

BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP –June 24th, 2021

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday June 24th, 2021. Legislative meeting.

ROLL CALL

PRESENT:

Commissioner Cooper
Commissioner Garson
Commissioner Knapp
Commissioner McKenzie
Commissioner Molloy
Commissioner King

ALSO PRESENT:

Dave Grady	Township Manager
David Fiorenza	Finance Director
Robert Scott	Township Solicitor
Charles Catania	Township Engineer
Chief Splain	Police Chief

EXCUSED: Commissioner O'Connor

Mr. Knapp chaired the meeting.

SOLICITORS REPORT – Mr. Scott had nothing to report.

ENGINEER REPORT- Mr. Catania said his items would be covered later in the meeting.

PUBLIC COMMENTS –

Mr. Richard Kloss – 106 Carlton – Mr. Kloss spoke about his concern with speeding along Wallingford Avenue. He asked if speed humps would be permitted. He also asked for consideration for installation of a crosswalk on Wallingford Avenue at Highland Avenue. Mr. Knapp appreciated the comments, and he said because Wallingford Avenue is a State Road, the Township's authority on the road is very limited. He said speed studies have been performed in the area, and the speeding violations have been minimal, but traffic enforcement will continue. Ms. McKenzie said the Township would contact State Representative Krueger to express the concern shared by the neighbors.

Ms. Felicia Benson – Ms. Benson shared three improvements that she would like to see in the South Media neighborhood: 1. A curfew should be enforced at Sapovits and Martha Burton Parks where she said illicit activity is taking place. 2. She said she is frequently seeing vehicles that are not stopping at stop signs. 3. She was in favor of installing cameras in the parks, especially after a few of the recent incidents there. Mr. Knapp thanked Ms. Benson for her suggestions and said the Township will work with the police with the first two requests. He said the cameras will be installed soon at Sapovits Park.

Ms. Olivia Thorne- Ms. Thorne shared concerns for Wallingford Avenue and how dangerous she feels it is with speeding. She expressed that she will also reach out to Representative Krueger as she understands that Wallingford Avenue is a Sate Road. She thanked the Board for their time.

Ms. Janice Jenkins- Forrest Avenue: Ms. Jenkins shared concern for her neighborhood as she mentioned the police are responding to incidents at rental properties. She asked if the Township has rules or regulations for landlords to hold tenants responsible. Solicitor Scott said the Township has rental inspections and code enforcement in place for this reason, but he did not recommend adding ordinances that penalize tenants as they could be ruled unconstitutional. Mr. Knapp said the Township can update and check out known properties and make sure codes are enforced. Ms. Jenkins added a second Public Comment about the rocks around the basketball court and possible injury with for basketball players. Mr. Grady said he talked to Ms. Jenkins about possibly doing mulch or woodchips to help. Mr. Knapp said the Township would investigate it.

PUBLIC SAFETY COMMITTEE REPORT- Micah Knapp

Cameras in Parks- The Board reviewed the policy document regarding cameras in parks. Mr. Knapp suggested changing the posting notice from 30 days to 5 days. Mr. Molloy said he was opposed to cameras in parks, but he said he cares about the lives of neighbors and citizens, and he wants to support them. Mr. Molloy said he would like to see Section VI to have an added Section B - the Township would have an independent citizen committee to review community complaints. He said he would not have any objections to the policy if this were added. Mr. Knapp said the Township has several very active committees currently, and he said the Board of Commissioners could work with the Chief to investigate complaints. Mr. Cooper said he also had some concerns about cameras, and he agrees with a need for citizen review. Mr. Cooper said he would like to add to Section IV Subsection C: add in the Board of Commissioners for additional review. Ms. McKenzie agreed with Mr. Knapp that time is of the essence, so it should be adopted this evening. She had concerns about the administrative difficulties of adding a citizen review committee to the policy. Mr. Knapp moved to adopt Camera Policy with edits to Section III from 30 days to 5 days' posting notice. Mr. Garson seconded the motion, which passed 5-1, and Mr. Molloy dissented. Mr. Knapp asked Mr. Grady to add to the next session agenda to review Section VI and the Township will post notice of the cameras. Mr. Molloy asked if the Board should consider cameras for Martha Burton Park in addition to Sapovits. Mr. Knapp said since this was the first time he had heard about cameras for Martha Burton, he thinks the Board should review future requests for cameras. He suggested revisiting it.

Public Comment Resolution- Mr. Knapp said the policy is to formalize procedures that had been in place prior. Mr. Cooper wanted to make sure there was clarity about whether the Board could respond to questions. The Board agreed that the policy leaves it to the Board's discretion for responding to questions or comments from the public. Mr. Molloy suggested the Board read the Public Comment Guidelines at the Beginning of Public Comment. Mr. Knapp made a motion to approve Resolution 2021-10, Mr. Garson seconded the motion, which passed 6-0.

Stop Signs at Blakeley & Cedar- Mr. Grady said the Township contacted the people at the corners to see if they were in favor. Three responses were received, and they were in favor. Ms. King moved to approve the advertisement of the stop signs at Blakely & Cedar to make it a four-way stop. Mr. Garson seconded the motion, which passed 6-0.

Radar Speed sign Quote- Mr. Knapp moved to approve the purchase of two additional radar speed signs from the drug forfeiture funds in the amount of \$10,090.00. Mr. Molloy seconded the motion, which passed 6-0.

PARKS AND OPEN SPACE COMMITTEE REPORT - Matthew Garson

Lighting Agreement with NPAA Baseball- Mr. Garson moved to approve the Lighting agreement between the Township and the NPAA baseball and softball league. Ms. McKenzie seconded the motion, which passed 6-0.

Delco Greenways Program- Mr. Garson shared the new grant opportunity through the Delaware County Greenways Program, which is due September 13. He asked the Board to think about possible projects the Township could use this grant for.

1012 Glen Road Offer Letter- Mr. Garson moved to approve the offer letter to purchase 1012 Glen Road in the amount of \$424,800.00 pursuant to a FEMA Grant for Flood Mitigation Purposes. Mr. Knapp seconded the motion, which passed 6-0.

Martha Burton Park Dedication- Mr. Garson invited everyone to the park dedication on July 31st tentatively at 11:00AM.

BUILDING AND ZONING COMMITTEE REPORT – Mr. Cooper

Media Walk Escrow release- Mr. Cooper made a motion to approve the release of an escrow to Progressive New Homes in the amount of \$5,442.52. Ms. McKenzie seconded the motion, which passed 6-0.

Schools in Zoning Code- Mr. Cooper said the Township's residential and professional office zoning code does not currently permit schools. Ms. King asked how this would relate to charter schools, since the school district would need to approve charter schools. Solicitor Scott said public schools can supersede the zoning codes, and the codes would apply to private and charter schools. He said charter schools would need to be approved by the school district first. Mr. Scott said the Board could amend the zoning to require approval by special exception, meaning the Zoning Hearing Board would hear the case. The other option is by conditional use, which would require approval by the Board of Commissioners. By requiring it through conditional use, the Board must remain impartial and act in a tribunal capacity. With a special exception, the Board could advocate for their position on an issue. Mr. Scott's recommendation would be to have the process go through a special exception. Mr. Cooper expressed concern about having a separate body of officials make the final decision without the Board of Commissioners' say. Mr. Molloy said he liked the idea of the Zoning Hearing Board reviewing the matters since he has more faith in their capabilities for building and zoning matters than the Commissioners' abilities. Mr. Grady explained that any amendment to the

zoning code would need to go before the Planning Commission, who would then make their recommendations. After that, the amendment would go before the Board of Commissioners to adopt by ordinance. Mr. Cooper moved to Authorize the drafting of an ordinance to allow schools into the zoning code for residential, professional, and industrial through special exception. Mr. Molloy seconded the motion, which passed 6-0.

Zoning Code Potential Update- RVs- Mr. Cooper shared a concern from a resident concerning a neighbor's RV and inquired about RV codes in the Township. He shared the residents are trying to resolve it and he wants to give them more time to do that before asking Solicitor Scott to investigate other municipalities' resolutions or codes.

Zoning Hearing Board - Mr. Cooper reported there were not currently any cases scheduled for July.

FINANCE & ADMINISTRATION COMMITTEE – Kaitlin McKenzie

Police Pension Restatement- Ms. McKenzie shared an update on the Police Pension and said they are still waiting for answers on a couple things.

ARA Funds- Ms. McKenzie said Mr. Fiorenza wrote up some categories for which the Township could use ARA funds. Mr. Catania would also share ideas for the use of funds. Ms. McKenzie asked the Board to look over the eligible categories.

LST Proposals- Ms. McKenzie noted that the Township had been collecting the local services tax in-house but thought it would make sense to use a third-party service now that the volume of LST has been increasing. Additionally, a third-party service would have more resources to go after delinquent taxpayers. Ms. McKenzie made a motion to accept Berkheimer's proposal to collect the local services tax. Mr. Molloy seconded the motion, which passed 6-0.

TD Authorized Signers- Ms. McKenzie motioned to approve a resolution for TD Authorized signers of: David Grady- Township Manager, David Fiorenza- Finance Director, Annemarie Cooke- Director of Customer Services. Mr. Garson seconded the motion, which passed 5-0.

Warrant list- Ms. McKenzie reported from the Warrant list. Ms. McKenzie made a motion to approve the Warrant List:

- A/P Bills in amount of \$71,374.06
- A/P Interim Bills in amount of \$63,318.02
- A/P Procurement Card in amount of \$68,985.61

Mr. Cooper seconded the motion, which passed 6-0.

COMMUNITY ENHANCEMENT REPORT- Stephanie King

Comprehensive Planning- Ms. King reported the Board decided last workshop meeting to take the individual approach as opposed to the multi-municipal approach. She said the next step is to gather bids and quotes for how much the planning will cost the Township.

Healing the Planet Grant Program- "Keeping PA Beautiful"- Ms. King shared the two project options the Board could choose for the grant. Two of the options included further work on Phase II at Furness Park or Houston Park improvements. Mr. Cooper shared what Mr. Catania reported from his findings. He suggested a graded stone parking lot and restoring the historical bridge. Ms. King moved to approve the Resolution regarding Keeping PA Beautiful to submit a grant application in the amount of \$25,000.00 for Houston Park to upgrade the parking area and to perform preservation work on the historical bridge. Mr. Cooper seconded the motion, which passed 6-0.

Approval of Meeting Minutes for May 13 & May 27- Mr. Knapp moved to approve the May 12, 2021, minutes. Mr. Molloy seconded the motion, which passed 6-0. Mr. Garson moved to approve the May 27, 2021, minutes. Mr. Molloy seconded the motion, which passed 4-0. Mr. Knapp and Ms. King abstained as they were absent from the May 27th meeting.

PUBLIC WORKS COMMITTEE REPORT – Micah Knapp

Streetlight Additions Criteria- Mr. Knapp suggested the Board wait until Mr. O'Connor is back to discuss the issue.

No Parking- Brookhaven Road and the entrance to the Mills of Rose Valley - Mr. Knapp moved to authorize advertisement of "No Parking" on Brookhaven Road and the entrance of the Mills of Rose Valley. Mr. Garson seconded the motion, which passed 6-0.

Road Resurfacing- Change Order- Mr. Knapp made a motion to approve a change order for Meco Construction to remove Sheffield Drive from the Road Resurfacing list since that road will soon be torn up during Aqua's replacement of a water main. Mr. Molloy seconded the motion, which passed 6-0.

INFRASTRUCTURE REPEORT – Martin Molloy

E. Possum Hollow Sidewalk Project- Project out for bid- Mr. Molloy said the bids came in for the East Possum Hollow Sidewalk Project. Mr. Grady reported “Road Con” had the lowest bid. He shared the Township would still need additional funds of around \$33,000. Mr. Grady suggested reaching out and asking for additional funds from PennDOT. The board decided to table the discussion until the July meeting after more information is gathered.

CDBG Bid Award- Mr. Molloy shared one bid was received which was from Eagle Contracting, and he said additional funds would be needed to cover the bid. Mr. Grady shared the Township received the approval for the additional funds from the Delaware County Office of Housing and Community Development earlier that day. Mr. Molloy made a motion to accept the bid in the amount of \$121,700.00 from Eagle Contracting and accept the additional funds from OHCD. Mr. Knapp seconded the motion, which passed 5-0.

Sewer Lateral Amendment/Exception 510 Georgetown- Mr. Molloy shared that 510 Georgetown requested an exception from the U & O sewer Lateral inspection. The Homeowner and realtor believe Aqua caused a problem with the sewer lateral, which caused the inspection to fail. Mr. Catania and the plumber do not think Aqua caused the problem, but it would be a private matter between Aqua and the homeowner to resolve. Mr. Molloy made a motion to deny the Sewer Lateral inspection exception for 510 Georgetown. Mr. Knapp seconded the motion, which passed 5-0. Mr. Molloy made a motion to make an adjustment to the U&O inspection ordinance which would provide the Township Engineer or Administration the ability to accept a smoke and dye test if a camera test cannot be performed. Mr. Knapp seconded the motion, which passed 6-0.

MTF Grant Round Open- Mr. Molloy shared that the Multimodal Transportation Fund program is open through July 31st. He said the grant application could be used to extend the Providence Road sidewalk.

TA-DVRPC Transportation Grant Round Open- Mr. Molloy said a Letter of intent is due August 16th and the final application is due September 15th. This could be used for projects that encourage transportation alternatives to cars, such as sidewalks. He suggested discussing further at the July meeting.

EAC Updates- Mr. Molloy reported updates from the Environmental Advisory Committee meetings. He said as part of the Covanta resolution along with the Zero waste plan the EAC has been discussing residential composting and preparing to apply for grants. Solarization implementation was talked about and a FAQ sheet for contractor and homeowners is in the works to make the process of switching to solarization easier. The EAC also said they would share any bills or legislative alerts that would affect the Township with the Board of Commissioners.

Public Works Report- add in- Knoll Rd & Turner Rd- Mr. Grady reported a safety check from PennDOT had been done and they suggested adding a streetlight. The Township is seeking quotes for it.

TOWNSHIP MANAGER REPORT -

Mr. Grady shared Covid vaccination and pop-up clinics information is still available at www.delco.pa.gov/covid/vaccination. He provided a reminder of the E- recycling / shredding event happening on July 17th at Gouley Park, in partnership with Swarthmore and Media Borough. Large bulk dumpster day for the Township will be happening again in July and stay tuned for dates and times. He said there is a Blood Drive on August 3rd at the Township Building. Rental assistance is still available through the County with the Emergency Rental assistance program. Mr. Grady stated again this will be the last virtual Public Comment meeting, and the July meeting will start in-person Public Comment again. He shared a request for a new park sign for Leiper Park, as the Township has been replacing park signs around the Township. The Leiper house manager has requested a new one. Mr. Grady shared the estimate would be \$500.00, and the Board of Commissioners approved the purchase.

Mr. Knapp adjourned the meeting stating the next meeting would be the Legislative meeting on July 22nd, and a brief Executive Session would be held after the meeting. The meeting was adjourned around 10:24 PM.