

BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP
MEETING of February 8, 2018

A public 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 8, 2018 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

ROLL CALL

PRESENT: Commissioner Sullivan
Commissioner Baker
Commissioner O'Connor
Commissioner Knapp
Commissioner Dougherty
Commissioner McKenzie-Fiumara
Commissioner Garson

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

PUBLIC

Approximately 12 people in attendance.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Mr. Sullivan noted an executive session was held prior to the meeting. He then led the audience in the Pledge of Allegiance. Mr. Sullivan said we send wishes to Fire Marshal Jack Gresch for a speedy recovery and he wished Chief Splain a happy birthday.

PUBLIC COMMENTS

Roseanne Mulcahy of 916 Surrey Road stated she has researched the issue of the ACME expansion and found an agreement with the property owner from 1957 which includes an alcohol restriction and the restriction has been carried forward.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. William Silverstein of 914 Truepenney Road, stated he was interested in being appointed to the planning commission. It was noted member Dan Green was willing to step down. After discussion, Mr. Green is to be contacted to confirm his position on remaining on the commission.

BUILDING AND ZONING COMMITTEE REPORT (Mike Dougherty)

Request to install cell tower on Swarthmore College property off of Avondale Road – Mr. Cummings stated he talked to the SBA attorney, Mr. Lemanowicz, and he agreed to pay legal fees but is deciding on how to proceed.

Creekside Swim Club lot line revision – Mr. Cummings stated this proposal is for Creekside Swim Club to convey ground to three abutting property owners and the Township Planning Commission reviewed on Monday and recommended approval. However, the plans have to go to the County Planning Department for review

before the Board can take action on the plan.

Resolution opposing HB 1620 – Mr. Scott explained this bill strips municipalities rights to regulate antennae within rights-of-way. He will prepare the resolution to consider.

805 Forrest Avenue Demolition – Mr. Sullivan stated he understands additional funds have been received from the County, but we should confirm.

Request to change zoning for 116 E & 120 E. Baltimore Pike from R-2 to PO – Mr. Dougherty noted the request to change zoning for these two properties to professional office use. Mr. Scott stated he would like to discuss this with Bob Linn of the Planning Commission as they are suggesting a new zoning district for these two properties.

ACME Shopping Center – Mr. Cummings noted the shopping center owners are proposing upgrades to the shopping center including a request to sell wine and beer out of the ACME. He also stated there was an issue with building coverage in that the Commissioners limited coverage for the entire property, which crosses into Media Borough, and the Borough has already approved a 5,000 square foot building which would exceed the coverage limits. He stated Mr. Scott may have to review this although he is also the Solicitor for Media Borough. Mr. P____ of 904 Surrey Road asked to see the sketch plan. Ms. Roseanne Mulcahy of 916 Surrey Road stated what she presented at the beginning of the meeting was a deed restriction and she stated she believes the Commissioners has a right to speak on all the restrictions. She stated residents want to know what the Township can speak on and wanted a legal opinion on this. Mr. Sullivan stated our Solicitor will review the issue unless there is a conflict. Mr. Jim Peck of 900 Surrey Road stated the Solicitor should recuse himself as he is also the Solicitor for Media Borough. Mr. Scott said the Starbucks proposal was viewed favorably and he will recuse himself if there is a viewed conflict.

COMMUNITY ENHANCEMENT COMMITTEE REPORT (Larry Baker)

Animal Regulations (Domestic Chickens) – Mr. Baker stated regulation are in the Boards file and he asked them to review.

DCNR Grant – It was noted this grant is due April 11

Summer Recreation Program – Mr. Baker stated sign up begins April 9 and noted the preschool program will ne be included this year as there were too many hurdles under the State’s regulation as they consider it a day care program.

FINANCE AND ADMINISTRATIVE COMMITTEE REPORT (Kate McKenzie-Fiumara)

DVIT Safety Grants – Ms. McKenzie-Fiumara noted the Board agreed to purchase the DVIT recommended back-up cameras for public works vehicles and we were looking into a Key Fob system for the municipal building.

Verizon Franchise Agreement – Ms. McKenzie-Fiumara stated the existing agreement is expiring next year and we have been approached by the Cohen Law group to assist. It was noted the Township receives the maximum franchise fee of 5%. This will be discussed in March.

GovDeals sale of PWD tracks – Ms. McKenzie-Fiumara moved to accept the bid amount of \$6,854.25 for truck #3. Mr. O’Connor seconded the motion which passed 7 to 0. Ms. McKenzie-Fiumara moved to accept the bid amount of \$3,998.78 for truck #9. Mr. O’Connor seconded the motion which passed 7 to 0.

INFRASTRUCTURE COMMITTEE REPORT (Matt Sullivan)

LED Streetlights – Mr. Sullivan stated the Township is replacing all our streetlights with LED lights. Mr. Grady stated the contractor was delayed but is expected to start next week.

Moore Road sidewalk – Mr. Sullivan stated the project is in the design phase and construction is to begin in 2019.

CMAQ (E. Possum Hollow sidewalk) – Mr. Sullivan stated the E. Possum Hollow sidewalk project is in the design phase.

Multi-modal sidewalk for East Rose Valley Road Walkway – Mr. Sullivan stated this will go from the Leiper-Smedley Trail up to Rt. 252 and noted we authorized an RFP for the design.

Parkridge Drive Outfall – Mr. Sullivan stated we received grant funding and awarded the bid so work should start soon.

PA Small Sewer Grant – Mr. Sullivan stated this grant is due February 28 and noted the projects proposed. He stated the maximum project amount is \$500,000 and there is a 15% match. Mr. Sullivan stated he is leaning toward doing repair work to reduce I & I versus installing extensions. This will be considered on February 22.

PARKS AND OPEN SPACE REPORT (Matt Garson)

Summit School Deed and Committee – Mr. Scott stated we are waiting to receive approval of the deed restriction for the open space and then we can record it. Mr. Garson stated the Summit School committee will be advisory. Mr. Knapp stated he wished to see timelines. Mr. Garson stated he hoped to have responses by the end of summer. Mr. Scott stated the meetings should be advertised. Mr. Baker said he felt none of the current tenants should be on the committee. Mr. Sullivan stated he wants the committee to evaluate all options for both the building and the grounds, the cost of all the options, and funding sources.

PUBLIC SAFETY COMMITTEE REPORT (Micah Knapp)

Mr. Knapp read the monthly police report and asked residents to report any complaints or suspicious conditions.

Traffic Calming – Micah stated he needs to contact the residents on proposed measures for Possum Hollow and Woodward Road. Mr. Sullivan stated he also needs to contact the residents for the proposal for Pleasant Hill Road. Mr. Sullivan noted speed humps are not appropriate for Harvey Road, but Mr. Catania has proposed narrowing and he asked about the costs involved. Mr. Catania stated the public works department may be able to perform the narrowing and install the delineators. After discussion, costs were to be obtained for the Township crews to perform the narrowing and install delineators, but a contractor was to be contacted for an estimate to paint the lines.

Police Towing Contract – The Board discussed and asked if there were any issues with the current tower, Luongo Towing. Chief Splain stated there were no issues. Ms. McKenzie-Fiumara and Mr. Baker stated they thought it was an issue of having a back-up tower. Mr. Scott stated the purpose of the contract is to set rates for those whose cars are towed. After discussion, the Board authorized the Solicitor to prepare a contract for a back-up tower.

Shade Tree Ordinance – Mr. Knapp stated this is an amendment to clarify a property owner is responsible for dead and damaged trees within the right-of-way. The Board is to review the draft and authorize at the February 22 meeting.

Act 135 Conservatorship Program – Mr. Knapp explained the purpose of the program and stated we are looking to use the program for the property at 102 Cameron Drive. Mr. Sullivan stated this is for blighted properties that have been vacant for at least one year. After discussion, Micah moved to file an Act 135 petition at 102 Cameron Drive. Mr. Dougherty seconded the motion which passed 7 to 0.

PUBLIC WORKS COMMITTEE REPORT (Robert O'Connor)

Road Resurfacing – Mr. O'Connor stated the Board is to review the road resurfacing list for this year. Mr. Sullivan stated this is a normal review and we start with the list left over from last year and we have AQUA roads to include where main replacements occurred. He referred Board members to information in the packets and asked members to submit and additional roads.

MANAGERS REPORT

Mr. Cummings stated the annual newsletter has been mailed with the annual tax bill, there is a COG sponsored E-Waste collection on March 25 at the Delaware County Community College grounds, and there is an ACT 902 recycling grant opportunity and the Township plans to apply for replacement leaf vacuum machines.

ADJOURNMENT – Mr. Sullivan stated the next meeting is the legislative meeting on February 22. There being no further business the meeting was adjourned.