

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUSINESS MEETING  
February 16, 2023**

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**Call to Order:** Chair Coless called the hybrid live/virtual meeting to order at 7:05 p.m.

**Pledge of Allegiance**

**Protocol for Hybrid Meetings:** Chair Coless 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 members were in attendance: Chair Coless, and Supervisors Sorgini, MacFarland and Neights. Vice-Chair Darby was absent.
- b. Also, in attendance were: E.J. Mentry, Township Manager; Mike Mrozinski, Community Development Director; Tim Woodrow, Township Engineer; Rich Lafiata, Finance Director; Joe Chillano, Director of Public Works; Michael Jackson, Chief of Police; Nicole Feight, Township Solicitor; and Kaitlyn Phan, Student Representative. Solicitor Michael Clarke was also present via Zoom.

**Chairman's Comments**

Chair Coless announced that there was an Executive Session held prior to the meeting discussing legal, personnel and land acquisition matters. There was also an Executive Session held prior to the February 2, 2023, meeting to discuss personnel and legal matters.

Chair Coless announced the passing of longtime Police Dispatcher Jason Connelly who passed away after a lengthy and courageous battle with cancer. A page will be set aside in the minutes in memory of Jason. A moment of silence in Jason's memory was held. Chief Jackson commented on the outpouring of support for Jason's family and wanted to thank everyone for their thoughts and prayers.

Chair Coless announced that Agenda Item 4.a. (Resolution 2023-11 Approving Audubon Square V Land Development Plan) will be tabled and scheduled for Board consideration at the March 2<sup>nd</sup> meeting.

**1) Presentations**

- A. Student representative report – Kaitlyn Phan
  - a. Student representative Kaitlyn Phan, Methacton High School Junior, provided an update on recent happenings and upcoming events in the High School.
- B. Year-End Budget Report – Finance Director Rich Lafiata
  - a. Mr. Lafiata provided a brief update on how the Township finished the 2022 budget year, explaining that the annual audit will be conducted the week of February 27 and will provide final, official results. Although staff was projecting a surplus of approximately \$625,000 during the September budget workshops, the Township actually finished the year with an almost \$950,000 surplus. The main factors in this surplus were conservative budgeting and higher than expected real estate taxes, real estate transfer taxes, and earned income taxes.

## 2) Consent Agenda

- A. Supervisor Neights noted one correction needed in the Board of Supervisors minutes from February 2, 2023 – the correction of “Supervisor Gallagher” to “Solicitor Gallagher”.
- B. **MOTION:** Supervisor Sorgini made a motion to approve the consent agenda items 2(a), 2(b), 2(c), and 2(d) including moving the amended meeting minutes of February 2, 2023, into the record, authorizing payment of the bills totaling \$893,171.90, approving Escrow Release for 109 River Road, Final Release in the amount of \$7,500.00, and approving the Supplemental Operation and Maintenance Agreement for EWP, 4008 Redwing. Supervisor Neights seconded the motion.
  - i. There was no public comment.
  - ii. The motion *passed* 4-0.

## 3) Public Hearing – Comprehensive Plan

- A. Solicitor Feight stated that this was a continuation of the public hearing held on February 2, 2023, which had been duly advertised and that the board would be accepting public comment on the Comprehensive Plan. Following tonight’s hearing, if the Comprehensive Plan is not adopted, the Board can consider adoption at a later date.
- B. **MOTION:** Supervisor Neights made a motion to open the public hearing, seconded by Supervisor Sorgini.
  - a. The motion *passed* unanimously, 4-0.
  - b. Supervisor MacFarland stated that he did not feel comfortable voting on the Comprehensive Plan at this time since it is still in draft form. He asked if the Montgomery County Planning Commission, the planning consultant for the plan, could be notified immediately of the need for an updated final draft incorporating the comments from the Lower Providence Planning Commission and SEPTA. Supervisor Neights agreed. The rest of the Board concurred and requested an updated final plan in advance of the March 2, 2023, meeting for consideration.
  - c. There were no public comments.
- C. **MOTION:** Supervisor Neights made a motion to close the public hearing, seconded by Supervisor Sorgini.
  - a. The motion *passed* unanimously, 4-0.
- D. **MOTION:** Supervisor MacFarland made a motion to table Resolution 2023-16 Adopting the Comprehensive Plan to the March 2, 2023 meeting with the expectation that the Montgomery County Planning Commission will provide an updated final draft for the Board’s consideration. Supervisor Neights seconded the motion.
  - a. The motion *passed* unanimously, 4-0.

## 4) Old Business

- A. Consideration of Resolution 2023-11 approving Audubon Square VI Land Development Plan, Phase 2, 717 S. Trooper Road
  - a. Chair Coless stated this issue will be tabled until the next business meeting scheduled for March 2<sup>nd</sup>, 2023.
- B. Appointments to Board/Commission/Council
  - a. E.J. Mentry discussed the request from the Environmental Advisory Committee regarding the appointment of three new committee members: Laura Winslow, Jeff Scott, and Richard Pastor.
  - b. **MOTION:** Supervisor Neights made a motion to appoint Laura Winslow to a two-year term, Jeff Scott and Richard Pastor, each to a one-year term, contingent on each

- candidate completing and submitting the Township Ethics Verification Form. Chair Coless seconded the motion.
- c. There was no public comment.
  - d. The motion *passed* 4-0.

## 5) New Business

### A. Approval of MJ Builders Settlement Agreement

- a. Solicitor Feight introduced the settlement agreement which has been negotiated with the Solicitor's office and the applicant's attorney and is now ready for Board approval.
- b. **MOTION:** Supervisor Neights made a motion to approve the MJ Builders Settlement Agreement. Supervisor Sorgini seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 4-0.

### B. Authorization to Advertise 2023 Road Reconstruction bid.

- a. Mr. Mentry and Mr. Chillano explained the bidding process and the roads planned for reconstruction in 2023.
- b. The bids are scheduled to be opened March 16, 2023.
- c. **MOTION:** Supervisor Sorgini made a motion to authorize the advertisement of the 2023 Road Reconstruction bid, seconded by Supervisor Neights.
- d. There was no public comment.
- e. The motion *passed* 4-0.

### C. Consideration of Request of Waiver of Auditorium Rental Fees

- a. Mr. Mentry presented the requests of the Mid Atlantic Amateur Radio Club (MARC) and the Philadelphia Area Repeater Association (PARA) seeking a waiver of auditorium rental fees for their respective organizations' meetings. Mr. Mentry explained that this is an annual request that the Board has historically granted, but that we still collect a refundable security deposit in the event of any damages.
- b. **MOTION:** Supervisor MacFarland made a motion to approve the request of waiver of Auditorium Rental Fees but not the security deposit for MARC and PARA. Supervisor Neights seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 4-0.

### D. Authorization to Advertise Zoning Ordinance Amendment

- a. Solicitor Feight presented the ordinance for advertisement which amends Chapter 143 – "Zoning," at Article XX – "Non-Conforming Uses," to modify the title of Article XX, and to amend such Article at Section 145 – "Land," Subsection 3. Because this is an amendment to the Zoning Ordinance, it must be transmitted to the Lower Providence Planning Commission and Montgomery County Planning Commission for review and comment before Board consideration.
- b. **MOTION:** Supervisor Neights made a motion to authorize advertisement of the Zoning Ordinance Amendment, seconded by Supervisor Sorgini.
- c. There was no public comment.
- d. The motion *passed* 4-0.

E. Authorization to Advertise No Parking Ordinance

- a. Solicitor Feight presented the ordinance for advertisement which amends Chapter 138 – “Vehicles and Traffic,” at Article I – “General Regulations,” Section 3 – “Temporary and Emergency Regulations,” subsection 5 – “Experimental Regulations,” to allow the Chief of Police to establish temporary and/or emergency regulations and Article III – “Parking Regulations,” Section 23 – “Parking Prohibited at All Times,” to prohibit parking at all times on both sides of Van Buren Avenue between Adams Avenue and Jefferson Avenue.
- b. **MOTION:** Supervisor Sorgini made a motion to Authorize advertisement of the No Parking Ordinance. Supervisor Neights seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 4-0.

F. Approval to waive Zoning Hearing Board Application fee for the Lower Providence Fire Department

- a. Mr. Mentry presented the LPFD’s request for a waiver of the \$1700 Zoning Hearing Board application fee for their variance request for new signage at the fire station.
- b. **MOTION:** Supervisor MacFarland made a motion to approve to waive the Zoning Hearing Board Application fee for the Lower Providence Fire Department. Supervisor Neights seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 4-0.

G. Approval of Resolution 2023-17 approving ARPA Fund Transfer

- a. Mr. Lafiata presented Resolution 2023-17 which memorializes the ARPA fund transfers already included in the 2023 adopted budget and authorizes staff to make the fund transfers as needed.
- b. **MOTION:** Supervisor Sorgini made a motion to approve Resolution 2023-17 for the ARPA Fund Transfers. Supervisor Neights seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 4-0.

H. General Discussion of Board of Supervisors 2023 Strategy and Goals

- a. Chair Coless provided an update on the activities of the newly resurrected Business Development Committee, including plans for an upcoming business open house at Park Pointe.

6) **Announcements/Meetings**

- The Township Office will be closed on Monday, February 20 for Presidents Day
- Library Board – Feb. 20 at 7:00 p.m.
- Parks and Recreation Board – Feb. 21 at 7:00 p.m.
- Planning Commission – Feb. 22 at 7:00 p.m.
- Zoning Hearing Board – Feb. 23 at 7:00 p.m.

7) **Comments and Other Business**

- A. Supervisor Neights commended staff for the well organized meeting binders with tabbed dividers. He provided an update on the EAC’s activities and announced that the EAC is working on a Bird Town PA designation for Lower Providence Township and would be presenting to the Board at an upcoming meeting.

- B. Supervisor MacFarland announced that the Lower Providence Fire Department Donut Sale would be this Saturday, February 18.
- C. Chair Coless provided an update on the partnership with the Methacton School District Art Department for the Lower Providence Parks Design Challenge. Several art classes will be participating and submitting designs for either Redtail Park, Eskie Park, Sherwood Park, or Eagleville Park to be included in the Spring Art Show at Methacton High School. The competition will also be open to the public.
- D. Mr. Mentry announced that representatives from the EPA and PA DEP would be attending the March 16 Board meeting to provide an update on the Moyers Landfill and the recent discovery of PFAS contamination.

**8) Courtesy of the Floor**

- A. No public comment

**9) Adjournment**

- A. **MOTION:** Supervisor Neights made a motion to adjourn. Supervisor Sorgini seconded the motion. The motion *passed* 4-0. The meeting adjourned at 8:03 p.m.

Next Business Meetings: March 2, 2023  
March 16, 2023