

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS
JULY 16, 2009 MEETING MINUTES**

1) Executive Session:

- a) Mrs. Altieri called the executive session to order at 6:35 p.m., seconded by Mr. Dininny. The following supervisors were present: Mrs. Altieri, Mr. Sassu and Mr. Dininny. Mr. Brown was absent. Mr. DiPaolo arrived at 7:23 p.m. Also present were Township Manager Mr. Dunbar and Solicitor Mr. Onorato. A discussion took place on legal and personnel matters. Mr. Dininny motioned to adjourn the meeting at 7:30 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 David Onorato, Township Engineer John Chambers, Police Chief Francis Carroll, Parks & Recreation Director Karl Lukens, Accounting Manager Susan Law, Project Analyst Nate Dysard, Human Resources Coordinator Geri Golas, 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 and personnel matters.

6) Consent Agenda:

- a) **MOTION** – Supervisor Dininny made a motion to approve the consent agenda. Supervisor Altieri seconded the motion.
 - i) Supervisor Sassu abstained from voting on the June 29, 2009 meeting minutes, as he did not attend that meeting.
 - ii) Supervisor DiPaolo abstained from voting on the June 18 and 29, 2009 meeting minutes, as he did not attend those meetings.
 - iii) **MOTION VOTE** – The motion *passed* 2-0-2. There was no public comment on this item.

7) Old Business:

- a) Authorization for disposition of records according to Municipal Records Retention Manual:
 - i) Ms. Law requested authorization to dispose of records in accordance with the Township's record retention policy.
 - ii) **MOTION** – Supervisor Altieri made a motion to authorize the disposition of records. Supervisor Dininny seconded the motion. The motion *passed* 4-0. There was no public comment on this item.
- b) Application S-08-04, Eagle Stream Plaza for Final Land Development approval:
 - i) Mr. Dysard noted that the applicant was present to discuss any of the Board's concerns relating to application S-08-04.
 - ii) Ms. Susanne Creveling, HT Engineering, was present to represent the applicant.
 - iii) Supervisor DiPaolo asked if anything had changed with this application since the work session?
 - (1) Ms. Creveling noted there was one small wording change in the resolution; otherwise it remains as it was presented in the work session.
 - iv) Waiver Requests:
 - (1) Section 123-18.A.1 – Locating existing features within 200 feet of the site boundary.
 - (a) **MOTION** – Supervisor Dininny made a motion to grant this waiver request. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0.

- (2) Section 123-36.B.1 – The requirement for a 200-foot driveway separation distance.
 - (a) **MOTION** – Supervisor Altieri made a motion to grant this waiver request. Supervisor Dininny seconded the motion. The motion *passed* 4-0.
- (3) Section 123-50.B.2 – Perimeter planting requirements on the southeast property line due to insufficient space.
 - (a) **MOTION** – Supervisor Dininny made a motion to grant this waiver request. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0.
- (4) Section 123-50.B.1 – Partial waiver of perimeter plantings in the right of way, eight shade trees are required and the applicant is providing three because of insufficient space.
 - (a) **MOTION** – Supervisor Altieri made a motion to grant this waiver request. Supervisor Dininny seconded the motion. The motion *passed* 4-0.
- (5) Section 123-141.K.3 – Screening of service areas from pedestrian walkways.
 - (a) **MOTION** – Supervisor Dininny made a motion to grant this waiver request. Supervisor Altieri seconded the motion. The motion *passed* 4-0.
- (6) Section 123-36.C – Distance from street intersections, 100’ is required, the applicant is proposing 50’.
 - (a) **MOTION** – Supervisor Altieri made a motion to grant this waiver request. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0.
- (7) There were no public comments on any of the waivers.
- v) **MOTION** – Supervisor Dininny made a motion to grant preliminary and final land development approval. Supervisor Altieri seconded the motion. The motion *passed* 4-0. There was no public comment on this item.
- c) Application S-07-06, 258 Level Road Minor Subdivision, for Preliminary and Final Land Development approval:
 - i) Mr. Dysard noted that Mr. and Mrs. Barto were present to discuss preliminary and final amended plan approval.
 - ii) Mr. Onorato explained that the Board originally approved this plan in 2007. The plan is being amended to reduce the access easement width from 50’ to 30’ per an ordinance change. This increases the area for lot three to 71,990 sq. ft. Mr. Onorato has made reference to the original conditions for this ordinance in the amended resolution.
 - iii) **MOTION** – Supervisor Dininny made a motion to grant preliminary and final plan approval. Supervisor Altieri seconded the motion. The motion *passed* 4-0. There was no public comment on this item.
- d) Letter from John Wolfe and Tom Culligan, Mavericks Baseball Team regarding request for fee waiver for use of Gaughler Field:
 - i) Mr. Lukens explained that the Mavericks baseball team is requesting a fee waiver for the use of Gaughler Field. This is a team that represents Lower Providence in the Connie Mack baseball league, with most of the team members being Township residents.
 - ii) **MOTION** – Supervisor Dininny make a motion to grant the waiver request. Supervisor Altieri seconded the motion.
 - (1) Chairman Sassu asked if this would open a floodgate for requests from all the other organizations? Supervisor DiPaolo also asked if the other teams pay fees?
 - (2) Mr. Lukens noted that some other teams have leases. There are six other teams at Gaughler Field that all pay fees, with this being the only youth team.
 - (3) Supervisor Altieri asked if this team provides baseball for children who have outgrown ARA? Mr. Lukens indicated that it is. He further noted this was the first year for fees and this organization had not budgeted for them.
 - (4) **MOTION VOTE** – The motion *passed* 3-1, Chairman Sassu opposed the motion.
 - (5) Supervisor DiPaolo requested that this be further investigated as he does not like to create multiple levels for multiple teams, they should be treated coherently. There was no public comment on this item.

- e) Authorization to prepare and advertise the bid for traffic light battery back-up systems:
 - i) **MOTION** – Supervisor Altieri made a motion to authorize the preparation and advertisement for the traffic light bid. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.
- f) Authorization to move forward with Eskie Park comfort station contingent upon DCNR grant award:
 - i) Mr. Dysard requested authorization to proceed with the Eskie Park comfort station based on the Township’s receipt of the DCNR grant this fiscal year. If the grant is not received, this should move into 2010.
 - ii) **MOTION** – Supervisor Altieri made a motion to authorize this request. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0. There was no public comment on this matter.
- g) Discussion on public hearing for ordinance removing the Institutional Overlay from Colledgeville Inn parcels:
 - i) Mr. Dunbar requested that the Board set a date for a public hearing to discuss the possible lifting of the Institutional Overlay district for the Colledgeville Inn property. The applicant submitted a conditional use application, which was subsequently withdrawn. The Board voted 4-1 to lift the Institutional Overlay from the property.
 - ii) **MOTION** – Supervisor DiPaolo made a motion to set a hearing date for the September business meeting for this request.
 - (1) **Mr.** Onorato noted they would need the Planning Commission and Montgomery County Planning Commission to review the ordinance prior to the hearing.
 - (2) **MOTION VOTE** – Supervisor Altieri seconded the motion. The motion *passed* 3-1. Supervisor Dininny opposed the motion. There was no public comment on this matter.

8) New Business:

- a) Discussion and consideration on collective bargaining agreements with AFSCME District 88 and Lower Providence Police Officers Association:
 - i) Chairman Sassu announced an agreement for a 5-year contract with AFSCME and the LPPD bargaining unit.
 - (1) For AFSCME, compensation will include salary increases of 3.5% in 2010, 3.25% in 2011, 3.5% in 2012, 3.5% in 2013, and 4% in 2014. Employees will contribute .5% of their salary toward pension each year for a total of 2.5% during the contract. The contract represents an overall 11.75% decrease as compared to the last contract.
 - (2) The LPPD personnel will receive 4% salary increases for each of the five years in the contract, representing a 1% yearly decrease from the previous contract. These employees will contribute the following amount from their salaries toward pension each year: 1% in 2010, 1% in 2011, 1.5% in 2012, 1.5% in 2013, and 2% in 2014. There is an overall 5.5% decrease as compared to the previous contract.
 - (3) With both of these contracts, the Township will be able to shop around for medical plans as long as they provide the same level of service as was negotiated.
 - ii) **MOTION** – Supervisor Dininny made a motion to adopt the collective bargaining agreements. Supervisor Altieri seconded the motion. The motion *passed* 4-0. There was no public comment on this item.
 - iii) Chairman Sassu thanked the employees who worked on the contract committee.
- b) Mr. Dysard noted that in light of Mr. Siegel’s leave of absence, he is requesting that the Township engage Gilmore & Associates to cover duties staff cannot address. The firm’s services would be utilized on an as needed basis, at the cost of \$80 per hour.
 - i) **MOTION** – Supervisor Altieri made a motion to approve the use of Gilmore & Associates on an as needed basis. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0. There was no public comment on this item.

9) Comments and Other Business:

- a) Mr. Dysard requested that the Board authorize the escrow release for Owl Creek Partners. This escrow release of \$43,175.12 is for completed improvements at Providence Place.

- i) Supervisor Altieri asked if everything on the punch list was OK? Mr. Chambers indicated that it was.
- ii) **MOTION** – Supervisor Altieri made a motion to grant the escrow release for Owl Creek Partners. Supervisor DiPaolo seconded the motion. The motion *passed* 4-0. There was no public comment on this item.
- b) Supervisor Dininny thanked the Parks & Recreation Department for the nice job they did on the 4th of July celebration. Mr. Lukens also thanked the LPPD for their assistance that evening.
- c) Chairman Sassu thanked Parks & Recreation, Public Works, and the LPPD for their work on the 4th of July. He noted that he also attended the 100th anniversary celebration for East and West Norriton that evening.
 - i) Mr. Sassu thanked Mrs. Golas, Mr. Dunbar, Ms. Law and staff involved in ensuring that the employee contract negotiations were a success.
- d) Public Comment:
 - i) Mr. Tom Leahan, President of the Methacton Wolverines, discussed the goals and values of his organization, and their benefit to the children involved in the program. The progress they have made on the all-purpose field has been successful through many community partnerships. In order for the Wolverines to continue to succeed with the field project, Mr. Leahan requested that the Township donate \$9,500 to enable them to complete the punch list.
 - (1) Supervisor Dininny noted they would need input from Mr. Dunbar as to the feasibility of this request.
 - (2) Mr. Dunbar noted that the Wolverines are a feeder program into the Methacton School District's (MSD) football program. He asked if there had been any conversations with MSD about the possibility of a donation from their athletic budget? Mr. Dunbar noted that there are no surpluses in the Parks & Recreation or General Funds for this request. This would need to come from the Township's reserves or from another budget line item. Mr. Dunbar noted this is a fantastic project, and will also enable lacrosse and soccer teams to use the field.
 - (3) Mr. Dininny commented that since this is a by-product of the Arcola expansion project removing the Wolverine's playing field, he would be willing to go to the MSD with Mr. Leahan to discuss donation of funds. He noted that a lot of time and sweat equity have gone into the field. He will ask Mr. Dunbar to determine if there is anything the Township can do to help.
 - (4) Mr. Leahan noted they are trying to get the paving done, and have the stone in the parking lot. Mr. Dunbar will try to find at least 50% of the request, and will discuss this with MSD.
 - ii) Mrs. Joyce Cluley, 19 Vaux Lane, noted several instances of boys who escape from St. Gabriel's Hall and cross over her property in the process. She asked when the community alert system would be activated, as she has not received any calls during recent escapes from St. Gabe's.
 - (1) Chief Carroll explained that they did a test call from the program, but there were problems. Mrs. Hardy, the neighborhood's emergency management coordinator knew about this. The new system will be activated shortly.
 - (2) Mrs. Cluley asked if she would be notified anytime there was an escape, even at night? Chief Carroll noted that from 10 p.m. to 6 a.m. no calls would go out. The demographics of the neighborhood include many who do not want to receive calls at that time of the day.
 - (3) Mrs. Cluley asked if she would be notified with a test call when the system was done? Chief Carroll indicated that she would be.

10) Adjournment:

- a) **MOTION** – Supervisor Altieri made a motion to adjourn the meeting. Supervisor Dininny seconded the motion. The motion *passed* 4-0. The meeting adjourned at 8:20 p.m.

Respectfully submitted,