

**BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP
MEETING of SEPTEMBER 27, 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, September 27, 2018 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

ROLL CALL

PRESENT: Commissioner Dougherty
Commissioner Garson
Commissioner Baker
Commissioner McKenzie-Fiumara
Commissioner Knapp

Gary Cummings	Township Manager
Dave Grady	Assistant Township Manager
Robert Scott	Township Solicitor
Lisa Swan	Finance Director
David Splain	Chief of Police
Charles Catania	Township Engineer
Kris Laubscher	Township Tax Collector

NOT PRESENT: Commissioner Sullivan
Commissioner O'Connor

PUBLIC

Approximately 6 people in attendance.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Mr. Knapp, in absence of Mr. Sullivan, noted an executive session was held prior to the meeting and then led the audience in the Pledge of Allegiance.

Young Lungs at Play acknowledgement

Ms. Barbara Siso from Riddle Hospital Main Line Health and PA Health Department thanked the Board for joining the Young Lungs at Play Program. She explained the program, noting the effects of secondhand smoke. She presented a Certificate of Recognition to the Board from the PA Department of Health and had a photo taken with the Board.

PUBLIC COMMENTS

Roseanne Mulcahy, 916 Surrey Road asked for clarification of what would be discussed at the Planning Commission Meeting with respect to alcohol use at the Media Shopping Center. Mr. Knapp and Mr. Scott said she could bring it up at the Planning Commission Meeting. She asked about the 1957 agreement prohibiting the sale and consumption of alcohol. Mr. Knapp noted nothing has been presented to the Board. She also asked about the planting plan and noted it appears to already have been started. Mr. Knapp stated nothing may prevent them from planting. She also noted the consolidated trash containment area is behind 916 Surrey Road and she is not very happy with that. She was advised she could bring that up at the planning meeting as well.

Lisa Jacobs, 201 Rynard Ave, noted she was speaking on behalf of the Shade Tree Commission and was following up on discussions of two weeks ago concerning the requirements for the licensing of contractors performing tree work. She said she was asked about PECO and utility work and said maybe they should be exempted and suggested some other exemptions. She submitted a sample registration form and she went through it. She said we would distribute the form to all known companies along with the ordinances/regulations and maintain a list of registered tree service providers, noting which have certified arborists and/or tree care specialists. Mr. Knapp thanked her for all the work and asked Mr. Scott to review the information. He also stated he wanted to let the Commissioners not in attendance review it and discuss at the October 11th work session. Mr. Dougherty asked about exempting landscape architects. Ms. Jacobs said we could and noted there is an issue in determining which is a bush vs. what is a tree. Mr. Garson thanked Ms. Jacobs for all her work but questioned whether we can put the liability entirely on the tree contractors.

Trip Thomas, 313 Marilyn Lane stated he agreed there is an issue and we should establish no parking on one side of Maryland Ave but that may force people to park at NPE and they will have to walk across the road where there is no crosswalk. He spoke on the issue of replacement vs repair of our Public Works truck and suggested we get a bigger truck. Mr. Baker noted it is due to be replaced in two years and the fact that it is used a lot during the winter. He also noted we anticipate a big tax increase. Mr. Thomas also spoke on installing a traffic signal at Baltimore Pike and Turner Road and noted he is against it as a long-term solution as he referred to the temporary light at Providence Road and Bullens Lane being a traffic nightmare. He suggested making it a no left turn onto Baltimore Pike, but the Board said it would just force drivers onto residential streets. He spoke on temporary speed humps on Plush Mill Rd not being wide enough and stated we could space it so that two sets would be adequate.

APPROVAL OF MINUTES

Legislative Meeting of August 23, 2018 and September 13, 2018

Mr. Cummings noted minor corrections were made. Mr. Baker objected to the language under traffic calming, so the Board agreed to table approval of minutes until the next meeting. Mr. Baker also said on September 13th under traffic calming that it should read Harvey Rd vs Pleasant Hill.

Mr. Dougherty moved to ratify the decision to consolidate the 2009 and 2011 notes. Ms. McKenzie-Fiumara seconded the motion which passed by a vote of 3-0 with Mr. Knapp and Mr. Baker abstaining as they were not present at the September 20 budget meeting.

Mr. Dougherty moved to approve the ratify the authorization for the DCED Apparatus Study. Ms. McKenzie-Fiumara seconded the motion which passed by a vote of 3-0 with Mr. Knapp and Mr. Baker abstaining as they did not attend the September 20 budget meeting.

SOLICITORS REPORT

Mr. Scott noted his report was given during the executive session. Mr. Baker thanked Mr. Scott for donating \$500 to the township's Family Fun Day event.

ENGINEERING REPORT

Mr. Catania submitted his report and noted Aqua's offer of \$267,000 for payment in lieu of work to be done on the Country Club area and it would cost \$380,000 for full width resurfacing. It was noted it will probably be done next year so the Board can decide later. The Board questioned whether it can go back and ask Aqua for more money for the Callender Lane project and Mr. Catania stated he would ask. Mr. Baker thanked Mr. Catania for donating \$500 to the township's Family Fun Day.

MANAGER REPORT

Mr. Cummings noted Senator Tom Killion is hosting the Senior Expo on October 4th from 10:00AM to 2:00PM and the Nether Providence Historical Society will be celebrating the anniversary of William Penn's death Saturday and Sunday at the County historical museum in Chester City. He also stated there was a DVIT risk review of all township parks and facilities and recommendations were minimal. Mr. Cummings noted a hazardous waste collection will be held on October 6th at the Upper Chichester Township Building and an electronic waste recycling and shredding event will be held on October 6th and November 3rd in Aston. Mr. Cummings stated the County is sponsoring free drive-through flu shot clinics on October 12th and October 19th. He also noted the annual Fire Relief fund check in the amount of \$87,895.70 was received and each fire company would receive \$43,947.85.

BUILDING AND ZONING COMMITTEE REPORT (Michael Dougherty)

SBA cellular tower proposal on Swarthmore College property (balloon test in November) – Mr. Dougherty noted another balloon test would be done later in the fall once the leaves have fallen from the trees.

Public Hearing on October 1 before Planning Commission - Mr. Dougherty noted there would be a public hearing on October 1st with Echo LLC before the Township Planning Commission. He also noted the subdivision at 6 E. Brookhaven Road would also be on the agenda.

Motion to advertise ordinances requiring maintenance of curbs and sidewalks by adjacent property owners – Mr. Dougherty noted the purpose of the ordinances and the Board decided to table the motion until the October 25th legislative meeting.

Ordinance removing registration of tree contractors – This was also tabled so that further discussion could be held at a future meeting.

COMMUNITY ENHANCEMENT COMMITTEE REPORT (Larry Baker)

Family Fun Day – Mr. Baker stated this year's event will take place again at Strath Haven Middle School on Saturday, October 6th, and that there are plans to have live bands, pumpkin painting, a Zak Hamburgers food truck, a dunk tank, with both fire companies present. He also noted the township has received over \$5,000 in donations and he hopes the weather is fine. He stated this year's event staff tee shirts are pink for volunteers to support Breast Cancer Awareness Month.

FINANCE AND ADMINISTRATIVE COMMITTEE REPORT (Kait McKenzie-Fiumara)

Motion to approve warrant list – Ms. McKenzie-Fiumara went through the warrant list noting tasers purchased from the Drug Forfeiture Fund and noted the Rockwell Associates fee was for the fuel spill. She noted there was a Worker's Compensation adjustment and the relief fund payments to the fire companies. Ms. McKenzie-Fiumara moved to approve the warrant list. Mr. Baker seconded the motion which passed by a vote of 5-0.

Motion to adopt Resolution No. 2018-8 (allocation of State Aid to pension funds) – Ms. McKenzie-Fiumara referenced the resolution and moved to approve the resolution. Mr. Knapp seconded the motion which passed by a vote of 5-0.

Motion to adopt Ordinance No. 800 establish debt (DelVal Loan) for purchase of fire truck
Ms. McKenzie-Fiumara noted the ordinance drafted by the consulting company to authorize the loan and moved to approve the ordinance. Mr. Baker seconded the motion which passed by a vote of 5-0.

Ordinance allowing collection of delinquent taxes (by Portnoff Associates) - Ms. McKenzie-Fiumara noted the ordinance is to authorize Portnoff Law Associates to collect delinquent taxes. The Board agreed to advertise but will authorize the advertisement with other ordinances.

Motion to adopt Resolution No. 2018-9 to not continue collection of delinquent taxes by Delaware County – Mr. Scott suggested waiting to adopt this resolution until the ordinance for Portnoff to collect delinquent taxes is approved.

INFRASTRUCTURE COMMITTEE REPORT (Micah Knapp in Matt Sullivan’s absence)

DCED multi-modal grant (RFP for design and inspection) – After discussion Mr. Knapp noted the RFP for design and construction inspection would be separated. Mr. Knapp moved to authorize sending out a RFP for design. Mr. Garson seconded the motion which passed by a vote of 5-0. Mr. Knapp moved to authorize sending out a RFP for inspection. Mr. Dougherty seconded the motion which passed by a vote of 5-0.

Motion to adopt resolution adopting DELCOR Act 537 revision for central pump station
Mr. Knapp noted the pump station Mr. Catania said it is a capacity issue. Mr. Knapp moved to approve the resolution. Mr. Garson seconded the motion which passed by a vote of 5-0.

WRPP grant of \$150,000 awarded for streambank restoration – Mr. Knapp noted the Township received a grant in the amount of \$150,000 for streambank restoration and noted its not enough to do all three projects submitted. Mr. Grady explained the work must be done anyway under the PRP (Pollution Reduction Plan) and that the Township has to provide a 15% match of the project cost. It was noted the \$143k project for streambank restoration in Gouley Park (Dicks Run) has the same sediment reduction amount as the \$153K project. Mr. Catania stated we have 5 years to reduce sediment by 10%. After discussion, Mr. Knapp moved to accept \$150,000 grant for streambank restoration in Gouley Park. Mr. Dougherty seconded the motion which passed 5 to 0.

Safe Routes to Transit grant due October 5 – Mr. Knapp noted the grant is for technical assistance only. Mr. Grady stated we are permitted one grant per train station. It was noted there is only one proposal for the Moylan train station, so the Board agreed to apply to improve pedestrian crossing on Manchester Avenue. After discussion, Mr. Knapp moved to apply for the one project for the Moylan station and for all the projects for the Wallingford Station if allowed, and if not, to submit one and for Mr. Grady to decide. Ms. McKenzie-Fiumara seconded the motion which passed 5 to 0.

PARKS AND OPEN SPACE REPORT (Matt Garson)

Summit School Committee – Mr. Garson noted the Summit Committee has been meeting every 2 weeks since March and are going to make a presentation to the Board on October 4th.

PECO Green grant opportunity – Mr. Garson noted the application is due October 31st. Mr. Garson suggested we pursue the full \$10,000 grant and use for the bog turtle study if possible. Mr. Grady stated Natural Lands Trust who administers the grant felt the trail design would have more of a chance to be funded. The Board will decide at October meeting.

PUBLIC SAFETY COMMITTEE REPORT (Micah Knapp)

Mr. Knapp read the monthly police report.

Fire Marshall Vehicle – Mr. Knapp noted the Board agreed the police Tahoe vehicle could go to the fire marshal and the \$7,000 for down payment of a new police vehicle would come from drug forfeiture funds. He moved the Township to reject the bid on GovDeals for the Tahoe. Mr. Dougherty seconded the motion which passed 5 to 0.

Resolution 2018-10 – Mr. Knapp moved to approve this resolution authorizing the sale of the police charger as bid on GovDeals. Ms. McKenzie-Fiumara seconded the motion which passed 5 to 0

PUBLIC WORKS COMMITTEE REPORT (Mr. Micah Knapp)

Mr. Knapp the monthly highway report in Mr. O'Connor's absence.

Road resurfacing schedule – Mr. Knapp read the resurfacing schedule supplied by Sucher and Sons, the contractor.

ADJOURNMENT – There being no further business this meeting was adjourned. He noted the next meeting is the Summit presentation on October 4th.