

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS  
NOVEMBER 19, 2009 MEETING MINUTES**

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**1) Executive Session:**

- a) Mr. Dininny called the session to order at 6:35 p.m., seconded by Mr. Brown. The following supervisors were present: Mr. Sassu, Mr. Brown, Mr. Dininny and Mr. DiPaolo. Mrs. Altieri was absent. Also present were Township Manager Mr. Dunbar, Solicitor Onorato, and Supervisors-Elect Mrs. Eckman and Mr. Thomas. Legal, personnel and real estate matters were discussed. The session ended at 7:25 p.m. on a motion by Mr. DiPaolo seconded by Mr. Brown.

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

- a) Chairman Sassu called the public meeting to order at 7:30 p.m.
- b) Chairman Sassu requested a moment of silence in remembrance of former Township Supervisor John Lomire, who passed away last week.

**3) Pledge of Allegiance**

**4) Roll Call:**

- a) The following members were present: Supervisors Brown, Dininny, DiPaolo, and Sassu.
- b) Supervisor Altieri was absent.
- c) Also present were Solicitor David Onorato, Township Engineer Lonnie Manai, Police Chief Francis Carroll, Director of Public Works David Shaffer, Parks & Recreation Director Karl Lukens, Human Resources Coordinator Geri Golas, Accounting Manager Susan Law, 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. He also noted that the Township's trash contract was not on this evening's agenda.

**6) Consent Agenda:**

- a) **MOTION** – Supervisor Dininny made a motion to adopt the consent agenda. Supervisor DiPaolo seconded the motion. The motion *passed* as corrected 4-0. There was no public comment on this matter.

**7) Presentations & Commendations:**

- a) Presentation by Valerie Cloutier of Recycle Bank:
  - i) Ms. Valerie Cloutier was present to discuss a curbside recycling reward and loyalty program through Recycle Bank. Ms. Cloutier explained that Recycle Bank currently operates in 20 states and the United Kingdom. They are also in 9 Townships in Bucks and Montgomery counties. The purpose of Recycle Bank is to reward people for recycling with gift cards to various partner companies. The rewards then help local businesses by getting people into their stores.
  - ii) Recycle Bank provides free recycling talks to schools, and people can also donate their rewards to these schools. There is a 75-100% increase in recycling when enrolled in this program. Based on an individual weight model, there is an average of 500 lbs. recycled per year per house.
  - iii) Participation in the program can increase grant funds to the Township from the State based on a percentage of the recycling. Ms. Cloutier estimates that Lower Providence could see an increase from \$50-55,000 to \$110,000 based on their households and current volume. An average household would receive a \$200 reward per year.
  - iv) This is an all around win situation for the environment, the Township, residents, businesses and schools.
  - v) Supervisor Brown questioned how you would keep non-recyclable items out of the container, and if they took #4&5 plastics? Ms. Cloutier indicated they normally do not have a problem with

misuse of the containers. Areas will recycle those plastics they currently recycle. #4&5 plastics are not currently recycled in this area.

vi) Mr. Brown asked how they deal with wet newspapers? Mr. Dunbar noted that the recycles go in a lidded container, so this should not be a problem.

vii) Supervisor Dininny asked if the value of recyclables gone up or down? Ms. Cloutier indicated that they do not deal in the commodity, just run the program. Mr. Dininny asked if they could exchange the points for cash? Ms. Cloutier indicated they currently do not do that.

#### 8) **New Business:**

a) Authorization to advertise the appointment of Maillie, Falconiero & Company, LLP as the Township Auditor for the year 2009:

i) Ms. Law noted that the Board already appointed Maillie, Falconiero & Co. as the auditor for 2009, but are required to advertise this under the second-class Township code.

ii) **MOTION** – Supervisor Dininny made a motion to authorize the advertisement for this appointment. Supervisor Sassu seconded the motion. The motion *passed* 3-1. Supervisor DiPaolo opposed the motion. There was no public comment on this matter.

b) Authorization to renew commercial insurance package (automotive, property and workers compensation):

i) Mrs. Golas has provided materials to the Board outlining the cost of insurance. They received proposals from the Township insurance broker Brown & Brown, with Travelers Insurance offering a full range of required coverage at the lowest premiums for the Township. However, a final proposal came in from Amerihealth, which was \$3,000 less than the Travelers proposal. Mrs. Golas is requesting authorization to renew workers compensation with Travelers and all other insurance lines with Amerihealth.

ii) **MOTION** – Supervisor Brown made a motion to authorize the insurance package as proposed by staff. Supervisor Dininny seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.

c) Authorization to waive all permit fees associated with the installation of the Audubon Recreation Field Pavilion:

i) Mr. Lukens indicated that the Township was installing a pavilion at the ARA fields, and is requesting a waiver of all Township permit fees for this project.

ii) **MOTION** – Supervisor Dininny made a motion to waive the Township's permit fees. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.

d) Authorization to waive the fee for placement of lawn signs announcing the tree lighting ceremony on behalf of the Holiday Tree Lighting Committee:

i) Mr. Lukens requested that the Township waive fees for signage associated with the tree lighting ceremony this December.

ii) **MOTION** – Supervisor DiPaolo made a motion to waive the sign fee. Supervisor Brown seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.

e) Approval of recommendation to appoint Methacton High School Freshman, Sean O'Neil, to fill the vacant student representative position on the Parks & Recreation Board:

i) Mr. Lukens noted that several Park Board members interviewed several candidates for the student representative position on the Park Board. He introduced Sean O'Neil, a freshman at Methacton H.S. who participates in football, CYO, ARA, and other activities. Mr. O'Neil commented that he would like to get more students involved.

ii) **MOTION** – Supervisor Dininny made a motion to appoint Sean O'Neil to the Parks & Recreation Board as student representative. Supervisor Brown seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.

f) Authorization to advertise tax certification fee and place for consideration on December 3, 2009:

i) Mrs. Kirsten Deal, the Township Tax Collector, requested that the Board authorize the advertisement of a raise in the tax certification fee. Most Townships' are charging \$25 to \$30,

and she is requesting that the fee be raised from \$20 to \$25. Ms. Deal noted she is in the process of upgrading software to a Windows based program and hopes to save the Township some money on postage this year.

- ii) **MOTION** – Supervisor Brown made a motion to authorize the increase of the tax certification fee to \$25. Supervisor DiPaolo seconded the motion. The motion *passed* 3-1. Supervisor Dininny opposed the motion. There was no public comment on this matter.
- g) Application S-09-03, Shrawder Tract – 25 Featherbed Lane for final plan approval:
  - i) Mr. Dysard noted that this application was previously granted preliminary plan approval, and they are here tonight to request final plan approval.
  - ii) Mr. Christopher Martincic, P.E., Project Manager with Yerkes Associates, Inc., was present to represent the applicant Mr. Francis L. Shrawder.
  - iii) Mr. Martincic reviewed the characteristics of this 4-½ acre parcel, which includes a single-family dwelling, a barn and various outbuildings. The parcel is zoned R2 Residential. There is a small area of manmade steep slopes. The applicant proposes subdividing the parcel into five lots, all of which meet area and bulk requirements, and are a by right subdivision and use. A 275’ cul-de-sac will be constructed to provide access to four of the lots, with one lot taking access off of Featherbed.
  - iv) **MOTION** – Supervisor DiPaolo made a motion grant final plan approval. Supervisor Brown seconded the motion.
    - (1) Supervisor Dininny questioned the lack of a natural resources plan (NRP). Mr. Manai noted the requirement for a NRP depends on when the plan was submitted.
    - (2) Mr. Martincic commented that he has done the calculations and there was no need to replace trees. They did add some landscaping, which he reviewed on the plan.
    - (3) Mr. Dunbar noted that this plan predates the NRP ordinance, and was submitted in May 2009.
    - (4) Mr. Martincic noted that he has provided a landscape plan and also put in buffer trees for one of the neighbors. Mr. Dininny was satisfied with the completed plan.
    - (5) **MOTION VOTE** – The motion *passed* 4-0. There was no public comment on this matter.
- h) Application S-09-07, Club at Shannondell Phase II Catering Hall – 2750 Egypt Road for preliminary plan approval:
  - i) Mr. Brad Macy from Audubon Land Development was present to discuss the application.
  - ii) Mr. Macy explained that Audubon Land Development signed a lease in 2004 to construct and operate the buildings on the former General Washington Golf Course. As part of this lease, they are required to construct and operate a banquet facility. The proposed structure will be 2-stories.
  - iii) Mr. Macy indicated that he had received review letters from the MCPC, CMX, Chambers Associates, Chief Carroll and Public Works. They will comply with all of the comments in the review letters other than a waiver request. The biggest challenge they have is with the County regarding parking at the site.
    - (1) Mr. Macy explained that they would request a waiver from 123-37.N the 5’ minimum curbing radius. If they must follow this range, the islands will be 10’ wide and will eliminate 50 parking spaces. They are proposing the use of a 4 ½’ wide curb radius as permitted under 123-37.C, which will create a 9’ wide island.
    - (2) Mr. Macy further explained that they would also request a waiver from 123-37.G requiring a minimum parking space size of 9’x18’. They are proposing a 9’x16’ space as permitted under 123-37.H2 for parking spaces around the perimeter of the lot.
    - (3) Supervisor Brown commented that they should reduce the reveal so it is lower, from 8” to 6”. Mr. Manai indicated that a 6” reveal is acceptable and no waiver would be required for that.
  - iv) Waivers:
    - (1) Section 123-37.N – a requirement for curbing within a minimum radius of 5’.
      - (a) **MOTION** – Supervisor Dininny made a motion to approve this waiver, permitting the 4 ½’ curb radius. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.

(2) Section 123-37.G – a requirement for providing parking spaces within a minimum size of 9’x18’.

(a) **MOTION** – Supervisor Dininny made a motion to approve this waiver, permitting the 9’ x 16’ parking spaces. Supervisor Brown seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.

v) **MOTION** – Supervisor Dininny made a motion to grant preliminary plan approval. Supervisor Brown seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.

**9) Comments and Other Business:**

a) **MOTION** – Chairman Sassu made a motion to hold a special meeting on December 7, 2009 at 7 p.m. to conduct a general business meeting of the Board of Supervisors. Supervisor Brown seconded the motion. The motion *passed* 4-0.

b) Mr. Dunbar noted that at the budget workshop the Board authorized the final budget, and this was advertised for the December 3, 2009 meeting. Subsequent to initial budget planning, the County has opted to not fund purchase of many open space parcels this year, which impacts \$180,000 in the Township’s general fund previously allocated for such purchases. The application for funding of the right turn lane onto Ridge Pike was also not approved, impacting an additional \$290,000. Mr. Dunbar requests that the Board authorize re-advertisement of those two items and move the final adoption of the budget to the December 17, 2009 meeting.

i) **MOTION** – Supervisor Dininny made a motion to authorize re-advertisement of the budget with final adoption moved to the December 17, 2009 meeting. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0.

c) Chairman Sassu noted that he attended the Lower Providence Township Library mini-golf fundraiser, as did Supervisor DiPaolo. This was a fun event for the library and community.

d) Public Comment:

i) Mrs. Kirsten Deal, 624 S. Park Avenue, commented that the Recycle Bank program would be beneficial to the residents.

ii) The following individuals provided comments in favor of retaining a Township contract for trash services with Mascaro, with the majority in favor of twice weekly pick-up:

(1) Janice Kearney, 565 Deerfield Drive

(2) Kelly DiGioia 3011 Lenape Drive

(3) Howard Gribben, 161 Farmhouse Drive

(4) Ed Robbins, 225 Lauman Avenue

(5) Chuck Eppolio, 266 Fisher Road, Worcester

(6) Dan Wagner, Nancy Lane

(7) Charlotte Mandracchia, 1068 Hildebidle Drive

(8) Mike Bonaduce, 28 Pawlings Circle

(9) Kevin Davis, 2937 Eagleville Road, also spoke for his neighbor who was unable to attend the meeting, Donald Kimmel, 2931 Eagleville Road.

(10) Donna Colavecchi, 9 Circle Drive

(11) Frank Gally, 7019 Coldspring Drive

(12) Chuck Mandracchia, 1068 Hildebidle Drive

(13) Bob Wein, Woodland Avenue

(14) Walt Kreiger, 10 Oakland Avenue

(15) John Paravati Jr., 2745 Woodland Avenue

(16) Joe Maniscalco, 17 Featherbed Lane

(17) Susan Schofield, 175 Level Road

(18) Clarissa Mandracchia, 1068 Hildebidle Drive

(19) William Donovan, Walker Lane

(20) Jonathan Perrone, 3204 W. Mt. Kirk Avenue

(21) Jim Dougherty, 124 E. Mt. Kirk Avenue

- (22) Tom Leahan, Methacton Wolverines
  - (23) Fred Marks, 2728 Maplewood Mews
  - (24) Kevin Dupell, 730 Grandview Avenue
  - (25) Armando Mascrocola, 40 Driftwood Drive
  - (26) Robert Dameron, 667 Sunnyside Avenue
- iii) Kathy Eskie, 540 Highgate Drive – questioned if some people were still grandfathered and able to use a different trash hauler.
- iv) Joan Patrick, 110 Glenwood Avenue – commented that she typically has one bag of trash per week so she does not want to pay for twice weekly trash pick-up. Ms. Patrick noted that her primary concern this evening is with a rumor that the Township was purchasing the Downes property at the end of her street. She is concerned with development of that property. Mr. Dunbar noted that the Township is not in the process of buying that land.
- (1) Mr. Pat Mascaro, 120 N. Park Avenue, stated that he was purchasing that property. There is an agreement not to develop the land for 20 years. The upper part of the land will be part of a field for the Methacton Baseball Association. Other parts of the property will be used for recreation.
  - (2) Ms. Patrick asked if this would have to go through the normal land development process, because she is concerned with parking for the ball fields as the neighborhood streets are very narrow? Mr. Onorato indicated that it would.
- v) Supervisor Dininny commented that in the six years he has been on the Board, when someone needed a hand Mascaro was willing to help. They are headquartered in the community and live here. He is proud to call Pat Mascaro a friend. However, friendship has nothing to do with making a decision on the bid. The decision has not been made, and when he votes he will do what he thinks is best for the community. If the Township decides to go with one hauler, it will be because they are the lowest responsible bidder and not because they are friends with someone.
- (1) Mrs. Kirsten Deal asked if the Township would be going to picking your own hauler? Mr. Dininny indicated that the Board needs to make a decision. Mrs. Deal does not want to see people picking their own trash haulers because she thinks people will dump trash everywhere, there will be wear and tear on the streets from the trucks and it is a disservice to the residents.
- vi) **MOTION** – Supervisor Brown made a motion to post a tabulation of the bid specs on the Township website and front door so the public can see what they are talking about. He indicated that the decision would be to have trash collected once or twice per week or use two haulers. Supervisor DiPaolo seconded the motion.
- (1) Mr. Pat Mascaro commented that he did not intend to speak this evening. His is sorry for staying and living in this community because of the implications people make. They have not asked anyone on this Board for anything. Mr. Mascaro stated that Mr. Brown was wrong with his interpretation of the bid. The bid asked for trash pick-up once or twice per week but not both. The proposal increases services with a single container for recycling while cutting the cost by \$1. Going to once a week pick-up will save you only \$3.60 per month.
  - (2) Supervisor Brown asked Mr. Onorato if he was wrong in his understanding of the bid? Mr. Onorato stated that the bid was for one time per week or two times per week and can allow for both.
  - (3) Mr. Charles Mandracchia, 1068 Hildebidle Drive, stated he was offended by Mr. Brown, which began a short amount of verbal sparring between the two parties. Mr. Mandracchia stated that the residents want service twice a week and by law the Township is obligated to go with the lowest responsible bidder. He takes offense at being called a liar.
  - (4) Mr. Dunbar noted that the bids were opened on November 16<sup>th</sup>. The staff has not completed their analysis, which involves performance requirements and not just dollars. This should be presented to the Board for their December 3<sup>rd</sup> meeting. The final reports are not done and the Board does not have all the data at this time.

(5) Mr. William Fox, council for J.P. Mascaro & Sons, stated he was happy with being the low bidder once the bids were opened. People do not want to go to individual subscription service and are happy with their current service. He heard Mr. Brown say you could have once or twice a week service and the residents could choose. Mr. Fox disagrees, stating the bid was for once a week or twice a week service based on 6,000 homes for each option. If the specs indicated you could divide the contract the Township would not have received the bids they received.

(6) **MOTION VOTE** – The motion *passed* 4-0.

vii) Supervisor Sassu commented that he recently attended both the West and East Norriton Township meetings. In East Norriton there was a lot of talk about Township services. All Township residents pay for services in the community and those services do have a price tag.

**10) Adjournment:**

a) **MOTION** – Supervisor Dininny made a motion to adjourn the meeting. Supervisor Brown seconded the motion. The motion *passed* 4-0. The meeting adjourned at 9:20 p.m.

**Next Work / Business Meetings:**    December 3, 2009  
    December 7, 2009  
    December 17, 2009

Respectfully Submitted,

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Joseph C. Dunbar, Secretary