

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS
MAY 3, 2007 MEETING MINUTES**

1) Public Meeting: Call to Order

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

2) Pledge of Allegiance

3) Roll Call:

- a) The following members were present: Supervisors Altieri, Brown, Dininny, DiPaolo and Sassu.
b) Also present were Solicitor David Onorato, Township Engineer John Chambers, Police Chief Francis Carroll, Director of Public Works David Shaffer, Administrative Assistant Denise Walsh, Human Resources Coordinator Geri Golas, Director of Special Projects and Technology William Roth, and Director of Community Development Michael Siegel.

4) Public Participation on Agenda Items:

- a) There was no participation at this time.

5) Consent Agenda:

- a) **MOTION** – Supervisor Brown made a motion to approve the consent agenda items 1a-c. Supervisor DiPaolo seconded the motion. The motion *passed* 5-0.

6) Presentations & Commendations:

- a) Presentation to Jack Delvecchio of Norristown Ford as Outstanding Corporate Citizen of Lower Providence Township:
i) Chairman Dininny presented an award to Mr. Jack Delvecchio, retiring from Norristown Ford after more than 40 years of service, for being a great corporate citizen to the Township through these many years. Mr. Delvecchio complimented the Township and thanked them for this honor, noting that he was very humbled by it.

7) Ordinances & Resolutions:

- a) A resolution recognizing the week of May 6-12, 2007 as Building Safety Week in Lower Providence Township:
i) Mr. Siegel explained that the International Council for Codes (ICC) introduced this awareness week to promote building safety. If adopted, Lower Providence will be the first municipality in Pennsylvania to be placed on this international listing.
ii) **MOTION** – Supervisor Sassu made a motion to adopt the resolution. Supervisor Altieri seconded the motion. The motion *passed* 5-0.
- b) A resolution recognizing the week of May 7-13, 2007 as National Arson Awareness Week in Lower Providence Township:
i) Chief Carroll explained that the purpose of this awareness week was to create public awareness of arson and its' expense. The theme this year relates to the price of arson associated with vehicle arson. Chief Carroll noted that in 2004 the cost of vehicle arson was \$165 million, accounting for 20% of all arson.
ii) **MOTION** – Supervisor Altieri made a motion to adopt the resolution. Supervisor DiPaolo seconded the motion. The motion *passed* 5-0.
- c) A resolution recognizing the week of May 13-19, 2007 as National Police Week in Lower Providence Township:
i) Chief Carroll noted that this awareness week was established in 1962 to honor those police officers killed in the line of duty each year. There were 145 officers who lost their lives in the United States last year, with three from Pennsylvania. Chief Carroll provided details of the various memorial services for Police Week.

- ii) **MOTION** – Supervisor Sassu made a motion to adopt the resolution. Supervisor Brown seconded the motion. The motion *passed* 5-0.
- d) A resolution in opposition of the new EPA standards and exemptions on narrow tube manufacturers:
 - i) Chairman Dininny explained that the EPA has issued new standards that exclude narrow tube manufacturers from TCE standards, which is deplorable. Senator John Rafferty and State Representative Mike Vereb are leading the charge for the State DEP to apply for more stringent TCE standards. The Township wants to be on record as opposed to the new EPA standards.
 - ii) **MOTION** – Supervisor Altieri made a motion to adopt the resolution. Supervisor Sassu seconded the motion. The motion *passed* 5-0.

8) Old Business:

- a) Memo to Board of Supervisors from Charles DeFrancesco, Fire Marshall / EMC, dated April 27, 2007 re: request to proceed with mass notification system:
 - i) Chief Carroll explained that information regarding the mass notification system was presented to the Board at the April 19, 2007 meeting. Staff is requesting authorization to proceed with the establishment of policy, procedures and protocols regarding such a system, and to investigate associated costs.
 - ii) Supervisor Brown asked if this should be an RFP? Chief Carroll indicated that he is seeking approval to invest time to investigate this and then come back to the Board with a recommendation. Perhaps an RFP would be pursued at that later time, but they want to make sure they are moving in the right direction with this.
 - iii) Supervisor DiPaolo questioned if they would receive information similar to how Mr. Roth presenting information at the last meeting? Chief Carroll indicated this was the case.
 - iv) **MOTION** – Supervisor DiPaolo made a motion to authorize staff to proceed in exploring the options of the mass notification system and report back to the Board with that information. Supervisor Brown seconded the motion. The motion *passed* 5-0.
- b) Memo to Board of Supervisors from Chief Francis Carroll, dated April 27, 2007, re: request to proceed with Ridge Pike video project:
 - i) Chief Carroll explained that information regarding the Ridge Pike video project was also presented to the Board at the April 19, 2007 meeting. He is seeking authorization to investigate this project and creative funding sources, similar to the previous item. It would come before the Board of Supervisors prior to proceeding.
 - ii) **MOTION** – Supervisor Altieri made a motion to authorize staff to proceed in exploring the options of the Ridge Pike video project and report back to the Board with that information. Supervisor Sassu seconded the motion. The motion *passed* 5-0.

9) New Business:

- a) Memo to Board of Supervisors from Joseph Dunbar, Township Manager, dated March 19, 2007, re: discussion and consideration for PaDEP storm water best management practices ordinance:
 - i) Mr. Siegel recommended that this item be tabled until Mr. Dunbar was able to attend the meeting.
 - ii) **MOTION** – Supervisor Sassu made a motion to table this item until Mr. Dunbar was in attendance. Supervisor Brown seconded the motion. The motion *passed* 5-0.
- b) Memo from Geri Golas re: automobile insurance update:
 - i) Mrs. Golas indicated that she previously provided information to the Board regarding uninsured motorist insurance, which had been \$35,000 per incident. This was inadequate, and she has received an estimate of a \$675 premium increase to increase the uninsured motorist coverage to \$250,000 per incident. She recommends that the Board approve this increase.
 - ii) **MOTION** – Supervisor Sassu made a motion to authorize the automobile insurance update, increasing the premium \$675. Supervisor Brown seconded the motion.
 - (1) Supervisor Sassu indicated that he proposed this change to the Township after hearing of injured police officers struck by an uninsured drunk driver. Not all of the expenses are being covered for these officers because of inadequate insurance coverage.
 - (2) **MOTION VOTE** – The motion *passed* 5-0.

- c) Application S-06-15 for 2724 Ridge Pike (Penn Liberty) for preliminary / final development approval:
- i) Mr. Frank Bartle, Esq., was present to represent the applicant, Penn Liberty Bank. Mr. Roman Dychdala, P.E. of Highpoint Services, Inc., was also present.
 - ii) Mr. Bartle explained that they have been before the Planning Commission (PC) twice, and received recommendation from the PC for their seven requested waivers. The proposed development, at 2724 Ridge Pike, will replace the old 4,000+ sq. ft. McDonalds building. That building had 49 parking spaces, and used 82.9% impervious coverage on the lot.
 - iii) The proposed Penn Liberty Bank will be 2,546 sq. ft., have two drive-thru lanes, and 21 parking spaces for a reduction to 58.6% impervious coverage (a 25% reduction.)
 - iv) Waivers:
 - (1) Section 102-A – waiver from use of granite curbing for interior curbs only:
 - (a) **MOTION** – Supervisor Altieri made a motion to grant this waiver request for interior curbing only. Supervisor Sassu seconded the motion. The motion *passed* 3-2. Supervisors DiPaolo and Brown opposed the motion.
 - (2) Section 123-143M – waiver for dumpster location within 50 feet of a residential area:
 - (a) Mr. Bartle explained that the dumpster will basically remain in its' current location, however they will install buffering that currently does not exist.
 - (b) Mr. Dychdala noted that there is a 32' setback, and they will use 25-gallon trashcans. The refuse will be paper, unlike the trash from McDonalds. The refuse area will be enclosed with a board on board fence.
 - (c) **MOTION** – Supervisor Brown made a motion to grant this waiver request. Supervisor Sassu seconded the motion. The motion *passed* 5-0.
 - (3) Section 123-36.B.1 – waiver from a 200' driveway separation, a 99' separation currently exists:
 - (a) **MOTION** – Supervisor Brown made a motion to grant this waiver request. Supervisor DiPaolo seconded the motion. The motion *passed* 5-0.
 - (4) Section 123-42.E – waiver from limitation of one curb cut on Ridge Pike, two curb cuts exist:
 - (a) **MOTION** – Supervisor DiPaolo made a motion to grant this waiver request. Supervisor Sassu seconded the motion. The motion *passed* 5-0.
 - (5) Section 123-43.A – waiver from storm water management requirements:
 - (a) Mr. Bartle reiterated that they were reducing impervious coverage by 25%, from 82.9% to 58.6%, but need a waiver to exceed the current requirement.
 - (b) Mr. Dychdala explained the water flow and drainage into the storm sewer on Ridge Pike, indicating there will be a 19% reduction in water flow from the property as it currently exists.
 - (c) **MOTION** – Supervisor Brown made a motion to grant this waiver request. Supervisor Altieri seconded the motion. The motion *passed* 5-0.
 - (6) Section 123-142.I – waiver from requirement for shared parking:
 - (a) Chairman Dininny asked if the applicant would be willing to share parking with the house next door should that parcel be redeveloped? Mr. Bartle indicated that they would do this if the Township would grant parking relief needed to create the easement.
 - (b) **MOTION** – Supervisor Altieri made a motion to grant this waiver request, provided the cross easement be granted and the Township provides parking relief for use of the easement. Supervisor Brown seconded the motion. The motion *passed* 5-0.
 - v) Chairman Dininny asked if there were any objections from staff regarding this plan? There was no comment.
 - vi) **MOTION** – Supervisor Altieri made a motion to grant preliminary and final plan approval. Supervisor Brown seconded the motion.
 - (1) Supervisor Sassu asked if the applicant would install the signage recommended by the Police Department? Mr. Bartle indicated that they would.

- (2) **MOTION VOTE** – The motion *passed* 5-0.
- d) Memo to Board of Supervisors from Joseph Dunbar, Township Manager, dated April 23, 2007, re: format revisions for Board of Supervisors meetings; and Memo to Board of Supervisors from Joseph Dunbar, Township Manager, dated April 3, 2007, re: strategic planning and additional recommendations:
- i) Chairman Dininny noted that the Township Manager requested that these items be tabled until the next meeting so that he can present them.
 - ii) **MOTION** – Supervisor Brown made a motion to table the items. Supervisor Sassu seconded the motion. The motion *passed* 5-0.
- e) Memo to Board of Supervisors from David Shaffer dated April 27, 2007, re: authorization to advertise bids for road construction materials:
- i) Mr. Shaffer explained this was to authorize advertisement of an annual bid to furnish various construction materials on an as needed basis.
 - ii) **MOTION** – Supervisor DiPaolo made a motion to authorize the advertisement. Supervisor Altieri seconded the motion. The motion *passed* 5-0.
- f) Consideration to award bids for electrical work at public works garage:
- i) Mr. Shaffer explained that this item was put out to bid several weeks ago, however only one bid was submitted. That bid was for \$68,515, which is over budget. Mr. Shaffer recommended that all bids be rejected due to insufficient funds.
 - ii) **MOTION** – Supervisor Brown made a motion to reject the bids due to insufficient funds. Supervisor Altieri seconded the motion.
 - (1) Supervisor Sassu suggested that Mr. Shaffer contact he Tech School to see if they might be willing to assist with the project.
 - (2) **MOTION VOTE** – The motion *passed* 5-0.
- g) Consideration to award bids for hydraulic lift, air compressor and furnace for public works garage:
- i) Mr. Shaffer noted that two bids were received for this purchase. The low bid was \$68,010, and the high bid was \$107,500. He recommends going with the low bid on the condition that they meet all the bid requirements.
 - ii) Chairman Dininny asked how they would use these tools without power in the garage? Mr. Shaffer indicated that he was exploring other options for the electrical work.
 - iii) Mr. Dininny asked when they would intend to start the work, and how long the bid award could be postponed? Mr. Shaffer would like to start within 30 days. He is unsure how long they can delay awarding the bid should it be postponed this evening.
 - iv) Mr. Shaffer is investigating if they can get the electrical work done on a per hour basis. If this is done in conjunction with Public Works doing some of the work, he thinks they can bring in the project in the budgeted range. Mr. Dininny suggested tabling this item for two weeks to see if they can get the power connected.
 - v) Supervisor Brown suggested seeing if they can balance out the budget between the two projects, using extra money from the second bid and applying it to the previous project. Mr. Shaffer indicated that there would not be sufficient funds to cover the excess funding for the previous project.
 - vi) **MOTION** – Supervisor Brown made a motion to table this item. Supervisor DiPaolo seconded the motion. The motion *passed* 5-0.

10) Comments and Other Business:

- a) Other Business from Board Members and Staff –
- i) Supervisor Brown noted that he has received calls from residents regarding Township notices to replace deteriorating curbing. The residents are unsure whom to turn to for this work. Mr. Brown suggested that they consider having Mr. Shaffer put something together listing potential vendors and a per foot replacement cost for the curbing. The residents could opt in or opt out of this, but it would provide them with some direction for the replacements. Mr. Brown suggested

that Mr. Shaffer and Mr. Onorato could put something together to get a bid price for this work that could be used by residents if they choose to use it.

- (1) Mr. Onorato noted that if they facilitate this for the public by providing a list of contractors and prices, it would have to be optional for residents. They are not bound to use these contractors.
- (2) Chairman Dininny suggested they also consider waiving the \$60 permit fee for the curb replacement, since the Township is requiring that they do this work.
- (3) **MOTION** – Supervisor Brown made a motion to direct Mr. Shaffer and Mr. Onorato to solicit a list of concrete contractors for prices to provide residents as an option to use for curb replacement, and to waive the \$60 permit fee for these required curb replacement projects. Supervisor Dininny seconded the motion.
 - (a) Ms. Lauren Dunbar, 57 Skyline Drive, explained that she received one of these letters, dated April 26, 2007, requiring that the work be completed by May 15, 2007, and asked why such short notice was given to have this work completed? She contacted everyone in the phone book under concrete, and only one contractor called her back. They indicated that the earliest the work would be done was September, because this is their busy season.
 - (i) Ms. Dunbar questioned who inspected these curbs and determined the timeframe for project completion?
 - (ii) She also referenced several streets within the Township where curbing was replaced and paid for by the Township within the past few years. Ms. Dunbar questioned why some residents got this work for free, while she is being told to pay for it herself?
 - (iii) Chairman Dininny asked Mr. Shaffer if the Township paid for curb replacement in the past?
 1. Supervisor DiPaolo noted that the ordinance changed in late 2005, requiring residents to pay. The Board had borrowed money with the PIB loan, and curb replacement was tied into the PIB loan.
 2. Mr. Shaffer noted that the goal with the PIB loan was to pave as many roads as they could. Last year was a transition year and they did some curbing.
 3. Mr. Dininny explained to Ms. Dunbar that he was at a disadvantage and would like to table this so he can look for some answers. He would be unhappy if he received a note stating he had to replace his curbs within 30 days.
 4. Ms. Dunbar expressed concern over the timeframe presented. She also is concerned over different quality and consistency between curbs if different contractors install them.
 - (b) Mr. Auto Ruoff, 45 Skyline Drive, noted that for 2,000 feet in front of his property there are no curbs. They are below the road surface and have been that way for 20 years, he has lived there for 40 years. He questioned if this project could be delayed for a year?
 - (i) Supervisor Sassu questioned the road score? Mr. Shaffer indicated it was a 3, and was scheduled for a wearing course.
 - (c) Mr. William Donato, 87 Skyline Drive, asked how the Township could justify not charging some residents for curb replacement, and then making others pay for them. He has lived here for 27 years, and noted that everyone pays the same taxes. This is the first time he can recall anything like this being done on his street, and he would like an explanation.
 - (i) Mr. Dininny reiterated that he needs to investigate this. He urged residents to contact the Township Manager with their concerns and to attend the next Board meeting.
 - (d) Mr. Onorato suggested suspending road improvement projects until they can get back to the residents on this.

(e) Ms. Dunbar noted that she received a second letter from the Township and was told they do not have to replace the curbs yet. Mr. Shaffer explained that there are some older residents on a fixed income who can't pay for curbs at this time. Mr. Dininny remarked that this matter needs to be revisited.

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

ii) Mr. Siegel announced that the Township had received an award from the Montgomery County Conservation District, the PA Coastal Zone Management Program, Villanova University, the American Water Resources Association, the Philadelphia Water Department, Philadelphia University and the Office of Water Sheds.

(1) The award was based on the Township's naturalized basin project conducted from 2003 to 2005. The Township was recognized through the Storm Water Best Management Practices Recognition Program for improving basins naturally and efforts to enhance the Philadelphia regional water shed.

(2) Chairman Dininny commented on the difficulty of managing storm water, and remarked that Mr. Siegel deserves the recognition for his efforts in this area.

(3) Mr. Siegel noted that the Township has also been awarded a tree grant from the Conservation District, and will be planting the trees in basins at Redtail Park and Evansburg Crossing to naturalize basins there.

iii) Chief Carroll requested that Township permit fees associated with work being done on Police Dept. capital improvement projects be waived.

(1) **MOTION** – Supervisor Brown made a motion to waive the fees. Supervisor Sassu seconded the motion. The motion *passed* 5-0.

iv) Supervisor Brown thanked the Watershed Conservancy for partnering with the Township on the naturalized basin projects. Mr. Siegel noted that they were also recognized with an award.

b) Comments from the Public:

i) None

8) **Adjournment:**

a) **MOTION** – Supervisor Sassu made a motion to adjourn the meeting. Supervisor DiPaolo seconded the motion. The motion *passed* 5-0. The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Joseph C. Dunbar, Secretary