to adopt Ordinance No. 674 creating a Human Relations Commission. Supervisor Coless seconded the motion.
 - viii) There was no public comment.
 - ix) The motion *passed* 3-2, with Supervisors MacFarland and Sorgini opposing.

4) New Business

- A) Consideration of request for waiver of fence standards from Moppert Brothers Auto Collision
- i) Mr. Moppert had received a permit for only a portion of chain link fencing that he has installed.
 - ii) It was explained that the property Mr. Moppert owns is split-zoned; in the R-2 portion chain link style and solid style are not permitted.
 - iii) **MOTION:** Supervisor MacFarland made a motion to deny the request for waiver of fence standards as presented and noting that the Board may entertain alternatives at a future meeting. Chairman Neights seconded the motion.
 - iv) There was no public comment.
 - v) The motion *passed* 5-0.
- B) Consideration of lot line change, 1045 Hildebidle Road
- i) Mr. Mrozinski explained that property owner owns two adjoining lots. He would like to expand his existing home on the one property. The lot line change will result in two compliant lots.
 - ii) **MOTION:** Supervisor MacFarland made a motion to approve the lot line change, seconded by Supervisor Sorgini.
 - iii) There was no public comment.
 - iv) The motion *passed* 5-0.

C) Approval of 2023 Equipment Rental Contract

- i) Mr. Mentry said this is an annual RFP and that multiple contractors had been contacted. One proposal had been received from James R. Kenney Excavating and Paving Inc., who holds the current contract. The proposal included no price increases from 2022.
- ii) Mr. Chillano said Mr. Kenney, a Township resident, has always been reliable and the contract allows the Township to have set prices when the need for extra equipment arises.
- iii) **MOTION:** Chairman Neights made a motion to award the 2023 equipment rental contract to James R. Kenny Excavating and Paving Inc. Supervisor Sorgini seconded the motion.
- iv) There was no public comment.
- v) The motion *passed* 5-0.

D) Authorization to advertise the appointment of BBD as the Township auditor for the year 2022 at the 2023 Reorganization Meeting.

- i) Mr. Mentry explained that this a required formality. He explained that the Board has the option to appoint a professional CPA firm to conduct the audit rather than the elected auditors. He said that given the complexity and needed expertise, most municipalities, including Lower Providence, choose that option.
- ii) **MOTION:** Vice Chair Coless made a motion to advertise the appointment of BBD as the Township auditor for the year 2022 at the 2023 Reorganization Meeting. Supervisor Darby seconded the motion.
- iii) There was no public comment.
- iv) The motion *passed* 5-0.

E) Consideration of Resolution 2022-33 appointing liaison between the Township and Berkheimer, the duly appointed collector of local taxes

- i) Mr. Mentry said that resolution would list the new position of Finance Director as a liaison to the EIT and Local Services tax collector, allowing communications with Berkheimer.
- ii) **MOTION:** Supervisors Sorgini made a motion to approve Resolution 2022-33 appointing a liaison between the Township and Berkheimer. Supervisor MacFarland seconded the motion.
- iii) There was no public comment.
- iv) The motion *passed* 5-0

F) Discussion – EAC ordinance update

- i) It was noted that the EAC voted as a body to request two additional members and three associate members. As the EAC was created by ordinance, the change would have to be done by amending the ordinance.
- ii) There was consensus on expanding the council to 7 members and changing the process to appoint the chair.

5) Announcements/Meetings

- A) The Board of Supervisors are looking for qualified residents interested in serving on the Township's various boards and commissions. Details and instructions on submitting a letter of interest and resume can be found on the township website, lowerprovidence.org
- B) Nominations are being accepted for the annual Community Awards, recognizing a Citizen, Volunteer and Business of the Year. Details are posted on the township website.
- C) Environmental Advisory Council – Nov. 21 at 7:00 p.m.
- D) Library Board – Nov. 21 at 7:00 p.m.
- E) Zoning Hearing Board – Nov. 23 at 7:00 p.m.

- F) Planning Commission – The meeting scheduled for Nov. 23 has been moved to Nov. 30 at 7:00 p.m.
- G) Dec. 2 – Annual Tree Lighting and Winter Wonderland

6) Comments and other Business

- A) Vice Chair Coless said the Comprehensive Plan Steering Committee held their last meeting following two years of work. She said the draft plan will probably be available in January. Additionally, she asked that the Township provide a letter from the Board to FEMA regarding the buyouts.
- B) Mr. Mentry said that the Township is serving as a sponsor for a resident's Natural Resources Conservation Services (NRCS) grant for drainage improvements. He said a bid opening for the work was held with the lowest bid well above the allotted DEP and NRCS grant amount. Additional funding will need to be secured before any award can be made.
- C) Chairman Neights reminded everyone of Small Business Saturday, observed 11/26/22.

7) Courtesy of the Floor

- A) Jason Powers, Township resident – Mr. Powers expressed his frustration with the noise from the Lower Providence Rod and Gun Club.
- B) The manager, solicitor and code enforcement officials will research possible options.

8) Adjournment

- A) **MOTION:** Supervisor Sorgini made a motion to adjourn. Supervisors Darby seconded the motion. The motion *passed* 5-0. The meeting adjourned at 9:15 p.m.

Next Business Meeting: December 1, 2022 @ 7:00 p.m.
December 15, 2022 @ 7:00 p.m.