

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
April 20, 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, Supervisors MacFarland (via Zoom), Neights and Sorgini.
- b. Also in attendance were: E.J. Mentry, Township Manager; Michael Clarke, Township Solicitor; Tim Woodrow, Township Engineer; Michael Mrozinski, Community Development Director; Michael Jackson, Chief of Police; and Richard Lafiata, Finance Director.

Chair's Comments

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

1) Presentations

- A. Student Representative Kaitlyn Phan provided a report on activities in the Methacton School District including 5th-grade outdoor education; Future Business Leaders of America competition; High School Art Exhibit; orchestra performance and Prom.

2) Consent Agenda

- A. **MOTION:** Supervisor Sorgini made a motion to approve consent agenda items 2(a)(b) and (c), including moving the meeting minutes of April 5, 2023 into the record, accepting monthly reports and board/commission minutes, and approving payment of bills in the amount of \$782,330.53, the Treasurer's report and release of 17 outstanding escrows. Supervisor Neights seconded the motion.
 - a. There was no public comment.
 - b. The motion *passed* 5-0.

3) Public Hearing – Conditional Use Application – 960 Rittenhouse Road

- A. **MOTION:** Supervisor Neights made a motion to open the Conditional Use hearing. Supervisor Darby seconded the motion.
 - a. The motion *passed* 5-0.
 - b. Solicitor Clarke said that the conditional use application had been received for 960 Rittenhouse where currently there is a one-story, 25,000 sq.ft. facility. The hearing had been properly advertised, the property was posted and notices sent to neighboring properties. The applicant had agreed to an extension to allow for the April 20 hearing with a decision to be rendered on May 4.
 - c. No one at the meeting or online sought party status to present testimony or evidence.
 - d. Greg Adelman, Esq., representing the owner-applicant, entered exhibits A1 through A13. He stated that it is proposed that the existing building be demolished and a 66,000 sq.ft.

structure be constructed for general warehouse use. There is currently no tenant identified.

- e. Project engineer Ryan Whitmore testified that the proposal calls for a warehouse 52 feet in height having 22 loading docks with access from Van Buren Avenue. It is proposed to restrict truck traffic on Rittenhouse Road. He said the proposed stormwater management improvements include no infiltration and account for identified soil and groundwater contamination.
- f. There was discussion about the requirements for conditional use, pedestrian safety, and the impact of categories of warehouse use on traffic.
- g. The project traffic engineer, Matt Hammond, addressed the traffic impact study which concluded minimal impact to six related intersections.
- h. Solicitor Clarke noted that as conditions of approval the applicant indicated a willingness to re-stripe Trooper Road and Van Buren Avenue, designating a clear right-turn lane, and to pay for increased signage in the area prohibiting truck traffic on Rittenhouse Road. He stated that the applicant is not willing to complete a post-development traffic study but, as a further condition, is agreeable to an increase in the traffic impact fee based upon the category of warehouse use.
- i. Geologist Michael Gonshor testified about the remediation of the soil that would be undertaken by the applicant and stated that the EPA would be responsible for the groundwater. Solicitor Clarke clarified that the cost of the soil remediation would be borne by the applicant.

B. **MOTION:** Supervisor Neights made a motion to close the public hearing, seconded by Supervisor Sorgini.

- a. The motion *passed* 5-0.

4) Old Business

A. Presentation: Park Avenue/Eagleville Road/Crawford Road Intersection Project Update

- a. Stephanie Butler, McMahon Associates, said that final design is complete, noting that nothing had changed to the plan presented previously, which includes addition of auxiliary left-turn lanes, realignment of the offset intersection, traffic signal installation, and utility relocation.
- b. The construction inspection contract was advertised and awarded to McTish, Kunkel & Associates. The construction contract was bid, with Allan A. Myers, Inc. as the verified low bidder. Next steps will include a pre-construction meeting and issuance of the notice-to-proceed. The primary work in the first year will be utility relocation. Staggered detours will take place in years two and three. The approximate completion date is December 2025.
- c. Funding sources include three PennDOT Multimodal Transportation Fund (MTF) grant awards and two Department of Community and Economic Development MTF grant awards.
- d. The supervisors noted that the project had been ongoing for nine years and thanked Stephanie for her efforts to bring it to fruition.
- e. Township resident Ken Fagiolli expressed concern about the new traffic signal and its location.

B. Approval of Contract for Park Avenue/Eagleville Road/Crawford Road Project

- a. Mr. Mentry said that staff and consultants are recommending awarding the construction contract for the project to Allan A. Myers Inc., the verified low bidder, for \$7.65 million.

- b. **MOTION:** Supervisor Sorgini made a motion to award the construction contract for the intersection project to Allan Myers Inc. in the amount of \$7,655,777.00. Supervisor Neights seconded the motion.
- c. There was no public comment.
- d. At this point, Supervisor MacFarland had to leave the meeting prior to the vote.
- e. The motion *passed* 4-0.

C. Ratification of Resolution 2023-20 Approving Waiver of Land Development for Lower Providence Presbyterian Church

- a. Mr. Mentry said the resolution ratifies the approval, given by the Board at the April 5, 2023 meeting, of the waiver of the Subdivision and Land Development Ordinance process for the addition of a shed, conditioned on approval of the resolution.
- b. Supervisor Darby announced that she would be abstaining from voting as she was absent from the April 5 meeting.
- c. **MOTION:** Supervisor Neights, seconded by Supervisor Sorgini, made a motion to ratify Resolution 2023-20.
- d. There was no public comment.
- e. The motion *passed* 3-0-1.

D. Ratification of Resolution 2023-21 Approving Waiver of Land Development for Evansburg Vineyards.

- a. Mr. Mentry said the Board granted approval of the waiver of the Subdivision and Land Development Ordinance process at the April 5, 2023 meeting for the addition of parking and relocation of some stormwater management at Evansburg Vineyards.
- b. Supervisor Darby announced that she would be abstaining from the vote.
- c. **MOTION:** Supervisor Sorgini made a motion to ratify Resolution 2023-21, seconded by Supervisor Neights.
- d. There was no public comment.
- e. The motion *passed* 3-0-1.

5) New Business

A. Request for Waiver of Fence Standards at 2008 Blackbird Circle

- a. Mr. Mrozinski said that the waiver would permit the installation of a solid-style fence at 2008 Blackbird Circle along the frontage of the property on Sunnyside Avenue. This is a double frontage lot with the typical rear fronting along Sunnyside Avenue. It was confirmed that there are no sightline issues.
- b. The property owner said the fence would be tied in with a neighbor's fence and would provide privacy and address people cutting through the property.
- c. **MOTION:** Supervisor Sorgini made a motion to approve the waiver of fence standards at 2008 Blackbird Circle. Chair Coless seconded the motion.
- d. There was no public comment.
- e. The motion *passed* 4-0.

B. Recommendation of New Accounting Software

- a. Mr. Mentry said replacement software had been budgeted because the current software is outdated, limited in what it can do, and vulnerable from an IT perspective. Staff recommends Caselle government accounting software through the vendor, Dallas Data Systems. The cost of \$63,735 upfront with an annual cost of \$16,000 is over budget but

within \$1,000 of what was budgeted. A budget adjustment approval has been prepared; ARPA funds will be utilized.

- b. There was discussion of the Cloud option and the archiving of files.
- c. Mr. Lafiata said Caselle is highly customizable and able to meet the Township's needs now and in the future. He said the new software will be much more efficient and allow for forecasting of revenue and expenses, custom reporting, and grant tracking.
- d. **MOTION:** Supervisor Neights made a motion to approve a contract with Caselle and the necessary budget adjustment. Supervisor Darby seconded the motion.
- e. Township resident Jessica Bradbury (via Zoom) discussed file backup / retention and Cloud security.
- f. The motion *passed* 4-0.

6) Announcements/Meetings

- Methacton High School Art Exhibit, including the Parks Design Challenge – Friday, April 21, 6:00 to 9:00 p.m. and Saturday, April 22, noon to 4:00 p.m.
- Planning Commission – April 26 at 7:00 p.m.
- Zoning Hearing Board – April 27 at 7:00 p.m.

7) Comments and Other Business

- a. Supervisor Sorgini commented on the Sewer Authority's ongoing construction projects and minor lateral repairs in the Church Road area. He also announced that the Library Board would be meeting on Monday, April 24 at 7:00 PM.
- b. Supervisor Neights announced that the EAC is participating in an Earth Day event on Sunday, 4/23 at the John James Audubon Center.
- c. Vice Chair Darby had several announcements: Camp counselors are needed for summer camp; the Montgomery County Senior Games start May 1; a solar charging station has been installed in Eagleville Park; and plans are underway for the July 4 celebration and concerts in the park.

8) Courtesy of the Floor

- A. Township residents Elizabeth Gillespie and Amanda Ryan asked if something could be done to address a noise issue caused by a neighbor's rooster.
- B. Amy Kahn Ciriello (via Zoom) expressed concern about a social media post by a Township Supervisor.
- C. Jessica Bradbury (via Zoom) expressed concern about a social media post by a Township Supervisor.
- D. Chair Coless addressed the concerns of Ms. Kahn Ciriello and Ms. Bradbury.

9) Adjournment

- A. **MOTION:** Supervisor Darby made a motion to adjourn. Supervisor Sorgini seconded the motion. The motion *passed* 4-0. The meeting adjourned at 10:15 p.m.

Next Business Meeting: May 4, 2023
May 18, 2023 - *Cancelled*