

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS BUSINESS MEETING
February 15, 2024**

Call to Order: Chair Darby called the hybrid live/virtual meeting to order at 7:04 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, Supervisor MacFarland and Supervisor Charles.
- b. Also in attendance were: E.J. Mentry, Township Manager; Lauren Gallagher, Township Solicitor; Paul Donnelly, Assistant Township Manager; Tim Woodrow, Township Engineer; Mike Mrozinski, Community Development Director, Joe Chillano, Public Works Director; Mike Rohlfing, Fire Marshal/Emergency Management Coordinator (via Zoom); Mike Jackson, Chief of Police; and Mina Liu, Student Representative.

Chair's Comments

- Chair Darby announced that an Executive Session was held prior to the meeting on February 15, 2024 to discuss personnel and legal matters. She stated that public comments would be limited to three minutes.

1) Presentations

A. Student Representative Report – Mina Liu shared Methacton School District news. Assemblies will be held to discuss the grave dangers of fentanyl poisoning. There will be no school on February 16 and 19. On February 23rd the senior banquet will be held at Normandy Farms. A community blood drive will be held on March 6. Methacton high school students will soon choose their courses for 2024-2025 school year.

B. Introduction of New Police Officers

Chief Jackson introduced the department's new officers: Richard Henning, Ryan Frederick and Albert Passanante.

2) Consent Agenda

A. **MOTION:** Chair Darby made a motion to approve the consent agenda, accepting the minutes of February 1, 2024, and moving them into the record; accepting minutes of Township boards/committees/commissions; accepting departmental monthly reports; authorizing the payment of bills in the amount of \$695,162.49; and accepting the Treasurer's Report. Vice Chair Neights seconded the motion.

- i. Chair Darby noted a correction on page 3 of the February 1, 2024 Board of Supervisors minutes. The full member appointed to the Zoning Hearing Board should be Gary Brown not Mark Kuberski.
- ii. There was no public comment.
- iii. The motion *passed* 4-0, including the corrected ed the minutes

3) Public Hearing – Conditional Use – 2601 Egypt Road (continued from Feb.1)

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 Supervisor Neights. The motion *passed* 4-0.
- i. Solicitor Gallagher said they were reconvening a hearing related to the Conditional Use Application for 2601 Egypt Road to allow more than one permitted use at the property, with the addition of a retail smoke shop. The property is located in the General Commercial (CG) zoning district. This matter was opened at the Board of Supervisors meeting of February 1, 2024, and was postponed at the applicant's request.
 - ii. Brendan Campbell was present as counsel for the applicant, Nagib Albadani. Mr. Campbell asked Mr. Albadani a series of questions regarding the 2601 Egypt Road property, including about past uses, planned use as a smoke shop, signage, and parking.
 - a. Supervisor Neights asked if the applicant had performed a traffic impact analysis, to which Mr. Campbell responded that they had not. Mr. Campbell said he does not believe the planned use will get the same traffic volume that it did previously when it was a Dunkin Donuts.
 - b. Chair Darby asked specifically about the number of customers Mr. Albadani expects to which he responded that a customer might come every few hours. He does not expect them to come in two or three at a time.
 - iii. There was no one seeking party status.
 - iv. Solicitor Gallagher said a vote on the application would take place at the March 21, 2024 meeting.
 - v. **MOTION**: Chair Darby made a motion to close the public hearing, seconded by Supervisor Charles. The motion *passed* 4-0.
 - vi. There was no public comment.

4) Old Business

- A. Consideration of Appointment to Fill Supervisor Vacancy
- i. **MOTION**: Chair Darby made a motion to appoint Terri Neufeglise to fill the unexpired term on the Board of Supervisors, seconded by Supervisor Neights.
 - ii. Discussion took place about the process to find a new supervisor, the level of transparency, and the opportunity for community input.
 - iii. There was no public comment.
 - iv. The motion *passed* 4-0.

5) New Business

- A. Authorization to Advertise 2024 Road Reconstruction Bid
- i. Mr. Mentry said that this was the annual kick-off to the road improvement program that is included in the 2024 budget. Included this year are Hildebidle, Highley, Staughton, and Smith roads. There is an alternate bid that includes Allison Circle, Wilson Blvd., and Theresa St.
 - ii. **MOTION**: Chair Darby made a motion to authorize advertisement of the 2024 Road Reconstruction Bid, seconded by Supervisor Neights.
 - iii. There was no public comment.
 - iv. The motion *passed* 4-0.
- B. Authorization to Advertise Police Pension Ordinance Amendment
- i. Mr. Mentry said that the ordinance amendment is consistent with the recently settled five-year collective bargaining agreement with the police bargaining unit approved before the

- end of 2023. The ordinance amends the police pension plan to add a military buy back option which is a provision that will allow officers with prior years of active-duty military service the option to purchase up to five years of that service to count toward their years of service with the Township and pension calculation. It would allow an eligible officer to retire early with a full pension benefit provided they pay for the actuarial cost for the years of military service.
- ii. **MOTION:** Chair Darby made a motion to authorize to advertise a Police Pension Ordinance Amendment. Supervisor Neights seconded the motion.
 - iii. Supervisor MacFarland asked about the financial impact on the pension plan.
 - iv. There was no public comment.
 - v. The motion *passed* 4-0.
- C. Consideration of Letter of Intent for Proposed Council of Government
- i. Mr. Donnelly said that neighboring municipalities met in Upper Providence Township for a roundtable to explore regionalized services, with the ultimate goal to potentially form a Council of Government. The letter of intent to the Governor’s Office of Local Government Services acknowledges the Township’s willingness to support the endeavor and accept assistance in exploring these services. He noted that there are no obligations with the letter and that similar letters had been submitted by Upper Providence, Limerick, Skippack Townships and the boroughs of Royersford, Trappe and Collegeville. Mr. Mentry said the roundtables were initially organized two years ago by Upper Providence Township.
 - ii. **MOTION:** Chair Darby made a motion to accept the Letter of Intent for Proposed Council of Government. Supervisor Neights seconded the motion.
 - iii. There was no public comment.
 - iv. The motion *passed* 4-0.
- D. Consideration of Compliance Engine Inspection Reporting Service
- i. Mr. Mentry explained that Mike Rohlring, the Township’s fire marshal, has been exploring ways to streamline administrative operations for his department. Mr. Rohlring explained that as part of the **department’s** business safety inspection process, businesses are required to provide the Township with their annual fire suppression inspection reports to make sure there are no deficiencies. The Compliance Engine Inspection Reporting Service is a third-party service that gathers, standardizes and submits these reports to the Township, conducting any follow-up needed. He said there is no cost to the Township. Mr. Mentry said the Solicitor and staff have reviewed the required agreements with no concerns.
 - ii. Supervisor MacFarland asked about who conducts the inspections. Mr. Rohlring said the businesses can hire whoever they choose.
 - iii. **MOTION:** Chair Darby made a motion to approve Compliance Engine Inspection Reporting Service. Supervisor Charles seconded the motion.
 - iv. There was no public comment.
 - v. The motion was *passed* 3-1 with Supervisor MacFarland dissenting.

6) Announcements/Meetings

- Administration Office closed Feb. 19 for Presidents’ Day holiday
- Library Board – Feb. 19 at 7:00 p.m.
- Parks and Recreation Board – Feb. 20 at 7:00 p.m. The Redtail Park survey will be open until the end of the month.

