

BOARD OF COMMISSIONERS OF NETHER PROVIDENCE TOWNSHIP
LEGISLATIVE MEETING – February 9, 2012

A legislative meeting of the Board of Commissioners of the Township of Nether Providence, duly advertised and posted in accordance with law, was called to order at 7:30 PM on Thursday, February 9, 2012 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086. The Pledge of Allegiance was recited by all present.

ROLL CALL

PRESENT: Commissioner Much
 Commissioner Sullivan
 Commissioner Noyes
 Commissioner Kenworthy
 Commissioner Dougherty
 Commissioner Baker

Gary Cummings	Township Manager
Charles Catania	Township Engineer
Thomas Flannery	Chief of Police
Dennis Sheehan	Assistant Township Manager
Lisa Swan	Finance Director
Joseph Lesniak	Township Solicitor

EXCUSED: Commissioner O'Connor

PUBLIC: Approximately 2 in attendance

Public Comments – None

Appointments to Boards and Commissions – (Vacancies on Civil Service Commission, Shade Tree Commission, Sidewalk Committee, UCC Appeals Board). Mr Cummings noted that Gina Zarko submitted her resume for a seat on the Civil Service Commission. Ms Zarko was not in attendance at this time.

Approval of Minutes

Approval of Legislative meeting of January 12

Mr Sullivan noted several changes. Mr Much moved to approve the minutes. Mr Dougherty seconded the motion which was approved 6-0.

Appointments to Boards and Commissions – Ms Zarko, 209 Glendale Rd, arrived at this time and noted she worked in the DA's office for 9 years and worked with police officers. Mr Noyes stated he recommends Civil Service Commission members review the draft Civil Service regulations before creating an employment list. Mr Dougherty asked if she has any relationship with the FOP to which she stated she did not. Mr Noyes noted by being on the Civil Service Commission she cannot serve on any other committee. Mr Kenworthy asked if she had any police in the family to which Ms Zarko responded she did not. Mr Sullivan thanked her for volunteering. Mr Much moved to appoint Ms. Zarko to the Civil Service Commission, Mr Dougherty seconded the motion which passed 6-0.

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Solicitors Report – Mr Lesniak noted the amendment to the Civil Service regulations needs to be advertised but noted there are questions from Mr Noyes and the Chief. After discussion, the Board deferred action until the March meeting. Mr Noyes says new officers should be on a probationary period for one year and disciplinary actions should not be in conflict with the CBA. Mr Much noted a difference between hiring full-timer and part-timer officers.

Mr Lesniak referenced the APB (Animal Protection Board) agreement and summarized changes to the agreement. Mr Lesniak also researched solicitation case law and felt we could limit times of soliciting but we must state a specific time period and must be reasonable. He said 9:00 AM to 7:00PM is reasonable. After discussion, Mr Much moved to authorize so amending the solicitation ordinance. Mr Dougherty seconded the motion which was approved 6-0. Mr Lesniak stated he will look at the bamboo ordinance next.

Engineers Report

Beechwood Road sewer extension bid award- Mr Catania reviewed the bids for the project and noted that Land-Tech Enterprises came in with the lowest proposal at \$187,390.00. Mr Much asked if he has worked with them in the past and Mr Catania said he did. After discussion, Mr Much moved to award the bid to Land Tech Enterprises at the low bid amount of \$187,390.00. Mr Kenworthy seconded the motion which carried 6-0.

Mr Catania noted the Aqua PA offer of \$139,600 in lieu of full restoration of Plush Mill and Knoll Roads. He stated he felt this would cover width-to-width resurfacing. Mr Catania explained the 2012 Road Resurfacing priority list and asked the Board to go through and make suggested changes by the March meeting. He stated bids for CDBG roads are to be received March 1. Mr Dougherty asked about the 24th St Bridge closure and noted concerns with increased traffic on Bullens Lane.

Managers Report

Mr Cummings noted the environmental talk at Penn St. Brandywine on February 12, 2 to 3 pm,. He also mentioned Bare root tree offer, and that the MMEAC meeting will be held February 28 at Furness Library. Mr. Cummings stated there will be another prescription drug drop off program on April 28 at the police station.

Finance and Administration Committee Report

Motion to approve warrant list

PCard	\$ 32,375.83
Prepays.....	\$144,736.35
Bills List.....	\$312,946.54
Total.....	\$490,058.72

Mr Dougherty reviewed the warrant list. Mr Baker and Mr Sullivan asked questions. There was a discussion about the United Inspections and the T. Frank McCall invoices. After discussion, Mr Dougherty moved to approve the warrant list. Mr Sullivan seconded the motion which passed 6-0.

Public Works Committee Report

Mr Much discussed the Aqua restoration contribution proposal of \$139,600 for Plush Mill and Knoll Roads. Mr Much moved to accept this amount for restoration. Mr. Kenworthy seconded the motion which passed 6-0.

Community Enhancement Committee Report

Mr Baker noted that NPAA Soccer and the Media Youth Rugby group will cooperate on field usage. Mr Baker noted a proposal for a drop-off container at the public works garage from Newman Paper Company. He noted there is a two month trial period and then a proposal for 3 years. After discussion the Board agreed with the no-cost proposal subject to verification of proper insurance, changes in termination language to permit sixty (60) days notice, and renewal being year to year. Mr Baker moved to approve the agreement subject to the

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changes made a motion to renew year to year. Mr Kenworthy seconded the motion which passed 6-0.

Grants Committee Report

Mr Noyes noted the new DVIT safety grant for 2012-2013 is in the amount of \$7,268. He also noted that the SMFC truck repair was denied by DVIT.

Building and Zoning Committee Report

Motion to authorize release of single lot escrow – 202 Wallingford Avenue

Mr Cummings noted this was for a home rebuilt after fire damage and noted Charles comments on the ground stabilization and there being a gravel versus paved drive. Mr Kenworthy moved to approve the release of escrow subject to final approval by Mr Catania. Mr Much seconded the motion which carried 6-0.

Motion to grant extension for Moore Subdivision (Brookhaven Road) to May 6

There was a discussion on the status of the Moore subdivision. After discussion, Mr Kenworthy moved to grant the requested extension until May 6, 2012. Mr Sullivan seconded the motion which carried 6-0.

Infrastructure Committee Report

Motion to adopt Resolution No. 2012-3 authorizing DCPD to prepare Act 537 sewer plan.

Mr Sullivan spoke on and moved to adopt Resolution No. 2012-3 authorizing DCPD to prepare the Township's Act 537 sewer plan. Mr Baker seconded the motion which passed 6-0.

Public Safety Committee Report

Mr Much gave the monthly report.

South Media Fire Co. request for payment of AC repairs to 1995 pumper (\$1,797.96). After a discussion on not setting a precedent, Mr Much moved to approve the reimbursement to the fire company from the Fire Capital account. Mr Noyes seconded the motion which passed 6-0.

Motion to adopt Resolution No. 2012-4 (participate with Delaware County APB and authorizing entering agreement for animal control; sponsor microchip program) – Mr Much spoke on the dog micro-chipping program and asked Mr Cummings to set- up a program for Nether providence residents. The Board reviewed the agreement with the APB. Mr Sullivan struck out line (in event) in paragraph 4. Mr Lesniak noted the highlighted changes. Mr Much moved to approve the resolution and agreement as amended. Mr Sullivan seconded the motion which passed 6-0.

Motion to authorize advertising of Ordinance amending Civil Service regulations – The Board agreed to move this to next month's agenda.

Motion to adopt Ordinance No. 762 restricting parking on Kershaw Road – Mr Much summarized and noted this is in Mr Kenworthy's ward. Mr Sullivan made a suggested language changes. Mr Much moved to approve the ordinance as amended by Mr Sullivan. Mr Sullivan seconded the motion which passed 6-0.

Authorize preparation of ordinance amending traffic and vehicles section pursuant to recommendations in engineering studies. – After a brief discussion, the Board authorized Mr. Cummings to prepare a draft ordinance.

Adjournment - Next meeting is March 1 at 7:30 pm