

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS
MARCH 5, 2009 MEETING MINUTES**

1) Executive Session:

- a) Mr. DiPaolo called the executive session to order at 6:31 p.m. seconded by Mrs. Altieri. The following Supervisors were present: Mrs. Altieri, Mr. Sassu, and Mr. DiPaolo. Also present were Township Manager Mr. Dunbar and Solicitor Robert Kerns. Mr. Dininny arrived at 6:15 p.m. A discussion took place on legal, personnel and real estate matters. Mr. Dininny motioned to adjourn at 7:31 p.m., seconded by Mrs. Altieri.

2) Public Meeting: Call to Order

- a) Chairman Sassu called the public meeting to order at 7:35 p.m.

3) Pledge of Allegiance

4) Roll Call:

- a) The following members were present: Supervisors Altieri, Dininny, DiPaolo, and Sassu.
b) Supervisor Brown was absent.
c) Also present were Solicitor Robert Kerns, Township Engineer John Chambers, Police Chief Francis Carroll, Director of Public Works David Shaffer, Community Relations Coordinator Denise Walsh, Project Analyst Nate Dysard, Director of Parks & Recreation Karl Lukens, Accounting Manager Susan Law, Human Resources Coordinator Geri Golas, Director of Special Projects and Technology William Roth, Director of Community Development Michael Siegel, 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 matters. He further explained this was a work session and that the audience does not comment on the agenda items until the courtesy of the floor portion of the meeting at the end of the evening.

6) Presentations & Commendations:

- a) Presentation of check for Methacton Post Prom Celebration:
i) Chairman Sassu presented a check for \$1,000 to representatives from the Methacton Post Prom Committee. Post Prom is in its' 10th year, is free for eligible students, and is open for the public to view prior to the beginning of the celebration. Check the Methacton High School website for details on the walk-thru and upcoming fundraisers.
- b) Presentation of plaque to Robert Foose for 20 years of service with the Public Works Department:
i) Chairman Sassu and Mr. Lukens presented a plaque and gift certificate to Robert Foose for his 20 years of service to the Township. Mr. Foose has worked for Public Works and the Parks & Recreation Departments.
- c) Staff Presentations: Each of the staff members listed below provided a brief summary of their department's 2008 accomplishments.
i) Geri Golas, Human Resources:
(1) Supervisor Dininny asked how the Township employees felt about the representative from Smith Barney coming in to discuss their retirement accounts with consideration of the falling markets? Mrs. Golas indicated that the employees were appreciative to have a representative to connect with and discuss their options.
ii) Bill Roth, Director of Special Projects and Technology:
iii) Susan Law, Finance Department:
iv) Mike Siegel, Director of Community Development:
v) Dave Shaffer, Director of Public Works:

- vi) Karl Lukens, Director of Parks & Recreation:
- vii) Supervisor Dininny commented on the dedication of Township staff, and how they take the Board's ideas and implement them. Stating they were dedicated professionals, Mr. Dininny noted they take classes on the latest aspects of their respective jobs, bring the information back and find ways to improve the Township. Mr. Dininny stated that you do not find this in other Townships. He thanked the staff for their professionalism, dedication, and partnership with the Board, and for all they do for the Township.
- viii) Supervisor Altieri echoed Mr. Dininny's sentiments. She thanked the staff for taking the time to put together their presentations, for their commitment to the community, and to the success of the Township.

7) Discussions:

- a) Authorization to advertise bid for construction of restrooms:
 - i) Mr. Dysard indicated that he would request authorization to advertise the bid for construction of restrooms, which was budgeted for 2009. This will occur at the March 19, 2009 meeting.
- b) Investment Management Services RFP #09-01:
 - i) Mr. Dysard explained that he previously advertised for and received two RFP's for investment management services. Symmetry Capital Management, and Peirce Park Group Investment Management Consultants submitted the RFP's. Mr. Dysard recommended rejecting both bids as the fees came in around \$40,000, which would negate the profit and benefit.
 - ii) Mr. Dysard suggested that the Township could benefit from using a cash manager or outside firm as needed on an advisory basis, with staff maintaining the funds. Mr. Dysard will ask the Board to reject the RFP's at the March 19, 2009 meeting.
- c) Award of Traffic Analysis & Point of Access Study RFP #08-03:
 - i) Mr. Dysard has received seven responses to an RFP for a point of access study. The proposals varied greatly, ranging from \$50,000 to \$350,000. This was narrowed down to two viable candidates, who were asked to provide their best and final offer.
 - ii) Mr. Dysard is recommending that the bid be awarded to Gannett Fleming, Inc. for \$125,000, with an additional \$35,000 going to the Delaware Valley Regional Planning Commission for data collection and the traffic study. McMahon Associates may be involved as the Township's traffic planner, so funding for their services may also be required.
- d) Parks & Recreation 5-Year Capital Plan:
 - i) Mr. Lukens noted that the Park & Recreation Board adopted the 5-Year Capital Plan at their January meeting, and will request that the Board review and possibly adopt the plan at their March 19, 2009 meeting.
 - ii) Supervisor Altieri asked where the additional play structure at Eskie Park would be located? Mr. Lukens remarked that it would be near the existing play structure, and would be for 3 to 5-year-olds.
 - iii) Mrs. Altieri asked for a status on St. Gabriel's Field? Mr. Dunbar noted that the Master Plan for that field is linked with Montgomery County who owns the land. The Township's lease for this land is with the County. Plans for this land tie into the Trailhead Building, access to the Pawling's Road Bridge, and the American Revolution Center site.
- e) Evansburg Point Park Plan:
 - i) Mr. Lukens indicated that the plan for Evansburg Point Park have been discussed at several Park Board meetings and with residents. He is also awaiting the DCNR review for the park.
 - ii) Mr. Dunbar explained that there would be a public hearing on this plan at the March 19, 2009 meeting. Chambers Associates prepared the plan, which included public input. After the hearing, the plans will be submitted to DCNR for final approval.
- f) Rezoning request from R2 & VC to R4 for Catherine Maris property:
 - i) Mr. Siegel noted that a public hearing for the rezoning of the Maris property was scheduled for March 19, 2009. This property is on Evansburg Road near the intersection at Germantown Pike.
- g) Review of Natural Resource Protection Ordinance:

- i) Mr. Siegel also has a hearing scheduled for the Natural Resource Protection Ordinance on March 19th. This ordinance will protect natural wooded resources in the Township.
- ii) Supervisor Altieri asked if obtaining any type of permit would trigger this review? Mr. Siegel explained that the ordinance would only apply for permits where over 5,000 sq. ft. of land is being developed.
- h) Review of Conditional Use Hearing for Collegeville Inn, CU-08-02:
 - i) Mr. Siegel noted that the applicant has been advised the hearing for this conditional use will be held March 19, 2009.
- i) Discussion on acquisition of open space parcels:
 - i) Mr. Dunbar explained that the Township has been working on a request to acquire additional open space inventory. He hopes to present this to the Board at the March 19th meeting, and then submit it to the County Open Space Board to seek grant funding for the acquisitions.
- j) Application #S-08-10 known as Turkey Hill Major Land Development:
 - i) Mr. Siegel remarked that the Turkey Hill Major Land Development project would be presented at the next Board meeting. The Planning Commission recommend preliminary and final plan approval for the project. Mr. Siegel noted that this developer has gone significantly beyond what typical developers would do to on a similar project. The engineers will be here to address any of the Board's questions. Mr. Siegel believes the Board will be happy with the plan.

8) Other Business:

- i) Supervisor Dininny explained that 1 ½ weeks ago Mr. Dunbar, Mr. Dysard, Supervisor Altieri and himself went to Washington DC to request stimulus funding for approximately \$6 million in projects. They went to Senator Spector, Senator Casey, and Congressman Sestak's offices to discuss their plans. Mr. Dininny commented that the reception they received was friendly, positive, and appreciative of the time and effort that went into the presentations. The Township Staff are working to get everything they can for the Township. Mr. Dininny thanked Mr. Dunbar and Mr. Dysard for their preparations, which were complete and concise. He believes they will receive some funding as a result of this trip, and thanked those involved for their efforts.
- ii) Mr. Kerns explained that his firm has been asked to review the issue of solid waste collection with regard to the Eagle Homeowner's Association. After much research, he believes that to properly bring the matter to conclusion; the Township will need to bring forward a complaint in court to seek a judgment on the matter.
 - (1) Mr. Kerns noted this matter began in the early 1990's, and by ordinance J.P. Mascaro is the trash hauler for the entire community. If the Township issues a decision on this matter there will be litigation, so it is easier to request the Court to decide how to proceed. The Township will seek a declaratory judgment from the Court, which will provide the most expeditious and least costly manner to proceed.
 - (2) Mr. Kerns noted that because this is a legal matter, the Board should not comment on questions relating to this issue.

9) Courtesy of the Floor:

- a) Mr. Richard Snyder, 1046 Anders Place, is the President of the Eagle Homeowner's Association. He thanked the Board for taking action, noting the residents were frustrated with this situation. Per Section 90-10 in the ordinance, the Eagle is not required to participate in the Township trash program. They have been exempt for the past 19 years. He requested that the Township ask J.P. Mascaro to cease trash collection until the matter is decided in court. The Eagle already has a contract with Lewis Mascaro for trash collection. They are very happy with their current vendor, who picks up the trash after 8 a.m. J.P. Mascaro has been arriving around 6 a.m., disturbing the peace, and the neighbors call the Police to ask them to leave.
 - i) Mr. Kerns noted they could request J.P. Mascaro to stop the trash collection until this matter is resolved. He would hope the issue could be resolved within several months.
 - ii) Mr. Snyder commented that they an 85% increase in trash fees will not be acceptable.

- b) Mr. Mike Comroe, 205 Pinetown Road, commented that he was surprised to see a defibrillator on the wall of the Township building when he entered. He thanked whoever was responsible for installing it, noting if it saves one life it is worth the expense of installation and training.
- c) Ms. Eve D'Onofrio, 128 Regency Drive, was present to discuss the Library's Annual Wine Tasting fundraiser. This will be held March 28th, and is being catered by Chateau Graneri. The cost is \$45 per person, or \$40 per person with groups of 10 or more.
- d) Mr. Mark Malarz, 1082 Bayless Place, stated that the trash removal situation at the Eagle needs to be resolved. He commented that the vendor, J.P. Mascaro is arrogant in their treatment of the residents, and ignores the very polite police when they ask them to leave.
 - i) Chief Carroll explained that they have been advised by their lawyer not to ask the vendor to leave. The protocol is that they respond to resident complaints, document the complaint, and pass that information along to the appropriate people.
 - ii) Mr. Malarz noted that J.P. Mascaro is now making several runs through the neighborhood, and tagging trashcans of residents who do not put the trash out by 6 a.m., which he thinks is harassment. They are also not picking up smaller bags of trash that are outside of the trashcan.

10) Adjournment:

- a) **MOTION** – Supervisor Altieri made a motion to adjourn the meeting. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0. The meeting adjourned at 9:05 p.m.

Next Business Meeting: March 19, 2009

Next Work Session Meeting: April 2, 2009