

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS
APRIL 1, 2010 MEETING MINUTES**

1) Executive Session:

- a) Mr. DiPaolo motioned to call the executive session to order at 6:25 p.m., seconded by Mr. Thomas. The following Supervisors were present: Mr. Brown, Mrs. Altieri, Mr. DiPaolo, Mrs. Eckman, and Mr. Thomas. Also present were Township Manager Mr. Dunbar, Solicitor Mr. Sheridan and Special Counsel Bill Brennan. A discussion took place on legal, personnel and real estate matters. Upon motion by Mr. Thomas, seconded by Mrs. Eckman, the session adjourned at 7:30 p.m.

2) Public Meeting: Call to Order

- a) Chairman Brown 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, Eckman and Thomas.
- b) Also present were Solicitor Michael Sheridan, Township Engineer John Chambers, Police Chief Francis Carroll, Accounting Manager Susan Law, Emergency Management Coordinator Charles DeFrancesco, Director of Special Projects and Technology William Roth, and Township Manager Joseph Dunbar.

5) Chairman's Comments:

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

6) Public Participation:

- a) There was no public participation at this point in the meeting.

7) Consent Agenda:

- a) Approval of the consent agenda items 1a through 1c, inclusive of the meeting minutes from March 18, 2010:
 - i) **MOTION** – Supervisor DiPaolo made a motion to accept the consent agenda items 1a through 1c, including the meeting minutes for March 18, 2010. Supervisor Thomas seconded the motion. The motion *passed* 5-0.

8) Presentations & Commendations:

- a) Presentation of check to the American Business Club for the annual Senior Citizens Dinner in May:
 - i) Chairman Brown presented a check to Mr. Brooke McIntyre from the American Business Club to support their annual Senior Citizens Dinner.
 - ii) Mr. McIntyre remarked that they have been holding this dinner for 38 years. This year's dinner will take place at 1:00 p.m. on May 2nd, and can accommodate up to 600 Lower Providence and West Norriton senior citizens.
 - iii) Mr. Brown noted that tickets would be available at the Township Building beginning two weeks prior to the dinner.
- b) Presentation on 2009 Audit by Christopher St. George of Maillie, Falconiero & Company:
 - i) Ms. Law noted that Maillie, Falconiero & Company performed the 2009 Township audit in January. Mr. Christopher St. George is present to provide an overview of the audit results.
 - ii) Mr. St. George noted that a statement regarding the 2009 audit was issued to the Township several weeks ago. He provided a one-page synopsis highlighting the results and financial statements for 2009. Mr. St. George noted that after examining the internal controls of the Township they found no deficiencies, made no significant adjustments, and encountered no problems with the Township in performing the audit. A management letter, which would communicate weaknesses or deficiencies, was not issued as no issues were found.

- iii) Mr. St. George reviewed the various sections of the report, explaining what type of data they contained.
- iv) Key figures from the financial statements include:
 - (1) On the balance sheet, cash and investments were down by \$1,886,477, and the fund balance or net income was down by \$1,773,190 from 2008 to 2009. This is primarily due to decreases in the real estate transfer tax, the earned income tax (EIT), and investment earnings.
 - (2) The general fund balance is down 13%, which is still healthy, however it still has a significant impact.
 - (3) Long-term debt was reduced by \$788,807, which represents the normal amortization of long-term bonds.
 - (4) Township revenues were down \$591,140, however expenses were also down by \$102,121.
 - (5) The statement of net assets and proprietary activities represents the Municipal Authority and the former Solid Waste Fund. Cash and investments were down primarily because the Municipal Authority gave an additional \$30,000 to the Township in 2009.
 - (6) Revenues for proprietary activities were down \$24,047 because there was less collection of the old solid waste receivables.
- v) Mr. Dunbar requested that Mr. St. George explain how the adoption of CASB 45 standards impacted assets. Mr. St. George noted that \$700,000 of expenses are a result of the Township's adoption of CASB 45 for assets or post retirement benefits that are now reflected in another locations. True expenses are actually \$700,000 less than what is shown because of this.
- vi) Supervisor DiPaolo asked how much income was reflected by the \$125,000 loss in EIT? It was estimated that Township residents earned roughly \$12.5 million less in 2009 as reflected by the EIT loss, which is only ½ of a percent of income.
- vii) Public Comment:
 - (1) There was no public comment on this item.

9) New Business:

- a) Discussion and consideration on adoption and submission of a revised "Official Sewage Facilities Plan" to the Department of Environmental Protection for the Montgomery County Correctional Facility Work Release / DUI Facility:
 - i) Mr. Chambers explained that this resolution was for a revision to the official sewage facilities plan for the approved project at the Montgomery County Correctional Facility or Work Release / DUI Facility. The facility is now proposing installation of a private pumping station. The initial plan is being revised to reflect this change.
 - ii) **MOTION** – Supervisor Altieri made a motion to adopt the revised plan. Supervisor DiPaolo seconded the motion. The motion *passed* 5-0.
 - iii) Public Comment:
 - (1) There was no public comment on this item.
- b) Discussion and consideration on creation of Township Finance Committee:
 - i) Chairman Brown noted that he and Supervisor DiPaolo had discussed the possible creation of a Finance Committee for the Township and discovered that there already was one.
 - ii) Supervisor DiPaolo explained that the current Finance Committee includes internal staff and consultants. They would like to use volunteers from the community who have finance and investment experience to work with Ms. Law and Mr. Dunbar in an advisory capacity. The modified Finance Committee would be set up similarly to other Township Boards and Commissions.
 - iii) **MOTION** – Supervisor DiPaolo made a motion to authorize the Township solicitor to update the Finance Committee resolution from 2007 to include four Township resident volunteers, add terms, and to include the names of Eric Markowitz, Joe Sterchak, and Bill Callahan plus one additional resident, as members on the Committee. Supervisor Eckman seconded the motion.
 - (1) Supervisor Altieri noted that normally they advertise the openings on Township Committees, which is not being done here, and asked why these people have already been contacted?

(2) Mr. DiPaolo explained that these individuals all have significant business, finance or investment expertise, and most of them previously expressed interest in working on one of the Township Boards or Commissions. Mrs. Altieri requested that the resumes for all persons being considered be forwarded to the Board, which Mr. DiPaolo will do.

(3) **MOTION VOTE** – The motion *passed* 5-0.

iv) Mr. Sheridan clarified that the new resolution will contain the members listed in the 2007 resolution and also include 4 citizen members and terms as well. It will then be presented to the Board for final consideration and appointment of the (4) new members. Mr. Dunbar noted that when this committee met previously, the Township consultants did not charge for their time, it was given on a pro bono basis.

v) Public Comment:

(1) There was no public comment on this item.

c) Discussion on Emergency Continuity of Operations Plan (COOP) drill:

i) Mr. DeFrancesco explained that the Emergency Continuity of Operations Plan (COOP) drill was conducted on March 10, 2010. COOP was initiated in 2006 to help the Township plan for providing continuation of services to residents in the event of an emergency. The Board of Supervisors approved the first addendum to the COOP in January 2007. This is a living document that will continue to be updated on an as needed basis.

ii) Mr. DeFrancesco noted that COOP identifies critical functions within the Township including personnel, equipment, and communications with staff and the public that must work in an emergency.

iii) During the March 10th drill, the plan was activated starting with the notification system to staff. Department heads reach out to their staff and alternative work sites were used. Mr. DeFrancesco noted that the most challenging aspect is to have all data up and running properly. The Township has an off-site duplicate server where all records are backed up live.

iv) Mr. DeFrancesco stated that the drill was a positive exercise overall. Some staff are used to handling emergency situations while others are not. The drill identified some items they will need to update in the plan. Mr. DeFrancesco intends to present the updated plan at a Board meeting in May with a new resolution.

v) Public Comment:

(1) There was no public comment on this item.

10) Comments and Other Business:

a) Chairman Brown had several questions:

i) Chairman Brown asked Mr. DeFrancesco how the no burning ordinance works in the Township? Mr. DeFrancesco explained that burning of tree clippings 2” or less can be done in a barrel or on the ground. For larger items, residents can obtain a permit from the Township, which is good for 30 days. However, if a resident complains about the burning, the Township can extinguish the fire at any time.

ii) Chairman Brown asked Chief Carroll if anything could be done regarding noise from 3 & 4 wheelers that run around the community? Chief Carroll explained that excessive noise could be addressed through Township Code with the noise & nuisance ordinance if someone is running these vehicles on private property. If they are using them on public roads, consequences can be applied through use of the vehicle code.

b) Supervisor DiPaolo noted that the Library held their annual wine tasting event and it was a very nice evening. He complimented the volunteers and committee who worked on this event, and cannot wait to see how well they did.

i) Mr. John Bennett, who worked on the event, was present. He noted that it was the best turnout they have had since he has volunteered at the Library the last four years. He noted that many Township companies invested time and donated food for this event

c) Mr. Dunbar had several items to discuss:

