

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS
AUGUST 6, 2009 MEETING MINUTES**

1) Executive Session:

- a) Mr. Brown called the executive session to order at 6:32 p.m., seconded by Mrs. Altieri. The following supervisors were present: Mr. Sassu, Mrs. Altieri, Mr. Brown. Mr. DiPaolo arrived at 6:47 p.m. and Mr. Dininny arrived at 6:59 p.m. Also present were Solicitor Mr. Onorato and Mr. Roth acting on behalf of Township Manager Mr. Dunbar. Nate Dysard and Denise Walsh were present for part of the session. A discussion took place on legal, personnel and real estate matters. Mr. Brown motioned to adjourn the meeting at 7:34 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, Brown, Dininny, DiPaolo, and Sassu.
- b) Also present were Solicitor David Onorato, Township Engineer John Chambers, Lieutenant Stanley Turtle, Director of Public Works David Shaffer, Director of Parks & Recreation Karl Lukens, Accounting Manager Susan Law, Project Analyst Nate Dysard, Community Relations Coordinator Denise Walsh, and Director of Special Projects & Technology William Roth.

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) Presentations & Commendations:

- a) Presentation to John Larcinese recognizing 5 Years of Service with the Lower Providence Township Public Works Department:
 - i) Chairman Sassu read a history of Mr. Larcinese's service with the Township, including his involvement in community organizations, and presented him with a gift.
 - ii) Mr. Shaffer commented on the mentoring role that Mr. Larcinese provides for his peers.
 - iii) Mr. Larcinese noted that he is also a Township resident, and commented on how efficiently run the Township was.
- b) Presentation to Matt Jones recognizing his service to Lower Providence Township as Student Liaison to the Parks and Recreation Board:
 - i) Chairman Sassu discussed the role of Park Board student representative Matt Jones, and his plans to attend the University of Pittsburgh, and presented him with an award and gift.
 - ii) Mr. Lukens, Mr. Tom Heisner, Chairman of the Park Board, and Mr. Anthony Gambone, Vice Chairman of the Park Board were also present to comment on Mr. Jones' dedicated participation on the Board. Mr. Heisner noted that Mr. Jones worked at almost all Park Board events during his tenure on the Board.
 - iii) Mr. Jones remarked that it has been enjoyable to volunteer for the Township, and that he may one day work in municipal government.

7) Discussions:

- a) Discussion on Conditional Use Application CU-09-01, 3236 Ridge Pike:
 - i) Mr. Dysard explained that the applicant, HTC Associates, was not present this evening.
 - ii) Mr. Dysard noted that the applicant was requesting two waivers – one from installation of curbs and sidewalks, and the other requesting a bonus provision for impervious coverage from 50% to 70%. He indicated there was some concern that the application would be able to meet the provisions for the bonus, and also regarding the impact of no curbs or sidewalks.

- iii) Supervisor Brown noted that he had questions for the applicant, however since they did not see fit to attend this meeting, he will have to postpone them until the next meeting.
- b) Discussion on Project S-09-03, Shrawder Major Subdivision, 180-day extension:
 - i) Mr. Dysard explained that the applicant, Mr. Shrawder, has requested a 180-day extension on this plan, which expires August 25, 2009. This will be on the next agenda for consideration.
- c) Discussion on Project S-09-02, Barry Minor Subdivision:
 - i) Mr. Michael Furey, Esq., was present to represent the applicant, Mr. Brad Barry, also present. Mr. Glen Kelczewski, P.E. the project engineer, was also in attendance.
 - ii) Mr. Furey explained that this was a request for a two-lot subdivision. The Barry's will continue to live on one lot, and their daughter will live on the new lot. The lot is "L" shaped, actually two lots that are taxed together. Mr. Furey stated that they have received approval from the Zoning Hearing Board (ZHB), and have placed the lot line as directed by the ZHB. They also received approval from the Planning Commission (PC) and met with staff at the beginning of this process.
 - iii) Mr. Furey distributed copies of review letters from Chambers Associates, dated August 6, 2009, and Township landscape architect CMX, dated July 29, 2009.
 - (1) The Chambers review listed no outstanding issues, other than the waiver requests.
 - (2) He noted that when the PC approved the plan and waiver requests, they requested that a note be placed on the plan that the waived improvements will be installed in the future should the Township require them at a later date. This note has been put on the plan.
 - (3) Mr. Furey noted that landscaping issues included identification of the types of trees and shrubs to be used, which has been addressed, and also a number of trees to be replaced. 20 trees will be removed with construction, and 7 additional trees are endangered, providing a total of 27 trees to be replaced. They will seek a waiver from replacing the trees with the required caliper inches, and request that they can replace the trees with a one for one ratio.
 - (4) Mr. Kelczewski explained that if they are required to replace the trees with the total 205 caliper inches, which is excessive for a 1-1/2 acre site. The cost for such a tree replacement could be \$40,000 to \$50,000. They have worked to reduce the number of trees being removed by repositioning the plan, and have come down from the initial 48 trees to only 27 trees being removed.
 - (5) Supervisor Altieri asked if the shrub issue had been resolved? Mr. Kelczewski indicated that it had.
 - (6) Supervisor Brown commented that this was the first time he had received a review from the PA Game Commission. Mr. Kelczewski noted this was identified as a requirement in one of his searches, so he obtained it in case it was needed.
 - (7) Mrs. Altieri requested clarification on what is being requested for the tree waiver. Mr. Furey stated they were asking for a waiver from the Natural Resources Plan ordinance requirements, and be allowed to plant 27 2" caliper trees.
 - iv) Chairman Sassu asked if questions from the Sewer Authority were clarified? Mr. Barry noted that his daughter made application for the sewer permit, and paid the appropriate fee. They are awaiting receipt of the permit.
- d) Discussion on Escrow - Developer Agreements:
 - i) Mr. Dysard requested that the Board examine and modify the Township's existing escrow policies and fees. They are trying to cover costs incurred by the Township and obtain the funds invoiced by Township consultants through immediate withdrawals from the escrow. Currently these funds are billed to the applicant and sometimes it takes a long time to receive them.
 - ii) Supervisors Brown and Altieri both commented on the merit of such a policy change.
- e) Discussion on Countywide Earned Income Tax Collection / Act 32:
 - i) Ms. Law explained that the Act 32 Countywide collection of earned income tax, approved July 2008, goes into effect January 1, 2012. The first part of this process is to select a delegate to represent the local municipalities and school districts on the Countywide EIT Committee. A meeting was held between Mr. Dunbar, Ms. Law, Methacton High School Business Manger

Denis McCall, and Worcester Township Manger John Cornell. As a result of this meeting, Mr. McCall volunteered to be the representative on the committee. Ms. Law is recommending that the Board approve Mr. McCall as the representative at the next business meeting.

f) Discussion on Woodlyn Avenue traffic study:

- i) Lt. Turtle noted that the Board requested a study on changing the traffic on Woodlyn Avenue to one-way, and reviewed recommendations from Chief Carroll as a result of that study.
- ii) Lt. Turtle noted that prior to making recommendations, Chief Carroll reviewed the history of traffic accidents in that area, and outlined the Title 67 regulations that mandate traffic control usage. As a result of the study, Chief Carroll provided the following three options for addressing the situation:
 - (1) Woodlyn Avenue could be changed to a one-way street, however another parallel street such as Oakdale Avenue would have to become one-way in the other direction.
 - (2) Status quo – leave the existing roads as they are and provide additional enforcement in the area.
 - (3) Signs restricting entry on onto Woodlyn at certain hours of the day could be used to limit traffic during the morning and evening peak traffic times.
- iii) Lt. Turtle remarked that all three options would require a more detailed study, and also approval from PennDOT. They are in the process of having a right-turn lane installed at Ridge and Trooper, which could positively impact the traffic on Woodlyn Avenue and surrounding roads. A detailed study of peak hour traffic and its impact on all of the surrounding roads should be done prior to finalizing any changes.
- iv) Chairman Sassu commented that when you make one street one-way, it just throws the traffic onto another street. Lt. Turtle stated it was ultimately an enforcement issue.
- v) Supervisor Dininny noted that the primary concern of residents in that area was speed of the traffic, not the volume. Lt. Turtle remarked that when you make a street one-way, there is often a decrease in traffic but an increase in speed.
- vi) Supervisor Brown asked what the Board needed to do? Lt. Turtle indicated that this was just to provide options for the Board to consider.

g) Discussion on Shannondell Boulevard:

- i) Mr. Onorato noted that based on a Solicitor - Staff meeting that included representatives from Audubon Land Development (ALD), ALD has agreed to review their plan to determine any other options for Shannondell Blvd. They will come back to the Board at the September or October meeting with plans. At that time the Township Traffic Consultant can figure out what to do with regard to this matter. Casey Moore of McMahan Associates has provided a preliminary letter with initial pros and cons on the matter. Mr. Onorato stated that any change would require a conditional use hearing and an amendment to the existing conditional use decision, as well as an amendment to the land development plan.
- ii) Supervisor Brown stated that if the applicant comes in recommending that Shannondell Blvd. not be completed, there should be a major reduction in the housing units at Shannondell. The volume of housing units was part of the need for Shannondell Blvd. They should also look at placing further limits on height restrictions on the buildings in the Shannondell development.

h) Discussion on Small Sided Soccer Tournament:

- i) Mr. Lukens explained that he met with Methacton United President Bill Gray, and Mary and Peter McFarland to discuss an event to honor Sgt. Marc Small. They have decided to hold an annual soccer tournament at Redtail Field to be hosted by Methacton United, who Sgt. Small played for in his youth. A plaque would also be placed at the field to recognize his service to the Country.
- ii) Supervisor Altieri asked if this would be done during soccer season? Mr. Lukens noted that the first one would be September 19, 2009, but subsequent tournaments would be held in June.

i) Discussion on Perkiomen Watershed Conservancy Environmental Awards:

- i) Mr. Roth noted that in the past the Township has taken out a half-page ad in the Program Booklet for the Perkiomen Watershed Conservancy awards banquet. The next banquet will be held October 22, 2009, and a cost for such an ad would be \$125 if the Board wishes to place an ad acknowledging the award recipients. This will be on the next meeting's agenda for the Board's consideration.

8) Other Business:

- a) Mr. Dysard explained that they received notification from the Montgomery County Conservation District and the Department of Environmental Protection that they have been awarded, jointly, \$35,000 to remove concrete flow channels at the bottom of three basins to naturalize them. There will be a match required, in labor and in kind, as well as \$3,000. Mr. Dysard indicated that while this was not funded, they will fund it through savings from other "green" initiatives such as replacing light fixtures, so funding is available.
 - i) Supervisor DiPaolo asked which basins were selected for this? Mr. Dysard indicated that Prescott, Peacock and Indian Woods basins would be naturalized.
 - ii) Mr. DiPaolo asked how many basins remained to be naturalized? Mr. Dysard does not know how many are outstanding, but about 12-15 have been completed.
 - iii) Supervisors Brown and DiPaolo both commented that this was a good initiative.
- b) Chairman Sassu noted that because of scheduling conflicts, the next BOS meeting would need to be rescheduled.
 - i) **MOTION** – Supervisor Brown made a motion to reschedule the August 20, 2009 Board of Supervisors meeting to Monday, August 24, 2009 at 7:30 p.m. Supervisor Altieri seconded the motion. The motion *passed 5-0*.
 - ii) Mr. Onorato noted that staff would need to re-advertise the meeting and notify the applicants.
- c) Chairman Sassu noted that a representative from the Lower Providence Township Library was present to discuss an upcoming fundraiser.
 - i) Mrs. Lisa Yannock noted that on Saturday, November 14, 2009, they would be holding a miniature golf fundraiser in the Library. This will run from 10 a.m. to 5 p.m., and will most likely include tee times. This is a kid-friendly opportunity to raise funds for the Library. Corporations and businesses can sponsor a hole or the clubhouse.
 - ii) Chairman Sassu commented that Governor Rendell is proposing funding cuts to all libraries, and urged people to contact their local representatives and senators to ask them to vote against this. Mrs. Yannock noted that they are proposing a 55% funding cut at this time.
- d) Mr. Onorato noted that the Regional Sewer Authority is in the process of planning an expansion of the interceptor. They sent easement agreements to the Township, which Mr. Onorato would like to present to the Board at the next Business meeting.
- e) Mr. Sassu commented that the Township held an American Red Cross Blood Drive yesterday. They are in dire need to blood donation, and he urged everyone to donate if they are able to do so.
- f) Mr. Sassu outlined details of the upcoming Annual Car Show on August 14th. People can register their cars beginning at 5 p.m., or pre-register with the Parks & Recreation Department. After the car show they will host a drive-in movie, showing Speed Racer, which should provide a fun night for the family.

9) Courtesy of the Floor:

- a) Mrs. Kathy Eskie, 540 Highgate Road, had a variety of questions regarding a property transfer of 601 N. Park Avenue from Victory Church to MB Investments for \$900,000. Mrs. Eskie questioned when, how and if a U&O was done on this property, and what the zoning was. She discussed various zoning possibilities for the parcel, which may be leased, and noted that previously it was owned by a tax-exempt organization and wondered if it was still tax-exempt. Mrs. Eskie also commented that when she called the phone number listed on a sign, it goes to JP Mascaro.
 - i) Chairman Sassu remarked that these questions should be directed to Code Enforcement during business hours.

- ii) Mrs. Eskie commented that residents calling Zoning received no answer. She wonders if the church moved to the Mascaro property, is part of that now tax exempt?
- iii) Mrs. Eskie also commented that the alarm system at 545 Deerfield Road, Mr. Sassu's home, stating it goes off all the time for extended periods of time. She questioned if Mr. Sassu received fines for false alarms or noise violations, citing a list of noise violations that would apply. Mr. Sassu indicated he has not been fined. He is aware there is a problem with the system and it has been fixed.
 - (1) Mrs. Eskie stated the alarm goes off 2-3 times a week for long periods of time. This is right behind her house. One time several police cars were sent, preventing those officers from being able to respond to other calls. She stated this should be fixed or disconnected.
- iv) Ms. Maria Bruno, 107 Oakdale Avenue, thanked the Board for looking into the traffic problem on Woodlyn. She requested that the residents on Clearfield and Oakdale also be included in any future discussion on this matter. Ms. Bruno commented that there are a lot of good things in the Traffic Calming ordinance that could be considered.
 - (1) Supervisor Dininny noted that once the right turning lane is installed in front of Lukoil, it should help with the traffic, and allow them to perform a better analysis of the situation.
 - (2) Supervisor Altieri remarked that it was not a volume issue but a speed issue. She asked what the timeframe was for installation of this new right-turn lane?
 - (3) Mr. Onorato noted this was in process, but they have to acquire some land from Lukoil.
 - (4) Mr. Chambers noted this should occur in the spring, they have permits that need to be obtained.
 - (5) Ms. Bruno remarked that the LPPD has been doing a good job of patrolling the area for speeders, but there is also an issue of illegal turns into and out of the WaWa onto Clearfield Avenue. Lt. Turtle indicated he would look into any further enforcement that can be provided, however a traffic detail at WaWa would remove them from Woodlyn.
- v) Supervisor Altieri commented that the public attack on Mr. Sassu by Mrs. Eskie was not called for. She indicated that her home is next door to Mr. Sassu, the problem has not been going on forever, and she has addressed this matter with him personally. Mrs. Altieri asked why this needed to be a public attack and not handled as a personal matter?
 - (1) Mrs. Eskie resented the accusation that this was an attack. She has to listen to the alarm scream at her for long period of time.

10) Adjournment:

- a) **MOTION** – Supervisor Dininny made a motion to adjourn the meeting. Supervisor Brown seconded the motion. The motion *passed* 5-0. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Joseph C. Dunbar, Secretary