

(16) **BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP**
MEETING of SEPTEMBER 13, 2012

A legislative meeting of the Board of Commissioners of the Township of Nether Providence, duly advertised and posted in accordance with law, was called to order at 7:30 PM on Thursday, September 13, 2012 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086. The Pledge of Allegiance was recited by all present.

ROLL CALL

PRESENT: Commissioner Much
Commissioner Sullivan
Commissioner Noyes
Commissioner Dougherty
Commissioner O'Connor
Commissioner Baker

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| Gary Cummings | Township Manager |
| Charles Catania | Township Engineer |
| Thomas Flannery | Chief of Police |
| Michael Maddren | Twp Solicitor |
| Dennis Sheehan | Assistant Township Manager |
| Lisa Swan | Finance Director |

EXCUSED: Commissioner Kenworthy

**A moment of silence to remember the victims of the 911 attacks.

PUBLIC: Approximately 3 in attendance

SOLICITOR APPOINTMENT- Mr Much noted Joe Lesniak resigned as township solicitor. Mr Much moved to appoint Mr Michael Maddren as the new solicitor. Mr Baker seconded the motion. Mr Noyes noted he was satisfied with the nomination. Mr Much noted he currently is Township labor attorney. The motion carried by a vote of 6-0. Mr Much also noted Mr Maddren is the county solicitor and has also worked for a number of municipalities.

PUBLIC COMMENTS - Harwood Johnson of the 3rd Ward stated he Jane McNerney were present to speak in behalf of the Furness Library. He noted the library is a treasure and is ranked 5th of 15 libraries in use and circulation. He noted it provides space for meetings and children's space and is dependent on donations with the township providing 40 % of its revenue. He noted the township contributions average 3% to 4 %. In 2009 funding was cut and has flattened to \$80,840. The library is \$17.16 per capita and the township is at \$6.02. 65% of the county average with Darby Township and Chester Township and someone will be present to make a presentation next Thursday. He also noted they are operating at a deficit.

Jane McNerney echoed everything Mr Johnson said and has been with the library for 50 years and realizes the township's funding restraints and funding of police and fire costs but noted there is an intellectual side and asked to restore what was cut and consider a 3% increase. Went from \$86,000 in 2008 and now are at \$80,840. Ms McNerney noted they are struggling with fundraising with this economy.

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APPOINTMENTS TO BOARDS AND COMMISSIONS – (Vacancies – Sidewalk Committee and ZHB Alternate) – Erin McGuire of 614 Bickmore Drive stated she has been a resident for 10 years and has a degree in geography and preferred a position as ZHB member. Mr Much asked if she was familiar with functions of the ZHB. She said she was not too familiar. Mr Much explained the workings of the Zoning Board. Mr Baker suggested she attend the Zoning Hearing on October 15th. Mr Sullivan thanked her for volunteering and encouraged her to be on the Sidewalk Committee noting a need. After discussion, Ms. McGuire agreed to be on the sidewalk committee. Mr Much moved to appoint Ms McGuire to the Sidewalk Committee. Mr Sullivan Seconded the motion which passed by a vote of 6-0.

APPROVAL OF MINUTES – LEGISLATIVE MEETING OF AUGUST 2, 2012 – Mr Much moved to approve the minutes. Mr O’Connor seconded the motion which was approved by a vote of 5-0-1 with Mr Baker abstaining as we was excused that meeting.

SOLICITOR REPORT – Mr Maddren stated he had no report at this time.

Wilson Oil Company Application before the ZHB – Mr. Much noted Wilson Oil Company has applied to the Zoning Board to install a 30,000 gallon propane tank. He stated the hearing has been continued to October 15 and noted the neighbors have hired an attorney. He asked if we should send our solicitor to represent the Township. After discussion, Mr. Dougherty moved to authorize to send the solicitor to the zoning hearing to represent the Township’s interests. Mr. Noyes seconded the motion noting the Township could then present evidence and oppose the application at the zoning hearing board level. The motion passed 6 to 0.

ENGINEERS REPORT - Bids for Beechwood Road Lateral Extensions - Mr Catania noted the low bidder was A to U Services but stated they made a clerical error making the bid invalid but asked the Solicitor to review. He noted JMC Contractors was next lowest bidder. Mr Catania said he believes it was a mistake. The solicitor will be reviewing the validity of the bid

Mr Catania noted that Landtech was 75% complete with the main Beechwood sewer line and they expect to be finished by the end of next week. Mr Much asked about the restoration of the road. Mr Catania suggested just install a base course at this time. He also noted dispute between DELCORA and DEP which relates to our Laurie Lane and Brookhaven Road sewer projects and DEP will be re-evaluating. Mr. Catania noted Senator Pileggi’s office is involved. Mr Catania stated he attended the DELCORA ACT 537 meeting and noted emphasis was made to pursue a lateral inspection ordinance.

After review by the solicitor, Mr Much moved to allow A to U Services to withdraw their bid. Mr O’Connor seconded the motion which passed 6-0. Mr Much moved to award the bid to JMC Contractors at \$67,500. Mr O’Connor seconded the motion. Mr Catania asked if the Board was considering the alternate bid for full width resurfacing at \$28,800. After discussion, Mr Much amended his motion to include the alternate bid of \$28,800. Mr O’Connor seconded the motion which passed by a 6-0 vote.

Amendment to the Civil Service Regulations - Civil Service Commission member Gina Zarko Gorby was present and stated she had no issues with the revised civil service regulations.

MANAGERS REPORT - Mr Cummings noted the GCFC 3rd Annual Golf outing will be held October 15th. He also noted the Township has applied for renewal of the MS4 general permit and also that September 29th is Drug Take-Back day at the police station.

FINANCE AND ADMINISTRATION COMMITTEE REPORT -

Motion to approve warrant list – Mr Dougherty went through the list and noted the Glick fire company repair bill for over \$6,000 but it was paid through an insurance claim. He went through the rest of the bills noting Family Fun Day expenses. Mr Noyes asked about the server expense. Mr Sheehan noted it is up and running.

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There was a question on Joe Lesniak bill and the amount of fuel for the scarab. Mr Dougherty moved to approve the warrant list. Mr O'Connor seconded the motion which was approved by a vote of 6-0. Mr Dougherty reviewed the Budget schedule noting the next meeting was the Funded Organization presentations as well as the review of Capital items and Debt Service to be held September 20th. Mr Dougherty mentioned the King Field turf replacement project and the Board agreed to just charge WSSD the actual cost for reviews and inspections.

PUBLIC SAFETY COMMITTEE REPORT – Mr Much gave the Police report and noted significant number of vacant home checks.

Motion to adopt Ordinance No 766 amending Civil Service regulations– Mr Baker excused himself from the discussion as he is a member of Lodge 27. Mr Much moved to approve Ordinance No. 766. Mr Noyes seconded the motion which passed 5-0-1 Mr Baker abstaining.

BUILDING AND ZONING COMMITTEE REPORT – Mr Much gave the report in Mr Kenworthy's absence.

Motion to adopt Ordinance No. 767 amending Fence regulations – Mr Much moved to approve the ordinance. Mr Sullivan seconded the motion. Mr Noyes noted he had concerns with the ordinance. The motion passed by a vote of 5-1 with Mr Noyes voting "No".

Ratify escrow release for Rabena Brothers subdivision on Manchester Avenue (\$35,123.00)–Mr Much moved to ratify the release as recommended by the Township Engineer. Mr O'Connor seconded the motion.. Mr Noyes abstained as Rabena Brothers is a client of his law firm. The motion passed by a vote of 5-0-1 with Mr Noyes abstaining.

Motion to adopt Resolution 2012-11 setting Stormwater Management review and inspection fees – Mr Noyes had some questions which were clarified by Mr Much and Mr Sullivan. Mr Much moved to approve the resolution. Mr O'Connor seconded the motion which passed 6-0.

PUBLIC WORKS COMMITTEE REPORT – Mr O'Connor gave the Highway report and Mr Noyes spoke on providing leaf collection on private lanes and will be preparing a proposal. Mr Baker noted the courts in Garden City also didn't get leaves collected. Mr Dougherty said he hoped snow plowing wasn't the next topic of discussion. Mr Much suggested to limit parking on leaf collection days.

COMMUNITY ENHANCEMENT COMMITTEE REPORT – Mr Baker noted that Family Fun Day would be held at SHMS on September 15th from 1-4 PM. Mr Baker thanked Neil Sheehan for putting a notice in the paper and noted the smoke trailer, Delco Cruisers, SH Robotics team and food and games would be on site.

Ratify approval of Oy Vey 5K and 10K races – October 28 – Mr Baker noted a concern with the 10K race and will contact fire and police to make sure they are notified. Mr Baker moved to approve authorizing the race. Mr Sullivan seconded the motion which passed 6-0.

Ratify Resolution 2012-08 closing state roads for First Responder's 5K and 5 Mile on October 20 – Mr Baker moved to ratify approval of this resolution. Mr Sullivan seconded the motion which passed 6-0.
Community Clean Up Day – Mr Baker announced the day would be October 9th with dumpsters being at Hepford Field and the South Media Fire House.

GRANTS COMMITTEE – Mr Noyes noted the back of the Debt schedule is the DVRFA interest rate information. Mr Noyes asked for benchmark amounts and Mr Cummings noted he just received them and would share.

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INFRASTRUCTURE COMMITTEE REPORT – Mr Sullivan asked if Mr Maddren reviewed the SRTS agreement. After discussion, Mr. Sullivan moved to approve signing the agreement with Michael Baker Inc. (Design and Inspection Engineer) subject to review by the solicitor. Mr O'Connor seconded the motion which passed 6-0. Mr Dougherty noted Mr Maddren was to review the agreement but amended the motion to approve signing the agreement subject to the solicitors recommendations and approval. Mr O'Connor seconded the motion which passed 6-0.

The manhole and sewer repair at DELCORA was commented on by Mr Sullivan. He said they would like to start to advertise bids for work and moved to so authorize. Mr Dougherty seconded the motion which passed 6-0.

Adjournment - There being no further business the meeting was adjourned.

Next meeting is a Budget Meeting on September 20 at 7:30 pm