

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS BUSINESS MEETING  
October 15, 2020**

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**Call to Order:** Chairman Sorgini called the hybrid live/virtual meeting to order at 7:00 p.m.

**Pledge of Allegiance**

**Roll Call:**

- a. The following members were in attendance: Chairman Sorgini, Supervisors Eckman, Coless, MacFarland, and Neights.
- b. Also in attendance were: Don Delamater, Township Manager; John Rice, Township Solicitor; Bill Roth, Director of Special Projects and Technology; Mike Mrozinski, Community Development Director; Police Chief Michael Jackson; Tim Woodrow, Township Engineer, and Casey Moore, Traffic Engineer.
- c. Chairman Sorgini announced that an executive session was held prior to the meeting to discuss legal and personnel matters.

**1) Consent Agenda**

- A) **MOTION:** Supervisor Neights made a motion to approve the consent agenda items 1(a), 1(b), and 1(c), including the minutes of the September 17, 2020 and October 1, 2020 Board of Supervisors meetings and the Board's budget workshop of September 29, 2020. Supervisor Eckman seconded the motion.
  - i. There was no public comment.
  - ii. The motion *passed* 5-0.

**2) New Business**

- A) Consideration of a fence waiver request – 3794 Kim Road
  - i. Mr. Mrozinski reviewed the fence waiver request for the property located 3794 Kim Road to permit installation of a solid-style fence that encroaches into the front yard to keep the greenery back from the neighboring property. Property owner, Ms. DeLeo, attended the meeting via Zoom and reviewed her waiver request.
  - ii. **MOTION:** Supervisor Neights made a motion to approve the fence waiver request for 3794 Kim Road. Supervisor Eckman seconded the motion.
  - iii. There was no public comment.
  - iv. The motion to approve *passed* 5-0.
- B) Consideration of a fence waiver request – 137 Oaklyn Avenue
  - i. Mr. Mrozinski reviewed the fence waiver request for the property located at 137 Oaklyn Avenue to permit installation of a solid-style fence that encroaches into the front yard, replacing in kind with better quality. Property owner, Mr. Winterbottom attended the meeting live and reviewed his waiver request.
  - ii. **MOTION:** Supervisor Neights made a motion to approve the fence waiver request for 137 Oaklyn Avenue. Supervisor Eckman seconded the motion.
  - iii. There was no public comment.
  - iv. The motion to approve *passed* 5-0.
- C) Consideration of a fence waiver request – 900 Madison Avenue
  - i. Mr. Mrozinski reviewed the fence waiver request for the property located at 900 Madison Avenue to permit installation of a solid-style fence covering the HVAC equipment on the side of building. The contractor for the property owner attended the meeting live and reviewed the waiver request.

- ii. **MOTION:** Supervisor Neights made a motion to approve the fence waiver request for 900 Madison Avenue. Supervisor Eckman seconded the motion.
- iii. There was no public comment.
- iv. The motion to approve *passed* 5-0.

D) Review of land development – Salters Retail Development, 3130 Ridge Pike

- i. Mr. Mrozinski reviewed the rebuild of the Salters retail building which had been destroyed by fire. A new single-story building would replace the two-story building. The plans have been through the Planning Commission twice. The legal and engineering consultants for the property owner made the presentation.
- ii. Casey Moore, Traffic Engineer, said issues will be addressed by applicant and they must work with PennDOT on other traffic issues.
- iii. John Rice, Solicitor, is looking for a waiver letter and noted that this will be voted on at the next meeting in three weeks.
- iv. Tim Woodrow, Township Engineer, reported that the issues outlined in his review letters were addressed.
- v. Supervisor Neights asked for clarification about the size of the building and the actual reduction of impervious surface.
- vi. Supervisor Coless asked about the green space. She also asked about extending the sidewalk through to the neighboring property.
- vii. Supervisor Eckman asked about a lighting review which has been done and will be circulated to the Board members. She also inquired about the intended tenant and the facade treatment.
- viii. Jill Getty, adjacent property owner at 3126 Ridge Pike, expressed concerns with the parking easement calculations. She stated that there has been a parking easement agreement that shows four properties but feels the engineer's plan omits the fourth property. She noted that the easement agreement allows overflow parking for all properties. She questioned the applicability of the easement agreement since the fourth property no longer has parking spaces available. She is apparently seeking legal counsel to determine the validity of the enforcement of the agreement.
- ix. Supervisor Coless expressed concerns about the apparent discrepancies with the parking easement agreement.
- x. John Rice, Township Solicitor, requested a copy of the easement agreement and noted that this appears to be a private property issue and the Township just needs to be aware of it.

E) Stormwater fee process update

- i. Mr. Delamater reviewed the process to implement a stormwater fee, John Rice, Township Solicitor and Tim Woodrow; Engineer researched the subject. In a conference call, Greg Dunkin, AEGIS Engineering, answered some questions about implementing such a fee. It is a legal process that could take approximately 1-1 ½ years to implement with significant amount of public education needed. A team should be established made of experts in different fields to guide the Township through the process. It could address MS4 requirements, delivery system repairs and maintenance, legacy flooding issues and non-existing or gaps in the Township system. It could cover hard capital costs and additional staffing needed to implement the project. A rough cost estimate is \$200,000.00 to implement this fee. This cost must come out of the General Fund and is not reimbursable. The process will determine what the fee will be per unit.
- ii. Tim Woodrow, Engineer, said that the Township is aware that there is cost exposure in the future. It is an opportunity to raise some revenue to cover the cost.

- iii. John Rice, Solicitor, said this would be funded similar to a utility. The township has an obligation to upkeep the infrastructure. It is an unfunded mandate. It will be a process to get through.
- iv. This was just a preliminary update about the process needed and the Board will review and possibly discuss and consider in the future.

**F) Personnel Policy update**

- i. Mr. Delamater reviewed the update Personnel Policy for Substance Abuse Policy 7-5, federal requirements with CDL drivers. New federal regulations have been implemented and the update will place them in our Substance Policy. The update has been reviewed by the Township's Labor Attorney.
- ii. **MOTION:** Supervisor MacFarland made a motion to amend the Personnel Policy. Supervisor Neights seconded the motion.
- iii. There was no public comment.
- iv. The motion *passed* 5-0.

**3. Announcements**

- A) Student Representative report from Josephine James, a junior at Methacton High School: On or about November 12<sup>th</sup> students will be returning to campus with a hybrid situation. Methacton School Board is creating the framework to make sure that safety guidelines are fulfilled and teachers have the proper needs to teach students. Club and activities have been given the go-ahead to meet. The Methacton Warriors won the homecoming football game. Ms. James thanked the board for giving her the opportunity to present the report.
- B) Environmental Advisory Council in-person meeting — Oct. 19 at 6:00 p.m.
- C) Park & Recreation Board virtual meeting - Oct. 20 at 7:00 p.m.
- D) Comprehensive Plan Steering committee virtual meeting - Oct. 21 at 7:00p.m.
- E) Zoning Hearing Board in-person/virtual meeting - Oct. 22 and Oct. 29 at 7:00p.m.
- F) Open Space virtual public meeting - Oct. 26 at 7:00 p.m.
- G) Planning Commission meeting Oct. 28 - cancelled.

*Instructions for virtual meeting access available at [lowerprovidence.org](http://lowerprovidence.org)*

**4. Comments and other Business**

- A) Supervisor MacFarland provided an update on the Regional Sewer Authority. The budget has been approved with no fee increase. The Middle Interceptor Pipe Project is about 40% complete and it is expected to be completed by the end of 2021.

**5. Courtesy of the Floor**

- A) No comments

**6. Adjournment**

- A) **MOTION:** Supervisor Neights made a motion to adjourn. Supervisor Eckman seconded the motion. The motion *passed* 5-0. The meeting adjourned at 8:56 p.m.

Next Business Meetings: November 5, 2020  
November 19, 2020