

**(148) BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP
MEETING of September 26, 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, September 26, 2019 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

ROLL CALL

PRESENT: Commissioner Sullivan – (arrived late due to back to school night)
Commissioner Baker
Commissioner Dougherty
Commissioner Garson
Commissioner McKenzie

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| Gary Cummings | Township Manager |
| Dave Grady | Assistant Township Manager |
| Bob Scott | Township Solicitor |
| Charles Catania | Township Engineer |
| David Splain | Chief of Police |

EXCUSED: Commissioner Knapp
Commissioner O'Connor

PUBLIC

Approximately 15 people in attendance.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Mr. Garson led the audience in the Pledge of Allegiance.

**PUBLIC HEARING ON R-P (RESIDENTIAL – PROFESSIONAL) ZONING
AMENDMENT AND MAP CHANGE**

Public Notice of the hearing was acknowledged. Public comments were as follows:

1. Nannett Whitsett of 801 Forrest Avenue stated she was Chair of South Media Neighbors United and thanked the Board for following along. She stated Ms. Peck does fine work and read a letter from a council member of Norristown responding to questions. Ms. Whitsett stated the benefits outweigh any risks and you have to look beyond zoning and she understands Ms. Peck is proceeding under Plan C. She stated she is concerned with timing and urged the Board on the change noting Ms. Peck agreed to suspend the R-3 plan. She stated this will save the community against gentrification, will be middle income properties, and she hopes the Board has heard their voice over the last 10 months. Mr. Dougherty asked Ms. Whitsett what you say to residents on the other side of the property who bought expecting single homes and who are against the change? He also noted that Ms. Somaru and others in South Media who were against the change. Ms. Whitsett state she cannot answer for them but noted a majority were against the R-3 plan.
2. Sherri Schaeffer of 15 Shepherds Lane stated 10 months is not a long time and stated again she is abusing the Board and it is a shame Ms. Whitsett did this.
3. Don Petrosa stated he is the attorney for Ms. Peck and asked the Proof of Publication be part

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of the record and what is important is the both the Township and County Planning Commissions recommended approval.

4. James Mason of 603 Washington Avenue said he supports the duplex plan and understands why some neighbors may be against it, but it will fix up an eyesore and he sees no downside to the duplexes.
5. Mary Kassab stated she owns an 1850 home in the vicinity and what Ms. Peck is proposing is similar to hers and asked how many residents came out in opposition since the property was posted. Mr. Cummings stated 1 person contacted him but cannot answer if other staff received calls. Ms. Kassab stated the property was a mess before the sidewalk was put in and believes the proposal is a fit with the neighborhood.
6. Commissioner Baker stated a handful of people are opposed and listed several of them.
7. Norman Gruwell of 110 Ronaldson Street said he would like to have the same zoning for his property.
8. Mr. Cummings read an email from Reverend Brian King of 522 Wallingford Avenue into the record. Mr. King opposes the zoning change.

The record was closed and the public hearing concluded.

PUBLIC COMMENTS

No Public comments unrelated to 310 Wallingford Avenue zoning change

APPROVAL OF MINUTES

Combined Work Session/Legislative Meeting of August 22, 2019 - Mr. Garson moved to approve the minutes of August 22, 2019. Mr. Dougherty seconded the motion which passed by a vote of 4-0.

SOLICITORS REPORT

Mr. Scott noted nothing new to report.

ENGINEERING REPORT

Mr. Catania stated the road resurfacing of the Aqua roads are due to start the second week of October. Mr. Catania noted Henry Lane is now completed and he has a meeting with PA Dot next week.

MANAGERS REPORT

Mr. Cummings stated there will be recognition of two local veterans, Jeffrey Johnke and Ray Stankus, on October 10 and the Audubon Society is having an exhibit with a pop-up rain garden at the Furness Library. He also noted the last county household hazardous waste collection will be on October 5 in Upper Chichester and the Township is holding an e-waste collection event at Summit School on November 2. He reminded the public September is emergency preparedness month.

COMMUNITY ENHANCEMENT COMMITTEE REPORT (Mr. Baker)

Family Fun Day – Mr. Baker noted Family Fun Day will take place on Saturday October 5th from noon to 3:00pm. Mr. Baker noted the passionate discussion on R-3 to R-5 zoning change and hoped those involved could help the Township as he is still in need of volunteers for Family Fun Day.

FINANCE AND ADMINISTRATIVE COMMITTEE REPORT (Ms. McKenzie)

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Motion to approve warrant list – Ms. McKenzie highlighted some expenses, noting the auditor charge for both pension plans, and two to payments to the Fire Companies from state aid funds. She mentioned the payment to Michael Baker for the Moore Road Project and made a motion to approve the warrant list. Mr. Garson seconded the motion which passed by a vote of 4-0.

Verizon Franchise Agreement – Mr. Scott noted frustration in this process and had hoped to have a report for tonight, but Verizon did not respond.

Motion to approve Portnoff Associates Ordinance No 810 – Ms. McKenzie moved to approve Ordinance No. 810. Mr. Garson seconded the motion which passed by a vote of 4-0.

Resolution No. 2019-12 (allocation of Act 205 funds) and approval of MMO for 2020 – Ms. McKenzie read the Resolution and made a motion to approve. Mr. Garson seconded the motion. Mr. Baker asked about the amounts compared to last year. The motion passed by a vote of 4-0.

Volunteer Fire Relief Association allocation - Ms. McKenzie noted the amount of the relief aid was \$95,332.84, stating each Company receives \$47,666.42.

Bridge loan (year-end projection) – Ms. McKenzie noted there may be significant grant expenses prior to tax revenues being collected in 2020 and the loan would “bridge” the gap. The Board is looking into this.

2020 Budget Schedule – Ms. McKenzie noted the schedule is in the Board packets for review.

INFRASTRUCTURE COMMITTEE REPORT (Mr. Dougherty in absence of Mr. Sullivan)

Washed Restoration grant – Mr. Garson noted the grant is in the amount of \$277,359 for stream restoration within Sapovits Park. Mr. Grady noted we are still waiting to hear on one more grant and the other was not approved.

Moore Road sidewalk project – It was noted there will be a public meeting, but the date has not been scheduled yet.

Traffic calming -It was noted that Charles Catania had prepared plans for traffic pillows for Harvey Road and we are to see in the public works department can install. Chief Splain stated that Sykes Lane and Avondale Road was not suitable for a 4 way stop and they will monitor speeding on Putnam Boulevard.

PARKS AND OPEN SPACE COMMITTEE REPORT - (Mr. Garson)

Summit School demolition- Mr. Catania noted the RFP was 80% completed.

Urban Field lighting grant approved – Mr. Dougherty noted that NPAA Baseball received a grant of \$133,000 to install lights at Houston Park. Mr. Brennan wanted to put up temporary lights on the soccer fields and he was asked to poll the neighbors. It was noted NPAA Soccer may consider installing a turf field.

PUBLIC SAFETY COMMITTEE REPORT (Mr. Baker in absence of Mr. Knapp)

Parking restriction on Oakland Avenue – Mr. Cummings noted a draft ordinance has been prepared but the Board would like Mr. Knapp to review it. Mr. Cummings noted the stop signs for Ronaldson and Anderson have been approved so it can now be advertised but we are waiting to see if other traffic ordinances are approved to advertise together.

PUBLIC WORKS COMMITTEE REPORT (Mr. Baker in absence of Mr. O’Connor)

Processing and Disposition of Recyclables RFP – It was noted the RFP will be advertised for October 9.

Resurfacing - Mr. Catania noted Aqua supplied a preliminary estimate as payment in lieu of resurfacing several of the roads and also added base repair. He stated he will obtain a final proposal from Aqua. Mr. Garson asked about resurfacing Turner Road and it was noted that is a

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state road. Mr. Dougherty asked when Route 320 will be resurfaced, and it was thought it would be within the next week or two.

Mr. Sullivan arrived at this time.

BUILDING AND ZONING COMMITTEE REPORT (Mr. Dougherty)

Wallingford Realty Partners (906-908 S. Providence Road) – Mr. Dougherty noted we received a letter from their attorney requesting a 6-month extension in which to act on the subdivision and moved to grant the extension. Mr. Garson seconded the motion with carried 5-0.

Residential-Professional (RP) zoning amendment – After discussion, Mr. Dougherty moved to authorize advertisement for a public hearing and ordinance consideration at the October 24 meeting. Mr. Sullivan seconded the motion which passed 5 – 0.

Zoning amendment changing 310 Wallingford Avenue from R-3 to R-5 Residential (Ordinance No. 813) – Mr. Dougherty noted the public hearing held earlier tonight and moved to approve the amendment. Ms. McKenzie seconded the motion. Mr. Dougherty stated he was not in favor due to the run-off and there were some residents against it. He noted the impact to the school district and there would be less open space. He mentioned an email from the builder being intentionally vague and that was a concern for him. He noted once it's rezoned it can't go back. He noted it's an incredible process though.

Ms. McKenzie noted she talked to the School District and they show no concern and she liked homes facing along the sidewalk. She acknowledged Bob Linn's and Bob Bode's concerns on stormwater management, but it will have to be taken care of.

Mr. Sullivan said he also likes the homes facing the street rather than a cul-de-sac and that storm water management will need to be done anyway. He noted both planning commissions recommended approval.

Mr. Baker said this is how a community comes together. He thanked the Board for going through the process, but he was concerned with a change of zoning and was disappointed that the tone turned racial. He said he will support the project as it is good for the community.

Mr. Garson said he will vote yes and support it. He noted he was originally against the proposal, but it went back to the planners several times and he now believes it's a good plan.

The motion was approved by a vote do 4-0-1 with Mr. Dougherty voting against the change.

Zoning amendment to R-5 regulations (Ordinance No. 814) – After discussion that this amendment prohibits quad units in the R-5 Residential District, Mr. Dougherty moved to approve the ordinance. Mr. Sullivan seconded the motion which passed 5 – 0. Mr. Sullivan said we will follow up on the additional language changes recommended by the Township Planning Commission.

Additional amendment to the R-5 Residential District – Mr. Sullivan noted this is the additional changes recommended by the Township Planning Commission and moved the proposed ordinance be sent to the County Planning Department. Mr. Dougherty seconded the motion which passed 5 – 0.

R-5 Plan (310 Wallingford Avenue) – It was noted the R-5 plan would be sent to the Township and County Planning Commissions for review.

ADJOURNMENT – Mr. Sullivan noted the next meeting would be a Budget Meeting on October 3rd. There being no further business the meeting was adjourned.