

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS
MAY 6, 2010 MEETING MINUTES**

1) Executive Session:

- a) Mr. DiPaolo motioned to call the executive session to order at 6:30 p.m., seconded by Mrs. Altieri. 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, Traffic Consultant Casey Moore and Solicitor Dick Sheehan. A discussion took place on legal, personnel and real estate matters. Upon motion by Mr. DiPaolo, seconded by Mrs. Eckman, the session adjourned at 7:28 p.m.

2) Public Meeting: Call to Order

- a) Chairman Brown called the public meeting to order at 7:33 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 Traffic Engineer Casey Moore, Public Works Director David Shaffer, Community Relations Coordinator Denise Walsh, 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 and personnel matters.
- b) Chairman Brown asked that a page be set-aside in the meeting minutes in remembrance of Mahlon Campbell, a long-time volunteer in the community who recently passed away.
 - i) **MOTION** – Supervisor DiPaolo made a motion to set aside a page in the minutes in remembrance of Malin Campbell. Supervisor Altieri seconded the motion. The motion *passed* 5-0.
- c) Mr. Brown asked resident Eileen Kuntz to say a few words in memory of Mr. Campbell. Mrs. Kuntz noted that Mr. Campbell was very active in the Lower Providence Community Center Ambulance, giving both time and money as it was needed. Mr. Campbell did a lot of fundraising for this organization and was a great asset to the community who will be missed.

6) Public Participation:

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

7) Consent Agenda:

- a) Chairman Brown noted that agenda item 1)c)1)g) was being removed from this evening's agenda.
- b) Approval of the consent agenda items 1a through 1c, inclusive of the meeting minutes from April 15, 2010:
 - i) **MOTION** – Supervisor Thomas made a motion to accept the consent agenda items 1a through 1c, including the meeting minutes for April 15, 2010. Supervisor DiPaolo seconded the motion. The motion *passed* 5-0.

8) Presentations & Commendations:

- a) Presentation on John James Audubon Center at Mill Grove by Center Director Jean Bochnowski:
 - i) Ms. Jean Bochnowski, Director of the John James Audubon Center at Mill Grove, used a PowerPoint presentation to discuss the history and future plans for the John James Audubon Center at Mill Grove (Mill Grove).
 - (1) Ms. Bochnowski noted that the Montgomery County Commissioners recently committed \$3 million to a \$10 million campaign to keep Mill Grove intact. Plans include refurbishment of the existing buildings and construction of a new center creating an art exhibition experience.

- (2) Pending receipt of donations from the State of Pennsylvania and private donors, the National Audubon Society hopes to open the new center in mid 2012 to early 2013. It is anticipated that up to 75,000 visitors will come to the new center each year, more than doubling the current 35,000 visitors who visit Mill Grove each year. Ms. Bochnowski hopes this will draw new visitors to the area, and thanked the Board of Supervisors for their support through the years.
- ii) Chairman Brown noted some of the artwork on display in the Township building was on loan from Mill Grove.
 - iii) Mrs. Jean Holt, who in the past organized efforts to purchase land surrounding Mill Grove for use by the center, commented she was also thankful for the help and support of the Board. She urged people to visit Mill Grove, which she hopes will become an international center in this area.
- b) Presentation to Drew Million on attainment of the rank of Eagle Scout:
- i) Chairman Brown reviewed the extensive requirements that must be met to attain the rank of Eagle Scout.
 - ii) Mr. Brown presented Drew Million, from Troop 182, with a plaque in recognition of his attaining the rank of Eagle Scout.
 - iii) Mr. Million explained that his Eagle Scout project was the construction of birdhouses for Barn Swallows, which he installed at Mill Grove.
- c) A resolution recognizing the week of May 9-16, 2010 as National Police Week in Lower Providence Township:
- i) Supervisor Eckman read the resolution recognizing the week of May 9-16, 2010 as National Police Week in Lower Providence Township. She noted that if anyone was in Washington D.C., they should visit the National Police Memorial.
 - ii) **MOTION** – Supervisor Altieri made a motion to adopt the resolution. Supervisor DiPaolo seconded the motion. The motion *passed* 5-0.
 - iii) There was no public comment on this matter.
- d) A resolution recognizing the week of May 16-22, 2010 as National Public Works Week in Lower Providence Township:
- i) Supervisor DiPaolo read the resolution recognizing the week of May 16-22, 2010 as National Public Works Week in Lower Providence Township. He noted that the Public Works Department is critical to the delivery of services you see every day in the Township.
 - ii) **MOTION** – Supervisor Eckman made a motion to adopt the resolution. Supervisor Thomas seconded the motion. The motion *passed* 5-0.
 - iii) There was no public comment on this matter.
- e) Presentation of commendations to the Township Public Works and Parks & Recreation Department Crews:
- i) Chairman Brown read a commendation for Mr. Shaffer, which was similar to commendations that were also presented to other members of the Public Works and Parks & Recreation Crews.
 - ii) Commendations were presented to the following members of the Public Works Department: David Shaffer, Rodney Hagenbuch, Kyle Lochner, James Alexander, Ty Sabo, and John Simons.
 - iii) Commendations were presented to the following members of the Parks & Recreation Department: Chuck Mason and Michael Nester.
 - iv) Mr. Dunbar noted that four members from these combined departments are also volunteers with the Lower Providence Fire Company, and are often the first responders when a fire call comes in during the business day.
 - v) There was no public comment on this matter.
- f) Presentation by Scott Cosmi on the Lower Perkiomen Valley Regional Sewer Authority Oaks Middle Interceptor Project:
- i) Mr. Scott Cosmi, President of the IndianHead Watershed Association (IWA), was present to discuss his PowerPoint presentation regarding the proposed Lower Perkiomen Valley Regional Sewer Authority (LPVRS) Middle Interceptor Project.

- (1) Mr. Cosmi stated that he opposes this project as a bad idea because the proposed pipe will cross the Perkiomen Creek four times, causing significant damage to the area. The construction for this project will destroy woodlands, wetlands and historical sites, as well as damage local wells and reduce property values for the surrounding residents. Water will be contaminated by seepage into the sewer line. There will be quality of life issues for residents as the system will run 24 hours a day, seven days a week, and it is loud. Lower Providence citizens will not benefit from this project, which was originally slated for the Upper Providence side of the creek.
 - (2) Mr. Cosmi reviewed the four crossing areas and identified how construction will damage these areas. He displayed photos of similar projects and the damage left behind post construction. Mr. Cosmi noted that a 70' wide corridor would be cleared around the interceptor path.
 - (3) Mr. Cosmi noted that he is not opposed to progress, and proposed a better solution involving the use of a forced main. He note that this would be easier to install, requires no blasting, would not destroy the woodlands and wetlands, and would not contaminate wells. The forced main should be installed on the Upper Providence side of the creek where the LPVRSA originally proposed it to be.
- ii) Chairman Brown noted that the DEP just returned / rejected the permit application to the applicant, so this is not a "done deal."
 - iii) There was no public comment on this portion of the agenda.
- g) Chairman Brown noted that Pat Sheehan was honored as Senior Citizen of the Year at the annual AMBUC's Senior Citizen's Banquet this past Sunday.

9) New Business:

- a) Discussion and consideration on Tyler drainage swale / water issue – 128 East Mt. Kirk Avenue:
- i) Mr. Shaffer stated that to alleviate the problem being experienced on the Tyler property they will need to extend the storm drain to the detention basin and establish a swale/berm. Costs for materials including erosion fabric, seed, lime & fertilizer will be \$350. Topsoil required for the project is already stockpiled for use as needed. Additionally this will use one day of time for a Township backhoe with operator, a Township truck with operator, and a Township laborer.
 - ii) Mr. Shaffer noted that the Tyler's were present if the Board had any questions of them.
 - iii) **MOTION** – Supervisor Altieri made a motion to move forward with the project as outlined by Mr. Shaffer. Supervisor DiPaolo seconded the motion. The motion *passed 5-0*.
 - iv) Public Comment:
 - (1) There was no public comment on this item.
- b) Authorization to submit Department of Community & Economic Development (DCED) Solar Program application:
- i) Mr. Dunbar requested that the Board authorize submission of the application for the DCED Solar Energy Program. This application is due tomorrow.
 - ii) **MOTION** – Supervisor Altieri made a motion to authorize submission of the application. Supervisor Thomas seconded the motion. The motion *passed 5-0*.
 - iii) Public Comment:
 - (1) There was no public comment on this item.
- c) Authorization to waive all Township permit fees associated with the Evansburg Point Park Project:
- i) Mr. Dunbar explained that the Township would like to advance the master plan enhancements for Evansburg Point Park, and is requesting that the Township waive all Township permit fees associated with the project.
 - ii) **MOTION** – Supervisor Thomas made a motion to waive the Township fees as requested. Supervisor Altieri seconded the motion. The motion *passed 5-0*.
 - iii) Public Comment:
 - (1) There was no public comment on this item.
- d) Authorization to waive police services fees for the Annual Lower Providence Firemen's Fair:

- i) Mr. Dunbar noted that the annual Lower Providence Fireman's Fair begins in a few weeks. The Fire Company has requested that the Township waive all permit fees as well as fees related to Police services provided during the Fair.
- ii) **MOTION** – Supervisor DiPaolo made a motion to waive the fees as requested. Supervisor Altieri seconded the motion. The motion *passed* 5-0.
- iii) Mr. Dunbar noted that the Fire Company does give back in many ways. During this past winter's snowstorms, Jackie Rittenhouse prepared meals for the road crews working to clear the streets.
- iv) Public Comment:
 - (1) There was no public comment on this item.
- e) Discussion and consideration of Gorski escrow release agreement:
 - i) Mr. Sheridan noted that the Township had an agreement with Napoleon Gorski to purchase a tract of land with the condition that the Township received a grant from the County for the land purchase. Because the Township did not receive the anticipated grant funding, the Township needs to formally terminate the agreement and obtain an escrow deposit refund.
 - ii) **MOTION** – Supervisor Altieri made a motion to approve execution of the termination agreement. Supervisor Thomas seconded the motion. The motion *passed* 5-0.
 - iii) Public Comment:
 - (1) There was no public comment on this item.
- f) Discussion on a resident proposed ordinance prohibiting the feeding of wild animals in Lower Providence Township:
 - i) Mr. Scott Cauffman, 2921 Pheasant Run Road, was present to discuss his proposal to prohibit feeding of wild animals within the Township.
 - (1) Mr. Cauffman indicated that there has been excessive feeding of deer by certain residents in his neighborhood. This opens the possibility of exposure to Lyme disease for residents, and can harm the deer.
 - (2) Mr. Cauffman provided information to the Township from the PA Game Commission relating to the negative aspects of feeding wild animals, and urged the Board to consider an ordinance banning this activity.
 - ii) Supervisor Altieri asked if this was just one incident? Mr. Cauffman stated it has gone on for the past several years.
 - iii) Chairman Brown remarked that he likes to feed the birds. This type of ordinance would make it difficult to draw a line on what animals you feed.
 - (1) Mr. Cauffman stated you could limit the weight or height of the food.
 - (2) Mr. Brown questioned who would enforce such an ordinance? He stated enforcement would be difficult.
 - iv) Supervisor Eckman noted this is a touch situation because there are extremes. She stated that dedicating an ordinance to feeding wild deer is not the best use of law enforcement personnel. Mrs. Eckman suggested this could be handled through educating the public on the dangers of feeding deer through the Township newsletter.
 - (1) Mr. Cauffman remarked that he has tried to provide information to these neighbors, and the response was that there was no law against it.
 - (2) Mrs. Eckman questioned Mr. Cauffman's intent; does he want to see his neighbor pay a \$25 fine for feeding the deer? Mr. Cauffman does not want that.
 - v) Supervisor DiPaolo asked if just one neighbor was feeding the deer? Mr. Cauffman indicated it was.
 - (1) Mr. DiPaolo remarked that it is not for the Township to create an ordinance to address disagreements between neighbors.
 - (2) Mr. Cauffman stated this is a health and safety issue because it brings the deer in closer contact with humans and they carry Lyme disease. Mr. Brown noted that the Brown Footed Mouse is actually a carrier of the disease.
 - vi) Public Comment:

- (1) Mrs. Jean Holt commented that this is an education issue and should be publicized to create awareness.
 - (2) Mr. Sheridan noted that the PA Game Commission has a lot of educational materials and information on discouraging the feeding of deer.
 - (3) Mr. Brown commented that the Township would try using educating the public to create awareness of this issue.
 - (4) Mr. Dunbar suggested that an Animal Control Officer could perhaps mediate a discussion with this neighbor.
- g) Discussion on reclassification of Eaglestream Drive referencing Ordinance 129-29 Section C – Articles 1 & 2; Ordinance 123-30 Section C – Article 2; Ordinance 123-31 on request by Township resident Mr. Jeff Kocher:
- i) Mr. Jeff Kocher explained that he was reading through the Township ordinances related to Feeder Streets and Collector Streets, and believes that several streets in the Township should be considered for reclassification.
 - (1) Mr. Kocher provided an overview of the definition for these two types of streets and described their characteristics. One of the biggest impacts reclassification would have relates to the required right-of-way during construction.
 - (2) Mr. Kocher noted that Eagle Stream Drive is currently classified as a Feeder Street, but should be changed to a Collector street because of how the traffic has changed in this area of the Township. He discussed other roads that have seen large changes in use with heavier traffic volumes, including East Mt. Kirk Avenue.
 - ii) Supervisor Eckman thanked Mr. Kocher for bringing this matter to the Board’s attention. She stated that it was not just Mr. Kocher’s road that could be reclassified, as this scenario can be found elsewhere in the Township. Mrs. Eckman would actually like to have the Traffic Engineer check the classification on all of the roads in the Township, but is uncertain how much such an endeavor would cost. Once such a project was completed, the Board could determine the best manner in which to proceed.
 - iii) **MOTION** – Supervisor Eckman made a motion to request an estimate from the Township Traffic Engineer for the cost to study road classifications within the Township. Supervisor Altieri seconded the motion. The motion *passed* 5-0.
 - iv) Mr. Casey Moore, Township Traffic Engineer, indicated that upgrading the classification on Eagle Stream Drive would impact the ultimate right-of-way. He also believes that they should review all of the roads to best determine how to move forward with any reclassification effort.
 - (1) Mr. Kocher noted that there is already an ordinance for this, and asked why they don’t apply it? Mr. Moore noted that Section 123-31.I relates to street widths. Under this ordinance the Board can required a wider right-of-way if they feel there is a need to do so.
 - (2) Mr. Moore does not recommend reclassifying Eagle Stream Drive until they get a handle on where all of the roads in the Township are.
 - (3) Mr. Kocher requested that the Board consider properly reclassifying the road per the existing Township ordinance.
 - v) Public Comment:
 - (1) There was no public comment on this item.
- h) Authorization to execute agreement to connect the “Casselberry House” to the Lower Providence Township sanitary sewer system:
- i) Mr. Sheridan explained that this was a straightforward agreement to connect the Casselberry House to the Lower Providence sewer system. The LP Sewer Authority has agreed to provide one EDU and the connection, while the Township will provide the services of a Township backhoe and operator. Mr. Sheridan requested that the Board authorize execution of this agreement.

In Remembrance

This page is set aside in remembrance of
Mahlon Campbell
(1917 - 2010)

A selfless volunteer, Mahlon worked throughout his life for the betterment of the community. He was a life member and past president of the Lower Providence Community Center Ambulance and was a life member of the Lower Providence Volunteer Fire Company.