

(210) **BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP**  
**MEETING of February 9, 2017**

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, February 9, 2017 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

**ROLL CALL**

PRESENT: Commissioner Much  
Commissioner Baker  
Commissioner Sullivan  
Commissioner Knapp  
Commissioner Dougherty  
Commissioner Kenworthy  
Commissioner O'Connor

Gary Cummings	Township Manager
Dave Grady	Assistant Township Manager
Mike Maddren	Township Solicitor
Lisa Swan	Finance Director
David Splain	Chief of Police
Charles Catania	Township Engineer

**PUBLIC**

Approximately 46 people in attendance.

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

Mr. Much led the Pledge of Allegiance which was recited by all.

**PUBLIC COMMENTS**

Amy Henzel of 3 Plush Mill Road read a statement and submitted a petition requesting speed humps on Plush Mill Road. She noted bus stops and child care are in the general area and the residents are concerned.

Gary Andress of 211 Pine Road stated he is a member of Union Local 420 and noted the tradesmen for the installation of the Mariner Pipeline are the best of the best on quality and safety. He believes people are concerned as they hear about problems with pipelines in other areas of the country. He noted many pipelines are in the ground already in this area and have been for over 80 years. He said materials used in pipelines today are even better.

Ward Guilday of 230 Rose Valley Road noted he is the President of the river Pilot's Association and Tanker Services and he believes the project is safe and explained the purpose of the line. He noted the pipeline is good for the economy and he is in favor of the pipeline.

Liz Corson of 306 Prichard Lane stated she is against the pipeline and concerned about its safety as a parent and teacher. She is not sure the jobs will be brought here.

Nick Decindis of 302 Beatty Road said he works with Operating Engineers and said their safety is the best. He also noted there are many pipelines in the ground and he supports the project.

Steven Dykes of 209 Chestnut Parkway stated he is glad the pipeline project is moving forward as it will bring jobs to the area.

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Jennifer Sharp of 725 Pine Ridge Road said she has no problem with the union and is more concerned with safety and emergency preparedness.

Stacey Ferry of 709 Hemlock Road said she is here to advocate for safety and that the community gets accurate information. She was pleased the Board decided to bring in Sunoco in to address the neighbors' questions.

Heidi Kecskemethy of 515 S. Providence Road also said she is glad Sunoco is coming in.

Jennifer Sharp of 725 Pine Ridge Road asked how they can submit follow-up questions. Mr. Much noted Sunoco is here to give information but it will not be a hearing. Mr. Kenworthy said it is the responsibility of the Board to look at safety of the residents and since the pipeline is not in the township the Board has no standing to make comments on the efficacy of the project.

## **APPROVAL OF MINUTES**

### **Legislative Meeting of January 12, 2017**

Mr. Sullivan moved for approval of the minutes. Mr. Dougherty seconded the motion and the minutes were approved by a 5-0-2 vote with Mr. O'Connor and Mr. Much abstaining as they were not present.

**Mariner East 2 Pipeline (Sunoco Logistics representative)** – Mr. Sullivan noted he would continue to abstain from any discussion or votes on this topic as his firm does work for Sunoco Logistics. Joseph McGinn from Sunoco Logistics indicated he had handed out a fact sheet and map and gave his background noting he is from Delaware County. He noted past refinery closings and open sites. He stated that with Marcellus Shale work, methane, butane and propane became available. He also noted their refinery began in 1902 and they built pipelines in the 1930's. Now Mariner East 2 is reversing the flow to provide infrastructure, jobs and products to the area. He stated 2,200 employees are working on the project in Marcus Hook and it is a huge economic development to the tune of \$5 billion in economic impact to the area. The Mariner East 2 pipeline is over 300 miles long and using 80% of existing easements. He noted there will be a temporary impact on 36 acres of wetlands and permanent impact on only one-half acre of wetland. He noted Sunoco is a local corporation and they had over 200 open houses along with many emergency management outreach programs, citing 44 sessions to train emergency responders. He spoke on long term maintenance and operational plans as its number one priority. He said steel is domestically produced US steel and it has polyurethane coating with cathodic protection. The pipeline is wrapped with four layers of protection. He referenced a report by Accufacts on the safety of the pipeline. Mr. McGinn noted the contents proposed going through lines are highly volatile liquids. He noted there is a special committee at the county to address emergency response plans and referred to the U.S. Department of Transportation Emergency Response Guide Book. He noted a half mile is a recommended evacuation distance in the book and in 20 years, there were only two injuries on the Mariner/Sunoco pipelines and only four releases which were mostly inside their facilities. He noted other incidents were in the lines in Texas and Oklahoma where they were intermittent liquids. He said safety is their highest priority and they have their own fire company in Marcus Hook and noted Delaware County is their home. Mr. Much asked about hazard mitigation and where residents can find information on what to do if there is an event. Mr. McGinn noted Fire Marshall Jack Gresch was at the county meeting and that emergency evacuation is at a half mile outside the township. He noted they do have emergency responders training and the existing pipelines in the township have public awareness programs. He noted the biggest problem is third party accidents and this line is deep so this is not an issue. Mr. Much wanted to know where residents can find all of this information. He noted they can attend county emergency management meetings and the county has an emergency alert system. Mr. Knapp asked about the prevention of leaks and leak detection. Mr. McGinn noted the pipelines are welded and welds are x-rayed and the welders are scrutinized. He noted the system has monitors and there is a monitoring station where they can shut the lines down immediately. More valves are placed in vulnerable areas and they can shut down automatically. As far as long term preventative maintenance he noted Sunoco flies the line every week and check inside of the line with a smart pig and they do a hydrostatic test before putting the line in

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service. Mr. Kenworthy asked about the design criteria and asked what the difference is between Mariner East 2 and the existing Mariner 1. Mr. McGinn stated Mariner 1 was tested before reversing the flow and the lines had to meet the same standards. Mr. Much asked where they are with DEP and Mr. McGinn said he believes the DEP is finalizing the environmental permit and noted their application is on the DEP's website. Mr. Much asked Mr. Grady to see what information can be put on our website and asked where to send a letter of concern. Mr. Much then moved to prepare a letter of concern on Mariner East 2 Line. Mr. Kenworthy seconded the motion. Mr. Much, Mr. Kenworthy and Mr. Knapp voted "YES". Mr. O'Connor, Mr. Baker and Mr. Dougherty voted "NO" so the motion did not carry with the 3 to 3 vote. Mr. Baker noted he voted No as he supports the worker and Sunoco's safety record and that DelCo Emergency Management is second to none. Mr. Dougherty noted the pipeline does not run through the township and our letter will do nothing. Mr. Much noted the tie vote of 3-3 so no letter will be sent for the township as a whole, however he said he will be sending a letter representing his ward only.

### **SOLICITORS REPORT**

Mr. Maddren noted the DELCORA annual invoice and suggested paying the full amount less the amount due for Rose Valley and we can work on a resolution afterwards.

### **ENGINEERS REPORT**

Mr. Catania said he submitted his report noting the MS4 permit renewal is in September and there are new more stringent regulations and we need to address the siltation in four watersheds. Mr. Sullivan asked about how the 10% reduction is attained. Mr. Catania said we calculated the base load and then have to build or retrofit new facilities. Mr. Sullivan asked to get the costs for this.

### **MANAGERS REPORT**

Mr. Cummings stated an e-Waste collection will be held in Aston Township on February 2<sup>nd</sup> where they will be accepting TV's for \$20 and that they plan to hold one every first Saturday on 2/4, 3/4, 4/1 and 5/6. He noted the 2017 bare root tree application was due February 13<sup>th</sup>. He encouraged everyone to check out the BOOK IT 5K run for Furness and Swarthmore Libraries on April 1<sup>st</sup>, noting the run will go from Furness Library to Swarthmore Library. Mr. Cummings also noted the 20<sup>th</sup> annual CRC stream clean ups will occur on April 22 and the Kehillah 5K run is taking place on April 30<sup>th</sup>.

### **PUBLIC SAFETY COMMITTEE REPORT**

**Motion to approve Ordinance No. 792 reducing speed limit on W. Brookhaven Road to 35 MPH** – Mr. Much read the ordinance and moved for its approval. Mr. Sullivan seconded the motion which passed by a vote of 7-0. Mr. O'Connor thanked Chief Splain and Gary for their work.

Mr. Much gave the police report noting 330 traffic citations were issued last month. He noted home and cars were broken into and implored everyone to lock their residence and cars.

### **FINANCE AND ADMINISTRATIVE COMMITTEE REPORT**

**Motion to approve warrant list** - Mr. Kenworthy went through the warrant list noting \$10,000 was spent for rock salt and he asked for questions. Mr. Dougherty asked about the Go2 expenses and if they were budgeted. Mr. Grady responded he thought they were but Ms. Swan will confirm. Mr. Kenworthy moved for approval. Mr. Baker seconded the motion which passed by a vote of 7-0.

**Ratify energy contract renewal – (ratify Constellation rates)** – Mr. Kenworthy asked that last week's approval be noted in the minutes.

**DELCORA credit for Rose Valley pump station units** – It was noted the Township will deduct the \$112,000 from the DELCORA invoice.

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

**Zoning Hearing on 224 N. Providence Road** – Mr. Knapp noted the Zoning Hearing for the appeal of the zoning violation notice at 224 N. Providence Road will be held on Monday, February 13<sup>th</sup>.

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**805 Forrest (applying for community development funds for demolition)** – Mr. Knapp noted the Township applied for community development funding to demolish the house.

**Authorize advertisement of ordinance vacating Hilltop Avenue (Paper Street off of Walker Lane)** – Mr. Knapp moved to authorize the advertisement as prepared by our solicitor. Mr. Kenworthy seconded the motion which passed by a vote of 7-0.

#### **FIRE AND ADMINISTRATION COMMITTEE REPORT**

**Appointments to Boards and Commissions** – Mr. Dougherty asked to ratify the appointments of: Nick Pulos on the Historical Commission; Ralf Graves on Parks Commission; Anna Lynn Smith, Deirdre Gibson and Joanna McGowan on the Sidewalk Committee and note in the minutes.

#### **INFRASTRUCTURE COMMITTEE REPORT**

**Wallingford Avenue sidewalk project** – Mr. Sullivan stated the project is almost complete.

**Copples Lane sidewalk project** – Mr. Sullivan noted the pre-construction conference is February 17<sup>th</sup> and construction is slated to begin this summer.

**Multi-modal grant** – Mr. Sullivan noted the Board is trying to get an extension and resubmit a narrative on the scope of work and the budget.

**LED streetlight conversation update** – Mr. Sullivan noted the Board would like to develop their own specs and go out to bid.

#### **COMMUNITY ENHANCEMENT COMMITTEE REPORT**

**Motion to adopt Ordinance No. 793 to establish Young Lungs tobacco free zones in Township Parks** – Mr. Baker summarized the ordinance and moved for approval. Mr. Sullivan seconded the motion which passed by a vote of 7-0.

**Summer Recreation Program** – Mr. Baker noted the program is being organized and we are advertising for counselors who need to meet state standards. We also will need volunteers.

#### **PUBLIC WORKS COMMITTEE REPORT**

**Authorize to make application for County Aid (for road resurfacing funding)** - Mr. O'Connor moved to apply for County Aid. Mr. Sullivan seconded the motion which passed by a vote of 7-0. Mr. Sullivan asked about the \$100,000 cost estimate and it was stated it was not an issue as the Township always receives the same amount.

**ADJOURNMENT** – Mr. Much noted the next meeting is the work session on March 2<sup>nd</sup>. There being no further business the meeting was adjourned.