

**BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP  
MEETING of March 22, 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, March 22, 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 Knapp  
Commissioner O'Connor  
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

EXCUSED: Commissioner Dougherty  
Charles Catania Township Engineer

**PUBLIC**

Approximately 11 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.

**PUBLIC COMMENTS**

Roseanne Mulcahy of 916 Surrey Road stated she was at the last meeting and was requesting a status update on the Media Shopping Center and 501 E. Baltimore Pike. Mr. Sullivan stated the deed restriction covering the shopping center was sent to Media Borough.

Lynne Alverez of 1006 Bent Road stated she is President of the Helen Kate Furness Library. She noted the township supplies 40% of the library's revenues and thanked the Board for their support. She also thanked Mr. Cummings and Mr. Scott for their assistance in acquiring a grant for the HVAC system which they expect to be completed by the end of summer. She noted the Children's Program and Adult Programs on travel are successful and the Book It 5-K Run is on April 8<sup>th</sup>.

Janet Gerace of 201 Ridgewood Rd stated she and her neighbors are inquiring about the rezoning proposal for properties on Baltimore Pike. She asked why the Board is considering it and if they considered the impact it would have on the neighbors. Mr. Sullivan said it is a request of the two residents and the Board will be reviewing the request. He noted they may be difficult to see as

purely residential. Ms. Gerace asked if the corner property on Grandview would also want to request the zoning change. Mr. Sullivan said no request has been received from that owner. Christie Smith of 204 Grandview Rd stated she has two children and the yard backs up to one of the properties and was concerned about what it would do to the property values.

Daniel Schatzberg of 116 E. Baltimore Pike said the zoning will better fit the neighborhood as professional offices are next door. He noted he cannot hire another practicing chiropractor and that kids really can't play on the property since it's on Baltimore Pike. He noted Jim Gentile and he have driveways onto Baltimore Pike while the corner property has their driveway on Grandview. He noted the existing buildings cannot be expanded and they were proposing a professional office use.

Ms. McKenzie-Fiumara asked if removing the requirement that he live there would help but would it still be a split of professional office, residential use. Ms. Smith asked Dr. Schatzberg if he plans to make it entirely professional office space. He noted he wants to tone down the practice and due to the expenses, he would not be able to live there and would want to hire another practitioner. He did not think it would have any substantial impact on property values as the building would look the same. Mr. Baker asked if he would move out with a zoning change. There was a discussion on living in the home or not. Mr. Scott asked if hiring additional practitioners is the issue. Dr. Schatzberg said he thought the property is not congruent to a residential use. Ms. Gerace said the important thing is their property values are not adversely affected. Ms. Smith stated she felt that if it was a home, they would take care of it better. Mr. Garson suggested Dr. Schatzberg come back with his attorney and with a specific proposal, then he and his neighbors can have a meeting on this.

Bill Silverstein of 94 True Penny Road said he looked at the professional office zoning and the properties could not meet the professional office zoning requirements. He noted all the restrictions of the professional office district and thought maybe a conditional use for the properties may be better. It was noted a new zoning district was being proposed and these properties would have to meet the requirements of that new district.

### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

Mr. Knapp noted he still has not had the opportunity to contact Daniel Green concerning his appointment on the Planning Commission but will.

### **APPROVAL OF MINUTES**

#### **Legislative Meeting of February 22, 2018**

Mr. Sullivan noted revisions and moved for approval of the minutes of the February 22, 2018 legislative meeting. Mr. Garson seconded the motion which passed by a vote of 5-0-1 with Mr. Knapp abstaining as he was not present.

#### **Work Session Meeting of March 8, 2018**

Mr. Sullivan moved for approval of the minutes of the March 8, 2018 work session meeting. Mr. Garson seconded the motion which passed by a vote of 5-0-1 with Mr. O'Connor abstaining as he was not present.

### **SOLICITORS REPORT**

Mr. Scott stated there was no new business to report.

## **ENGINEERS REPORT**

In Mr. Catania's absence, Mr. Sullivan reported the Parkridge Project is starting the week of March 26 and they will be keeping an eye on the mud on Beatty Road. He also stated there is a pre-construction meeting on March 28<sup>th</sup> for the demolition of 805 Forrest.

## **MANAGERS REPORT**

Mr. Cummings reported the Aqua main replacement project on W. Rose Valley Road will start on April 2<sup>nd</sup> but it was noted they already started. He noted the Delaware County COG is sponsoring an e-recycling event on March 25<sup>th</sup> at the DCCC parking lot and all is except there is a cost for TVs and monitors. Mr. Cummings also said we are again holding a Recycling and Shredding event in the Acme parking lot in July or August with Media Borough and that there is a Children's Community Initiative proposal to install and paint benches in Sapovits Park. He noted a free dental care program from local participating dentists between March 26<sup>th</sup> and April 2. Mr. Cummings also noted electronic recycling events on April 7<sup>th</sup> and May 5<sup>th</sup> from 9:00AM to 1:00PM at 1 Judy Way in Aston. Mr. Cummings advised of the RSVP volunteer organization and there is a meeting at the Media Municipal Center on April 26<sup>th</sup> at 10:00AM. There are volunteer positions for student tutoring, driving senior to medical appointments, delivering meals on wheels and many other ways to help the community.

## **BUILDING AND ZONING COMMITTEE REPORT** (Mr. Knapp in Mr. Dougherty's absence)

**Creekside Swim Club lot line relocation** – Mr. Sullivan said he is recusing himself from the discussion as the subject involves his and neighbor's properties. Mr. Knapp summarized and moved to approve the plans entitled, Preliminary/Final Minor Subdivision Plan for Creekside Swim Club drawn by Catania Engineering Associates consisting of one sheet dated November 9, 2017 last revised February 7, 2018 can receive Preliminary/Final Subdivision Approval subject to compliance with any applicable comments of the Township Engineer and Township Planning Commission, compliance with any other applicable state and local regulations and the applicant accepts the conditions of approval. He also noted that in granting this approval, a waiver from Section 289-9 (A) requiring concrete sidewalks and a waiver from Section 289-22 (C) (10) to not show topographic/contour lines are hereby granted. Ms. McKenzie-Fiumara seconded the motion which passed by a vote of 5-0-1 with Mr. Sullivan abstaining.

**116 and 120 E. Baltimore Pike** – Mr. Knapp noted the discussion during public comments and said it would be addressed at future meetings.

## **COMMUNITY ENHANCEMENT COMMITTEE REPORT** (Larry Baker)

**Community Clean Up Day** – Mr. Baker noted the bi-annual Community Clean Up Day would take place on April 16<sup>th</sup> but questioned the locations and suggested having this year's event at the Public Works garage. Mr. Baker noted the acceptable items and reminded everyone that no hazardous waste would be accepted and it is for residents only.

**Summer Recreation Program** – Mr. Baker noted camp registration begins the week of April 9<sup>th</sup> for grades K through 5<sup>th</sup> grade and the program will run from June 25 through July 26.

## **FINANCE AND ADMINISTRATIVE COMMITTEE REPORT** (Kait McKenzie-Fiumara)

**Motion to approve warrant list** - Ms. McKenzie-Fiumara noted road salt expenditures of \$7,059.62 and back-up camera purchase through our DVIT Grant. She also noted a \$2,000 bill

for the printing of the township tax bills through the county and charges from Michael Baker Engineering for the Moore Road and Possum Hollow projects. Ms. McKenzie-Fiumara moved to approve the warrant list. Mr. Sullivan seconded the motion which passed by a vote of 6-0.

#### **INFRASTRUCTURE COMMITTEE REPORT** (Matt Sullivan)

**Authorize additional work on Beatty Run sewer relining project** – Mr. Sullivan stated the bid came in \$59,000 under the grant amount and the DCED agreed we could use extra funds for additional work. Mr. Sullivan moved to authorize Able Recon to perform relining from man hole 5 to man hole 9 at an additional cost of \$56,783.37. Mr. Knapp seconded the motion which passed by a vote of 6-0.

**Moore Road walkway project** – Mr. Cummings noted we are required to upgrade the pedestrian signals on the traffic signals at Moore and Brookhaven Roads so we have to make application for the changes to PA DOT. Mr. Sullivan moved to approve the Resolution making application for traffic signal upgrades. Mr. O'Connor seconded which passed by a vote of 6-0.

**2018 Road Resurfacing Program** – Mr. Sullivan summarized the cost noting the township has \$570,000 to do the Aqua main replacement roads as well as all the number 1 ranked roads. Mr. Catania suggested adding Windsor Place from the number 2 ranked streets as it would be an extension of a no. 1 ranked road. The question was raised whether to purchase a box paver at \$60,000 or spend more on paving. Mr. Cummings noted Mr. Catania suggested adding additional streets as an alternate bid. The Board will discuss next month.

#### **PARKS AND OPEN SPACE REPORT** (Matt Garson)

**Summit School Deed** – Mr. Garson noted the deed restriction was approved. Mr. Scott said it can now be signed and recorded. Mr. Garson stated the first Summit Committee meeting was held and then will have a public meeting next Tuesday. Mr. Baker asked if minutes were taken. Mr. Garson said yes but they must be circulated and approved.

#### **PUBLIC SAFETY COMMITTEE REPORT** (Micah Knapp)

**Motion to Adopt Ordinance No. 799 (amendment to Soliciting Regulations)** – Mr. Knapp read the ordinance summary and noted we are placing the burden on the applicant to apply for the required criminal background checks. Mr. Knapp moved to adopt Ordinance No. 799. Mr. Sullivan seconded the motion. Mr. Baker asked about commercial soliciting and the penalties. It was noted the penalties are stated in the Violations section of the ordinance. The motion passed by a vote of 6-0.

**Delco Alert** – Mr. Knapp noted he heard Swarthmore Borough uses Delco Alert that runs through the county at no cost. He noted we can target specific areas of the community and we should look into it. Chief Splain said he thought it would be beneficial. Mr. Grady was asked to check the details. It was noted individual residents would have to sign up for the service.

#### **PUBLIC WORKS COMMITTEE REPORT** (Robert O'Connor)

**Section 902 Recycling Grant due April 7th** – Mr. Cummings summarized the proposal to purchase a leaf vacuum truck and two self-contained leaf vacuum machines. Mr. Sullivan moved to authorize the application for one truck and two leaf vacuum machines. Mr. O'Connor seconded the motion which passed by a vote of 6-0.

**Storm Debris Removal** – Mr. O’Connor noted the Board’s decision to extend storm debris pick-up another week, but residents need to contact the administrative office to get on the list.

**ADJOURMENT** – Mr. Sullivan stated the next meeting is a work session meeting on April 12th. There being no further business the meeting was adjourned.