

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS WORK SESSION  
FEBRUARY 7, 2008 MEETING MINUTES**

---

**1) Executive Session:**

- a) Mrs. Altieri called the executive session to order at 6:10 p.m., seconded by Mr. Sasso. Present were Supervisors Altieri, Dininny and Sassu. Supervisors Brown and DiPaolo were absent. Also present were Township Manager Joseph Dunbar and Solicitor Dave Onorato. A discussion took place on legal, personnel and real estate matters. At this point, Solicitor Joseph Pizonka updated the Board on legal matters with the PVRSA. Also, Casey Moore and Jack Mitchell of McMahan Associates along with Leo Bagley, MCPC talked about the River Crossing Project. Mr. Sasso motioned to adjourn the meeting at 7:30 p.m., seconded by Mrs. Altieri.

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

- a) Chairman Dininny called the public meeting to order at 7:34 p.m.

**3) Pledge of Allegiance**

**4) Roll Call:**

- a) The following members were present: Supervisors Altieri, Dininny and Sassu.
- b) Supervisors Brown and DiPaolo were absent.
- c) Also present were Solicitor David Onorato, Township Engineer John Chambers, Director of Community Development Michael Siegel, and Township Manager Joseph Dunbar.

**5) Chairman's Comments:**

- a) Chairman Dininny noted that this was a work session. He also announced that the Board held an Executive Session prior to this evening's meeting to discuss legal and personnel matters.

**6) Public Participation on Agenda Items:**

- a) There was no participation at this time.

**7) Discussions:**

- a) **MOTION** – Supervisor Sassu made a motion to amend the agenda, moving item 1b to the top of the agenda. Supervisor Altieri seconded the motion. The motion *passed* 3-0.
- b) Letter from Verizon requesting waiver of connectivity requirements:
  - i) Mr. Dunbar explained that the Township has had ongoing discussions with Verizon regarding Township fees associated with their Fios installation. Verizon submitted a letter to the Township requesting the \$50 connectivity fee is waived. They are already paying a \$50 road opening permit fee, and an inspection fee for the right-of-way. Should the Township agree to waive the connectivity fee, Verizon agrees to indemnify the Township from any liability.
  - ii) Mr. Dan Reavy of Verizon was present to discuss this matter. Mr. Reavy reiterated Mr. Dunbar's remarks, noting that waiving this fee will provide a savings to the residents.
  - iii) Mr. Onorato clarified that the Township is not providing the connections and does not inspect the connection, which is why the waiver is being requested.
    - (1) Mr. Reavy concurred with this, noting that the waiver levels the playing field, because the Township does not charge a similar fee to Comcast.
  - iv) Supervisor Dininny requested clarification on the work being performed, which Mr. Reavy provided.
  - v) Supervisor Dininny asked if the Township was satisfied with this request, and if all costs were covered for any Township work? Mr. Dunbar indicated that they were.
- c) Discussion on proposed Montgomery County Prison Expansion:
  - i) Mr. Dunbar explained that representatives from the Montgomery County Prison Board (MCPB) were present to share their plans for a proposed expansion at the prison.
  - ii) Mrs. Nancy McFarland, a member of the MCPB, noted that the prison was constructed in 1986, and expanded in 1999. The largest area of growth has been with the DUI and Work Release

- prisoners, which is the area of the prison they seek to expand. The prison averages a 65% return rate. Mrs. McFarland introduced other representatives present to discuss the plan.
- iii) Mr. Carl Romaldini, an architect with Highland Associates, provided an overview of the concept plan they have devised for this expansion.
  - iv) Supervisor Sassu questioned if the new facilities would be located behind the wire? Mr. Romaldini indicated that this has not been determined yet.
    - (1) Mr. Julio Algarin, the prison's warden, explained that currently there are two buildings outside of the wire. They intend to expand one of the buildings and place one of the buildings behind the wire.
    - (2) Mr. Sassu asked if the prison still leases space to INS or other law enforcement agencies? Warden Algarin stated they do not do this anymore because there is not enough space. Sometimes they may house prisoners for immigration services up to 72 hours, which is done at cost.
  - v) Chairman Dininny questioned the average stay at the facility? Warden Algarin noted this varies based on the crime, but indicated they do have 22 prisoners in for murder.
    - (1) Mr. Dininny asked if there would be enough parking, and how long it would be before the prison was out of capacity again? Mr. Romaldini explained that they would re-stripe the parking lot, which should be adequate to meet parking requirements. They anticipate the prison will be sufficient until 2020.
  - vi) Mr. Dunbar thanked Warden Algarin for the ongoing cooperation and assistance they receive from the prison, and noted he would facilitate a tour of the prison for the Board as soon as possible.
  - vii) Mr. Dininny also thanked the MCPB members for providing information to the public.
- d) Application S-07-13, 3826 Germantown Pike major land development for preliminary and final plan approval – Moscariello:
- i) Mr. Siegel explained this application was for preliminary and final plans for Chesterbrook Day Care, and was previously before the Board for a Conditional Use hearing.
  - ii) Ms. Lisa D'Andrea, P.E. with Medveczky Associates Ltd., was present to discuss this plan along with the applicant Mr. Rick Moscariello.
  - iii) Ms. D'Andrea explained that they have agreed to and incorporated changes into their plan based on comments in the various review letters. There are a number of items they are cleaning up as a result of these letters, but Mr. Moscariello has agreed to comply with these outstanding issues.
  - iv) Chairman Dininny asked if there were any waivers? Ms. D'Andrea stated there were none. She noted there was an issue with extending the sidewalk, which they will comply with.
  - v) Mr. Siegel and Mr. Chambers indicated that they do not have any problems with the plan.
  - vi) Mr. Dininny requested that the applicant tie up any loose ends prior to the February 21, 2008 Board meeting.
- e) Lower Providence Methacton Baseball Association requests a waiver of \$500 from paying field deposits at Eskie and Redtail Parks; and Lower Providence Warriors request waiver of \$500 for use of Evansburg Point Park and the Level Road School House:
- i) Mr. Dunbar noted that it was customary for the Township to require a security deposit for use of fields. Two youth sports organizations have requested these fees be waived, which provides a savings for the organizations. Mr. Dunbar noted the organizations provide a lot of services to the Township, which assists the Parks & Recreation Department. The deposits are \$500 for fields, and \$100 for the Level Road Schoolhouse. These items will be on the February 21, 2008 agenda.
- f) Township resident survey:
- i) Mr. Dunbar explained that a Township resident survey was approved with the 2008 budget. This survey will gauge the level of services being provided, and identify where improvements occur. Mrs. Walsh is working on preparing the survey, and will utilize National Citizens Survey and Franklin & Marshall in completing the survey. It will take several months to distribute, collect and analyze the data. Mr. Dunbar noted that this project would come in \$7,000 under budget.

- ii) Supervisor Altieri asked if the entire survey would be done by mail? Mr. Dunbar indicated it would.
- iii) Chairman Dininny commented that he likes the idea to provide another mechanism to communicate with the community, but was concerned with the rate of return. Mr. Dunbar indicated there is a goal of an 18% return.
- iv) Mr. Dunbar explained that the Board would have an opportunity to review the questions and provide input prior to the survey being finalized. They will try to get responses from every area of the Township.
- v) Mrs. Altieri asked if the survey included a return envelope, which it does.
- g) Acceptance of award on equipment rental:
  - i) Mr. Dunbar would like the Board to consider awarding the 2008 equipment rental bid at the February 21, 2008 meeting. This bid was advertised in late 2007, and was due by January 28, 2008. Three packets went out, but only one bid was returned.
  - ii) Mr. Dunbar noted that this bid was consistent with those from prior years. The volume of the Township's rental needs has gone down over the years, which may account for the lack of response.
  - iii) Chairman Dininny noted that Septa uses this type of service as well. There are contractors who like or do not like bidding on public contracts. Septa has a website that lists all of the contracts they have going out for bid, so interested parties can request a bid package. They then list all of the bids received and identify where contracts have been awarded.
  - iv) Mr. Dunbar indicated that they can list bids on the purchasing module of the Township web site, and in 2008 will be taking the next step to list bids as requested by the Board.
- h) Stormwater issue on 3837 Vincent Drive:
  - i) Mr. Dunbar noted that in the spring of 2007, the Township received complaints from residents in the Evansburg Crossing section relating to stormwater issues. The Township did some stormwater work on this, however the swale is outside of the easement because the builder did not want to kill mature trees at the site. Mr. Chambers will need to do some survey work on this project.
  - ii) Mr. Chambers explained that he has met with the residents, who are concerned the swale is not where it should be. They have asked the Township to work with them in relocating the swale more to the rear of the area. He will need to perform some survey work on the site. The residents do not want the trees to be damaged, and are willing to grant additional easements as needed.
  - iii) Mr. Dunbar will need the Board to authorize the survey work.
  - iv) Chairman Dininny questioned why the Township was doing this work on private property? Mr. Dunbar explained that this was an extension of work authorized by the Board last year to abate a stormwater problem upstream. They are trying to fulfill the wishes of the Board while providing a level of service to the residents.
- i) Transfer of funds to Sovereign Bank:
  - i) Mr. Dunbar explained that in late 2007, the Board awarded banking services to Commerce Bank, and directed staff to establish a relationship with Sovereign Bank. Ms. Law and Mr. Dunbar are now suggesting the transfer of \$1.23 million from Commerce to Sovereign from several Township funds. This item could be listed on the February 21, 2008 meeting's consent agenda, or the regular agenda for additional dialog.
  - ii) Chairman Dininny asked if anything at Commerce Bank had changed since the bank has changed ownership? Mr. Dunbar indicated it had not. Mr. Dininny requested they keep a close eye on that account.
  - iii) Supervisor Altieri asked if the Township knew there was a \$1 million minimum at Sovereign when the Board requested establishing that relationship? Mr. Dunbar is not sure, but will look into this.
  - iv) Mr. Onorato noted that Sovereign made a proposal based on all of the Township's funds, not just a portion of them.
- j) Approval of the Arro Group Professional Services for stormwater screening and testing:

- i) Mr. Siegel has a proposal for a professional services agreement from Arro Group. This proposal is for them to screen and test the 64-stormwater outfalls in the Township. The Township is required to monitor these outfalls yearly by the DEP as a permit requirement. The agreement also includes tests for water pollutants. Mr. Siegel noted this must be done by June.
- ii) Mr. Dunbar noted this is a budgeted item. Mr. Siegel thinks this will come in under the \$11,000 that was budgeted for 2008.
- k) Authorization to sign agreement with Hough Associates to collect 2007 residential & commercial for recycling data & prepare PA DEP 904 recycling grant application for Lower Providence Township:
  - i) Mr. Dunbar will request authorization for renewal of an agreement with Hough Associates for the annual recycling grant. Last year the Township received a grant of \$85,000, which was \$30,00 higher than when the Township processed this grant in-house.
- l) Waiver request from Section 123-4 of the Subdivision & Land Development Ordinance for the construction of an ADA walking path and fishing pier at Hoy Park:
  - i) Mr. Dunbar indicated that Township would be requesting a waiver from formal land development for the improvements at Hoy Park. This is consistent with actions taken by the Board last month for Mill Grove and the Township Bocce courts.
- m) Approval to purchase video equipment cameras, cables and audio equipment using the PA State Contract and also to contract for professional services to record the meetings:
  - i) Mr. Dunbar noted that the Board budgeted and authorized taping of Board meetings. Mr. Roth will be presenting information on this proposal at the February 21, 2008 meeting. They are proposing use of the same firm that provided services during the ARC presentations last year. If possible, the April 3, 2008 meeting would be the first televised meeting.
  - ii) Chairman Dininny asked if they would be able to add other pertinent meetings as deemed appropriate? Mr. Dunbar explained that the Township will own the equipment, and there will be a fee structure in the agreement to add meetings as required.
- n) Rates for Zoning Hearing Board Solicitor:
  - i) Mr. Dunbar explained that, as required by the MPC, the Zoning Hearing Board engages their own Solicitor. The ZHB has appointed Mr. Charles Mandracchia and his firm at the rate of \$125 per hour. This is the same fee as the prior firm charged last year. The Board of Supervisors must concur and authorize this at their next business meeting.
- o) Cradle of Liberty, Boy Scouts of America request for waiver of application fee for permit to conduct a special event for their 95<sup>th</sup> Pilgrimage & Encampment at Valley Forge National Historical Park:
  - i) Mr. Dunbar explained that the Boy Scouts hold this encampment as an annual event, and utilize the ARA parking lots for the event. Ms. Donohue has received approval from the County for use of parking lots. The Boy Scouts are requesting the Township to waive the permit fee, which is after the fact, because the event is February 15-17, 2008. If the Board opts not to waive the fee, the Boy Scouts have agreed to pay it.
- p) Authorization to proceed with Ridge Pike Video Project:
  - i) Mr. Dunbar explained that they would like to proceed with installation of video cameras along the Ridge Pike corridor to monitor traffic flow only. This will allow the dispatcher to see the roadway. As a second part of the project, business owners and banks along the corridor will be able to send a wireless feed to Police dispatch in an emergency so they can see what is occurring within the buildings.
  - ii) This will be on the February 21, 2008 agenda for approval.

## 8) Other Business:

- a) Chairman Dininny noted that the American Revolution Center is going through the appropriate steps and processes associated with their project. In the interim, he would like to authorize Township staff to be able to respond to articles that appear in the newspaper when appropriate. The other Board members concurred this would be appropriate.
- b) Mr. Dunbar had several other items to add to the February 21, 2008 agenda:
  - i) Representative Vereb will be presenting a check for a grant to the Township.
  - ii) Fire police officers will be sworn-in.

- iii) Mr. Dunbar explained that in 2005, representatives from this area traveled to Washington DC to meet with various Senators and Representatives, obtaining \$20 million in funds for the River Crossings Project, at a cost to the Township of around \$1,200. On February 26, 2008, another contingent will be traveling to meeting with Senator Spector, Representative Sestack and Gerlach, and possible Senator Casey in an effort to obtain additional funds for this project. Mr. Dunbar will be requesting authorization for three individuals to travel to DC for that trip.
  - iv) Simone Collins is prepared to do a final presentation on their recommendations for the revitalization of the Business Park.
    - (1) Chairman Dininny stated they could do this if they were prepared. Mr. Dunbar noted this could also be moved to the March work session meeting.
  - v) Mr. Dunbar noted that they would like to re-enact the Act 209 Committee, which will include representatives from the Planning Commission and at least 40% representation from the development community as required by law.
  - vi) Mr. Dunbar noted that with the exception of Mr. Siegel, he requested that staff not attend the meeting. He explained that staff is not compensated to attend these meetings, and that the many negative comments directed toward what he considers to be a very professional staff is demoralizing to them.
  - c) Mr. Onorato noted that with regard to the Moscariello application, he would have the conditional use decision ready for the Board to consider at the February 21<sup>st</sup> meeting, and also information on the printing RFP discussed at last month's meeting. These items could be on the agenda for consideration.
  - d) Chairman Dininny requested that Mr. Dunbar be cognizant of the volume of items for the agenda. Mr. Dunbar noted a lot of these items could be on the consent agenda.
  - e) Supervisor Sassu commented that he recently read to the third graders at Audubon Elementary School, and also noted there was a Boy Scout in attendance at this evening's meeting.
- 9) Courtesy of Floor (not to exceed 3 minutes per person):**
- a) Mr. Mike Comroe, 205 Pinetown Road, read from a prepared statement relating to his concerns on Ethics matters that he brought up at the previous Board of Supervisors meeting. He was unable to complete his comments as he ran out of time.
  - b) Mr. Glenn Landis, 15405 Shannondell Drive, thanked the Board, the staff and Solicitor for assisting the residents of Shannondell in trying to have a polling place established in their facilities. There are 905 registered votes in Shannondell.
    - i) Chairman Dininny noted that those voters represent all parties, and that Mr. Landis is also be assisted by Mr. Hager, Mr. Carolina, and Mr. DiPaolo in this endeavor. District 3-1 is the largest pole, with 2,700 registered voters. District 3-3 used to be the largest pole with 2,200 voters, so this new polling place should help alleviate crowded polls for 3-1.
    - ii) Mr. Landis noted that they have a court date set for February 28<sup>th</sup>, and have 600-700 signatures on their petition so far.
    - iii) Mr. Dunbar commented that the Board might want to pass a Resolution at their February 21<sup>st</sup> meeting in support of the new polling place. The Board was in favor of this suggestion, and Mr. Onorato will prepare the Resolution.
- 8) Adjournment:**
- a) **MOTION** – Supervisor Sassu made a motion to adjourn the meeting. Supervisor Altieri seconded the motion. The motion *passed* 3-0. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

---

Joseph C. Dunbar, Secretary