

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
February 1, 2024**

Call to Order: Chair Darby called the hybrid live/virtual meeting to order at 7:10 p.m. Mr. Mentry noted that because of technical issues, those in the meeting room are not able to hear anyone attending via Zoom. Those on Zoom are able to hear the meeting.

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, and Supervisor Charles. Supervisor MacFarland attempted to participate via Zoom but because of the audio issue and his inability to be heard, he was marked absent.
- b. Also in attendance were: E.J. Mentry, Township Manager; Michael Clarke, Township Solicitor; Paul Donnelly, Assistant Township Manager; Tim Woodrow, Township Engineer; Mike Mrozinski, Community Development Director, Joe Chillano, Public Works Director, and Mike Jackson, Chief of Police.

Chair's Comments

- Chair Darby announced that an Executive Session was held prior to the meeting to discuss litigation and land acquisition. She stated that public comments would be limited to three minutes.
- Chair Darby read a Black History Month Proclamation.
- Chair Darby announced that the Conditional Use Public Hearing would be moved up in the agenda, taking place before the presentations.

1) Conditional Use Hearing – 2601 Egypt Road

Court reporter Tim Kurek was present to transcribe a complete record of testimony.

- A. **MOTION:** Chair Darby made a motion to open the public hearing, seconded by Vice Chair Neights. The motion *passed* 3-0.
- B. Solicitor Clarke said that the hearing had been advertised as required. The property is located in the General Commercial zoning district and the applicant is proposing a retail smoke shop. Solicitor Clarke said that earlier in the day, he had been contacted by the applicant's counsel requesting that the hearing be continued until February 15, 2024.
 - i. Solicitor Clarke announced that the hearing would adjourn until February 15, 2024. He noted that public comment could be made at the end of tonight's meeting but if made at that time, it would not be part of the record for the hearing.

2) Presentations

A. Recognition of former Supervisor Cara Coless

- i. Chair Darby read the inscription on a plaque to be presented to former Ms. Coless and thanked her for her service.
- ii. Vice Chair Neights cited Ms. Coless's service, persistence, and dedication to helping the community and those in need. He noted that one of her accomplishments was driving the

Township’s Comprehensive Plan in an inclusive manner. He said it had been a privilege to serve with her.

- iii. Supervisor MacFarland, via text, thanked Ms. Coless for her dedication and service.

B. Police Commendations

- i. Detective Scott Dreibelbis was awarded a Merit Commendation for his work as the lead investigator on a case involving the alleged physical, emotional and sexual abuse of a child that led to the arrest of the offender for serious violations.
- ii. Corporal Ryan Gill was awarded a Merit Commendation for his actions following a traffic stop that resulted in the arrest of an offender for a serious drug violation.
- iii. Officer Matthew Barber and Detective Michael Nastasi were awarded Merit Commendations for their efforts and investigative work that resulted in the arrest of two offenders for serious drug and gun violations.

C. Student Representative Report – Victoria Fan shared Methacton School District news: Mid-terms, Keystone exams and Senior Banquet are being scheduled; the restaurant at the North Monto Technical Career Center is open to the public for breakfast and lunch on Wednesdays and Thursdays; the high school Campus Planning Committee held an open forum on January 18; and tickets for high school events can now be purchased online through “Hometown Ticketing.”

3) Consent Agenda

- i. **MOTION:** Chair Darby made a motion to approve the consent agenda, accepting the minutes of January 18, 2024, and moving them into the record. Vice Chair Neights seconded the motion.
- ii. There was no public comment.
- iii. The motion *passed* 3-0.

4) Old Business

A. Consideration of Resolution 2024-13 Approving Minor Land Development Plan – 3868 Germantown Pike

- i. Mr. Mentry said the plan had been presented at the January 18, 2024 Board of Supervisors meeting. It involves a lot line change to divide one parcel into two; no land development is planned at this time. He said the approval is conditioned on outside agency approvals and Township consultant review letters. He explained that the resolution contains some “Reserved” comments in the Resolution under Conditions of Subdivision Approval because these sections don’t apply in this case.
- ii. Mr. Mentry read the waivers that are delineated in the resolution; all were granted.
- iii. **MOTION:** Chair Darby made a motion to approve Resolution 2024-12, seconded by Vice Chair Neights
- iv. There was no public comment.
- v. The motion *passed* 3-0.

B. Consideration of Appointment to Library Board of Trustees

- i. Chair Darby said the Board is considering the appointment of Vaishali Ketkar.
- ii. **MOTION:** Chair Darby made a motion to appoint Vaishali Ketkar to the Library Board of Trustees. Vice Chair Neights seconded the motion.
- iii. There was no public comment.
- iv. The motion *passed* 3-0.

5) New Business

A. Consideration of Resolution 2024-13 Designating Signatory for PennDOT Roadway Lighting, Right-of-Way and Construction Improvement, and Roundabout Maintenance Agreements for the Ridge and Germantown Intersection Realignment Project

- i. Mr. Mentry said that these three (3) agreements are standard maintenance agreements that had been reviewed by staff, the Township traffic engineer, and the solicitor.
Highlights include:
 - a. The agreements do not oblige the Township to any construction work, which will be done by PennDOT and their contractors. These agreements outline the ongoing maintenance obligations the Township will have once the project is complete.
 - b. PennDOT will retain the responsibilities of paving and plowing because it will remain a State Road.
 - c. PennDOT will acquire the right-of-way for improvements to the local road on behalf of the Township. Once the project is complete, the title and responsibilities for the right-of-way will go to the Township.
- ii. The resolution designates the Board chair as signatory for the agreements.
- iii. Chair Darby noted that the project is located near the Collegeville Bridge.
- iv. **MOTION:** Chair Darby made a motion to approve Resolution 2024-13, seconded by Vice Chair Neights.
- v. There was no public comment.
- vi. The motion passed 3-0.

B. Acceptance of the Resignation of Randy Klein from the Zoning Hearing Board

- i. Mr. Mentry said that Mr. Klein had notified the Township that he is no longer able to maintain the commitment to the Zoning Hearing Board. Chair Darby thanked Mr. Klein for his service.
- ii. **MOTION:** Chair Darby made a motion to accept the resignation of Mr. Klein from the Zoning Hearing Board. Supervisor Neights seconded the motion.
- iii. There was no public comment.
- iv. The motion *passed* 3-0.

C. Consideration of Resolution 2024-14 Appointing Zoning Hearing Board Full Member

- i. Mr. Mentry said that with the resignation of Mr. Klein, there is now a vacancy on the Zoning Hearing Board. The Zoning Hearing Board has two alternates and Mr. Mentry said that typically the longest serving alternate would be appointed to fill the vacancy as a full member.
- ii. **MOTION:** Chair Darby made a motion to appoint Zoning Hearing Board alternate Gary Brown to full membership on the Zoning Hearing Board. Supervisor Charles seconded the motion.
- iii. There was no public comment.
- iv. The motion *passed* 3-0.

D. Consideration of Resolution 2024-15 Approving Disposition of Records

- i. Mr. Mentry said that the Township maintains records following a strict schedule of retention as outlined in the PA Records Retention manual. The records included in the resolution for disposition follow that schedule.
- ii. **MOTION:** Chair Darby made a motion to approve Resolution 204-15 approving disposition of records. Vice Chair Neights seconded the motion.

- iii. There was no public comment.
- iv. The motion *passed* 3-0.

E. Consideration of Traffic Signal Maintenance Contract One-Year Extension

- i. Mr. Mentry said the Township awarded the traffic signal maintenance contract two years ago to Armour and Sons Electric and the contract allows for two (2) one-year extensions with Board approval. The yearly fee for inspections/repairs remains unchanged. The hourly labor and equipment fees for emergencies are increasing by \$10 and \$15, respectively.
- ii. Mr. Chillano said he is happy with the service.
- iii. **MOTION:** Chair Darby made a motion to approve a one-year extension to the traffic signal maintenance contract with Armour and Sons Electric, seconded by Vice Chair Neights.
- iv. There was no public comment.
- v. The motion *passed* 3-0.

F. Consideration of Streetlight Maintenance Contract One-Year Extension

- i. Mr. Mentry said that the contract with Charles A. Higgins Electric for streetlight maintenance also contains an option for two (2) one-year extensions. There will be no increase in pricing.
- ii. **MOTION:** Chair Darby made a motion to approve a one-year extension to the streetlight maintenance with Charles A. Higgins Electric. Vice Chair Neights seconded the motion.
- iii. There was no public comment.
- iv. The motion *passed* 3-0.

6) Announcements/Meetings

- Sewer Authority – Feb. 12 at 4:30 p.m.
- Library Board – Feb. 19 at 7:00 p.m.
- Parks and Recreation Board – Feb. 20 at 7:00 p.m.
- Zoning Hearing Board – Feb. 22 at 7:00 p.m.
- Environmental Advisory Council – Feb. 26 at 7:00 p.m.
- Planning Commission – Feb. 28 at 7:00 p.m.
- Vice Chair Neights mentioned cyber-attacks that have been in the new and said the Township has taken proactive steps for protection. He said that the Environmental Advisory Council met on January 22 and heard a presentation by Paige Menton of Journeywork on transforming lawns into pollinator gardens.
- Chair Darby said that Parks and Recreation will be holding the annual Easter Egg Hunt on March 16.
- Mr. Donnelly said that in coordination with the Parks and Recreation Department, a survey has been made available to gather feedback on planning and major improvements for Redtail Park. The survey, which will also assist with grant requests, will be available online and at the Township Building.

7) Courtesy of the Floor

- Michael Ryan, Apple Valley Lane, said that lack of sidewalks makes it difficult for the Apple Valley neighborhood residents to access amenities in the area, such as the MARA ballfield complex, John James Audubon Center, and trail network. He presented a proposal for a sidewalk connection from Lantern Lane to Audubon Road.

8) Adjournment

- a. **MOTION:** Chair Darby made a motion to adjourn, seconded by Vice Chair Neights. The motion *passed* 3-0. The meeting adjourned at 8:05 p.m.

Next Business Meetings: **February 15, 2024**
 March 7, 2024