

**BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP
MEETING of JUNE 28, 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, June 28, 2018 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

ROLL CALL

PRESENT: Commissioner Sullivan
Commissioner Dougherty
Commissioner McKenzie-Fiumara
Commissioner Garson
Commissioner Baker

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

NOT PRESENT: Commissioner O'Connor
Commissioner Knapp

PUBLIC

Approximately 22 people in attendance.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Mr. Sullivan noted an executive session was held prior to the meeting and then led the audience in the Pledge of Allegiance. Mr. Sullivan asked everyone to remain standing and for a moment of silence to offer thoughts and prayers to Mr. Grady and his family as his father is undergoing a heart operation.

Garden City Fire Company Truck Purchase – Lou DiDomenico summarized their research into purchasing a new truck and the different vendors. He noted there is a CO-STAR's truck by Pierce at \$595,000, noted Seagraves came in higher at \$620,000 and other companies did not respond. Mr. Sullivan explained CO-STARS was a state approved purchase program so the township does not have to bid out locally. Mr. Baker asked if they are asking for township approval and Mr. DiDomenico said yes and noted an increase in cost of steel. He thought the truck would not arrive until July or August 2019. Mr. Dougherty asked about money down and when it would be due. Mr. DiDomenico noted the Volunteer Financial Services proposal and there is a prepay discount of about \$22,000. He also said 10% was needed as a down payment and noted an \$80,000 trade-in amount would come off the top. The net cost would be \$498,000. Mr. DiDomenico noted the discount would apply if paid within 30 days of the order. He also mentioned that the financing includes a PEMA Loan in the amount of \$200,000 but repayment would start immediately. They also plan to get a bridge loan. He said the fire company needs to sign the commitment agreement with Pierce and Ms. McKenzie-Fiumara asked when the down-payment is due and he said right after the contract is signed. Mr. Dougherty asked about the

resale value and Mr. DiDomenico said he felt it would come in higher than \$80,000 but you don't know for sure. Mr. Baker asked about using Relief Funds and Mr. DiDomenico stated they can be used but he would have to look at it. It was noted there is only \$27,000 in the Fire Capital Fund. Mr. DiDomenico said if the Board agreed to them signing the contract, we can delay signing the agreement to organize financing. There was a discussion on loan rates and the township is looking into what rates are available. Mr. Sullivan moved to authorize GCFC to proceed to do what is necessary to purchase the fire vehicle for \$595,000. Mr. Baker seconded the motion which carried 5 to 0.

PUBLIC COMMENTS

Jenny Montague and Lena Garcia from the Girls Scouts stated they would like to plant flowers around signs at Hepford Park, Houston Park and the corner of Moore Road and Maryland Avenue to earn their Bronze badge. They asked the Board for \$100 to purchase the plants. Mr. Sullivan moved to approve the expenditure. Mr. Garson seconded the motion. Mr. Baker said he would match the townships donation of \$100 from his Commissioners salary. All were in favor by a vote of 5-0.

Rosemary Mulcahy of 916 Surrey Road asked about the court case with the shopping center and should the township be involved. Mr. Sullivan said Mr. Cummings will ask ECHO that they need to seek approval from the township as well. She also asked about changes to the restriction on restaurants in the strip stores. Mr. Sullivan said we will discuss that when we meet with them. Mr. Sullivan noted two of the thirty residents have not signed off on amending the decree and the Township will discuss changes to the 2001 resolution when they come to us.

Janelle Berry of 530 Wallingford Avenue spoke on proposed development at 310 Wallingford Avenue and had concerns about 11 lots and drainage and it is a nice wooded area. She hoped the builder noted her concerns and she just wants to keep the nice area she has. Mr. Sullivan noted there is nothing before us to address as there is just a sketch plan and that has to go back before the planning commission.

2017 DCED AUDIT REPORT

Jennifer McHugh of Bee Bergvall and Company went through a summary of their audit report and noted a couple of recommendations. She went through revenues and expenditures and noted the 2017 Fund Balance at the end of 2017 was \$406,446.

APPROVAL OF MINUTES

Legislative Meeting of May 24, 2018

Mr. Sullivan noted changes and moved for approval of the minutes of the May 24, 2018 combined work session and legislative meeting. Mr. Baker seconded the motion which passed by a vote of 4-0-1 with Mr. Dougherty abstaining as he was not present.

SOLICITORS REPORT

Mr. Scott asked the Board to consider a settlement and release agreement for the Dung Lau case. Mr. Sullivan moved for approval with Ms. McKenzie-Fiumara seconding the motion. The motion passed by a vote of 5-0.

ENGINEERING REPORT

Mr. Catania noted the JMC project was completed but nothing further on the extra work payment request. He also noted Creekside and Beatty Run relining work was completed as well. Mr. Catania stated the 2018 road resurfacing project should start in 2 to 3 weeks but project approval from PA DOT was still needed.

MANAGER REPORT

Mr. Cummings noted Creekside Swim Club was holding their 5k race on 6/29 and that the Red Cross blood drive would take place in the Townships meeting room on 8/7 from 2:00 pm to 7:00pm. Mr. Cummings noted the e-waste collection and shredding event will be held in conjunction with Media Borough and would take place in the Acme parking lot on July 28th. He noted that SMFC was assisting in the Children's Initiative project at Sapovits Park and he asked residents to check out the County's Beat the Heat program at www.co.delaware.gov.

BUILDING AND ZONING COMMITTEE REPORT (Mike Dougherty)

WES Playground Restoration project - Mr. Cummings noted there was a meeting with WSSD officials and Mr. Catania, Mr. Cummings and Mr. Grady were in attendance as well and a storm water management permit may be required.

SBA cellular tower proposal on Swarthmore College Property – Mr. Lemanowicz, attorney for SBA, was present and understands the Township has suggestions to his amendment. Mr. Scott advised Mr. Lemanowicz why he preferred the requirement to obtain a special exception before the ZHB and setbacks. Mr. Lemanowicz said a setback requirement is already in the ordinance but also wanted to have the tower at 120ft high.

301 Wallingford Avenue sketch plan – Ms. Peck was present and spoke on design changes to have a 50 ft buffer on both sides of the creek and added the cul-de-sac. She also stated she spoke to residents. The Board stated they did not wish to discuss this as there is nothing to act on at the present time. She noted concerns of the residents at the meeting and said she will be back before the Planning Commission but wants to talk about the market value of her properties. She did believe she needed a one SALDO waiver. The Board advised her there was nothing they were going to respond to and to go to the planning commission.

COMMUNITY ENHANCEMENT COMMITTEE REPORT (Larry Baker)

Summer Recreation Program – Mr. Baker noted the program has started and 200 campers were in attendance the first week.

Family Fun Day – Mr. Baker reminded everyone that Family Fun Day this year will be held on Saturday October 6th.

Resolution No. 2018-4 (approving/closing out CORPOS Plan) – Mr. Scott recommended accepting the resolution. Mr. Baker read and moved for approval. Mr. Sullivan seconded the motion which passed by a vote 5-0.

FINANCE AND ADMINISTRATIVE COMMITTEE REPORT (Kait McKenzie-Fiumara)

2017 Audit Report – Ms. McKenzie-Fiumara noted the full audit reports were in the Board packets.

Motion to approve warrant list – Ms. McKenzie-Fiumara went through the bills list and noted expenses for the leaf machine, Abel Recon bill for sewer work, an Environmental Consulting bill for septic review and summer recreation program expenses. She also mentioned bills for the fire hydrants and payments to JMC Contractors. Ms. McKenzie-Fiumara moved for approval. Mr. Dougherty seconded the motion which passed by a vote of 5-0.

INFRASTRUCTURE COMMITTEE REPORT (Matt Sullivan)

Growing Greener water quality improvement grant – Mr. Sullivan noted the opportunity to do streambank relining in Houston Park and this will help us comply with the MS4 requirements. He noted if we get both streambank stabilization grants, we can decide which one to accept later. Mr. Sullivan moved for approval to apply for the grant. Ms. McKenzie-Fiumara seconded the motion which passed by a vote of 5-0.

Moore Road sidewalk project – Mr. Sullivan noted the project would start in the spring of 2019.

Multi-modal sidewalk project – Mr. Sullivan noted this sidewalk project along E. Rose Valley Road from Osborne Lane to Providence Road is in the design stage.

CMAQ sidewalk project – Mr. Sullivan stated this project is also in the design phase and should start in 2021 noting it will provide a sidewalk along E. Possum Hollow Road from the Wallingford Train Station to Providence Road.

Multi-modal grant application - Mr. Sullivan stated he asked Mr. Catania to prepare estimates for a sidewalk from Moore Road to Providence Road and after discussion, he moved to authorize application for a grant for the Providence Road to Moore Road project. Mr. Garson seconded the motion which passed by a vote of 5-0.

PARKS AND OPEN SPACE REPORT (Matt Garson)

Summit School Committee – Mr. Garson noted the Summit Committee met June 22nd and that the meeting minutes of June 12th are on the township website. He noted the organization Kids With Disabilities has expressed interest in the entire building and the Creative Living Room was interested in placing PODS classrooms on the premises. A new building was also discussed as well as just having fields to hold concerts. Mr. Garson is hoping to be able to present recommendations to the Board in September or October. Mr. Sullivan said the sooner the better as budget season starts in September. Mr. Sullivan noted the township received final approval of the DCNR Grant in the amount of \$175,000, but that it was already accounted for in this year's budget.

PUBLIC SAFETY COMMITTEE REPORT (Mr. Sullivan in Micah Knapp's absence)

Mr. Sullivan read the monthly police report.

Traffic Calming Matrix – Mr. Sullivan noted two roads were high in the matrix, Georgetown Road and Plush Mill Road and that \$7,000 in funds are available for traffic calming. Mr. Sullivan moved to relocate the temporary speed humps from Pleasant Hill Road to Plush Mill Road and to take bids for permanent speed humps on Plush Mill Road. Mr. Baker objected to Plush Mill Road's listing as two accidents were due to DUI and not just speed. After discussion on the validity of speed data on Plush Mill, Mr. Sullivan asked Chief Splain to do another speed study. Mr. Dougherty asked to do another study on Meadow Lane to see if humps are helpful at that location. Mr. Sullivan also said he would like to see road narrowing and striping on some roads and that he would meet with residents. He noted this work could be done by the townships Public Works Department.

DCED Apparatus Study – Mr. Sullivan noted we started a study, but we need to restart and schedule a fire committee meeting to get the fire companies to buy in on the study.

Drug Forfeiture Funds - Mr. Sullivan noted Chief Splain's second round of recommendations for using drug forfeiture funds. He noted the first round was approved for \$25,000 and the second round is for \$58,000. He noted the Chief is waiting for information on body cameras and vehicle cameras to see if we can get grant funding. The Board will consider the requests at our July meeting. Chief Splain noted he was on the Pennsylvania Police Chief Association Board as the first Chief from Delaware County.

Civil Service Test – Mr. Sullivan moved to authorize the Civil Service Commission to administer the civil service test. Mr. Dougherty seconded the motion which passed by a vote of 5-0.

PUBLIC WORKS COMMITTEE REPORT (Mr. Sullivan in Robert O'Connor's absence)

Mr. Sullivan read the monthly highway report.

Road resurfacing schedule – Mr. Sullivan noted Mr. Catania said Joseph E. Sucher & Sons is ready to start in a few weeks.

Box Paver – Mr. Sullivan noted the box paver was received however there is an issue with a hydraulic line which can be repair via the one-year warranty.

ADJOURMENT – There being no further business this meeting was adjourned. He noted the next meeting is a combined Work Session/Legislative meeting on July 23rd as we are now on the summer meeting schedule.