

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS  
APRIL 2, 2009 MEETING MINUTES**

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**1) Executive Session:**

- a) Mr. Brown called the executive session to order at 6:35 p.m., seconded by Mrs. Altieri. The following Supervisors were present: Mr. Brown, Mrs. Altieri and Mr. Sassu. Mr. Dininny and DiPaolo were absent. Also present were Township Manager Mr. Dunbar and Solicitor Mr. Onorato. A discussion took place on personnel, legal and real estate matters. Mr. Brown motioned to adjourn the meeting at 7:27 p.m., seconded by Mrs. Altieri.

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

- a) Chairman Sassu 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, Dininny, and Sassu.
- b) Supervisor DiPaolo was absent.
- c) Also present were Solicitor David Onorato, Township Engineer John Chambers, Traffic Engineer Casey Moore, Police Chief Francis Carroll, Project Analyst Nate Dysard, Accounting Manager Susan Law, Emergency Management Coordinator Charles DeFrancesco, 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, and real estate 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.
- b) Chairman Sassu noted that former LPPD Sgt. Dr. Timothy Michener recently passed away. Mr. Sassu discussed Dr. Michener's work background and funeral arrangements. Supervisor Brown requested that a page be set-aside in the minutes to remember Dr. Michener.

**6) Discussions:**

- a) Maillie Falconiero to present the 2008 audit:
  - i) Mr. Chris St. George of Maillie Falconiero was present to provide an audit summary for fiscal year 2008. Mr. St. George provided a one-page summary to the Board which included:
    - (1) Mr. St. George indicated that they found no deficiencies with the internal controls of the Township. There were no significant audit adjustments, no disagreements with management, and they did not have difficulty performing the audit. A management letter was issued, and they gave a clean opinion of the Township financials.
    - (2) Mr. St. George explained the various sections of the audit report.
      - (a) The management discussion and analysis provides an overview to help interpret the financial statements. This also provides key data relating to currently known facts; decisions or conditions that are expected to have a significant effect on the Township's finances.
      - (b) The statement of net assets provides an overview of Township owned assets, liabilities and the net difference.
      - (c) The statement of activities relays the results of Township operations by program on a full accrual method of accounting. This is equivalent to an income statement in the for-profit world.
      - (d) Key figures from the audit included:
        - (i) Cash and investments decreased from \$7,957,122 in 2007 to \$5,515,918 in 2008.

- (ii) The fund balance also decreased from \$7,530,988 in 2007 to \$6,246,817 in 2008. Mr. St. George commented that even with these decreases the general fund balance is still a healthy 20%, only down 1% from 2007.
  - (iii) General obligation bonds decreased from \$10,385,052 in 2007 to \$9,653,822 in 2008.
  - (iv) Revenues were down from \$12,442,429 in 2007 to \$11,450,156 in 2008. This decrease was due to the economy as there was a reduction in transfer taxes, declining investment returns, less fees collected for new projects etc.
  - (v) Expenses were up 2% from \$12,397,652 in 2007 to \$12,734,327 in 2008.
  - (vi) Overall revenues and expenses posted a net loss of \$1,284,171.
  - (vii) The net assets for proprietary activities, reflecting the balance sheet for the Municipal Authority and former Solid Waste Fund, included a decrease in cash and investments from \$113,206 in 2007 to \$65,759 in 2008. The retained earnings for this category was also slightly down from \$3,456,480 in 2007 to \$3,368,070 in 2008.
  - (viii) The revenue and expenses for proprietary activities, again reflecting the Municipal Authority and former Solid Waste Fund, saw a slight increase in revenues, up from \$109,954 in 2007 to \$125,217 in 2008. Expenses in this category decreased slightly from \$265,597 in 2007 to \$213,627 in 2008, for a lower net loss of \$88,410 in 2008, down from \$155,643 in 2007.
- ii) There were no questions from the Board regarding this report.
- b) Refund on amusement taxes to Methacton Community Theater:
    - i) Ms. Law explained that the Methacton Community Theater has remitted \$621.50 for amusement tax related to a dinner theater performance that they presented in November 2008. The Theater subsequently submitted a request for a partial rebate on taxes paid, as their profits were less than originally calculated. The Theater is only responsible to pay 10% on a profit of \$2,310, or \$231.
    - ii) The tax is split between the Township and the Methacton School District. The Township's portion of this refund would be \$195.25, which Ms. Law will request be refunded at the April 16, 2009 meeting.
    - iii) Supervisor Brown commented that they should refund this money to the Theater.
- c) Revised rate schedule from McMahon Associates for traffic engineering services:
    - i) Mr. Dunbar explained that he had a meeting with Mr. Joseph DeSantis, from McMahon Associates who has offered to prepare a separate, reduced, municipal fee schedule for Township work. This modification of rates will help offset effects from the economy on Township funds. The revised schedule will be in the Board's packet for consideration at the April 16, 2009 meeting.
- d) CDBG application for reconstruction costs for handicapped ramps:
    - i) Mr. Dysard requested authorization to submit a Community Development Block Grant to Montgomery County in the amount of \$330,000. This will help the Township fund construction of new ADA handicapped ramps. Mr. Dysard explained that he would request action prior to the April 16, 2009 meeting, as the application deadline is April 15.
    - ii) **MOTION** – Supervisor Dininny made a motion to authorize submission of the grant application. Supervisor Altieri seconded the motion.
      - (1) Mr. Dunbar noted that the existing ramps no longer meet current ADA regulations. The Township will have seven years to phase in the new ramps.
      - (2) Supervisor Brown asked if they could get the money now but hold off on installing the ramps, as requirements will probably change again in the next seven years? Mr. Dunbar indicated that the ramps would be a 2010 project for the Township. Mr. Chambers remarked that the standards have not changed again.
      - (3) There was no public comment on this matter.
      - (4) **MOTION VOTE** – The motion *passed* 4-0.
- e) Discussion on Pawlings Road – county trail driveway access:

- i) Supervisor Brown commented that he has concerns about the high traffic use of the County park driveway, which accesses the Oaks Shopping Center / Expo Center area, and would like the Township's Traffic Engineer, Mr. Moore, to outline this situation.
- ii) Mr. Moore noted that they issued a memorandum on February 16, 2009 with their recommendations on this access road. There are site distance issues and traffic volume issues relating to this road. McMahon Associates recommends a more detailed study be performed. The increased traffic volumes may change the classification of the driveway to a higher classification.
  - (1) Mr. Moore relayed some of their suggestions for studying this area, which include 12-hour traffic counts, capturing travel speeds along Pawlings Road in this vicinity and on the County access driveway/road, and an analysis of a potential future traffic signal.
  - (2) Mr. Moore indicated that they need to coordinate between not only Lower Providence Township but also Upper Providence Township, PennDOT and the County to review planned land development in this area prior to proceeding. This is a State road, so they should be part of the solution. The cost for any improvements should not be borne by Lower Providence, but by Upper Providence and the County who are generating most of the traffic volume. Mr. Moore noted that a BJ's is slated for development in the Oaks Shopping Center. The developer will have to make some improvements to Egypt Road as part of that approval.
- iii) Mr. Brown remarked that the permit for that driveway is for a medium access driveway, and it is not used as such. Mr. Moore affirmed this, and noted there were a lot of left turns onto the driveway/road in the morning to get to Rt. 422.
- iv) Mr. Dunbar suggested that the Board authorize staff and McMahon Associates to reach out to Traffic Planning & Design (TP&D) who is the engineer for the Oaks Shopping Center, and the County. He remarked that any improvements should be the responsibility of Audubon Land Development and the County. Mr. Dunbar noted that there was a meeting in October 2008 with Upper Providence, Lower Providence, McMahon, TPD, the County and the ARC to discuss this. They were waiting for the ARC plan to be submitted, which has not occurred, so they need to get this moving.
- v) Mr. Dunbar asked Mr. Moore to update the residents on the lane reductions for the bridge by the Collegeville Inn. These went into effect today without any notification to the Township.
  - (1) Mr. Moore explained that there were two lanes going from Lower Providence into Collegeville, which were reduced to one lane, with the reverse lane change coming from Collegeville. In conjunction with this, there were signal upgrades etc., which were to be made on the Collegeville side. Mr. Moore noted that the contractor made the striping changes today, however little signage was installed to alert drivers to these changes.
  - (2) Mr. Moore held a meeting today with LPPD, TP&D, and the contractor to discuss the situation. Afterwards, there were some signs installed to indicate, "Traffic patterns have changed." The traffic flowing out of Lower Providence was great, but from Collegeville into Lower Providence it was not.
  - (3) Mr. Dunbar noted that traffic flowing from Ridge Pike is good, however traffic from Germantown Pike is a disaster. They will need to coordinate something to address that traffic.
  - (4) Mr. Moore indicated that TP&D is monitoring the traffic, and he has asked them to apprise him of the issues.
  - (5) Mr. Dunbar asked when they would synchronize the fiber optic closed loop system to address traffic problems? Chief Carroll spoke with Mr. Fred Herbst from Armor & Sons, who indicated that it should be done some time this summer.
  - (6) Mr. Moore has a field expert who also has a call into Armor to determine when the fiber will be operational.
  - (7) Supervisor Brown commented that the traffic lights are totally out of synch in Collegeville.
- f) Request for waiver of driveway addition for 3116 Alden Road:

- i) Mr. Siegel explained that the property owner at 3116 Alden Road is requesting a waiver to place her driveway closer than 5' to the property line.
- ii) Property owners Denyse Hansburg and Josh Drennan reviewed photographs of their property to explain their need for this request. Ms. Hansburg has a letter from the next-door neighbor in support of this request, which will be on the April 16, 2009 agenda for consideration.
- g) Escrow Release for 37 Oaklyn Avenue, 3150 Ridge Pike, 2864 Ridge Pike, and 125 E. Mt. Kirk Avenue:
  - i) Mr. Siegel noted that the developer for these properties, HTC, is requesting escrow release as they are all completed. Mr. Chambers did not have any issues relating to these properties.
- h) 90-day extension for 950 Rittenhouse Road:
  - i) Mr. Siegel explained that this property is the old Commodore building. The developer is trying to figure out how to best address stormwater issues, and has requested a 90-day extension.
  - ii) Supervisor Dininny asked if that was enough time to address the problem? Mr. Siegel believes this should be sufficient time.
- i) Final acceptance & release of escrow monies for Valley View Community Church:
  - i) Mr. Siegel noted this project was completed. The landscaping is done, the basin is good, and overall they did a good job with this project. The pervious paving is doing an outstanding job in the parking lot too.
  - ii) Chairman Sassu asked how the neighbors felt? Mr. Siegel indicated that they were happy since the trees were installed. The church is also working on installation of a trail system.
  - iii) Mr. Chambers remarked that the neighbors called his office and thanked him, they are happy.
- j) Act 537 Mt. Kirk special study:
  - i) Mr. Onorato explained that there would be a resolution to adopt amendments to the existing 537 plans. The Sewer Authority has requested that they redirect flows from the Mine Run interceptor to the Eagleville Run sewer interceptor. They need to prepare the study and obtain DEP approvals prior to performing this work. The Board will need to vote on and accept the plan at the April 16, 2009 meeting.
  - ii) Mr. Siegel reviewed a plan showing where they want to extend the pipe and redirect it.
  - iii) Supervisor Brown asked how many people this impacted? Mr. Siegel thinks that 3 or 4 residents will be affected. He believes they have been notified.
  - iv) Mr. Dunbar has offered the service of the Township's communication system to notify residents of this change.
- k) Conditional Use Hearing for Collegeville Inn:
  - i) Mr. Onorato explained that the Collegeville Inn was before the Board several months ago for a conditional use hearing, which was tabled. They will complete their application and present it in two weeks at the next Board meeting.
- l) Review of ordinance amending Chapter 143 of the Code of the Township of Lower Providence (also known as the Zoning Ordinance of Lower Providence Township) by eliminating the existing VC-Village Commercial District and adding a new VC-Village Commercial District and new EVC Evansburg Village Commercial District:
  - i) Mr. Siegel noted that a hearing was held on this matter in February.
  - ii) Mr. Onorato indicated that he has made minor changes to the ordinance that were requested by the Montgomery County Planning Commission. No additional advertisement or review of the changes is necessary.
- m) Review of ordinance amending the zoning map attached to and incorporated in Chapter 143 of the Code of the Township of Lower Providence changing the zoning classification of certain parcels of land from VC-Village Commercial, PBO-Professional and Business Office District, R-2 Residential and IND-Industrial to EVC-Evansburg Village Commercial:
  - i) Mr. Siegel noted that the February hearing for this matter was continued to April 16.
  - ii) Mr. Dunbar commented that this relates to specific map changes in Evansburg.

- iii) Mr. Onorato noted this coincides with a text amendment also being considered to create the EVC. The map change attaches the parcels to the EVC.
  - n) Application S-09-01 Provincetowne minor subdivision for lot line adjustment:
    - i) Mr. Siegel explained that this application relates to a lot line mistake made in 1971 or 1972 in the Morning Dove / Mallard Circle area. The title company, represented by Czop/Specter, Inc., came to the Township to explain the mistake. This land development application is for lot line adjustments that will be recorded on the plan. This is a relatively minor lot line change and the neighbors are all in agreement on it. This will be on the April 16, 2009 agenda for consideration.
  - o) Proposed street name change from Sunset Avenue to West Sunset Avenue:
    - i) Mr. Charles DeFrancesco explained that in early March Mr. Joseph Butera, a 30-year resident of the Township, met with Lower Providence and East Norriton townships to discuss duplicate addresses for Sunset Avenue in zip code 19403. There are 15 duplicated addresses on Sunset Avenue in both of the Townships. This has resulted in numerous mail issues, and problems for emergency responders to 911 calls.
    - ii) Since 2006 there have been 9 calls to one of these streets, 7 of the calls were for duplicate addresses. Fortunately the call center operators were able to identify the appropriate Township for responders in these situations.
    - iii) Mr. DeFrancesco noted that Mr. Butera has spoken with 17 of the 21 Lower Providence residents about changing their street address from Sunset Avenue to West Sunset Avenue, and all responded positively. Mr. Dunbar affirmed that basically all residents were in favor of this change.
    - iv) Supervisor Brown suggested that the Board take action on this matter tonight to expedite the street name change process. Mr. Onorato indicated this would be OK.
    - v) **MOTION** – Supervisor Brown made a motion to approve the street name change from Sunset Avenue to West Sunset Avenue. Supervisor Dininny seconded the motion. The motion *passed* 4-0.
    - vi) Mr. DeFrancesco indicated that he would get a letter out to the residents to let them know of the change.
  - p) Discussion of Lower Providence Community Center Ambulance officers participating in County Medical Incident Support Team:
    - i) Mr. DeFrancesco explained that the Lower Providence Community Ambulance Squad would like to participate in the Montgomery County Incident Support Team developed by Montgomery County Dept. of Public Safety. This support team was developed to respond to large-scale medical incidents in the area, allowing more trained medical personnel to be involved in such an incident. Mr. DeFrancesco noted that he is in favor of this participation.
    - ii) Mr. Dunbar noted that this is a regional cooperative effort that must be approved by the Board. This is a positive thing for the Township and the region.
- 7) Courtesy of the Floor:**
- a) Mr. Mike Comroe, 205 Pinetown Road, commented that he was shocked to hear of Dr. Michener's death, and requested further details on the funeral.
  - b) Mr. Tom Lehan, President of the Methacton Wolverines, was present to discuss the status of his organization's development of the football field and parking lot in the Township complex.
    - i) Mr. Lehan noted they have spent over \$100,000 on the project so far. Most recently the field was rock-hounded and seeded. The swale was to be completed this week, however the rain has put this slightly off schedule.
    - ii) Earlier this week Mr. Lehan met with Pennsylvania American Water Co. (PA American) to discuss tapping the water line for the field. This work would cost about \$5,000 for a water pit, \$2,000 for the line excavation and copper piping, and excavation costs which could be around \$40,000.
    - iii) The Wolverines applied for a \$20,000 grant through Senator Rafferty's office, which should be forthcoming in September. They have also applied for a grant through Representative Vereb's

office, but have not heard if this will be awarded. The Wolverine's have about \$16,500 in outstanding bills related to the project. They are afraid they will lose the \$1,000 spent on grass seed for the field if they are unable to provide irrigation. Mr. Lehan is requesting that the Township provide a donation of \$40,000 to help with the water installation.

- iv) Supervisor Dininny asked if there were any chance that PA American would do some pro-bono work on this project? Mr. Lehan indicated they might be able to assist with the water pit, however they do not have a commitment on that.
  - v) Mr. Dunbar noted that the Wolverines are looking for a piping system to get the water in to irrigate the fields. They will also provide hook-ups for future restrooms and concession stands. There is a big difference in the work completed on this project in the last 22 days as compared to what was done over the last 3 years. They are doing the work to the plan and trying to do it correctly.
  - vi) Supervisor Brown asked what the Township could do to help? He suggested loaning the \$20,000 grant money from Senator Rafferty's office to the Wolverines until they receive the grant in September. Mr. Dunbar noted they need to figure out what they really need to do, noting his budget is very tight right now.
  - vii) Mr. Dininny suggested that the Wolverines put together a budget and identify when the various items are needed.
  - viii) Supervisor Altieri suggested that the Township might be able to pursue the loan idea. She also stated they need to prioritize items in their budget.
  - ix) Mr. Lehan noted their priority has been to complete the items on the punch list such as installing the walking trail, getting water and electric to the field, and excavating 7' to 15' on the parking lot.
  - x) Chairman Sassu asked if the Board could make a motion to approve an amount up to \$5,000 provided the Wolverines provide documentation on costs? Mr. Onorato noted they are asking for a contribution.
  - xi) Mr. Lehan indicated they would also be happy if the Township wanted to purchase the items instead of making a donation. It was noted that when the Township purchases items over a certain amount they must go through the RFP process.
  - xii) Mr. Dininny asked if they could make a loan toward the grant money as Mr. Brown suggested? Mr. Onorato indicated they could do this.
  - xiii) Mr. Dunbar suggested taking a step back and asking for the Wolverines to put together a proposal prior to making a contribution or loan.
  - xiv) Mr. Dininny commented on the value of a non-profit organization. He noted that ARA constructed two fields for \$98,000 when he was involved with that organization. Part of ARA's success is that two people have remained actively involved in leading that organization for the past 20 years. What the Wolverine's have done with the field is amazing for a non-profit volunteer organization, and he will see what he can do to help. He requested that they get their itemized budget with timeline to Mr. Dunbar as soon as possible.
  - xv) Mr. Sassu noted his concern was for their immediate need to irrigate the grass seed. This will be on the April 16 agenda.
- c) Mr. Dunbar had one other item for discussion. For the Business Park revitalization project, they are proposing that Chambers Associates tag aerial photographs of each property with existing conditions. This will allow them to lie out the sidewalks, utilities etc. This will be paid for from the Business Park Revitalization Fund, and will be on the April 16 agenda for authorization.
- d) Supervisor Brown commented on the success of the Library's fundraiser, which was well attended. Mr. Brown asked if Mr. Onorato would be able to provide an update on the issue with J.P. Mascaro?
- i) Mr. Onorato noted that J.P. Mascaro and Eagle Properties have a temporary resolution, which should be approved by both parties. This will require J.P. Mascaro to stop servicing that community for the time being, relieving the immediate concern of the residents while a formal and permanent resolution on this matter is being decided.

**8) Adjournment:**

- a) **MOTION** – Supervisor Altieri made a motion to adjourn the meeting. Supervisor Brown seconded the motion. The motion *passed* 4-0. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

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Joseph C. Dunbar, Secretary

**This page is set-aside in remembrance of former  
Lower Providence Township Police Officer**

**Dr. Timothy Michener**

**who recently passed away.**