

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
January 18, 2024**

Call to Order: Chair Darby called the hybrid live/virtual meeting to order at 7:06 p.m.

Pledge of Allegiance

Protocol for Hybrid Meetings: Chair Darby 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 Darby, Vice Chair Neights (via Zoom) and Supervisors Charles and MacFarland.
- b. Also in attendance were: E.J. Mentry, Township Manager; Lauren Gallagher and Greg Heleniak, Township Solicitors; Paul Donnelly, Assistant Township Manager; Tim Woodrow, Township Engineer; Mike Mrozinski, Community Development Director, and Mike Jackson, Chief of Police.

Chair's Comments

- Chair Darby announced that Executive Sessions were held prior to the meetings on January 18, 2024 and January 8, 2024 to discuss personnel matters and potential litigation.

1) Presentations

- A. Recognition of outgoing Zoning Hearing Board member Kathie Eskie – Chair Darby recognized Mrs. Eskie for her many years of service. Mrs. Eskie was not present.
- B. Student Representative Report – Mina Liu provided an update on Methacton School District news including: Mid-terms being held at the high school, Dr. Deb Euker being welcomed as the new high school principal, and the Varsity Cheerleaders competing at the PIAA state championship. She noted that the student council had partnered with Lower Providence Police Community Outreach Officer Sgt. Mark Stead and the Norristown Salvation Army for food distribution to local food banks.
- C. Resources for Human Development (RHD) Supportive Short-Term Housing Presentation
 - i. Owen Camuso, RHD Regional Director; Christine Jordan, Program Director; and Mark Jonas, Counsel for RHD; provided an overview of the proposed facility known as “Genny’s Place”.
 - ii. The proposal calls for constructing a new facility on the grounds of Eagleville Hospital but operated as a separate entity from the hospital. The facility would provide individual or two-person rooms with shared laundry, bath, and living spaces. The facility would serve a maximum of 60 adults who are at least 18 years of age. Meals would be provided. There would be 2-3 on-site staff at all times. RHD made a clear distinction between a walk-in shelter and the proposed short-term supportive housing facility. RHD would utilize an existing Eagleville Hospital building for their program while the new facility is under construction.
 - iii. Mr. Camuso explained the intake and screening processes, and the rules and regulations that would be in place. He said the expectation is that individuals will work with RHD staff and outside resources toward the goal of permanent housing with a target stay of 60 to 90 days at

- the facility. In response to a question from Chair Darby, Mr. Camuso said that Lower Providence Township residents would be prioritized.
- iv. Solicitor Gallagher explained that the agenda item under consideration is authorization to advertise a public hearing for a text amendment. She said that if the Board authorizes the advertisement, the application for the text amendment will be sent to both the Township and Montgomery County Planning Commissions. The Township Planning Commission will hold a public meeting on the text amendment and the county Planning Commission will review the proposed text amendment and issue comments. The text amendment ordinance will then be advertised with a further public hearing to be held in front of the Board of Supervisors.
 - v. Supervisor MacFarland noted that the presentation was an introduction to what RHD would like to do in the Township and that the process is just starting with no decision to be made until after several more additional public hearings. He asked about success rates and funding sources. There was discussion about free time activities and how any problems with individuals at local businesses would be handled. Transportation options for residents were discussed.
 - vi. Supervisor Charles asked how the facility would benefit the Township and why Lower Providence had been chosen. Mr. Camuso said they were supportive of setting aside beds for township residents. Supervisor Charles asked who would be providing security. Mr. Camuso discussed 24-hour staffing, on-call staff and said Eagleville Hospital security would be part of the lease agreement.
 - vii. Supervisor Neights asked if the proposed text amendment contains provisions to screen for those convicted of crimes. Mr. Camuso said it does but noted that fair housing practices must be followed.
 - viii. Dr. Darby opened the floor for questions and comments from Township residents.
 - ix. Jude Schwegel expressed his full support of the facility.
 - x. Kathie Eskie discussed funding, layout of the facility, and criteria to be accepted into the program. After asking a series of questions, Dr. Darby requested Mrs. Eskie to allow others to ask their questions.
 - xi. Sherri Beale said that it is a needed service but expressed concerns with public safety. She asked about success rates, what would disqualify individuals, and for details on the intake and screening processes.
 - xii. At the request of Chair Darby, Mr. Camuso explained that RHD had previously provided homeless services in Montgomery County on the grounds of Norristown State Hospital at a facility that has since closed. He said they are pivoting to providing services for the homeless in a new way with this proposal.
 - xiii. Rebecca Catagnus expressed concern with public safety, increased taxes, impact of the zoning change, and the appropriateness of the location.
 - xiv. Anthony Furst asked if it was an immigration facility.
 - xv. Kathy Laws expressed support for the proposal.
 - xvi. Diane Helm expressed support for the proposal.
 - xvii. The Rev. Ted Mingle read a letter from the Leadership Board of the Lower Providence Presbyterian Church expressing support for the proposal.
 - xviii. Bayless Place resident expressed concern with public safety.
 - xix. Kier Maloney asked about the former proposed location, the possibility of a community decision and discussed government involvement.
 - xx. Those attending on Zoom were given a chance to comment. No one provided comment.
 - xxi. Kathie Eskie acknowledged the need to help the homeless, discussed lack of communication from the Township, questioned the suitability of the location, and expressed security issue concerns.

- i. Marc Jonas, counsel for RHD, objected to Mrs. Eskie's line of questioning, claiming that it amounted to cross examination in what is meant to be a public presentation. He said the opportunity would be provided for more questions at a future public hearing. He instructed his clients not to answer any further questions.
- ii. Mr. Mentry noted that a dedicated page on the Township website had been created to provide information on the proposal and that it will be continually updated.
- iii. In response to a question from Supervisor Neights, Mr. Mentry said residents can provide comments via email using the supervisors' contact forms on the website, emailing Mr. Donnelly or him, or using admin@lowerprovidence.org.
- xxii. **MOTION:** Chair Darby made a motion to authorize advertisement of a public hearing for a text amendment, seconded by Supervisor MacFarland.
- xxiii. There was no additional public comment.
- xxiv. The motion *passed* 4-0.

2) Consent Agenda

- A. **MOTION:** Chair Darby announced that the consent agenda included the following: Moving the meeting minutes of December 20, 2023, and January 2, 2024 into the record; accepting various meeting minutes and monthly reports; approving payment of bills in the amount of \$604,711.07. She noted a correction to Item 16 on the Jan. 2 minutes, changing "Planning Commission" to "Zoning Hearing Board".
 - i. Chair Darby, seconded by Supervisor Charles, made a motion to approve the consent agenda.
 - ii. Supervisor Neights asked about the Zoning Ordinance working group mentioned in the Community Development monthly meeting notes. It was noted that a staff group has been working with the Township solicitor on a multi-year process.
 - iii. There was no public comment.
 - iv. The motion *passed* 4-0.

3) Public Hearing – Zoning Ordinance Amendment

- A. **MOTION:** Chair Darby made a motion to open the public hearing, seconded by Supervisor MacFarland. The motion *passed* 4-0.
- B. Solicitor Gallagher said the ordinance had been advertised as required. It amends use regulations in the IP and LI zoning districts, removing warehousing from the sectors and any overlays. The ordinance also addresses food distribution and truck terminals.
- C. **MOTION:** Chair Darby made a motion to close the public hearing, seconded by Supervisor MacFarland. The motion *passed* 4-0.
- D. **MOTION:** Chair Darby, seconded by Supervisor Neights, made a motion to adopt Ordinance #679.
 - i. There was no public comment.
 - ii. The motion *passed* 4-0.

4) Old Business

- A. Consideration of Resolution 2024-10 Appointing Transportation Impact Fee Advisory Committee
 - i. Mr. Mentry explained that resolution reflects board feedback. Formation of the committee is required to formally begin the Township's Traffic Impact Fee update study, also known as an Act 209 Study, which allows the Township to assess impact fees to developers to improve traffic flow. Once the committee is formed, the Township has 18

months to complete the study, which will be primarily driven by the Township's traffic consultant.

- ii. **MOTION:** Chair Darby made a motion to approve Resolution 2024-10, seconded by Supervisor Neights.
- iii. There was no public comment.
- iv. The motion *passed* 4-0.

B. Consideration of Resolution 2024-11 Appointing Alternate to Zoning Hearing Board

- i. Mr. Mentry said Mark Kuberski has indicated interest in filling the alternate vacancy on the Zoning Hearing Board and that appointments to the board must be made by resolution.
- ii. **MOTION:** Chair Darby made a motion to approve Resolution 2024-11, appointing Mark Kuberski as an alternate to the Zoning Hearing Board. Supervisor MacFarland seconded the motion.
- iii. There was no public comment.
- iv. The motion *passed* 4-0.

C. Consideration of Appointment to Library Board of Trustees

- i. Mr. Mentry said there are two vacancies on the Library Board. A candidate, Shannon Chase, had been incorrectly thought to be ineligible because of term limits. He clarified that she is eligible to be reappointed.
- ii. **MOTION:** Chair Darby, seconded by Supervisor Charles, made a motion to approve the appointment of Shannon Chase to the Library Board of Trustees.
- iii. There was no public comment.
- iv. The motion *passed* 4-0

D. Award of Bid for Green Light-Go Grant

- i. Mr. Mentry said this is a signal improvement project for three intersections: Egypt Road at Park Avenue, Surrey Lane, and Crawford Road. It is primarily funded by a PennDOT grant, with the Township responsible for 20 percent. The project was bid with two options, fiber optic and wireless. Three bids were received with each option having a different low bidder. Staff recommends awarding Bid #2, the wireless option, to the low bidder, Armour & Sons Electric, Inc. at a cost of \$284,103.55. He said the amount came in under budget, allowing for additions which include Accessible Pedestrian System (APS) for visually impaired individuals.
- ii. Supervisor MacFarland asked what effect the upgrades will have on traffic. Matt Kozsuch of Bowman, the Township's Traffic Consultant, said the upgrades allow for remote access to the signals and automated performance measures to better manage traffic flow. He said no security is lost by going wireless.
- iii. **MOTION:** Chair Darby made a motion to approve the award of the Green Light-Go grant bid to Armour & Sons Electric, Inc. in the amount of \$284,103.55. Supervisor Neights seconded the motion.
- iv. Kyle Vanleer asked about ADA crosswalks.
- v. The motion *passed* 4-0.

5) **New Business**

A. Consideration of Minor Subdivision/Lot Line Change – 3868 Germantown Pike

- i. Mr. Mrozinski said the property is already developed with two small apartment buildings. The proposal is to divide the existing parcel into two lots. He said there are no plans for

- any new construction or land development at this time. The applicant has received relief from the Zoning Hearing Board for one of the lots for impervious coverage and for minimum lot width as part of plan; the lots are legally non-conforming.
- ii. Mr. Mrozinski said the applicant is requesting multiple waivers from the requirements of subdivision/land development including roadway widening, storm sewers, sidewalks and curbing. He said the board has three options: Deny the waiver requests, make compliance with the requirements part of any future land development or grant the waivers.
 - iii. **MOTION:** Chair Darby made a motion to approve the minor subdivision/lot line change at 3868 Germantown Pike.
 - a) There was discussion regarding the waivers. There was consensus that the Solicitor would prepare a resolution for the board's consideration at the next meeting. Chair Darby withdrew her motion.

B. Consideration of Request for Waiver of Special Event Time Restrictions

- i. Mr. Mentry said the University of Pennsylvania Orphan Disease Center is hosting a charity bicycle race on June 8, 2024 beginning and ending at the university with a portion going through the Township. A special event permit is required and the Township's special event ordinance contains time restrictions. A waiver of the 10 a.m. start time restriction is sought.
- ii. **MOTION:** Chair Darby made a motion to approve the waiver of special event time restrictions. Supervisor Charles seconded the motion.
- iii. In response to a question from Supervisor MacFarland, Chief Jackson stated he does not anticipate any traffic concerns.
- iv. There was no public comment.
- v. The motion *passed* 4-0.

C. Acceptance of Resignation of Supervisor Cara Coless

- i. Chair Darby said the board had received a letter of resignation from Supervisor Cara Coless on January 10, 2024.
- ii. **MOTION:** Chair Darby made a motion to accept the resignation of Supervisor Cara Coless. Supervisor MacFarland seconded the motion.
- iii. There was no public comment.
- iv. The motion *passed* 4-0.

6) Announcements/Meetings

- Environmental Advisory Council – January 22 at 7:00 p.m.
- Park and Recreation Board – January 23 at 7:00 p.m. (*rescheduled from January 16, cancelled due to inclement weather*)
- Planning Commission meeting – January 24 - *Cancelled*
- Zoning Hearing Board meeting – January 25 at 7:00 p.m.
- Supervisors Neights noted that the Sewer Authority held its reorganization meeting, re-electing Fred Walker and Charlie Rose, as chair and vice chair, respectively.

7) Courtesy of the Floor

- Nanette Lafors, Township resident, thanked the board and staff for their time and talent.

8) Adjournment

- a. **MOTION:** Chair Darby, seconded by Supervisor Charles, made a motion to adjourn. The motion *passed* 4-0. The meeting adjourned at 9:28 p.m.

**Next Business Meetings: February 1, 2024
February 15, 2024**