

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
NOVEMBER 19, 2015**

Executive Session: The Executive Session was called to order at 6:32 p.m. on a motion by Mrs. Zimmerman, seconded by Mr. Thomas. Present were Supervisors Mr. Sorgini, Mr. Duffy, Mr. Thomas and Mrs. Zimmerman. Also present were Township Manager Mr. Gestrich, Assistant Township Manager Mrs. Golas and Solicitor Mr. Rice. The session adjourned at 7:29 p.m. on a motion by Mr. Thomas, seconded by Mr. Zimmerman.

Call to Order: Chairman Sorgini called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Roll Call:

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

Chairman Sorgini announced that prior to the meeting an executive session was held to discuss legal, personnel and real estate matters.

1) Consent Agenda

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

2) Presentations

- A) Presentation to Officer Mark Stead recognizing 15 years of service with the Lower Providence Township Police Department.

3) New Business

- A) Consideration of a resolution adopting the 2016 Budget and appropriating specific sums estimated to be required for the specific purposes of the municipal government.

- i) Mr. Gestrich reviewed the status of the Township's finances as of the end of 2015. He noted Moody restored the Township's credit rating to AA2 and Standard & Poor's upgrading the Township's rating to AA Stable.

- ii) **MOTION:** Supervisor Duffy made a motion to adopt the 2016 Budget, which was advertised by the Township. Supervisor Zimmerman seconded the motion.

- (1) Supervisor Duffy thanked Mr. Gestrich and the staff, stating that it was a testament to their hard work that they are able to provide this level of service to the residents without increasing taxes.

Motion *passed* 4-0

- B) Consideration of a resolution establishing the 2-16 real estate tax millage rate at .905 mills as the rate for General Purposes. .345 mills for the Library Fund, .276 mills for the Debt Service Fund and .241 mills for Parks and Recreation Operating Fund.

- i) Mr. Gestrich noted that there is no millage rate increase and these rates are the same as they were in 2014.

- ii) **MOTION:** Supervisor Zimmerman made a motion to adopt the resolution establishing the 2-16 real estate tax millage rate at .905 mills as the rate for General Purposes .345 mills for the Library Fund, .276 mills for the Debt Service Fund and .241 mills for Parks and Recreation Operating Fund. Supervisor Duffy seconded the motion. The motion *passed* 4-0.
- C) Approval of the 2016 fee schedule
 - i) Ms. Law requested that the Board approve the fee schedule for 2016. She noted that the changes are mainly in the Parks & Recreation category and the Administration and Finance page has been updated to reflect the Auditorium Rental fee and the Park & Recreation section, which were outlined in a memo provided by Karl Lukens, Director of Parks & Recreation.
 - ii) **MOTION:** Supervisor Duffy made a motion to approve the 2016 fee schedule. Supervisor Zimmerman seconded the motion.
 - (1) Mr. Brooke requested a copy of the fee schedule. Supervisor Duffy asked if there were any changes from last year. Ms. Law said only in Parks & Recreation program fees and rental fees. She said last year's schedule is currently on the website and this year's fee schedule will also be posted once approved.
 - (2) The motion *passed* 4-0.
- D) Authorization to advertise the appointment of Maillie as the Township Auditor for the year 2015 at the Reorganization Meeting.
 - i) Ms. Law stated that the Second Class Township Code requires that the Township advertise at 30 days prior to appointing a CPA firm to replace the elected auditors to perform the annual audit. She requested that the Board authorize the advertisement of Maillie to perform the audit for 2015.
 - ii) **MOTION:** Supervisor Thomas made a motion to advertise the appointment of Maillie as the Township Auditor for the year 2015 at the Reorganization Meeting. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.
- E) Consideration of an ordinance to authorize the issuance of non-electoral debt for a five-year interest free loan from Montgomery County in the amount of \$179,000 for the purchase of emergency radio equipment.
 - i) Solicitor Rice described the process for entering into a promissory note with Montgomery County. The Ordinance lays out the annual payments with first payment due January 5, 2016 with four payments following. Chairman Sorgini noted that this was an interest free loan.
 - ii) **MOTION:** Supervisor Zimmerman made a motion to adopt the ordinance to authorize the issuance of non-electoral debt for a five-year interest free loan from Montgomery County in the amount of \$179,000 for the purchase of emergency radio equipment. Supervisor Thomas seconded the motion. The motion *passed* 4-0.
- F) Consideration of an ordinance to authorize the incurrence of lease rental debt to secure Guaranteed Sewer Revenue Notes, 2016 Series in the aggregate principal amount of \$4,245,000
 - i) Ms. Golas reviewed the ordinance, which would authorize the Township to incur lease rental debt to secure the \$4,245,000 Guaranteed Sewer Revenue Notes, 2016 series to be purchased by the Delaware Valley Regional Finance Authority.
 - ii) Jeffery Calhoun of Delaware Valley Regional Finance Authority reviewed the terms of the Guaranteed Sewer Revenue Note.
 - iii) **MOTION:** Supervisor Duffy made a motion to approve the ordinance to authorize the incurrence of lease rental debt to secure Guaranteed Sewer Revenue Notes, 2016 Series in

the aggregate principal amount of \$4,245,000. Supervisor Zimmerman seconded the motion. The Motion *passed* 4-0.

G) Consideration of an application for supplemental PennDOT Multi-Modal Transportation Fund grant for realignment of Eagleville-Crawford-Park Road intersection.

- i) Mr. Gestrich stated they have a \$1 million grant which will be matched with \$428,571 from Audubon Land Development. He stated he is in the process of seeking the second part of the construction cost of \$2 million, which will have matching funds of \$1,631,429 from Audubon Land Development. Mr. Gestrich said this is well in excess of the 30% minimum match which increases the chance of obtaining the grant
 - ii) **MOTION:** Supervisor Thomas made a motion to approve the application for supplemental PennDOT Multi-Modal Transportation Fund grant for realignment of Eagleville-Crawford-Park Road intersection. Supervisor Zimmerman seconded the motion.
 - (1) Supervisor Duffy asked when PennDOT will make decision on the grant and, if awarded, when will have plan be finalized and construction to start. Mr. Gestrich said construction won't start until for at least a year as it will take that long to design the project. He said he anticipates hearing from PennDOT in February or January at the earliest on the grant.
- The motion *passed* 4-0

H) Consideration of a waiver of land development review fees for MB Investment for land development proposal to construct baseball fields at 2759 Woodland Avenue

- i) Mr. Mrozinski reviewed the plans proposed by the Mascaro Family to build three baseball fields with amenities. The Mascaro family will bear all costs for the project, which, upon completion, will be leased, back to the Township for \$1 per year. He stated that the Planning Commission heard the matter and made a recommendation to approve the proposal. The waiver is only for the application fees as the Mascaro family has put forth the full escrow fee.
 - (1) Supervisor Duffy reiterated that the Mascaro family is willing to build this park on property they own and pay for all improvements. Mr. Mrozinski said that the donation would be valued at \$1 million.
- ii) **MOTION:** Supervisor Duffy made a motion to approve the waiver of land development review fees for MB Investment for land development proposal to construct baseball fields at 2759 Woodland Avenue. Supervisor Zimmerman seconded the motion. The motion *passed* 4-0.

I) Consideration of S-15-02-Landis Mill Estates, 3819 Landis Mill Road, preliminary major subdivision plan for nine single-family homes.

- i) Mr. Mrozinski reviewed the preliminary major subdivision. This item has also gone through the Planning Commission.
- ii) Brian Boyer, on behalf of the applicant, stated they have presented the plan to the Planning Commission and they recommended approval. He said they are requesting three waivers. Solicitor Rice said that since this was the first time the Board has had a chance to review the plan he suggested the applicant review the waivers requested.
- iii) Solicitor Rice asked if the Planning Commission recommended waivers of all of the requested items, stating that the main issue seems to be waiving all of the road improvements. Mr. Mrozinski said that his recollection was that the Planning Commission was most concerned about pedestrian access and was most concerned about not waiving the sidewalk. He said that they were willing to waive the road widening since improvements to the existing roadway would be done in way of substitution.

- iv) Mr. Woodrow said the Planning Commission was comfortable with the improvements shown on the plan up to a point opposite of Sharon Lane. However, the Planning Commission felt the pedestrian connection be continued along Landis Mill Road to the end of the property. He said that this matter was discussed among the board with a bit of disagreement as to how far the sidewalks should extend.
- v) Solicitor Rice asked if the plans reflect the requested waivers. Mr. Woodrow said they did and the plans, as submitted, assume that these waivers have been granted. He said that if the waivers were not granted, the plans would need to be revised to reflect those changes.
- vi) Chairman Sorgini asked the applicant if they would comply with all of the other recommendations, including changing the name Elizabeth Circle. Chief Carroll stated that since there is another Elizabeth Drive in the Eagleville section of the Township he emphatically requested this be changed in order not the cause confusion for emergency services. The Applicant said that they would comply.
- vii) Supervisor Zimmerman said she was comfortable with Mr. Woodrow's recommendation that the sidewalk stop at Sharon Drive.
- viii) Chairman Sorgini and Solicitor Rice reviewed the process of approving the preliminary major subdivision plan stating that a resolution would need to be prepared for the December meeting and, at that point, will need to be cleaned up.
- ix) Questions from the Public:
 - (1) Christine Shyers, Landis Mill, stated that the stopping point of the sidewalks and curbs would depend on what the applicant is intending to do with the existing Gambone property. The applicant said that the lot in question is not part of the current plan. Discussion was held as to what lots would be developed on the tract.
 - (2) Preston Luitweiler, Mockingbird Lane, stated he was at the Planning Commission meeting and there was considerable discussion about creating access to the adjoining development and were very firm in wanting to see that happen. He said that Mr. Gambone was not happy with the idea but residents in the area testified it was difficult to walk through the neighborhoods and were enthusiastic for a path that would connect with the easement shown on the map.
- x) Chairman Sorgini stated the Township's solicitor will prepare a resolution and the applicant will reappear before the Board in December.
- J) Authorization for staff to execute renewal policies for property casualty, and automobile insurance.
 - i) Ms. Golas reviewed the request stating that the insurance carries with whom the Township is currently working have not provided final proposals for the Commercial Lines coverage for the November 30, 2015 – November 30, 2016 period due to a fluctuating market. She said that the Township's insurance broker is still soliciting proposals and requested that when received, the Township staff be given authorization to review and select the best insurance to meet the Township's needs.
 - ii) **MOTION:** Supervisor Zimmerman made a motion to authorize staff to execute renewal policies for property casualty, and automobile insurance. Supervisor Thomas seconded the motion. The motion *passed* 4-0.
- K) Consideration of the Ridge Pike west Zoning Ordinance Amendment proposed mapping of split zoned properties – Montgomery County Planning Commission.

- i) Maggie Dobbs of the Montgomery County Planning Commission reviewed the history of the amendment request. She gave a Power Point presentation utilizing maps, the scope of work and recommended changes (attached).
 - (1) Mr. Gestrich asked how the 300 feet of commercial use that is allowed would be designated. Ms. Dobbs said that this could be specified in ordinance where the limitation line is based off of Germantown and Ridge but also the smaller road of Pechins Mill. She said it would be in zoning text with three roads explicitly listed.
- ii) Ms. Dobbs reviewed the residential uses of the districts including single-family attached and single-family detached homes. She also discussed the varying lot sizes in the area as well as the types of building that would be permitted on the lots.
 - (1) Supervisor Duffy stated that he did not feel self-storage should be a permitted use. Discussion was held regarding the types of businesses desired in the Township as well as how to determine how much square footage of building should be permitted on each lot.
 - (2) Mr. Mrozinski asked if Ms. Dobbs could create a worksheet with the questions she needed answered before the ordinance was written. He said this would allow the Board and staff to come up with answers so that Montgomery County Planning Commission can create a final draft.
 - (3) Mr. Gestrich raised the issues of drive-thru establishments, stating that Solicitor Rice is in the process of creating a drive-thru ordinance for the village commercial district in Audubon. He feels they should be limited to the items in the ordinance. Discussion was held as which types of drive-thru's should be permitted and how they should be restricted.
 - (4) Supervisor Thomas seconded the idea of a worksheet, stating that it would be more beneficial to have time to discuss these issues and come to a determination prior to approving the ordinance. Chairman Sorgini requested that Ms. Dobbs work with Mr. Mrozinski on a timeline for the worksheets. Ms. Dobbs agreed.

4) Announcements

- A) Zoning Hearing Board Meeting will be held on November 23 at 7 p.m.
- B) 7th Annual Community Tree Lighting will be held Friday, December 4th from 6:30 to 9 p.m. at Eagleville Park.
- C) The Caring & Sharing holiday food drive is underway. Items can be dropped off at the Township Building weekdays fro 8 a.m. to 4:30 p.m.

5) Adjournment

MOTION: Supervisor Zimmerman made a motion to adjourn the meeting. Supervisor Thomas seconded the motion. The motion *passed* 5-0. The meeting adjourned at 9:05 p.m.

Next Business Meeting: December 3, 2015
December 17, 2015

Respectfully submitted:

Richard Gestrich, Township Manager