

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
JANUARY 15, 2015**

Executive Session: The executive session was called to order at 6:37 p.m. on a motion by Supervisor Zimmerman, seconded by Supervisor Eckman. Present were Supervisors Mr. Sorgini, Mr. Duffy, Mrs. Eckman and Mrs. Zimmerman. Also present were Solicitor Mr. Rice, Township Manager Mr. Gestrich and Assistant Township Manager Mrs. Golas. The session adjourned at 7:31 p.m. on a motion by Supervisor Duffy, seconded by Supervisor Zimmerman.

Call to Order: Chairman Sorgini called the meeting to order at 7:35 p.m.

Pledge of Allegiance

Roll Call:

- a. The following members were in attendance: Chairman Sorgini, Supervisors Duffy, Eckman, and Zimmerman. Supervisor Thomas was absent.
- b. Also in attendance were: Richard Gestrich, Township Manager, John Rice, Solicitor; Mike Mrozinski, Community Development Director; Timothy Woodrow, Township Engineer; John Primus, Director of Public Works; Geri Golas, Assistant Township Manager; Francis Carroll, Police Chief; and Denise Walsh, Community Relations Coordinator

Consent Agenda

- A) **MOTION:** Supervisor Eckman made a motion to approve the consent agenda items 1(a), 1(b), 1(c) and 1(d) including moving the meeting minutes of December 18, 2014 and January 5, 2015 into the record. Supervisor Zimmerman seconded the motion.
The motion *passed* 4-0.

2) Presentation

- A) Swearing in ceremony for Joseph McCreary as a Police Officer with the Lower Providence Township Police Department.

3) New Business

- A) Execution of Residential Solid Waste Collection, Recycling and Disposal contract with J.P. Mascaro and Sons for 2015-2020.
 - i) Solicitor Rice noted that since the bid was awarded an issue has arisen regarding recycling collection days that coincide with holidays. Solicitor Rice said that after a conversation with counsel for J.P. Mascaro, he recommends that the vote to execute the contract be contingent on an addendum to the contract which will correct the situation and provide for a Wednesday pick-up of recyclables, in lieu of yard waste, when regular pick-up days fall on Christmas and New Year's Day.
 - ii) **MOTION:** Supervisor Zimmerman made a motion to approve execution of the Residential Solid Waste Collection, Recycling and Disposal contract with J.P. Mascaro and Sons for 2015-2020 contingent on the addendum as stated by John Rice. Supervisor Duffy seconded the motion.
 - (a) Supervisor Duffy thanked Mr. Woodrow for his work on preparing the bid and working through the process. He feels it is a contract that will provide excellent service at a fair price to residents.
 - (b) Supervisor Eckman reiterated her position that while the contract is a very good option, but she will not vote to approve the plan, as her preference would have been the lower cost, once per week pick-up.The motion *passed* 3-1 with Supervisor Eckman in opposition.

B) Authorization to advertise and ordinance amending Chapter 138 of the Township Code to establish a four-way stop intersection on Eagleville Road at Pinetown Road and Sunnyside Avenue.

- i) Chief Carroll noted that at the November 20, 2014 Board of Supervisors meeting McMahon and Associates was authorized to make an application to PennDOT for a multi-way stop at this intersection. Verbal authorization was received on December 18 and, in anticipation of the authorization letter, Chief Carroll requested the Board advertise the amendment for a 30-day period.
- ii) Chairman Sorgini thanked the Chief for his efforts noting that this was an issue that the Township has been working on for some time.
- iii) **MOTION:** Supervisor Duffy made a motion to authorize the advertisement and ordinance amending Chapter 138 of the Township Code to establish a four-way stop intersection on Eagleville Road at Pinetown Road and Sunnyside Avenue. Supervisor Zimmerman seconded the motion.
 - (1) Robert Drummey, Stoughton Road, questioned the number of accidents in the area and if a traffic study had been conducted, expressing concern that this measure would slow down traffic. Chief Carroll noted that it was a significant accident site and probably the most studied intersection in the Township. He stated that many intermediate measures, predicated by traffic studies, had been implemented over the last 13 years and that the traffic engineers have been involved every step of the way.
 - (2) Candy Allebach, Eagleville Road, expressed concern regarding winter weather, noting that a stopping could also cause accidents on unplowed roads. Chief Carroll stated that supplemental signage is built into the plan, phasing in the new signage with flashing lights for a four-week period once the signs are installed. He noted that weather is always part of the conversation and even if there is bad weather 8 to 10 days per year, that still leaves well over 300 days of increased safety.
 - (3) Tom Borai, Brenda Lane, expressed approval for the plan noting he can hear accidents at the intersection from his home.
 - (4) Cathy Beyer, Arcola Road, suggested brining the roads to increase traction in bad weather.

The motion *passed* 4-0.

C) Adoption of a resolution authorizing the Mutual Aid Compact for Montgomery county SWAT – Central Region Team.

- i) Chief Carroll gave background on the request, explaining the evolution of tactical teams throughout the county. He stated from an administrative standpoint the Chiefs of Police would like to consolidate their resources as much as possible, merging various tactical teams to form the Montgomery County SWAT – Central Region. This resolution formalizes the commitment of the governing bodies of the participating communities within the defined area.
- ii) **MOTION:** Supervisor Eckman made a motion to adopt the resolution authorizing the Mutual Aid Compact for Montgomery county SWAT – Central Region Team. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.

D) Consideration of preliminary/final plan for S-14-02 Kimco, 2600 Ridge Pike.

- i) Geoffrey Glazer, vice-president of development for Kimco Corporation presented the proposed plan.

- ii) Mr. Glazer explained that the plan would create three subdivision parcels on the property and increase the self-storage areas around the building. The self-storage facility on the property has been very successful and will soon expand to take over an additional 20,000 S.F. on the property. However, the self-storage facility does not need the current amount of parking. The sub parcels will consist of the self-storage facility, a larger parcel, which currently houses the former post-office building, and a parcel with the remaining retail. Mr. Glazer also announced that they were close to bringing in a food operator into the former Genuardi's space.
- iii) Questions from the Board:
 - (a) Mr. Gestrich asked if Parcel Number 2, which includes the existing Metro Storage, also included the 20,000 S.F. available in the former Kmart building. Mr. Glazer confirmed that it did.
 - (b) Supervisor Zimmerman asked how this plan would benefit Kimco. Mr. Glazer said it would allow them to market the space for different types of usages, including medical groups, who often want to own their space outright. He also stated a Reciprocal Easement Agreement (REA) would be enacted by which one tenant would assume responsibility for managing the entire property. Mr. Glazer said that this is not uncommon; his company manages 800 properties across the country and most have subdivided parcels within the property.
 - (c) Supervisor Duffy questioned Kimco's intent to sell the self-storage facility. Mr. Glazer stated there was no intent to do so at this time but since things change all the time at a corporate level there was no guarantee that it could not happen. Supervisor Duffy asked how this subdivision would benefit the Ridge Pike Business corridor. Mr. Glazer opened a discussion about the changing nature of retail, stating that this would offer them the flexibility to market the product to different types of businesses, which will bring life to the center. He reiterated the subdivision would not change the look of the shopping center and it will not be obvious that the parcels are owned by different entities. Mr. Glazer said that Kimco has been in discussions with potential businesses for the center that desired the subdivision.
 - (d) Chairman Sorgini asked if there would be sufficient parking to put a pad site further out? Mr. Glazer stated there would be and noted that there is parking currently covered by landscaping that could be utilized if necessary.
 - (e) Supervisor Eckman reviewed comments from the various review letters: She questioned whether the fencing at the rear of the existing building could be changed to something more solid. Mr. Glazer said he was open to the issue and would be willing to walk the property with Mr. Woodrow, the Township engineer, to see if a better protection scheme could be created without damaging adjoining property. Mr. Woodrow noted that this requirement could be added as an addendum to the agreement. Supervisor Eckman also confirmed that no lighting changes will occur on the property and that the applicant will be filing an easement as requested by the Montgomery County Planning Commission. She stated her support for a new tenant in the former Genuardi's space and requested that Mr. Glazer let them know if the Board can assist in any to help secure the tenant.
 - (f) Supervisor Duffy stated he was not in favor of plan at this time as he feels the plan is designed to sell the 100,000 S.F. space to Metro Storage, which will secure that tenant in place for the foreseeable future.

- (g) Solicitor Rice stated that a resolution would be needed prior to vote. He noted that there were some details that he needed for the final resolution such as Park & Recreation fees and the finalization of street plans. Solicitor Rice said that at the February 5 board meeting he would have a written resolution with all of the conditions and attachments including clarification of the fence issue.
 - (h) Supervisor Duffy asked Mr. Glazer how soon would the leasing on the supermarket space be finalized as that could help change his opinion. Mr. Glazer said he hoped to have that finalized prior to the next meeting.
- (2) Public comments:
- (a) Kelbin Carolina, Eagleville, asked Mr. Glazer what the height was for the 100,000 S.F. facility and the square-footage of the former post office. Mr. Glazer stated the height was 15 to 17 feet. He estimated the total square footage of the former post office to be between 3,500 to 4,000 S.F. with a ceiling height of approximately 12 feet.
 - (b) Preston Luitweiler, Mockingbird Lane, expressed support for the storage facility and Kimco's desire to subdivide the front parcel. However, he didn't understand the reason for wanting to subdivide the rest of parcel and asked if this would create non-conformities for lot sizes, transportation, etc. Supervisor Duffy said that it was explained the Planning Commission that yes it would not technically be in compliance with current ordinances but, rather, would a condominium-type ownership. Mr. Woodrow stated the ordinance provides for this type of ownership. Mr. Glazer confirmed that as the lots are laid out it is a conforming use and they are not seeking any waivers.
 - (c) Michael Comroe, Pinetown Road, noted that the vacant building mentioned by Supervisor Duffy has been sold and is being developed as a daycare center.
 - (d) Cathy Beyer, Arcola Road, expressed concern that a shopping center devoted to a storage facility would not benefit the township. Supervisor Duffy clarified that that the remaining shopping center would remain retail
 - (e) Tom Borai, Brenda Lane, feels the lack of retail is more a rental problem than a lack of opportunity problem, noting corporations should offer more incentives to entice retail to their facilities.
- E) Discussion and consideration of re-appointment of Mary Shaw to the Library Board of Trustees.
- i) **MOTION:** Supervisor Zimmerman made a motion to appoint Mary Shaw to the Library Board of Trustees. Supervisor Eckman seconded the motion. The motion *passed* 4-0.
- F) Discussion and consideration of appointment of Jeremy Brenn to the Finance Committee.
- i) **MOTON:** Supervisor Duffy made a motion to appoint Jeremy Brenn to the Finance Committee. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.
- 4) Announcements:**
- A) Chairman Sorgini announced that Chief Francis Carroll was awarded The Honorable Louis D. Stefan Law Enforcement Award. Awarded annually by the Montgomery County Bar Association. The award is presented to a law enforcement official who goes beyond the scope of his or her duties in promoting the rule of law and administration of justice. Chairman Sorgini congratulated him on behalf of the Board and the residents.
 - B) Library Board of Trustees will meet on January 19 at 7 p.m.
 - C) Zoning Hearing Board reorganization meeting will be held on January 22 at 7 p.m.
 - i) Mr. Mrozinski stated the Zoning Hearing Board's only agenda was its reorganization.

- D) The Planning Commission Meeting will be held January 28 at 7 p.m.
 - i) Mr. Mrozinski stated there were three items on the agenda: Taco Bell; a minor subdivision in Sycamore Farms and the consideration of zoning text and zoning map amendment in the Collegeville/Superior Tube property. If the Planning Commission makes a recommendation it will come before the Board for advertisement approval.
- E) Chairman Sorgini stated that the Sewer Authority held their reorganization meeting on January 14. Providence Crossing Pumping Station is replacing the impellers on all three pumps due to age. Once these are replaced the station will be operating at full capacity.

5) Comments and Other Business

- A) Supervisor Eckman attended the January Park & Recreation Board meeting. At that time the Board reappointed Beth Ann Mazza as Chair and William Wurtz as Co-Chair. 2015 events were discussed and Mr. Lukens announced that, due to an influx of Park & Recreation fees resulting from development projects, the department anticipates completing their 2015 and 2016 Capital Plan projects.
- B) Supervisor Eckman asked Mr. Primus for an update on the efforts his department has been pursuing on Sunnyside Avenue with the Pennsylvania American water line project. Mr. Primus said that Sunnyside Avenue was currently opened and the trench repair on the length of Pinetown and Sunnyside Avenue will be done in March. Sunnyside Avenue will be paved in April; Sunnyside Avenue and Pinetown Roads will be paved in May. Supervisor Eckman clarified that paving will be done the entire width of the roads. Mr. Primus also reported that the gas company is hooking in services to the houses on Egypt Road and will be out there for another 30 days but anticipate no interruptions to traffic. Chairman Sorgini asked for a review of the water main break near Park Avenue on Appledale Road. Mr. Primus stated the sewer line was hit while digging for the water main repair but the issue should be resolved at the time of the meeting. Mr. Gestrich stated that the water company was delivering water to affected residents and a tank truck was also available for non-potable water.

6) Courtesy of Floor

- A) Candy Allebach, Eagleville Road, expressed concern about the lack of supermarkets in the Township, stating resident's money should be spent in the businesses in the Township.
- B) Ralph Kelly, Stoughton Road, expressed concern that work on the Arcola Bridge Project appears to have halted. He stated this was devaluing the neighborhood and causing an impairment to the residents. He asked the Township to step in to move the project forward. Chairman Sorgini shared his concerns but stated that they have been told that the re-opening date is still summer of 2016. Supervisor Eckman suggested Mr. Kelly make his concerns known to the County Commissioners as this is their project and there is only so much the Township can do to move the project forward.

7) Adjournment

MOTION: Supervisor Zimmerman made a motion to adjourn the meeting. Supervisor Eckman seconded the motion. The motion *passed* 4-0. The meeting adjourned at 8:50 p.m.

Next Business Meeting: February 6, 2015
February 20, 2015