

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS  
NOVEMBER 5, 2009 MEETING MINUTES**

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**1) Executive Session:**

- a) Mrs. Altieri called the session to order at 6:30 p.m., seconded by Mr. DiPaolo. The following supervisors were present: Mrs. Altieri, Mr. Brown, Mr. DiPaolo and Mr. Sassu. Also present were Township Manager Mr. Dunbar and Solicitor Onorato. Mrs. Golas and Ms. Law attended briefly. Legal, personnel and real estate matters were discussed. Mr. DiPaolo adjourned the session at 7:23 p.m., seconded by Mrs. Altieri.

**2) Public Meeting: Call to Order**

- a) Chairman Sassu called the public meeting to order at 7:30 p.m.

**3) Pledge of Allegiance**

**4) Roll Call:**

- a) The following members were present: Supervisors Altieri, Brown, DiPaolo, and Sassu.
- b) Supervisor Dininny was absent.
- c) Also present were Solicitor David Onorato, Township Engineer John Chambers, Police Chief Francis Carroll, Human Resources Coordinator Geri Golas, Director of Parks & Recreation Karl Lukens, Accounting Manager Susan Law, Emergency Management Coordinator Charles DeFrancesco, Director of Special Projects and Technology William Roth, Project Analyst Nate Dysard, Community Relations Coordinator Denise Walsh, and Township Manager Joseph Dunbar.

**5) Chairman's Comments:**

- a) Chairman Sassu announced that an executive session was held prior to the meeting to discuss legal, personnel, and real estate matters.

**6) Consent Agenda:**

- a) **MOTION** – Supervisor Altieri made a motion to adopt the consent agenda. Supervisor Brown seconded the motion.
  - i) Supervisor Brown questioned information pertaining to agenda item 1)b)2)c) regarding an agreement with Bear Creek Partners and Brandt Park Crossing.
    - (1) Mr. Onorato commented that there appeared to be a mistake in the editing of the document, this item is for Providence Place.
  - ii) **MOTION VOTE** – The motion *passed* as corrected 4-0. There was no public comment on this matter.

**7) Presentations & Commendations:**

- a) Introduction of Tom Heisner as Code Enforcement Manager for Lower Providence Township, and introduction of Casey Snyder as Administrative Assistant for Lower Providence Township:
  - i) Chairman Sassu introduced Ms. Casey Snyder as the new Administrative Assistant for the Township Manager, and Mr. Tom Heisner as the new Code Enforcement Manager. He reviewed their employment backgrounds and welcomed them as employees to the Township.
  - ii) Ms. Snyder has been in her position since August 17, 2009, and thanked the Board for giving her this opportunity.
  - iii) Mr. Heisner has been in his position since October 26, 2009, and remarked this has been a very comfortable fit. He is very happy to be working for the Township.

**8) New Business:**

- a) Discussion on the application of the Superior Tube Company to PADEP for an Air Quality Plan approval:
  - i) Representative Mike Vereb was present to discuss Superior Tube's application to the PA DEP.

- ii) Rep. Vereb received a call notifying him of the application. The matter has been evaluated and addressed through a cooperative effort between Senator Rafferty, Senator Dinniman, and Rep. Vereb. Rep. Vereb explained that Superior Tube is following through on a promise they made to eliminate the use of trichloroethylene (TCE) at their facility, making the community safer. He noted that the Obama administration is considering the removal of TCE from the list of volatile organic compounds. Area legislators will continue to work with Superior Tube to ensure the air quality is safe for residents. All air monitoring will remain in place, and Rep. Vereb anticipates some type of letter of support for this application from the PA DEP.
- iii) Supervisor Brown questioned why the advertisement was not in a local newspaper that residents read. Mr. Brown noted that he received an information sheet from the PA DEP and read it, however he does not understand it.
- iv) Rep. Vereb explained that because it is difficult to understand the impact of the information from the DEP, they have gone to other experts for a review of the situation. The item in question, n-propyl bromide, is not an airborne. Rep. Vereb believes that the DEP is supportive of this application because it betters the existing conditions and is part of Superior Tube's previous commitment to the community. He is unsure why this was not advertised in The Times Herald.
- v) Mr. Dunbar commented that his understanding of the Superior Tube emissions is that 166 tons per year are permitted; however they average 143 tons of emissions. Superior Tube did not have to make this application, however they did so to be a good neighbor.
- vi) Rep. Vereb noted that even the highest levels of TCE emissions from Superior Tube were within the permissible range. He noted that Senators Rafferty, Dinniman and himself would remain on top of this situation, and thanked the Board for moving this topic item up on the agenda this evening.
- vii) There were no public questions or comments on this matter.

## 9) Public Hearing:

- a) Conditional Use Public Hearing – 3976-4000 Ridge Pike, Collegeville Inn Property:
  - i) *Mr. Tim Kurek was present to create a complete and accurate record of testimony.*
  - ii) **MOTION** – Supervisor Altieri made a motion to enter into a public hearing. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0.
  - iii) Mr. Onorato explained that this was a public hearing for a conditional use.
  - iv) Mr. Frank Bartle, Esq., was present to represent the applicant, Mr. Joseph Roberts, also present.
  - v) During the course of the hearing the following exhibits were entered into the record:
    - (1) **Exhibit T1** – A notice of posting of the property.
    - (2) **Exhibit T2** – A sample of the letter that was mailed to residents in that area of the Township regarding this conditional use hearing.
    - (3) **Exhibit T3** – A copy of the advertisement from The Times Herald printed October 22 and October 29, 2009.
    - (4) **Exhibit T4** – The Chambers Associates review letter dated October 5, 2009.
    - (5) **Exhibit T5** – The Suburban Lighting Consultants review letter dated October 23, 2009.
    - (6) **Exhibit T6** – The McMahon Associates review letter dated October 16, 2009.
    - (7) **Exhibit A1** – A copy of the conditional use application.
    - (8) **Exhibit A2** – The conditional use plan.
    - (9) **Exhibit A3** – The curriculum vitae for Thom Ludgate.
    - (10) **Exhibit A4** – A colorized sketch plan / land development plan.
    - (11) **Exhibit A5** – A community impact report.
    - (12) **Exhibit A6** – A will-serve letter.
    - (13) **Exhibit A7** – A response to the Township Engineering review letter.
    - (14) **Exhibit A8** – The curriculum vitae for John R. Caruolo.
    - (15) **Exhibit A9** – The traffic impact study.
    - (16) **Exhibit A10** – The traffic impact study amendment letter.
    - (17) **Exhibit A11** – A response to the Township Traffic Review letter.

- (18) **Exhibit A12** – The curriculum vitae for Ken Amey.
- vi) Mr. Joseph Roberts, 3978 Ridge Pike, Colledgeville, was sworn in as the first witness.
- (1) Mr. Roberts provided testimony related to exhibits A1 & A2. His testimony pertained to the application, plan, uses, and land covenant among other items.
  - (2) The following members for the Board and Public had questions of this witness:
    - (a) Supervisor Brown.
    - (b) Mr. Joseph Ferraro, 12 Pinetree Drive, Audubon.
- vii) Mr. Thom Ludgate, 10 Vanguard Drive, Reading, PA, was sworn in as the second witness.
- (1) Mr. Ludgate provided testimony related to exhibits A3, A4, A5, A6 & A7. His testimony pertained to engineering and landscape issues such as the building's architecture, lot lines, zoning issues, building coverage, parking spaces, utilities, lot characteristics, and trails among other items.
  - (2) The following members for the Board and Public had questions of this witness:
    - (a) Supervisor Brown.
    - (b) Mr. Joseph Ferraro, 12 Pinetree Drive, Audubon.
    - (c) Ms. Jane Regar, 18 Level Road.
- viii) A ten-minute break was held at this portion of the meeting, 9:30 p.m.
- ix) Mr. John Caruolo, 5 Plantree Lane, Valley Forge, PA was sworn in as the third witness.
- (1) Mr. Caruolo provided testimony related to exhibits A8, A9, A10 & A11. His testimony pertained to traffic related items and trip generation among other items.
  - (2) The following members for the Board and Public had questions of this witness:
    - (a) Supervisors Brown & DiPaolo.
    - (b) Mr. Tom Borai, 5 Brenda Lane, Audubon.
    - (c) Mr. Joseph Ferraro, 12 Pinetree Drive, Audubon.
    - (d) Ms. Jane Regar, 18 Level Road.
    - (e) Mrs. Colleen Echman, 5 Camille Lane.
    - (f) Mrs. Joann Burns, 30 Valentine Lane.
- x) Mr. Kenneth Amey, Spring House, PA, was sworn in as the fourth witness.
- (1) Mr. Amey provided testimony related to exhibit A12. His testimony pertained to the ordinance, uses, and land planning among other items.
  - (2) The following members for the Board and Public had questions of this witness:
    - (a) Supervisor Brown.
    - (b) Mr. Joseph Ferraro, 12 Pinetree Drive, Audubon.
    - (c) Mr. Michael Comroe, 205 Pinetown Road.
    - (d) Ms. Jane Regar, 18 Level Road.
- xi) It was noted that the record would be formally closed when Mr. Bartle submits some final paperwork to Mr. Onorato.
- xii) **MOTION** – Supervisor Brown made a motion to close the public hearing for this evening. Supervisor Altieri seconded the motion. The motion *passed* 4-0.
- xiii) The hearing lasted approximately 2 hours 45 minutes.

**10) New Business:**

- a) Authorization to adopt the proposed 2010 Budget and advertise on Monday, November 9, 2009:
  - i) Ms. Law explained that the budget was previously presented to the Board on October 20<sup>th</sup>.
  - ii) Ms. Law provided a brief overview of the 2010 budget, made difficult by effects of the recession and a 7% unemployment rate in Lower Providence. The budget tries to balance services while reducing costs. Anticipated revenue is \$9,665,579 with expenditures of \$9,015,258, representing a 5.3% reduction from last year's budget.
  - iii) Ms. Law recommended that the Board authorize advertisement for formal adoption of the budget on December 3, 2009, along with the 2010 fee schedule.

- iv) **MOTION** – Supervisor Altieri made a motion to authorize the advertisement of the 2010 budget. Supervisor Brown seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.
- b) Authorization to waive all permit fees associated with the Wooded Glen multi-purpose field improvements on recommendation from the Parks & Recreation Board:
  - i) **MOTION** – Supervisor Brown made a motion to authorize waiving all Township related permit fees associated with the Wooded Glen project. Supervisor Altieri seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.
- c) Discussion on bid evaluation letter for roadway & traffic signal improvements:
  - i) Mr. Dysard explained that five bids were received for the Ridge Pike & Trooper Road right turn lane project, of these; the three lowest responsible bids were reviewed. McMahan Associates reviewed the bids and is recommending that the bid be awarded to Scott Building Corp, for a contract price of \$261,850.85. The work for this project should not proceed until the following items are obtained: final acquisition of right-of-way, issuance of the PennDOT highway occupancy permit, and the traffic signal permit modification.
  - ii) **MOTION** – Supervisor Brown made a motion to award the bid to the lowest responsible bidder as recommended by staff, inclusive of obtaining the items required by staff. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.
- d) Approval of PECO reimbursement agreement with Lower Providence Township for the pole relocations for the Lukoil right-hand turn lane project:
  - i) Mr. Dysard noted that reimbursement for the relocation of poles would cost \$50,978.74.
  - ii) **MOTION** – Supervisor Brown made a motion to approve the reimbursement agreement. Supervisor Altieri seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.
- e) Discussion on results of telephone survey regarding trash collection:
  - i) Mr. DeFrancesco explained that a survey pertaining to trash collection was taken using the Township Emergency Notification System on October 26, 2009.
    - (1) The survey went out to the primary telephone number to all residents, excluding community associations, apartment complexes, mobile home parks and senior communities.
    - (2) The survey asked if residents wanted to continue with Township-wide service or to arrange for their own trash service. In the event that the telephone was not answered, a different message regarding a callback later in the day was left.
    - (3) Mr. DeFrancesco noted that the message went out to 5,528 phones, with 3,318 live deliveries and 1,717 responses. Of the responses, 1,200 or 70% want Township-wide service, and 517 or 30% want their own service. Several additional calls came in to the Township building, and of those, 12 wanted Township-wide vs. 13 wanted their own service.
  - ii) Supervisor Brown commented that there was a glitch in the system because he did not receive his 7 p.m. callback and he was home to receive it. Mr. DeFrancesco explained that there was a problem with the vendor doing live maintenance on the system, which bumped the callback into another time zone.
  - iii) Mr. Dunbar noted that the survey did not include those homes on streets not yet dedicated to the Township.
  - iv) Mrs. Kathy Eskie, 540 Highgate Drive, commented that the survey was not effective, it was not interactive, and she did not receive it at her house. She urged the Township to re-do the survey.
  - v) Mr. Dunbar commented that anyone who called or emailed in his or her results was included. The question posed was what the Board wanted it to be.
  - vi) Mr. Brown noted they had to keep the question simple.
  - vii) Ms. Kirsten Deal, 6204 S. Park Avenue, commented that they did not give the pros and cons of each choice so people could make an educated decision. She is concerned that if people can choose their own trash company they won't obtain trash service and will dump it on the roads, or several houses will combine together and divide the bill.

- viii) Mr. Dunbar noted that the bid is on the street, and it would be for a 3 or 5 year contract should the Board approve it.
- ix) Mrs. Eskie asked if those previously grand fathered would still be able to use their own trash hauler? Mr. Dunbar indicated they would be able to do so only if they have the same hauler since 1991 and are not a new homeowner.
- x) Mr. Tom Borai, 5 Brenda Lane, asked if they could just have trash removal for one day instead of two? Mr. Dunbar indicated this was an option.
- f) Approval of the request for an amendment to resolution 07-73, Item 1.I., specifically the requirement to install granite curbs, on behalf of HTC Associates for 324 Level Road:
  - i) This item was removed from this evening's agenda.
- g) Discussion on the application of the Superior Tube Company to PADEP for an Air Quality Plan approval:
  - i) This item was discussed prior to the conditional use hearing earlier in the meeting.
- h) Application S-09-06, 32 36 Ridge Pike, for preliminary and final plan approval:
  - i) This item was removed from this evening's agenda.

**11) Comments and Other Business:**

- a) Mrs. Golas requested that the Board approve staff to authorize the contract with Keystone Health plan East to do self-insurance. This will be \$148,000 less for insurance premiums, and includes and opt-out option.
  - i) **MOTION** – Supervisor Brown made a motion to adopt the recommendation with the opt-out option. Supervisor Altieri seconded the motion. The motion *passed 4-0*
- b) Supervisor Brown recognized Supervisors-Elect Colleen Echman and Don Thomas who were in attendance this evening.
- c) Chairman Sassu made the following announcements:
  - i) The Township is holding a holiday food drive for the Patrician Society of Norristown. Holiday meals will also be provided for families in need. People are welcome to drop off donations during normal business hours at the Township Building.
  - ii) The Township is also collecting new and gently used coats, hats, mittens and gloves at the Township Building.
  - iii) The Board received a nice thank-you letter from Maureen Nelson for recognition at her retirement.
  - iv) 99 Restaurant on Shannondell Blvd., is hosting a dine-in for a cause through November 19<sup>th</sup>. They will donate a portion of the profits received from 4 p.m. to 10 p.m. to the Lower Providence Fire Company during that time. They will also hold a silent auction from November 16-19<sup>th</sup>.
  - v) There was a blood drive at Visitation Church last weekend. The American Red Cross is in dire need of blood donations.
- d) Public Comment:
  - i) Mr. Tom Borai, 5 Brenda Lane, commented that in an article in The Times Herald on December 6, 2005, it was noted that utility lines would be buried underground along the Ridge Pike Business District, and this would be financed by property owners and federal grants. Mr. Borai asked how you bill these people for the beautification in the RPBD and wondered if this applied to the Collegeville Inn application?
    - (1) Mr. Onorato explained that the RPBD allows contributions to be made to the Township for burying utility lines in lieu of paying Traffic Impact Fees. The RPBD ordinance provides an option to contribute this money to a fund. He referenced SALDO 123-142.A, which encourages burying utility lines.
    - (2) Mr. Dunbar noted that burying utilities is a goal of the ordinance, not a mandate. He also noted that the Collegeville Inn is in the HC district and not the RPBD.

**12) Adjournment:**

- a) **MOTION** – Supervisor Brown made a motion to adjourn the meeting. Supervisor Altieri seconded the motion. The motion *passed 4-0*. The meeting adjourned at 11:15 p.m.

**Next Business Meeting:** November 19, 2009  
**Next Work Session Meeting:** December 3, 2009

Respectfully submitted,

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Joseph C. Dunbar, Secretary