

(74) **BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP**  
**MEETING of December 13, 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, December 13, 2018 in the Board of Commissioners' Meeting Room, Township Building, 214 Sykes Lane, Wallingford, PA 19086.

**ROLL CALL**

PRESENT: Commissioner Sullivan  
Commissioner Knapp  
Commissioner Baker  
Commissioner Dougherty  
Commissioner Garson  
Commissioner Knapp  
Commissioner McKenzie

Gary Cummings	Township Manager
Dave Grady	Assistant Township Manager
Robert Scott	Township Solicitor
Lisa Swan	Finance Director
Charles Catania	Township Engineer

EXCUSED: Commissioner Robert E. O'Connor

**PUBLIC**

Approximately 5 people in attendance.

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

Mr. Sullivan noted a brief executive session was held prior to the meeting as it concerned real estate and personnel matters. He then led the audience in the Pledge of Allegiance.

**PUBLIC COMMENTS**

**Nannette Whitsett**, of 807 Washington Avenue asked about Summit School and 310 Wallingford Avenue. She said was here to speak on Sapovits Park and gave a brief history on the park. She noted it needs improvements and the township plans to spend a lot of money on renovating Summit School. She asked that the grant money be shared between Summit and Sapovits Park. Mr. Baker asked her what needs attention in Sapovits Park. Ms. Whitsett said the soccer field needs improvement and there are eroded areas on the access route on the hill. She suggested paving and/or seeding. She noted the tot lot was installed but suggested swings be installed for the older children. Ms. McKenzie said it is important to hear her concerns. Mr. Garson suggested the Parks Commission walk the park and report back to the Board to pursue improvements to both Summit and Sapovits. Mr. Knapp stated the grant for Summit was for the acquisition and other grants are for specific projects. He suggested the Parks and Shade Tree Commissions look at the park. Mr. Sullivan asked Mr. Grady to look at grants. Mr. Garson noted the multi-municipal open space and recreation plan may be a good place to look. Mr. Dougherty said grants are a timing issue and referred to improvements to Bullens Lane Park noting it took years and the Public Works department did a lot of the work. Ms. Whitsett suggested a fundraiser. Mr. Knapp said to contact the township so we can get her in touch with the Parks Commission.

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**James Mason** of 613 Washington Avenue echoed Ms. Whitsett's comments and said he heard Summit School is being demolished and a Community Center was being built. Mr. Sullivan said the Board agreed to tear down the building but that was all at this point. Mr. Mason said he was glad the Board is not pursuing a community center at Summit. Mr. Knapp stated the Summit Committee study and report noted a community center would cost millions and was only one of the many suggestions included in the discussion. Ms. McKenzie noted a community center was of minimum design but still costs millions. Mr. Mason was directed to look at the study on the website.

### **APPROVAL OF MINUTES**

**Legislative Meeting of November 29, 2018** - Mr. Sullivan noted missing pages of the minutes so approval was deferred.

**Work Session Meeting of November 8, 2018** - Mr. Sullivan moved to approve the minutes of meeting of November 8, 2018. Mr. Garson seconded the motion which passed by a vote of 5-0-1 with Ms. McKenzie abstaining as she was not present.

### **APPOINTMENT OF BOARDS AND COMMISSIONS**

Mr. Sullivan noted the various openings and it would be addressed at a future meeting.

### **SOLICITORS REPORT**

None.

### **ENGINEERING REPORT**

Mr. Catania said he submitted his report and noted he would comment on other engineering items throughout the agenda.

### **MANAGERS REPORT**

Mr. Cummings stated the annual Leiper House Open House would take place on Sunday, December 16<sup>th</sup> from 1:00pm to 5:00pm. He noted there is a Red Cross blood drive on January 2<sup>nd</sup> from 2:00pm to 7:00pm at the Township Building and suggested making reservations. He stated a second drive will take place on August 6<sup>th</sup>. Mr. Cummings said the County prepared a recycling brochure and noted the description valuing aluminum as well as other recyclables such as glass and plastic. Mr. Cummings noted proposals on using the shoulder of I-476 as an extra lane in Nether Providence and Ridley around the MacDade Boulevard exchange. Mr. Cummings acknowledged the attendance of Mr. Mason at tonight's meeting noting Mr. Mason is President of the NAACP.

### **BUILDING AND ZONING COMMITTEE REPORT** (Mike Dougherty)

**SBA cellular tower proposal on Swarthmore College property** – Mr. Dougherty noted the proposed zoning amendment and moved to send it to the Township and County Planning Commissions.

**Subdivision at 6 E. Brookhaven Road (Chris and Beth Scott)** – Mr. Dougherty read the summary and proposed approval with conditions. Mr. Scott was in audience and accepted the conditions of approval. Mr. Dougherty moved to grant Preliminary/Final Conditional Approval to the 3 lot plan for Chris and Beth Scott at 6 E. Brookhaven Road, consisting of 4 sheets dated August 30, 2018, last revised October 17, 2018, drawn by H. Gilroy Damon Associates, Inc. (their file no. D-336), conditioned upon a revised plan meeting the following:

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1. Compliance with the October 17, 2018 comments of the Township Engineer.
2. Compliance with the November 5, 2018 comments of the Township Planning Commission.
3. Compliance with the recommendations of the Township Shade Tree Committee.
4. Compliance with all other applicable Federal, State and Local laws and regulations including receiving a PA DOT Highway Occupancy Permit, a PA DEP sewer planning module approval or an exemption letter.
5. The Applicant accept the Conditions of Approval.

Mr. Baker seconded the motion which passed by a vote of 6-0.

**Subdivision at 310 Wallingford Ave** – Mr. Dougherty noted the 10-lot subdivision has no new changes and is going to the Planning Commission in January.

**Zoning change request for 116 and 120 E. Baltimore Pike** – Mr. Scott said counsel for the owners wanted changes and listed them. He noted their proposal was received just this afternoon. He stated they wish to be allowed to have 3 business versus 2 businesses. Ms. McKenzie noted comments from the neighbors and from the Zoning Officer. Mr. Schatzberg asked about the neighbors' concerns.

**D'Anjolell/Wallingford Realty Partners subdivision at 908 S. Providence Road** – Mr. Dougherty noted this proposed subdivision will be in front of the Planning Commission in January.

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

**Motion to adopt Community development priority list (Resolution No. 2018-16)** – Mr. Baker noted the timing issues with scheduling the public hearing. After discussion the Board agreed to schedule a Public hearing on January 3<sup>rd</sup>. Mr. Cummings explained the eligibility requirements for area wide projects and that South Media is no longer eligible. Ms. Whitsett stated there is a drainage issue on Forrest Avenue in Moylan and it was noted it was not eligible. Mr. Knapp said he discussed grant eligibility with Mr. Mason. Mr. Mason noted a sewer issue on Washington Avenue with the new houses built on Vernon and Emerald. Mr. Catania noted there is a problem of parking off Washington Avenue and we could possibly widen the street. Mr. Cummings noted the inlet on Denver Court and the Leiper house as possible projects.

#### **FINANCE AND ADMINISTRATIVE COMMITTEE REPORT** (Ms. Kait McKenzie)

**Motion to approve warrant list** – Ms. McKenzie went through the warrant list and moved for approval. Mr. Knapp seconded the motion. Mr. Sullivan asked about the Parkridge Outfall payment. Mr. Grady noted JMC did \$12,000 in extra work without prior approval, but the grant covered the work. Mr. Catania said it was accepted since the documentation on the fill was submitted to fill the ravine. Mr. Sullivan asked if we only pay about \$2,000 and Mr. Grady stated we have to pay about 20%. After discussion, the motion passed by a vote of 6-0.

**Auction of Summit fuel oil on GovDeals** – Ms. McKenzie noted fuel oil from Summit School is up for bid until December 21<sup>st</sup>.

**Tax Collector Fees and Deputy Tax Collector (Resolution No. 2018-18)** – Ms. McKenzie explained the request by the tax collector to increase and consolidate certification fees. Mr. Sullivan moved to adopt Resolution No. 2018-18 authorizing a flat \$25 tax certification fee covering taxes, sewer and recycling fees. Ms. McKenzie seconded the motion which passed by a vote of 6-0. Mr. Sullivan moved to appoint AnneMarie Cooke as the Deputy Tax Collector. Ms. McKenzie seconded the motion. After discussion on compensation and allowance to appoint a Deputy the motion was passed by a vote of 6-0.

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**Motion to adopt 2019 General Fund budget** – The Board reviewed the budget. Mr. Dougherty noted interest income was \$12,000 while it is at \$18,000 now. After discussion the Board agreed to add \$2,000 to interest income. Mr. Sullivan asked about the recycling fee and noted the amount is based on the contract of \$55 per unit. Mr. Sullivan noted based on other municipalities experience, recycling charges will go up substantially. After further discussion the Board agree to charge \$56 per unit. On the expense side, Mr. Sullivan noted the FOP contract has not yet settled and said there could be changes made or leave it the same and lower the transfer to fund balance. After discussion the Board agreed to reduce the transfer to fund balance by \$30,000 to \$70,000. Mr. Knapp noted the library is at \$115,000 and requested they requested an additional \$25,000. Mr. Dougherty suggested they be given \$10,000 additional. Ms. McKenzie thought \$15,000 was appropriate. Mr. Sullivan suggested \$11,500. Mr. Baker said he is not in favor of giving the library \$25,000 noting the fire companies have not had a raise in a couple of years. Mr. Sullivan noted bonuses were given in the past and suggested giving both fire companies a straight \$62,000. The Board discussed the fundraising incentive for the fire companies. Mr. Sullivan noted Garden City Fire Company is not asking for more money. Mr. Dougherty noted both fire companies got new vehicles these last couple of years. Mr. Garson suggested giving \$15,000 more to the library and \$5,000 each to the fire companies. After discussion the Board agreed to take both fire companies up to \$63,000 and add \$11,500 to the library to total \$127,500. These changes add up to a tax rate of 5.588 mills and is an increase of 3.1%. Mr. Sullivan moved to approve **Resolution 2018-17** establishing a recycling fee at \$56.00 annually.

**Motion to establish 2019 Sewer Unit Rate (Resolution No. 2018-15)** – Mr. Sullivan asked Mr. Catania if there are any I & I projects? Mr. Catania suggested in lieu of projects we allot \$25,000 to do an I & I study. Mr. Sullivan noted we are spending down the Sewer Capital fund from \$672,000 to \$628,000 and suggested raising the unit rate so as not to reduce the Sewer Capital Fund. He cited expected large increases to the rate in the near future and suggested raising the unit rate to \$485.00 to smooth the rate hikes and keep the Sewer Capital Fund even. He further stated that would allow about \$25,000 for an I & I study and represents a 5% increase. Mr. Sullivan noted the CDCA rate is up 4.8% and DELCORA's rate is up 11%. Mr. Sullivan moved to approve **Resolution 2018- 15** establishing a unit rate of \$485 per year. Mr. Knapp seconded the motion which passed by a vote of 6-0.

**Motion to adopt 2019 General Fund budget (Ordinance No. 806) part 2** – Mr. Sullivan moved to adopt Ordinance No 806 noting a tax rate of 5.588 mills for 2019 and noted the expense amounts by category. Ms. McKenzie seconded the motion which passed by a vote of 6-0. Mr. Dougherty thanked everyone but hates to raise taxes.

**Establishing a Grants Fund** – Ms. McKenzie moved to create a Grants Fund to keep track of income and expenses. Mr. Sullivan seconded the motion which passed by a vote of 6-0.

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

**Green Light Go Program** – Mr. Sullivan noted previous discussions on improving signage at intersections and we will address at the January 10<sup>th</sup> meeting.

**Preventative Maintenance Proposal for Traffic Lights** – Mr. Sullivan noted the cost of the preventative maintenance proposal from Charles Higgins & Sons is \$2,405 and asked about resultant savings. Mr. Grady noted there would be savings but there are safety issues as well. Mr. Sullivan moved to approve the proposal. Mr. Baker seconded the motion which passed by a vote of 6-0.

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**Copples Lane and Wallingford Avenue Sidewalk Projects** – Mr. Grady stated there were cost overages on both projects and that Baker Engineering approved the overages without township approval. He said the overages could be around \$9,000 and as high as \$35,000. Mr. Grady noted additional grant funding was a possibility. Mr. Dougherty asked if we legally are required to pay and Mr. Grady said we are probably obligated to pay the amounts as approved work by the engineer. The Board asked to push to reduce the amounts owed. After further discussion, Mr. Sullivan moved to approve construction costs up to \$412,000 for Copples Lane and up to \$426,000 for Wallingford Avenue as approved by PADOT. Mr. Knapp seconded the motion which passed by a vote of 6-0.

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

**Summit School update** - Mr. Garson noted there is a grant application in to the county for demolition but we have not heard back from them. After further discussion the Board agreed to have Mr. Catania prepare a bid for demolition.

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

**Right turn lane to merge westbound traffic on Baltimore Pike ahead of Beatty Road** – Mr. Knapp noted the letter on the right turn lane was sent to PADOT.

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

**Leaf collection** – Mr. Sullivan read the Public Works report and noted leaf collection season is coming to a close.

**ADJOURNMENT** – Mr. Sullivan noted a Public hearing would take place on January 3<sup>rd</sup> with a Work Session Meeting on January 10<sup>th</sup>. There being no further discussion the meeting was adjourned.