

**BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP  
MEETING of DECEMBER 13, 2012**

A legislative meeting of the Board of Commissioners of Nether Providence Township, duly advertised and posted in accordance with law, was called to order at 7:30 PM on Thursday, December 13, 2012 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

**ROLL CALL**

**PRESENT:** Commissioner Much  
Commissioner Sullivan  
Commissioner Noyes  
Commissioner O'Connor  
Commissioner Baker

Gary Cummings	Township Manager
Charles Catania	Township Engineer
Thomas Flannery	Chief of Police
Michael Maddren	Township Solicitor
Dennis Sheehan	Assistant Township Manager

**EXCUSED:** Commissioner Dougherty  
Commissioner Kenworthy

**PUBLIC:** Two persons were in attendance

Mr Much wished everyone a Happy Hanukah

**COMMUNITY DEVELOPMENT PUBLIC HEARING ON YEAR 2013**

Mr Cummings explained that Garden City Manor and South Media were eligible for infrastructure projects. Mr. Much opened the hearing and asked for comments. There were none. The Board discussed the likelihood of projects being funded and establishing the project priority. The Board will set the priority on January 3.

**RECOGNITION OF EAGLE SCOUT**

Mr Baker introduced Phillip Vecchioli and noted his Eagle Scout project with Troop 144 was he weeded, mulched, manicured and planted 3 gardens in the Social Center at Elwyn's Main Campus. Mr Baker presented him with a Certificate of Recognition to audience applause. Phillip introduced his mother and sister.

**PUBLIC COMMENTS**

Mr Bob Brown of AGB noted he could not get plans prepared until just this afternoon, but gave a copy to Charles Catania and will be back before the Board in January.

**APPROVAL OF MINUTES**

**Legislative meeting of November 8, 2012** – Mr Much moved to approve the minutes. Mr Sullivan seconded the motion and the minutes were approved by a vote of 5-0.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Mr Much noted the vacancies on the Historical Commission, Sidewalk Committee, UCC Appeals Board and Zoning Hearing Board. Mr Sullivan moved to reappoint to their respective committees all those who were interested in being reappointed. Mr O'Connor seconded the motion. Mr Much noted Mr. Dougherty indicated someone was interested in the CDCA position. There was discussion on reappointments to the Recycling Committee as well. Mr Sullivan amended the motion to remove reappointment of the CDCA Representative, Chris Reuther, from the motion. Mr Noyes seconded the amended motion which passed by a vote of 5-0.

## **SOLICITORS REPORT**

Mr Much noted an article on tax increases and he had questions on what the MMO is and asked Mr Maddren to explain. Mr Maddren said it is the Minimum Municipal Obligation to contribute to pension funds to bring the funds to actuarial soundness. Mr O' Connor thanked the Board for not hitting up reserves in the 2013 Budget.

## **ENGINEERS REPORT**

Mr Catania submitted his report and noted paving on the Beechwood Road sewer project would start next week and the Laurie Lane sewer module was approved by DEP and he expected to go out to bid in early 2013. He stated the Washington Avenue sewer replacement is to start within a week. Mr Catania said JMC Contractors were striping the parking spots on Turner Road and Rogers Lane today but the Board should consider whether or not to allow parking so people didn't walk through active construction zones. He also noted plans for Possum Hollow Road have been submitted to PA DOT.

## **MANAGERS REPORT**

Mr Cummings noted the PRC sponsored e-waste collection of covered devices (computers/TVs and corded items) is to be held Jan. 12 from 9am to 2 pm at the SHMS lot. Mr Baker asked about advertising the event with banners and the Board agreed. Mr Cummings stated he advised PA DOT not to retain the Bullens Lane and Providence Road traffic signal and noted the Leiper House open house is this Sunday from 1 to 5pm.

## **PUBLIC SAFETY COMMITTEE REPORT**

Mr Much gave the Police report for November and then gave the Fire report noting the Fire Marshal's office received radios from WSSD to enhance communication coverage. Mr Much noted the new fire inspector was Wayne Kuehler.

**Motion to approve Resolution No. 2012-15 adopting the Del. County's Hazard Mitigation Plan** – Mr Much read and moved to approve the resolution. Mr O'Connor seconded the motion which was approved by a vote of 5-0.

## **GRANTS COMMITTEE REPORT**

**Year 2013 CDBG applications due January 9** – Mr Noyes referred to the draft project priority list and noted the Streetscapes request for Moore Road from Mr Sullivan. Mr Sullivan suggested we include the area from Pennsylvania Avenue to either Hastings or at least to Maryland Avenue. It was noted that Hepford Park security lighting may be funded with 2012 funds. Mr Sullivan suggested placing sanitary sewers first, resurfacing second and security lighting third. Mr Baker suggested keeping lighting as number one depending on whether it is funded in 2012 or not. Mr Cummings stated the Board could wait until the January 3<sup>rd</sup> work session to decide. The Board decided to defer action to the January 3<sup>rd</sup> work session.

## **BUILDING AND ZONING COMMITTEE**

Mr Much spoke in Mr Kenworthy's absence..

**Motion to grant extension request for Puliti Subdivision (221 Fildes Lane) to February 28, 2013** – Mr Much moved to grant the extension to February 28. Mr O'Connor seconded the motion which was approved by a vote of 5-0.

## **PUBLIC WORKS COMMITTEE REPORT**

Mr O'Connor gave the highway report and noted leaf collection ends this week but bagged leaves will still continue to be picked up in January. Mr Much thanked Mr Dixon's crew for a tremendous job this season.

## **COMMUNITY ENHANCEMENT COMMITTEE REPORT**

**Motion to authorize advertising of scavenger ordinance** – Mr Baker said we should defer advertising and review the draft ordinance and discuss next month. Mr Much asked the purpose of the ordinance and Mr Baker said it will help reduce crimes of opportunity and so we know who is travelling the street. He noted he has

received reports of unauthorized scavenging and of metal items being taken off of properties.

### **INFRASTRUCTURE COMMITTEE REPORT**

Mr Sullivan gave a TE Project status update stating he was concerned about opening up the parking on Rogers Lane and Turner Road and have people walking up Possum Hollow Road while work was still going on. Mr Catania suggested we see how quick the PENN DOT approval will come and noted it will take about three weeks to complete the work. He said we could wait, but if there were delays in the PENNDOT review then we could consider opening up the parking. Mr Noyes noted Church Road residents may be getting impatient but also that there may be less holiday train traffic. After discussion, the Board agreed Mr Sullivan, Mr Cummings and Mr Kenworthy could make a decision on parking depending on the circumstances.

**Motion to refund portion of DVRFA loan allocated for streetlight project** – Mr Sullivan explained the limited cost savings with the streetlight retrofit project resulting in a 10 year payback period. Mr Sullivan noted the Board did authorize pay back the loan last week and this should be reflected in the minutes.

### **FINANCE AND ADMINISTRATION COMMITTEE REPORT**

Mr Much gave the Finance Report in Mr Dougherty's absence.

**Motion to approve warrant list** – The Board reviewed the warrant list. Mr Much moved to approve the warrant list. Mr O'Connor seconded the motion which was approved by a vote of 5-0.

**Motion to approve Comcast Agreement as last revised 10/24/12 with agreed contribution amount** – After discussion, Mr Much moved to approve the Comcast Franchise Agreement subject to Solicitor approval. Mr O'Connor seconded the motion which was approved by a vote of 4-0 with Mr Sullivan abstaining as his firm has performed work with Comcast.

**Motion to ratify Pension MMO resolution** - Mr Much noted we need to ratify that the Board passed Resolution 2012-13 allocating Act 205 pension funds last week so it is reflected in the minutes.

**Motion to adopt Resolution No. 2012-14 establishing the 2013 sewer rental rates** – Mr Much noted that this resolution established the schedule of sewer rental rates and noted an increase of \$38 per unit. Mr Sullivan stated the increase was related to increased disposal costs. Mr Noyes noted this highlights the need for I & I. Mr Much moved to approve the resolution. Mr O'Connor seconded the motion which was approved 5-0.

**Motion to waive permit fee for HVAC replacement at St. Johns church except for actual cost** – Mr Much asked if this is normally done which churches and Mr Cummings said it was customary. Mr Much then moved to waive the fee except actual costs. Mr O'Connor seconded the motion which passed by a vote of 5-0.

**Workers Compensation Proposals** – The Board discussed worker comp proposals from the existing provider, Gallagher, and DVWCT. Mr Much was not sure we have time to review noting a decision must be made tonight. Mr Cummings noted Mr Sheehan's email providing a cost analysis and the proposals were very close. Mr Noyes noted DVWCT is 59 pooled municipalities and is small relative to Gallagher. Mr Sullivan suggested we look at this in January. The Board discussed if there was a cancellation policy with Gallagher and Mr Cummings stated he will look into it. The Board agreed to stay with Gallagher for the time being.

**Motion to adopt Ordinance No. 771 (approving the 2013 budget)** - Mr Much thanked the Board and read a summary of the budget. Mr Much noted Mr Kenworthy sent an e-mail supporting the budget and read an email from Mr Dougherty who stated he would vote for the budget. Mr Much noted for average assessed property of \$164,000 would pay \$768 with this budget. Mr Much moved to approve the Budget Ordinance 771. Mr O'Connor seconded the motion. Mr Baker noted that he feels it is a responsible budget as we do not have much business in the Township. He stated he had suggested we look at discretionary spending and had proposed sliding scale reductions and asked the Board look at this next year. Mr Much noted we trimmed as much as we can without reducing services. The motion carried 5-0. Mr Noyes noted police and public works are the largest expenditures and the MMO funding requirement is very large. He suggested we look to meaningful adjustments to these departments next year.

**Adjournment** – The meeting was adjourned. It was noted the next meeting is the work session on January 3.