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**BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP  
MEETING of August 1, 2013**

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, August 1, 2013 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

**ROLL CALL**

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

Gary Cummings	Township Manager
Charles Catania	Township Engineer
Dennis Sheehan	Assistant Township Manager
Michael Maddren	Township Solicitor
David Splain	Police Chief

EXCUSED: Commissioner O'Connor  
Commissioner Baker

**PUBLIC**      Approximately 3 people in attendance

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

Mr. Much led the pledge which was recited by all.

**PUBLIC COMMENTS**

None

**PENSION REPORTS (INR)**

Mike Glackin and Jeff Hugo of INR Pension Advisors were present. Mr. Glackin noted the Board decided to go with a little more equities and the idea is to meet the assumed interest rate. He stated the Police Plan is up 7.22%. YTD and noted last year was 8.39% and since inception it is up 10%. He noted the Non-Uniform Plan was up 6.9% YTD and up 7.2% since inception. The Board had questions on benchmarks and periodic losses and what was in cash to pay pensions. Mr. Glackin noted the emerging markets had large losses, large caps were down and small and medium caps were up 20%. He also noted bond markets are down and real estate is up. He referred to the existing allocation using 60% equities and 40 % fixed income and stated it is expected to produce a 6.5% on average over a 10 year period. He noted and commended the township for using 7% as the assumed interest rate as 8% is typical for municipalities. He noted by going with a 70% equities and 30% fixed allocation, the projection is 7%. Over the 10 year period which meets the assumed interest rate. Mr. Much asked if they could advise us on what would happen if we stayed where we were previous to INR. Mr. Hugo and Mr. Glackin stated they could look into it but did note the administrative cost for the plan is .49%. Mr. Kenworthy asked them to supply a non-US benchmark for this year and they said they would.

**J.P. MASCARO**

Mr. Sam Augustine from J.P. Mascaro was present and said they have had the Township contract for 2 years. He stated they use a Proof of Hauler report and this is how they handle mistakes that happen and he feels the

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calls for issues have been reduced. He noted we can renew contract by mutual consent and the increase next year is about one dollar. He noted the company has grown from \$10 million to over \$200 million over time. He stated they are a good corporation for citizens citing their "Respect Program" for students in Eastern PA. He stated they are providing millions of dollars towards education via tax credits to allow students to get out of poorer districts. He asked the Board to consider a two-year contract extension.

Mr. Much noted he has had multiple complaints and some coverage issues noting one truck driver left early and no one picked up the rest of the recycling. He also said he had hoped for better responses. Mr. Kenworthy noted concerns with them not picking up containers over 50 lbs. and during the first year he had shabby collection in his ward. He said one of the most aggravating things is their customer service saying to wait until 5:00pm to see if a residents container is picked up, but then no one is there to answer the phone after 5 pm when the container is not picked up. He felt the customer service people need to be there after 5:00pm when the cans are not picked up. Mr. Augustine noted they fired people for theft. He also noted he got mad at the staff when they did not finish a collection on the one Friday Mr. Much referred to. Mr. Augustine said he will stay with monitoring this contract. Mr. Kenworthy stated he is not happy. Mr. Noyes said he has not had many complaints but asked about a back-up plan in the event a collection is missed. Mr. Augustine said he has a supervisor that works with Anne Marie Cooke and Mr. Sheehan on missed collections. It was noted we have until August 31<sup>st</sup> to renew for the 2014 year.

After discussion Mr. Much moved to authorize to receive bids for 2014 and beyond. Mr. Augustine noted if they bid higher than 2014 but are the low bidder, then as the current contract reads the extension is by mutual consent, then they will not agree to extend the past contract. Mr. Much said his issue is with performance. Mr. Augustine said he would give him his cell number. Mr. Kenworthy asked if he was authorized to agree to an extension and he said he was. Mr. Much withdrew his motion to go out to receive bids. Mr. Kenworthy moved to ask J.P. Mascaro & Sons to extend the contract for one year and Mr. Noyes seconded the motion. Mr. Sullivan noted that more time to review other recent bid results in surrounding towns would have been helpful to decide whether to rebid this contract but he does not think that rebidding is worth the risk of a potential significant increase in costs to our residents without that information, and so he will support the 1 year extension. The motion carried by a vote of 5-0. Mr. Augustine agreed to the extension and said he was taking the comments very seriously.

#### **APPOINTMENTS TO BOARDS AND COMMISSIONS (vacancies on Sidewalk Committee, and ZHB Alternate)**

Mr. Cummings noted the vacancies.

#### **APPROVAL OF MINUTES Legislative meeting of June 13, 2013**

Mr. Much moved to approve the June 13, 2013 minutes. Mr. Dougherty seconded the motion which passed 5-0.

#### **SOLICITORS REPORT**

Mr. Maddren had nothing to report as all issues were discussed in executive session.

#### **ENGINEERS REPORT**

Mr. Catania submitted his report and noted some delays with the Laurie Lane sewer due to hitting rock. He noted there was a little issue with the Beatty Run sewer repair. He stated the Hepford Park lighting project is basically done and the Creekside Lane sewer is finished. Mr. Much asked about finishing Beechwood Road and Mr. Catania said the water company found no leaks and the settlement appears to have stopped. Mr. Sullivan asked about why an extra 10 feet was repaired on the Creekside Lane sewer and what the issue was with the delay of the Beatty Run sewer project. Mr. Catania said more pipe on Creekside Lane was deteriorated and was

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not able to be connected to without further repair. He stated Beatty Run was delayed as pipeline inspector was away for 10 days and he must be onsite for all work.

### **MANAGERS REPORT**

Mr. Cummings gave his report stating the Pickle Run will be held on August 22 beginning at the Garden City Fire Company and there is a balance in the DVIT Safety Grant of \$2,900. Mr. Cummings noted SEPTA will be performing soil testing at their bridge over Crum Creek and that PECO will be replacing the gas line at South Providence Road. Mr. Cummings noted the DelCo 4 H Summer Fair will be held August 9 and 10 at the Williams Foundation on Bishop Hollow Road.

### **PUBLIC SAFETY COMMITTEE REPORT**

Mr. Much noted and read a thank you letter from the Centers for Resolution. Mr. Much gave the Police Report.

### **PUBLIC WORKS COMMITTEE REPORT**

Mr. Much gave the Public Works report in Mr. O'Connor's absence.

### **COMMUNITY ENHANCEMENT REPORT**

Mr. Much gave the report in Mr. Baker's absence and noted the Summer Recreation program was a success and thanked all the counselors and he especially thanked Director Scott Spangler, Dennis Sheehan and Mr. Baker. He also thanked the School District and was glad WES had air conditioning. Mr. Much said Family Fun Day is Saturday, September 14<sup>th</sup> and Mr. Baker has contacted many vendors and tables will be available to community organizations.

### **BUILDING AND ZONING COMMITTEE REPORT**

Mr. Kenworthy noted the Strathmore Court repairs and curb and paving is moving along, and noted Mr. Cummings email to AG&B citing remaining issues and wanted the Board to be aware of a lot of plantings have died. Mr. Cummings stated he has not heard back from AG&B.

Mr. Kenworthy reviewed the Fire Marshall's request to amend the fire code and that the solicitor is reviewing.

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

**Motion to approve the warrant list** - Mr. Dougherty went through the warrant list and noted tree review expenses from Mr. Hosbach. He moved to approve the warrant list. Mr. Kenworthy seconded the motion which passed 5-0.

**Motion to receive Electrical Rates bids** – Mr. Dougherty moved to bid out electrical rates. Mr. Much seconded the motion which carried 5-0.

**Motion to award bid on GovDeals.com** – Mr. Dougherty noted we need to accept the bids on items listed on GovDeals.com. He moved to accept and award the bids. Mr. Noyes seconded the motion which passed by a vote of 5-0. It was noted \$6,512.00 was the net bid for the police car and \$1,546.60 was the net bid for the Explorer.

**Vehicle Replacement Schedule** – Mr. Dougherty noted the vehicle replacement schedule spreadsheet is to review and it would be considered for budget season. He thanked Mr. Kenworthy. Mr. Kenworthy said Mr. Sheehan did all the work and prepared the spreadsheet. Mr. Kenworthy explained the spreadsheet and asked the Board to review it carefully.

### **GRANTS COMMITTEE REPORT**

Mr. Noyes noted the Growing Greener Grant will need an authorizing resolution. Mr. Noyes moved to authorize the resolution. Mr. Sullivan seconded the motion which passed 5-0.

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**INFRASTRUCTURE COMMITTEE REPORT**

**H2O Grant - Brookhaven Road sewer extension bids**

Mr. Sullivan noted we received bids and they were substantially lower than the last bid. However, he suggested we wait until Mr. O'Connor is present as the project is located in his ward. The variability of prices between contractors was noted. The Board inquired as to whether separate contractors can be awarded for Part A and for Part B. Mr. Maddren will look into this.

**Adjournment** – There being no further business, the meeting was adjourned.