

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS REORGANIZATION MEETING
JANUARY 2, 2024**

Montgomery County Court of Common Pleas Judge Daniel Ronca administered oaths of office to:

- *Supervisor Sarah Charles*
- *Supervisor Gary Neights*
- *Auditor Lisa Yanak*

A ceremony was held to promote Lower Providence Township Police Officer Ryan Gill to the rank of Corporal.

The Township Manager acted as temporary chair for the purpose of organization.

Call To Order: Township Manager E.J. Mentry called the meeting to order at 6:10 p.m.

Pledge of Allegiance

Protocol for Hybrid Meeting: Mr. Mentry provided an overview of the protocols for public participation for members of the public attending the meeting virtually over Zoom.

Roll Call:

The following members were in attendance: Supervisors Cara Coless, Sarah Charles, Janine Darby, Peter MacFarland, and Gary Neights. Also, in attendance were: E.J. Mentry, Township Manager; Lauren Gallagher and Derek Keightly, Township Solicitors; Paul Donnelly, Assistant Township Manager; Mike Mrozinski, Community Development Director; and Police Chief Michael Jackson.

1) Nomination and Election of Chair

- A) **NOMINATIONS:** Supervisors Neights and Coless nominated Dr. Janine Darby for Chair.
i) Dr. Janine Darby was unanimously elected Chair.

2) Election of Vice-Chair

- A) **NOMINATIONS:** Supervisors Coless and Charles nominated Gary Neights for Vice-Chair.
i) Supervisor Neights was unanimously elected Vice-Chair.

3) Approval of Township Manager Employment Agreement Addendum

- i) **MOTION:** Chair Darby made a motion to approve the Township Manager Employment Agreement. Supervisor Neights seconded the motion.
ii) There was no public comment.
iii) The motion *passed* 5-0.

Administrative Appointments

- 4) Appointment of Secretary - E.J. Mentry**
- 5) Assistant Secretary – Paul Donnelly**
- 6) Treasurer - E.J. Mentry**
- 7) Assistant Treasurer – Paul Donnelly**
- 8) Open Records Officer - Denise Walsh**

9) Alternate Open Records Officer – Paul Donnelly

10) Police Department Open Records Officer - Jill Sauermelch

11) Zoning Officer - Mike Mrozinski

12) Building Code Official - Brad Bollinger

- i) **MOTION:** Chair Darby made a motion to approve the administrative appointments listed in Agenda Items 4 through 12. Vice Chair Neights seconded the motion.
- ii) There was no public comment.
- iii) The motion *passed* 5-0.

Board/Council/Commission Appointments

It was noted that all appointments are conditioned on the signing and submittal of the Township

Ethics Verification Form.

13) Appointment to Library Board of Trustees (three (3) three-year terms)

A) **MOTION:** Supervisor Neights made a motion to appoint Florence Li-Maldonado to the Library Board. Supervisor Coless seconded the motion.

- i) There was no public comment.
- ii) The motion *passed* 5-0.

B) There were no other motions; two vacancies remain.

14) Appointment to the Sewer Authority (One (1) five-year term)

A) **MOTION:** Supervisor Neights made a motion to appoint Jason Sorgini to the Sewer Authority. Supervisor Coless seconded the motion.

- i) There was no public comment.
- ii) The motion *passed* 5-0.

15) Appointment to Planning Commission (One (1) four-year term)

A) **MOTION:** Supervisor Neights made a motion to appoint Tommy Avelar to the Planning Commission, seconded by Supervisor Coless.

B) **MOTION:** Supervisor MacFarland made a motion to appoint Mark Kuberski to the Planning Commission. The motion failed for lack of a second.

- i) There was no public comment.
- ii) The motion to appoint Tommy Avelar to the Planning Commission *passed* 5-0.

16) Appointment to Zoning Hearing Board by Resolution #2024-01 (One (1) five-year term)

A) **MOTION:** Supervisor Coless, seconded by Supervisor Neights, made a motion to appoint Tejal Mehta to the full five-year term and to appoint Mark Kuberski to fill Ms. Mehta's unexpired term as an alternate on the Zoning Hearing Board. As required, the appointment will be made by Resolution 2024-01.

B) **MOTION:** Supervisor MacFarland made a motion to appoint Kathie Eskie to the Zoning Hearing Board. In his motion, he stated his gratitude for Mrs. Eskie's service and dedication to the Township. The motion failed for lack of a second.

- i) Solicitor Gallagher recommended that the Board vote to fill the full, five-year term and defer a vote on the alternate position as it was not included on the agenda.
- ii) Supervisors Coless and Neights amended their motion to include only the appointment of Tejal Mehta to the five-year term on the Zoning Hearing Board
- iii) Kathy Eskie, township resident, thanked Supervisor MacFarland for his kind words. She stated that she was disappointed about their decision but was proud of the work she did and will continue to do so in other areas.

- iv) The motion to appoint Tehal Mehta to the Zoning Hearing Board by Resolution 2024-01 *passed 5-0.*

17) Appointment to Vacancy Board One (1) one-year term

- A) **MOTION:** Supervisor Coless made a motion to appoint Erica Cohen as Vacancy Board Chair. Supervisor Neights seconded the motion.
 - i) There was no public comment.
 - ii) The motion *passed 5-0.*

18) Appointment to UCC Board of Appeals (one (1) Three-year Term)

- A) **MOTION:** Supervisor Neights made a motion to appoint Richard Firth to the UCC Board of Appeals, seconded by Supervisor Coless.
 - i) There was no public comment.
 - ii) The motion *passed 5-0.*

19) Environmental Advisory Board (two (2) three-year terms)

- A) **MOTION:** Supervisors Neights, seconded by Supervisor Coless, made a motion to appoint Graf Eggers and Terri Neufeglise to the Environmental Advisory Council.
 - i) Graff Eggers, township resident and EAC candidate, thanked the Board for their nomination.
 - ii) The motion *passed 5-0.*

20) Human Relations Commission (one (1) one-year term, one (1) two-year term, one (1) three-year term and one (1) four-year term)

- A) **MOTION:** Supervisor Coless, seconded by Supervisor Neights, made a motion to appoint Sarah Pirelli to the one-year term on the Human Relations Commission.
- B) **MOTION:** Supervisor Neights, seconded by Supervisor MacFarland, made a motion to appoint Mike Comroe to the one-year term.
 - i) There was no public comment.
 - ii) The motion to appoint Sarah Pirelli to the one-year term *passed 3-2*, with Supervisors MacFarland and Neights opposing. With the successful motion, a vote on the second motion was not taken.
- C) **MOTION:** Supervisor Neights made a motion to appoint Patricia Fennell-Peaks to the two-year term on the Human Relations Commission. Supervisor Coless seconded the motion.
- D) **MOTION:** Supervisor MacFarland made a motion to appoint Joe Ferraro to the two-year term. The motion failed for lack of a second.
 - i) There was no public comment.
 - ii) The motion to appoint Patricia Fennell-Peaks to the two-year term on the Human Relations Commission *passed 4-1* with Supervisor MacFarland opposing.
- E) **MOTION:** Supervisor Coless made a motion to appoint Ellen Staurowsky to the three-year term on the Human Relations Commission. Supervisor Neights seconded the motion.
- F) **MOTION:** Supervisor MacFarland made a motion to appoint John Kopeski to the three-year term. The motion failed for lack of a second.
 - i) Ellen Staurowsky, township resident and HRC candidate, introduced herself.
 - ii) The motion *passed 5-0.*
- G) **MOTION:** Supervisor Neights made a motion to appoint Jim Kelsh to the four-year term on the Human Relations Commission. Supervisor Coless seconded the motion.
 - i) There was no public comment.
 - ii) The motion *passed 5-0.*

Consultant Appointments

Mr. Mentry reviewed the list of current consultants and noted that all had submitted fee schedules for 2024 with hourly rates. The consultants considered for appointment are:

21) Consulting Engineer - Woodrow & Associates with Tim Woodrow as the engineer of record

22) Traffic Engineer - McMahon Associates with Casey Moore as the engineer of record

23) Landscape Architectural Consultant - Thomas Comitta Associates with Thomas Comitta as the LA of record

24) Actuary for Township Pension Plans, Township Employees' Pension Plan and the Defined Contribution Plan - Municipal Finance Partners, Charles Friedlander

25) Labor Attorney - Eckert, Seamans, Cherin & Mellot with Scott Blissman as the attorney of record

26) Solicitor - Rudolph Clarke LLC with Michael Clarke as the solicitor of record

A) **MOTION:** Chair Darby made a motion to approve the appointments listed in Agenda Items 21 through 26 in accordance with the fee schedules provided to the Board. Supervisor Neights seconded the motion.

i) It was noted that while there were some changes, there were no significant increases to any of the fees.

ii) There was no public comment.

iii) The motion *passed* 5-0.

27) Fixing of Compensation for Zoning Hearing Board Solicitor

A) **MOTION:** Chair Darby made a motion to set compensation for the solicitor selected by the Zoning Hearing Board. Supervisor MacFarland seconded the motion.

i) There was no public comment.

ii) The motion *passed* 5-0.

28) Appointment of Board Liaisons

A) Chair Darby announced the following Board liaison appointments:

i) Business Development Committee: Chair Darby and Supervisor Coless

ii) Emergency Services Committee: Supervisors Coless and Charles

iii) Environmental Advisory Council: Supervisor Neights

iv) Library Board of Trustees: Supervisor MacFarland

v) Parks & Recreation Board: Chair Darby

vi) Pension Committee: Supervisor MacFarland

vii) Planning Commission: Supervisor Charles

viii) Sewer Authority: Supervisor Neights

29) Resolutions

A) Resolution No. 2024-02 designating depositories for Township funds

i) **MOTION:** Chair Darby made a motion to adopt Resolution 2024-02 designating depositories for Township funds. Supervisor Neights seconded the motion.

ii) Mr. Mentry noted that the only change from last year was removal of WSFS Bank.

iii) There was no public comment.

iv) The motion *passed* 5-0.

B) Resolution No. 2024-03 authorizing the appropriate Township Officials to affix signatures on checks

i) **MOTION:** Chair Darby made a motion to adopt Resolution 2024-03 authorizing appropriate Township Officials to affix signatures on checks. Supervisor Neights seconded the motion.

ii) There was no public comment.

- iii) The motion *passed 5-0*.
- C) Resolution No. 2024-04 establishing the amount of the Treasurer's and Assistant Treasurer's Bond at \$1,000,000 which will apply to the Township Manager-Secretary and Assistant Township Manager, respectively
 - i) **MOTION:** Chair Darby made a motion to adopt Resolution 2024-04 to establish the amount of the Treasurer's and Assistant Treasurer's Bond at \$1,000,000. Supervisor Neights seconded the motion.
 - ii) There was no public comment.
 - iii) The motion *passed 5-0*.
- D) Resolution No. 2024-05 establishing the Police Officers contributions to the Police Pension Plan for the Year 2024.
 - i) **MOTION:** Chair Darby made a motion to adopt Resolution 2024-05 establishing the Police Officers contributions to the Police Pension for the year 2024. Supervisor Coless seconded the motion.
 - ii) It was noted that the contribution of 4% of compensation is consistent with the police collective bargaining agreement.
 - iii) There was no public comment.
 - iv) The motion *passed 5-0*.
- E) Resolution No. 2024-06 establishing member contributions to the Employees' Pension Fund for the Year 2024
 - i) **MOTION:** Chair Darby made a motion to adopt Resolution 2024-06 establishing member contributions to the Employee Pension Fund for the year 2024. Supervisor Neights seconded the motion.
 - ii) It was confirmed that the amount, 1.5% of compensation, is consistent with the AFSCME collective bargaining agreement.
 - iii) There was no public comment.
 - iv) The motion *passed 5-0*.
- F) Resolution No. 2024-07 Appointing the Certified Public Accounting Firm of BBD LLP to serve as Auditors to audit the accounts of Lower Providence Township for Fiscal Year 2023
 - i) **MOTION:** Chair Darby made a motion to adopt Resolution 2024-07 appointing BBD LLP certified public accounts to audit the Township accounts for the fiscal year 2023. Supervisor Neights seconded the motion.
 - ii) Mr. Mentry said the appointment was advertised as required and noted that this is the last year of the current agreement with BBD.
 - iii) There was no public comment.
 - iv) The motion *passed 5-0*.
- G) Resolution No. 2024-08 Establishing Crime Victim Right of Access (CVRA) and Act 22 Compliance Fees
 - i) **MOTION:** Chair Darby made a motion to adopt Resolution 2024-08 establishing CVRA and Act 22 compliance fees. Supervisor Coless seconded the motion.
 - ii) Mr. Mentry said that as of May 2023 changes to state law provided crime victims access to previously exempt records with certain request requirements and associated fees.
 - iii) Supervisor Neights asked a series of questions regarding fees and the equity of fees. Mr. Mentry stated that the nature of these requests can be substantial and costly. This law seeks to address that. Mr. Keightly provided a deeper background on Act 22, provided some possible crimes Lower Providence may see, and said that in implementing the fees there had

been an attempt to make them consistent across Montgomery County. Supervisor MacFarland clarified that these fees may be covered under legal fees for crime victims.

iv) There was no public comment.

v) The motion *passed* 5-0.

H) Resolution No. 2024-09 approving the 2024 Fee Schedule

i) **MOTION:** Chair Darby made a motion, seconded by Supervisor Coless, to approve the 2024 fee schedule.

ii) There was no public comment.

iii) The motion *passed* 5-0.

30) Certification of Delegates and Voting Delegate to PSATS Annual State Convention

A) **MOTION:** Chair Darby made a motion to certify Mr. Donnelly as the voting delegate and Mr. Mentry as the alternate for the 2024 PSATS Annual State Convention. Supervisor Neights seconded the motion.

i) All five supervisors were certified as attendees to the convention.

ii) There was no public comment.

iii) The motion *passed* 5-0.

31) Approval and authorization to advertise 2024 meeting schedule

A) **MOTION:** Chair Darby made a motion to approve and authorize advertisement of the 2024 meeting schedule as presented. Supervisor Neights seconded the motion.

i) There was discussion about holding workshop meetings in lieu of one of the monthly business meetings.

ii) There was no public comment.

iii) The motion *passed* 5-0.

32) Other Business

A) Authorization to advertise for bids for Egypt Road Green Light-Go Grant project

i) **MOTION:** Chair Darby made a motion to advertise for bids for the Egypt Road Green Light-Go Grant project. Supervisor Neights seconded the motion.

ii) Mr. Mentry said the PennDOT grant had been awarded in 2022. The project involves signal upgrades to the Surrey Lane, Park Avenue and Crawford Road intersections. It was noted that circumstances beyond the control of the Township had contributed to the delay.

iii) There was no public comment.

iv) The motion *passed* 5-0.

33) Announcements

A) Upcoming meetings:

- Sewer Authority – Monday, Jan. 8 at 4:30 p.m.
- Parks and Recreation Board – Tuesday, Jan. 16 at 7:00 p.m.
- Library Board – Tuesday, Jan. 16 at 7:00 p.m.
- The Township offices will be closed Monday, Jan. 15 in observance of Martin Luther King Jr. Day

34) Courtesy of the Floor

A) Newly-appointed Environmental Advisory Council member Graf Eggers introduced himself and thanked the Board.

B) Newly-appointed Human Relations Commission member Patricial Fennell-Peaks introduced herself to the Board.

35) Adjournment

A) **MOTION:** Chair Darby made a motion to adjourn the meeting. Supervisor Coless seconded the motion. The motion *passed* 5-0. The meeting adjourned at 7:19 p.m.

Next Business Meeting: January 18, 2024
February 1, 2024

Respectfully Submitted,

E.J. Mentry, Secretary