

**(95) BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP
MEETING of March 14, 2019**

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 14, 2019 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

ROLL CALL

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

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

PUBLIC

Approximately 27 people in attendance.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Mr. Sullivan noted a brief executive session was held prior to the meeting concerning real estate and personnel matters, and then he led the audience in the Pledge of Allegiance.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Sullivan noted there are openings.

Sidewalk Committee – Mr. Sullivan Moved to appoint Kathy Adamson to the Sidewalk Committee. Mr. Knapp seconded the motion which passed by a vote of 7-0.

Parks Commission – Mr. Sullivan moved to appoint Ms. Nanette Whitsett to the Parks Committee as an Ad Hoc member. Mr. Knapp seconded the motion which passed by a vote of 7-0.

Mr. Sullivan noted Environmental Advisory Committee has been dormant but there are several openings and interested parties should contact the Township office to get involved.

PUBLIC COMMENTS

Sharri Schaefer of 15 Shepherds Lane read a statement on the Wallingford Avenue tract stating it is one of the last open spaces and noted the history of the Township purchasing the Houston and Duer tracts. She noted her pitch to the developer to consider alternative development to build affordable housing. She said she supports the by-right plan, but suggested Planning Committee member Bob Linn recuse himself as he could help design affordable housing on the site. She stated Mr. Linn said he could help save more of wooded area. Mr. Sullivan stated he talked to Mr. Linn as well and her statement is a little inconsistent with what Mr. Linn stated to him. Mr. Sullivan noted he would touch base with Mr. Linn again.

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Nanette Whitsett stated she is Chair of South Media Neighbors United and introduced other members of the team. She handed out a petition signed by residents requesting the Board to allow alternate development to better fit with South Media neighborhood and to rezone the tract to R-5 residential. She noted homes in the current proposal are to be sold at around \$500,000 and they wished to have affordable homes built. She noted they do not want to prevent development from proceeding and stated she felt the 3rd Ward has long been neglected.

James Peck of 900 Surrey Lane stated he has lived here since 1977. He mentioned PADOT's suggestion to have a right turn onto Beatty Road and noted Surrey Lane would then be used as a cut-through. Mr. Sullivan said the PADOT suggestion was due to the back up through Beatty Road and Baltimore Pike intersection and noted the costly expense of painting the Do Not Block the Box. Mr. Sullivan noted that attempting to get drivers to emerge earlier into the left lane may ease traffic. Mr. Peck said he believed it would send a message for drivers to turn right onto Beatty Road. Mr. Sullivan and Ms. McKenzie stated the Board is just trying to get drivers to merge earlier. Mr. Knapp said he does not understand how it would force people to make the right turn on to Beatty Road and noted this matter would be on the agenda for the next meeting.

Roseanne Mulcahy of 916 Surrey Road noted she spoke to Paul Lutz from PADOT who stated the proposal would make it a right turn only lane. She asked why will traffic will be directed to Beatty and Surrey Roads. Ms. McKenzie said she will advise residents when it will be discussed further. Ms. Mulcahy asked if Media has been notified. Mr. Cummings said he advised Media and has not heard back from them. Mr. Baker stated Providence Road, Baltimore Pike and Beatty Road are all PADOT roads and if there is no evidence it will add traffic to Surrey Road it's worth it to try to solve a known problem. He stated the suggestion is trying to lead cars to get over sooner to make the right onto Providence Road. Ms. Mulcahy asked for a traffic count. Mr. Dougherty asked if she was against making the intersection safer.

Janell Berry of 530 Wallingford Avenue stated she lives next to the proposed 10-lot subdivision along Wallingford Avenue and said it will take away from her side yard space as she knows it. She said she would like to see an alternate so the yard would be preserved and see more affordable housing.

Gary Csop of 204 Woodcrest Road stated he is against any change in zoning.

BUILDING AND ZONING COMMITTEE REPORT (Mike Dougherty)

Wallingford Realty Partners subdivision at 908 S. Providence Road - Mr. Dougherty noted the clock expires on April 7th and we were granted a 6-month extension that takes us to September 28, 2019.

310 Wallingford Avenue subdivision – Mr. Dougherty noted we have a written extension request until March 29, 2019 from the applicant. Mr. Sullivan noted a long list of conditions. Mr. Dougherty asked if the developer was going to withdraw this application. Mr. Scott stated we should act on pending plan. Mr. Knapp noted she could get approval and then see a zoning change. Mr. Dougherty noted we received a letter objecting to the rezoning. Mr. Baker stated he would consider rezoning noting as a police officer who is familiar with South Media, he feels \$400k - \$500k homes are ridiculous for that area and he hopes she reconsiders. Ms. Peck displayed the proposed plans and explained the history and feels she has addressed all the concerns. She noted she has reduced from 13 homes to 10 and will be planting 172 trees with 15 trees being substituted with 75 shrubs. She said she is installing a storm water basin and will be holding more water back and slowing its velocity. Mr. Catania noted final stormwater calculations must be submitted. He felt residents may not notice the difference, but they are reducing offsite stormwater flow more than they need to. She noted a traffic study showed no apparent increase and she is keeping the woods which is approximately 1/3 of the property. Ms. Peck also noted they are marketing to people without children. With respect to R-5 she said it

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would have to be the right plan approved by the neighbors. She stated she first wants the by-right plan approved but would consider an expeditious change of zoning.

Mr. Sullivan asked if the Board was interested in rezoning and asked if a wetlands study was done. Mr. Catania stated he believed the work of a study was done and received a letter. Mr. Sullivan asked what the plan was for the woods. Ms. Peck said there are deed restrictions and the area will be dedicated to the HOA. Mr. Sullivan asked if the area could be donated to the Township, and she said she was not amenable to it. Mr. Sullivan asked if she would consider a trail easement and Ms. Peck said she had not considered it and could be a marketing issue. Mr. Sullivan asked Ms. Peck if she had seen the proposed write-up with conditions. Ms. Peck said she has but suggested changes to a couple conditions. Mr. Catania said the Shade Tree Committee has made recommendations and the Board would have to grant a waiver to allow changes to the ordinance. Mr. Catania spoke on reducing the buffer to 50 feet and noted debris has to be removed and the regulations allow enhancement to a higher quality. He stated the water quality is improved by the landscaping architecture and the additional plantings. Ms. Peck stated she had no problem removing debris. Mr. Sullivan said the Shade Tree Committee would need to be involved. Ms. Peck asked for streambank language to be improved as it is vague and needs to be clarified. She noted the removal of deleterious materials is ok. Ms. Peck introduced Justin Moody who will be here in two weeks as she will be out of town. Mr. Knapp noted Ms. Peck's promise to the South Media Community and encouraged continued communication. There was a discussion on seeing a proposed sketch plan in about 30 days on an alternative plan. Mr. Sullivan said we could add a condition to submit a sketch plan with in 60 days and Ms. Peck agreed.

Ordinance on Residential Office Zoning – Mr. Dougherty noted a draft ordinance in the Board's file. Mr. Sullivan noted the latest edition is due to receiving comments from neighbors. Ms. McKenzie said she received a lot of comments recently as well. Mr. Sullivan noted two professional offices or two offices plus one owner occupied resident is currently in the draft.

COMMUNITY ENHANCEMENT COMMITTEE REPORT (Larry Baker)

Welcome to the Township signs – Mr. Baker noted the request for signs and wants to place them at the entrances to the township. Mr. Cummings handed out examples.

Summer Recreation Program – Mr. Baker noted registration for camp will start April 8th.

FINANCE AND ADMINISTRATIVE COMMITTEE REPORT (Ms. Kait McKenzie)

Refinance and Payment of GCFC truck loan – Ms. McKenzie noted a pre-payment issue popped up and Mr. Cummings was asked about the bank being paid up front. There was a question of whether there was a pre-payment penalty on the Del-Val loan and after discussion it was noted there was. After further discussion, the Board said to pay the truck loan with the DelVal funds to save \$3,000.

Summit School fuel oil issue and salvage items – Ms. McKenzie noted we are still waiting for an invoice and proof of purchase from the bidder.

Verizon Franchise Renewal (expires March 8, 2019) – Mr. Scott stated this is still being worked on and he will have something in April.

Act 172 (tax credits for volunteer firemen) – Ms. McKenzie noted Morton Borough's ordinance. Mr. Baker said he wanted it to apply to long term fire fighters and we might want to consider life members although they can't answer calls. Mr. Scott said you cannot change the allowance as it is state law. Mr. Baker asked about record keeping for activity and to consider using the state reporting system. It was noted it is an incentive to volunteer.

H & H Recycling request – Ms. McKenzie noted the request from H&H recycling to help with costs. Mr. Scott said it was competitively bid so the Township would be hard pressed to change

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now. It was noted the contract is up at the end of the year but can be extended by mutual option. Mr. Sullivan said we should start the RFP process now to find options. Mr. Scott said recycling of specific items are an option but not much value in co-mingling. The Board will continue to discuss options going forward.

Social Media Policy – Ms. McKenzie noted the township has a policy. Mr. Sullivan noted we have a social media policy for employees but not for the township's social media such as Facebook, Twitter etc. It was noted the Board will discuss later.

INFRASTRUCTURE COMMITTEE REPORT (Mr. Sullivan)

Moore Road Sidewalk – Mr. Sullivan noted Pennoni Associates was selected the construction inspector.

E. Rose Valley Road Sidewalk – Mr. Sullivan stated survey work is to begin.

Aqua main replacement project – Mr. Sullivan noted main replacement work will soon start on Devon and Meadow Lanes.

Streetlight project – Mr. Sullivan noted we plan to include streetlights in the Possum Hollow grant and the Turner Road light may be added to the Furness Park grant. It was noted the Board discussed placing a light on Oakland Avenue. Mr. Sullivan made a motion to install the light on Oakland Avenue. Mr. Cummings noted the cost of \$370 could come out of the Community Enhancement fund. Mr. Knapp noted his concern for spending unbudgeted funds and suggested we create a separate streetlight line item. Mr. Knapp then seconded the motion which passed by a vote of 7-0.

PARKS AND OPEN SPACE COMMITTEE REPORT (Matt Garson)

DCNR grant opportunity due April 10 – Mr. Garson noted he asked the Parks Commission to review the grant program and they recommended to submit a grant for Sapovits Park for a trail, ADA improvements, an amphitheater and to retrofit playground equipment. Mr. Sullivan said he liked a winding trail down but noted the eroded hill. Ms. McKenzie said she also would like a back stop for the baseball field to be considered. The Board asked the office staff to get costs for submitting the grant.

PECO Green Grant – Mr. Garson noted the grant was approved for \$10,000 for Furness Park and thanked Mr. Grady.

Other upcoming grant programs – Mr. Garson mentioned several grants that the township could apply for are as follows: DCED grant for sewage, DCED grant for Greenways trails, DCED grant for watershed protection and another DCED grant for multi-model uses. Mr. Sullivan asked to consider applying for a walkway along Putnam Boulevard.

PUBLIC SAFETY COMMITTEE REPORT (Mr. Knapp)

Animal Control contract with Brandywine SPCA – Mr. Knapp noted that Chief Splain will look into alternatives and will have them for the next meeting.

DCED Apparatus Study – Mr. Knapp noted he was waiting for information from both fire companies.

PADOT suggestion for Beatty and Providence Roads – Mr. Knapp noted the discussions earlier in the meeting. Mr. Catania noted the traffic signal plan would need to be amended for any changes. There was discussion on process and to get costs of repainting the "Box" as well as the signage improvements.

PUBLIC WORKS COMMITTEE REPORT (Robert O'Connor)

2019 Road Resurfacing – Mr. O'Connor noted the updated list. Mr. Sullivan noted the current Aqua projects were added to the list but said to wait for the costs of current projects to see if they can be added. He noted the current list totals \$1.5 million and this year's budget is \$260,000 while noting a lot of roads can be done with the funds from Aqua.

Act 902 Recycling grant – Mr. Cummings noted this grant was received to purchase leaf collection equipment. He noted the process to sell the old equipment but said we may have to give the proceeds from the sales back to the state.

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NASSCO Certification requirement for U & O sewer inspections – Mr. O’Connor noted the Township requirements to have only NASSCO certified contractors and this will expand who can inspect. Mr. Sullivan made a motion to advertise the ordinance. Mr. O’Connor seconded the motion which passed by a vote of 7-0.

Mr. O’Connor read the Highway Report and thanked Mr. Catania for being inducted into the DelCo Hall of Fame.

MANAGERS’ REPORT

Mr. Cummings suggested everyone look at the PADOT website for Driver’s License REAL ID cards. He noted a new house is to be built at 304 W. Rose Valley Road. Mr. Cummings stated we have received complaints of littering and informed the audience of the Adopt-a-Highway program where companies adopting a highway are committed to the two-year cleanup program. He also mentioned the Keep American Beautiful campaign which is a similar program and we also have roadside cleanups through Community Services and noted we received a letter urging a ban on single-use plastic containers. Mr. Cummings stated the Furness Park cleanup day is on April 6th, an e-waste event will take place on April 13th be at the Acme on Baltimore Pike, the South Media Community Development’s 3rd Annual Easter Egg Hunt at Sapovits Park is on April 20th at 12:10 pm and the Book It 5 K race put on by Furness and Swarthmore Libraries on April 27th. Mr. Baker also noted the Easter Egg Hunt on April 14 at Foundry Church.

ADJOURNMENT – There being no further business the meeting was adjourned. The next meeting will be a Legislative Meeting on March 28, 2019.