

(1) **BOARD OF COMMISSIONERS OF NETHER PROVIDENCE TOWNSHIP**
LEGISLATIVE MEETING – April 12 , 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, April 12, 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 Dougherty
Commissioner Baker
Commissioner O'Connor

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 Kenworthy

PUBLIC: Approximately 6 in attendance

SPECIAL MENTION

Mr Much recorded the passing of Father James Bajorek, Colonel David Pergrin and Zack Ruffo, a 12 year old boy whose mother is a teacher at WES. The Board held a moment of silence.

PUBLIC COMMENTS

Lisa McElroy of 1 Bullens Lane, spoke on behalf of 3 and 5 Bullens Lane concerning the new stop light affecting their driveway where they can't get out of their common driveway. She also spoke on noise and littering. Mr Dougherty said they tried to forecast the issues but didn't foresee this. He stated PA Dot was notified of their concerns by Mr Cummings.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Zoning Board - Mr Much moved and Mr Sullivan seconded to ratify the appointment of Adam Fernandez as ZHB Alternate. The motion was passed by a vote of 6-0.

APPROVAL OF MINUTES

Approval of Legislative meeting of March 8, 2012

Mr Baker noted a typo in Solicitor report and to relocate his complaints on construction equipment and material staging under the CDBG item. Mr Much moved to approve the minutes as amended. Mr Sullivan seconded the motion which was approved 6-0.

SH Middle School Sidewalk Proposal

Nick Cirilli and Dr. Reiger (VP of WSSD) were present and went through the revised proposal. Mr Sullivan thanked them for the revisions and asked for the number of in-surface delineators they were proposing. Mr Cirilli said they are showing 50 but will work with the Township Engineer to span Copples Lane. Mr Sullivan moved to approve the revisions to the amended approved plan by using the Cirilli alternate plan of March 8. Mr

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Dougherty seconded the motion which passed 6-0.

SOLICITORS REPORT

Mr Lesniak noted the ordinances for soliciting and permit parking are on the agenda and recommended approval of both. He noted ordinances on parking, stop signs and bamboo are to be advertised and there are no issues with the Baker Engineering proposal. He noted he is still waiting on an opinion on the Civil Service ordinance from the FOP. Mr Dougherty suggested saving advertising costs by bundling ordinance advertising.

ENGINEERS REPORT

CDBG – Mr. Catania noted there was a preconstruction meeting with Sucher & Sons and the resurfacing project should start April 16.

Ridley Dr. – Mr. Catania stated this project was awarded to SWERP Inc. and they should start May 1.

Road Resurfacing - Mr Catania recommends the contract be awarded to Joseph Sucher & Sons in the amount of \$429,002.50 as per their bid. Mr Much moved to award the contract to Joseph Sucher & Sons. Mr Sullivan seconded the motion which passed 6-0. Mr Noyes spoke on the Shepherds Lane parking issue and asked to have Mr Catania look at the situation. After some discussion Mr Catania will review Shepherds Lane as needed in conjunction with Chief Flannery's review.

MANAGERS REPORT

Mr Cummings noted the Environmental Fair will be held on April 14 at SHHS (9:30 am to 3 pm) and a dog chipping clinic will be held on April 14 as well at Rose Tree Park (9 am to noon). The prescription drug take back collection will be held on April 28 in the police department around the back of the administration building from 10 am to 2 pm. He noted LED streetlight replacement was program was initiated. Mr. Cummings stated the Board needed to approve of the sale of the two Police Dodge Chargers being sold on the Govdeals on-line bidding site. Mr Dougherty so moved. Mr O'Connor seconded the motion which passed 6-0.

BUILDING AND ZONING COMMITTEE REPORT

Puzzleface Properties for 620 Manchester Avenue subdivision in U.P. Twp. – Mr Mike Sheridan, attorney for the developer, and developer George Palumba were present and stated they were back to seek approval to connect their subdivision the Nether Providence sanitary sewer system. Mr. Sheridan noted he met with Solicitor Joe Lesniak as well as the Upper Providence Twp Engineer and the Upper Providence Sewer Authority. He then summarized the proposed agreement. Mr Lesniak asked if Upper Providence Twp could be a party to the agreement as well. Mr Sheridan said it is possible. Mr Sullivan said the indemnity is broad, but also wanted to make sure that Upper Providence Twp would have to transfer units if somehow Nether Providence was charged for the 5 EDU's. Mr Sullivan wants an escrow for the installation of the alternate line and ultimately wants flows to be redirected to Southwest Sewer Authority treatment plant. There was a discussion on the escrow amounts noting \$3,000.00 for professional services and estimated between \$10,000 and \$12,000 for installing the line. Mr Much said the Board will take under advisement. Mr Sullivan suggested the Board members forward their issues and concerns to Joe Lesniak.

PUBLIC SAFETY COMMITTEE REPORT

Mr Much gave the police report. He then gave the Fire Marshall's report. He noted the Garden City Fire Company will have a Tag Day and that Fund Drive letters have gone out to residents. He asked that all residents to please contribute.

Motion to adopt Ordinance No 760 amending the Soliciting Permit – Mr Much summarized the ordinance noting that it changes the allowable time to solicit from 9:00am to 9:00pm to 9:00am to 7:00pm. He stated residents should verify that any and all solicitors have permits. Mr Much moved to adopt the ordinance while noting it does not apply to Scouts and similar organizations. Mr Baker seconded the motion which passed 6-0.

Motion to adopt Ordinance No 761 establishing Permit Parking on Rosewood Lane – Mr Sullivan noted there has been increased parked cars by high school students and that the ordinance would allow residential parking on Rosewood Lane by permit only. Mr Sullivan moved to approve the ordinance. Mr Much seconded the

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motion which passed 6-0.

FINANCE AND ADMINISTRATION COMMITTEE REPORT

Motion to approve warrant list – Mr Dougherty reviewed the Warrant List noting quarterly contributions to various organizations. Mr Baker asked about 2 expenses for the leaf machine and thought at least the applicable Committee Chairperson should be advised. Mr Dougherty noted the costs of radio communications for 2012 vehicles. Mr. Baker questioned where we were with the total fuel budget. After discussion, Mr Dougherty moved to approve the warrant list. Mr Noyes seconded the motion which passed 6-0.

Pension plan investment policy – Mr Dougherty noted INR came last week to discuss the investment policy. Mr Sullivan discussed forming a Pension Committee and the Board discussed the makeup of the committee. Mr Dougherty moved to create a Pension Advisory Board of up to six members: 2 Commissioners, Twp Manager or Assistant Township Manager, Finance Director and one Non-Uniform member and one Police Officer, if either or both are interested. Mr O'Connor seconded the motion which passed 6-0.

PUBLIC WORKS COMMITTEE REPORT

Mr O'Connor reviewed the Public Works report and also noted leaf mulch is available.

COMMUNITY ENHANCMENT COMMITTEE REPORT

Mr Baker spoke on the Summer Recreation program and they are meeting with the program directors. He noted there are 155 campers enrolled as of this meeting. Mr Much noted that registration will be filled at 200 campers so asked residents to register soon. Mr Much also thanked Mr Baker and Mr Sheehan for all their efforts in organizing this years program.

GRANTS COMMITTEE REPORT

Shepherds Lane culvert – Mr Noyes moved to accept the bid from Ridley Excavating in the amount of \$4,900 to repair the Shepherds Lane Culvert. Mr Much seconded the motion which passed 6-0.

Fire Company Allocation of FEMA grant – Mr Noyes noted the township was due to get money for the hurricane damage and got \$5,220.00 for the emergency response category. Of this amount South Media Fire will receive \$2,160.00 and Garden City Fire will receive \$3,060. Mr. Noyes moved to approve these allocation amounts. Much seconded the motion which passed 6-0.

INFRASTRUCTURE COMMITTEE REPORT

Pennoni Engineering Associates Price Proposal - Approve subject to PADOT approval – Mr Sullivan summarized the Transportation Enhancement project and the Pennoni proposal. Mr Sullivan moved to accept the Pennoni proposal for rates as allowed by PA Dot. Mr O'Connor seconded the motion which passed 6-0.

SRTS – Approval of Baker Engineering price proposal – Mr Lesniak said he reviewed Baker's responses to the questions and found them to be satisfactory. Mr Sullivan moved to accept the Baker Engineering price proposals 1 and 2 (for design and inspection) as approved by PA Dot. Mr Noyes seconded the motion which passed 6-0.

H2O grant – Resident Payment Options – Mr Sullivan noted a proposed payment option by Mr. Cummings and Mr Cummings summarized his letter on the proposed funding. The Board agreed to send out the letter as written with the added note of when costs will be assessed. The Board also discussed how to allocate the sewer extension costs for Laurie Lane as well as Hoy Trinity and the Carr Funeral Home. After discussion, Mr Cummings will contact the users with an estimated price and get their feedback. Mr Noyes noted the signal at Beatty Road crossing Baltimore Pike was 80 seconds. Mr Cummings agreed to look into the matter.

Adjournment – There being no further business, the meeting was adjourned. The next meeting is May 3 at 7:30 pm.