

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

Call to Order: Chair Coless called the hybrid live/virtual meeting to order at 7:03 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, Vice Chair Darby (via Zoom), and Supervisors MacFarland, Neights (via Zoom), and Sorgini.
- b. Also in attendance were: E.J. Mentry (via Zoom), Township Manager; Mike Mrozinski, Community Development Director; Michael Jackson, Chief of Police; Michael Clarke, Township Solicitor; and Ted Locker, Township Engineer.

Chairman's Comments

Chair Coless announced that there was an Executive Session held prior to the meeting to discuss legal matters.

1) Presentations

- A. Moyer's Landfill presentation - Caleb Melvin and Katie Page, Environmental Protection Agency (EPA), and Christine McCarthy, Bonnie McClennen, Rob Fogel, and Ragesh Patel, PA Department of Environmental Protection (PA DEP). Mr. Melvin and Ms. Page presented an overview of the site, contamination remedy, and current status.
 - a. The Moyers Landfill Superfund Site was an active landfill from 1940 to 1981, accepting municipal waste, sewage sludge, industrial wastewater treatment sludges and general industrial wastes. In 1983, metals and volatile organic compounds were identified as contaminants of concern, with on and offsite groundwater, leachate, soil and surface water contamination. Deeper groundwater was not contaminated. In 1985, per the Record of Decision, the remedy included: An impermeable landfill cap; gas venting and monitoring; collection of surface water and discharge to Skippack Creek; leachate collection and on-site treatment. In 2000, leachate treatment was changed to off-site at the Oaks Wastewater Treatment Plant.
 - b. The landfill cap was completed in 1994 and operation and maintenance was transferred to the PA DEP in 1998. The site was removed from the National Priorities List in 2014 and after years of data showing no impact, groundwater sampling and ambient air sampling was discontinued in 2017.
 - c. PA DEP's ongoing operation and maintenance includes site inspections monthly and after storms and monthly monitoring of the leachate collection system to make sure the originally prescribed remedy remains protective.
 - d. In 2022, there were three PFAS leachate sampling events at the site's collection system. PFAS (per- and polyfluorinated substances) are a group of chemicals used to make coatings and products that resist heat, oil, stains, grease, and water. PFOS and PFOA are two of the most extensively produced PFAS. The sampling indicated PFOS and PFOA

values above the state's drinking water standards. Federal drinking water standards are in the process of being established.

- i. The highest value found for PFOA was 1400 parts per trillion (PA maximum level is 14 parts per trillion).
- ii. The highest value found for PFOS was 69 parts per trillion (PA maximum is 18 parts per trillion).
- e. EPA notified homes on private drinking water around the landfill of the findings and is scheduling sampling for May-June. If PFOS and PFOA are found in private drinking water, bottled water will be provided by EPA/PA DEP. Property-specific remediation could include carbon filtration systems or a move to public water.
- f. Concerns were raised by the supervisors about:
 - i. Impacts on Evansburg State Park and Skippack Creek
 - ii. Possible adverse effects on soil
 - iii. Safety of the wells utilized by companies that provide public water
 1. Audubon Water Company was notified to conduct its own testing because its previous results were now above the new standards.
 - iv. Potential public health impacts
 1. Residents can report issues to Ms. Page of the EPA or the Agency for Toxic Substances and Disease Registry
 - v. Notification of well water test results
- g. Residents were encouraged to visit EPA's Moyers website: epa.gov/Superfund/Moyers
- h. Julia Nekhle, Valley High Estates, expressed concern about effects on vegetable gardens, and asked about drinking water versus water used to shower, and availability of test results.
- i. Laura Winslow expressed concern regarding overflow from a manhole at the site and effects on Skippack Creek and soil, and who is being sampled.
- j. Erin McCool, Coldspring Crossing, expressed concern about effects to Hoy Park, wildlife, and the nearby day camp; testing by Audubon Water Company; and climate change consequences.
- k. Fred Walker, Coldspring Crossing, asked about regulations for wastewater treatment plants.
- l. State Sen. Katie Muth expressed concern about the migration of contamination and the need to expedite the resident well testing.
- m. Terry Hoffman, Sunnyside Avenue, asked about the percentage of various diseases found in those living around the landfill.

2) Consent Agenda

- A. **MOTION:** Supervisor MacFarland made a motion to approve the consent agenda items 2(a), 2(b) and 2(c) including moving the meeting minutes of the March 2, 2023 Board of Supervisors meeting into the record and authorizing payment of bills in the amount of \$385,972.74 and escrow release #4 for Woodland Avenue Tracts in the amount of \$75,274.60. Supervisor Neights seconded the motion.
 - a. There was no public comment.
 - b. The motion *passed* 5-0.

3) Old Business

- A. Approval of proposal for municipal campus master plan study

- a. Mr. Mentry stated that three proposals had been received for the study which would include looking at the entire campus and buildings to determine the best course for expansion – renovation, renovation with expansion or new construction.
- b. There was discussion regarding the difference in costs and an “apples to apples” comparison of the proposals.
- c. Supervisors Darby requested an additional proposal from a minority-owned firm.
- d. **MOTION:** Supervisor MacFarland made a motion to table the item to a future date uncertain, seconded by Supervisor Sorgini.
- e. There was no public comment.
- f. The motion *passed* 5-0.

4) New Business

A. Request for waiver of fence standards, 2860 Eagleville Road

- a. Mr. Mrozinski said that the waiver would permit the installation of a solid-style fence on frontage of the corner property. It would be replacing an existing six-foot wood fence installed when different standards were in place. There are no sight issues created by the new fence.
- b. **MOTION:** Supervisor Sorgini made a motion to grant the waiver of fence standards at 2860 Eagleville Road. Supervisor MacFarland seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 5-0.

B. Request for waiver of fence standards, 309 Evansburg Road

- a. Mr. Mrozinski said the waiver would permit the installation of a solid-style six-foot fence on frontage at the property. Chief Jackson said the fence would create sight distance issues for motorists and those exiting the driveway.
- b. **MOTION:** Supervisor Neights made a motion to deny the waiver of fence standards at 309 Evansburg Road. Supervisor MacFarland seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 5-0.

C. Request for waiver of special event permit fee, Lower Providence Baptist Church, 3430 Ridge Pike

- a. Mr. Mentry said the church will be hosting a free concert and requests waiver of the \$150 special event permit fee. The event has been held previously.
- b. **MOTION:** Supervisor MacFarland made a motion to waive the special event permit fee for Lower Providence Baptist Church. Supervisor Sorgini seconded the motion.
- c. There was no public comment.
- d. The motion *passed* 5-0.

5) Announcements/Meetings

- Chief Jackson announced the hiring of Nikki Urbanski as the department’s Social Services Liaison. In this newly-created position, she will provide connections, resources and support for community members in need including mental health, addiction, substance use, trauma, food insecurity, homelessness, aging and adult services.
- Environmental Advisory Council – March 20 at 7:00 p.m.
- Library Board – March 20 at 7:00 p.m.
- Parks and Recreation Board – March 21 at 7:00 p.m.
- Planning Commission – March 22 at 7:00 p.m. - Cancelled

- Zoning Hearing Board – March 23 at 7:00 p.m.

6) Comments and Other Business

- a. Supervisor Sorgini provided a Sewer Authority update, noting that the Authority is a locally-operated public utility. Fees are put back into the system and to ongoing improvement projects.
- b. Supervisor MacFarland said the Township's annual Easter Egg Hunt is scheduled for March 25. He said the Business Development Committee will be welcoming a new business, Grazeffully Delicious, to the Colonial Shopping Center. The "Wall That Heals," the traveling replica of the Vietnam Veterans Memorial, will be in Upper Providence in October.
- c. Chair Coless said the Business Development Committee also will be holding an open house for businesses in the Park Pointe Business Park.

7) Courtesy of the Floor

- A. No public comment

8) Adjournment

- A. **MOTION:** Supervisor MacFarland made a motion to adjourn. Supervisor Sorgini seconded the motion. The motion *passed* 5-0. The meeting adjourned at 9:30 p.m.

Next Business Meetings: Wednesday April 5, 2023
April 20, 2023