

**(180) BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP  
MEETING OF JANUARY 23, 2020**

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, January 23, 2020 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086.

**ROLL CALL**

PRESENT: Commissioner Knapp  
Commissioner Sullivan  
Commissioner Spangler  
Commissioner Garson  
Commissioner McKenzie  
Commissioner O'Connor

NOT PRESENT: Commissioner Cooper

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

**PUBLIC**

Approximately 9 people in attendance.

**ROLL CALL AND PLEDGE OF ALLEGIANCE**

Mr. Knapp noted an executive session on litigation and personal matters was held before the meeting. He noted the special event where our Chief David Splain became the new President of the Delaware County Police Chief's Association and anyone who has dealt with him will realize how lucky we are to have him as Chief. He also noted Chief Splain will also be head of the Southeastern Pennsylvania Chief's Association in March.

**Public Comments -**

Mike Keller of 4 Strathmore Court stated he serves as Vice-President of Nether-Swarthmore Baseball and they had a meeting with Beech Road residents regarding the field lighting at Urban Field and they worked out initial utilization guidelines. He said construction will begin in February. He said they will limit use to 5 nights a week and will have an auto shut off at 10 pm. He expects the lights to be used from March to October and the only exception to the 5 nights would be for playoffs in May and tournaments in June and maybe July. They are proposing to use this schedule for a year and then to come back to the board for review. Mr. Garson asked if the proposal use was run by the resident of Beech Road and Mr. Keller said not yet.

**Approval of Minutes –**

November 21, 2019 – Mr. Knapp moved to approve these minutes. Mr. Sullivan seconded the motion which passed 6 to 0.

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December 12, 2019 -Mr. Knapp moved to approve these minutes. Mr. Sullivan seconded the motion which passed 5 to 0 with Ms. McKenzie abstaining as she was not present.

**Appointments to Boards and Commissions** – Mr. Cummings noted vacancies and available positions. Mr. Knapp moved to reappoint Randy Rook to the Historical Commission. Mr. Garson seconded the motion which passed 6 - 0

**Solicitor's Report** – Mr. Scott noted there has been some progress with the Verizon franchise agreement.

**Engineer's Report** – Mr. Catania noted bids for the CDBG FY 2019 drainage projects are to be received February 6.

**Manager's Report** – Mr. Cummings noted Aqua was starting work on Ridgewood Road and Locust Lane. Mr. Sullivan asked to get a payment in lieu of final restoration. Mr. Cummings noted that Aqua has to provide full width resurfacing for Locust Lane. He noted a letter from an attorney supplying a sample nuisance ordinance for skill games and PennDOT denied our request for a multi-way stop at Turner and Plush Mill Roads.

**Finance and Administration Committee Report** by Kaitlin McKenzie

Motion to approve warrant list – Ms. McKenzie went through the warrant list highlighting certain expenditures paid including Go-2, Munilogic, Aqua for hydrants, and \$500 to the County for review of the Summit school demolition. The Board discussed the delayed road resurfacing and if we could collect damages. Mr. Catania noted we added streets to the contract, but we could add a clause to the next RFP. Ms. McKenzie moved to approve the warrant list. Mr. Knapp seconded the motion which passed 6 to 0

DROP ordinance – Mr. Cummings stated a draft was just received and he is reviewing it. He will send it to Mr. Scott and Mr. Kennedy for their review.

HB 1400 – Mr. Grady stated this is a bill to reduce local authority over small wireless devices and municipalities are opposing the bill. Mr. Scott noted some have fallen off poles, so installations have been stopped by the court.

2020 Newsletter – Ms. McKenzie noted Mr. Grady has prepared the newsletter and it will be going out with the tax bills.

Ms. McKenzie stated there is a need for streetlights in certain areas and felt there was no consistent policy on installing them. Mr. Knapp and Mr. Sullivan both noted they have received requests. Ms. McKenzie said she had a request for lights on Pine Ridge and Hemlock Roads as school kids walk there and it is very dark. Ms. McKenzie left at this time.

**Building and Zoning Committee Report** by Mr. Knapp in Mr. Cooper's absence.

Vernon Walk Final subdivision plan – Mr. Knapp asked what the status of the storm water submissions. Mr. Catania said final plans just came in and they will be before the planning commission in February.

Arters-Ianoale Subdivision – Mr. Knapp noted the summary with the conditions of approval. Mr. Lee Arters was present and stated he reviewed and was good withal 12 conditions but stated he was not sure he can dedicate a portion of the paper street he does not own. Mr. Scott asked if

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he was willing to dedicate all that he owns, and Mr. Arters stated he would. Mr. Arters stated relative to condition no. 2, he is willing to comply to Township specifications within the dedicated area and noted there are no sidewalks in the area. The Board noted he either needs to install the sidewalk or pay in lieu into the sidewalk fund. He also noted the property stakes are shown and he would prefer to install two separate 4 inch sewer laterals. He also stated he thought the water line ended at the end of the paved street, but he will show it if it continues. He said he will prepare the DEP sewer module and work with the Shade Tree Commission. After making some minor language changes, Mr. Knapp moved to grant the plans entitled Minor Subdivision Plan of Lee Arters dated October 14, 2019 consisting of 4 sheets drawn by drawn by G. D. Houtman and Son, Inc. (their file no. 26107), Conditional Final Subdivision Approval subject to revised plans complying with all the comments of the Township Engineer and Planning Commission as follows:

1. The dedicated portion of Willow Road shall be shown
2. The paving width of Willow Road shall be shown, and the paving shall be widened to 27' in front of the property and in accordance with Township standards.
3. The widened road all along the frontage of lot 2 shall be dedicated to the Township
4. Payment in lieu of sidewalks shall be made
5. Survey markers should be shown on corners between lots 1 and 2
6. The right to have the sanitary sewer connections within the paper street needs to be verified
7. The water line in the paper street shall be shown
8. The approval by the Township of trees to be planted upon review and recommendation of the Township Shade Tree Commission
9. Compliance with stormwater management requirements as approved by the Township Engineer.
10. Approval by DEP of a sewer planning module or waiver from same
11. Compliance with other applicable regulations
12. The applicant accepts the conditions of approval

In granting this approval, the following waivers were granted:

1. Section 289-10 - waiver to install curbing
2. Section 289-13.6 – waiver for lot 1 frontage being 40' vs. 50' minimum
3. Section 289-20 C. – waiver from installing street trees subject to approval by the Township Shade Tree Commission
4. Section 289-20 D. – waiver from tree replacement schedule subject to approval by the Township Shade Tree Commission

Mr. Lee Arters accepted the conditions of approval. Mr. Garson seconded the motion which passed 5 to 0.

### **Community Enhancement Committee Report** by Scott Spangler

Bare Root Tree Offer – Mr. Spangler stated the Philadelphia Horticultural Society is offering bare root trees at \$50 a tree, with a minimum order of 8 trees and a maximum of 12 at \$50 per tree. He said the Shade Tree Commission usually reviews and decides where to plant trees, which must be in a public place. Mr. Cummings stated the funds would come from the

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Community Enhancement fund. Mr. Sullivan suggested planting them along Avondale Road or Sapovits Park. Mr. Grady said we may want to consider planting some in Houston Park near the baseball field. The suggestions will be forwarded to the Shade Tree Commission.

It was noted we should bid out the work on Avondale Road so we can have it done in the spring. Climate Change Resolution – Mr. Spangler stated this would encourage residents, businesses, and institutions of Nether Providence to join in the county, state, national, and international movement to transition to 100% clean, renewable energy by 2050. After discussion, Mr. Sullivan moved to approve Resolution No. 2020-5. Mr. Knapp seconded the motion which passed 5 to 0.

EV Charging Station Program – Mr. Spangler said this is a DEP program that would provide for 2 charging stations for public use at a government owned property, and it would offer \$5000 per plug, or up to 100% of total project costs. The Board discussed possible locations but decided not to apply until a definitive location is determined.

### **Infrastructure Committee Report** by Matt Sullivan

Green Light Go program – Mr. Sullivan noted grant requests for 3 left turn signals along Providence Road have been submitted

TDCI Grant – Mr. Sullivan noted Mr. Grady attended a mandatory meeting and funding would be for a study for sidewalks and other transit improvements along Baltimore Pike at a cost of \$70,000 with the Township responsible for about \$20,000. Mr. Grady said SEPTA could apply for this funding themselves. Mr. Garson suggested we ask the Media Borough and the Shopping Center to contribute toward the cost. Mr. Sullivan stated he was not sure the Township should spend money for the study so to check with the shopping center.

Moore Road Detour – It was noted the detour will be in effect next week and will run to about mid-June.

Resolution No. 2020-4 (authorize signers of Possum Hollow Road sidewalk project agreement) – Mr. Sullivan read the resolution and moved for its approval. Mr. Knapp seconded the motion which passed 5 to 0.

Construction Inspection for E. Possum Hollow Road sidewalk project – Mr. Sullivan stated this is our next project and we just authorized to have 4 openings in the guiderail. He stated we can just use TDP as construction inspector under the master contract with PennDOT. After discussion, Mr. Sullivan moved to award construction inspection under PennDOT's open ended contract. Mr. Knapp seconded the motion which passed 5 to 0.

### **Parks and Open Space Committee Report** by Matt Garson

RACP submission – Mr. Garson stated we are still working on finalizing our submission.

Summit School demolition and asbestos removal – Mr. Garson stated we are in a position to award the bids but asked if parking lot removal was included. Mr. Catania stated it was not but could be added as a change order. Mr. Garson noted Diamond Huntbach Construction was low bidder for asbestos removal and JMC Contractors was low bidder for demolition. Mr. Garson then moved to award the asbestos removal contract for \$188,500 to Diamond Huntbach. Mr. Sullivan seconded the motion which passed 5 to 0. Mr. Garson then moved to award the demolition contract for \$174,347 to JMC Contractors. Mr. Sullivan seconded the motion which passed 5 to 0.

NPAA Baseball lights at Houston Park- Mr. Garson noted Mr. Keller spoke earlier on this and

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suggests NPAA Baseball share this information with the neighbors.

**Public Safety Committee Report** by Micah Knapp

Authorize advertisement of ordinance establishing stop signs – Mr. Knapp noted the list of stop signs on the spreadsheet but asked about one for Ridley Creek Road and Manchester. Mr. Catania stated there is an obstructed view by mature trees. Mr. Knapp asked about stop signs on Avondale Road. Mr. Catania stated all have vegetation issues, but you need to go through the same process to remove a stop sign. The Board discussed all the sign locations on Avondale Road. Mr. Catania stated he can do a study for Copples Lane, but suggested Darryl look at the vegetation issues to see if they can be addressed. Mr. Sullivan said we should ask PennDOT to review stop signs on Beatty Road, but we are ready to approve stop signs on Vernon Street, Ronaldson and Anderson, Ridley and Blakeley, and Manchester and Ridley Creek. The Board will review where to place stop signs on Avondale Road and ask PennDOT to review stop signs on Beatty Road.

Traffic calming – The resident's request for speed bumps on Ridley Drive was noted. Mr. Catania stated he did not think it would meet the criteria, but it did for temporary ones. Mr. Sullivan asked if there was room to place another temporary one further down Ridley Drive. It was noted Aqua is to install new main on Surrey Road so will be tearing it up, so it is best to wait there and Putnam Blvd. was added to the traffic calming matrix. The Board also discussed replacing the temporary speed humps on Plush Mill Road and installing permanent ones

Right Turn Lane of Brookhaven Road – Mr. Knapp noted Mr. Catania had prepared a sketch and asked it to be forwarded to PennDOT.

Putnam Boulevard No Parking request – Mr. Knapp noted the location picture submitted and asked the Board to look at it.

Parking on Oakland Avenue – Mr. Knapp noted they have a draft letter to place on car windshields, but he wanted to make some minor changes.

Mr. Knapp then gave the monthly police report.

**Public Works Committee Report** by Robert O'Connor

Yard waste drop off & collection – Mr. O'Connor noted the yard was closed and referred to the options and cost sheet from Mr. Grady. Mr. Knapp stated we have \$8,000 in the budget and likes the idea of a second pick up but to track so it is not always the same people using the service each month. He also feels we should open the garage on a weekend. The Board agreed they should expand the service but will ask Mr. Dixon on his thoughts on the second pick up as well as opening the garage for a Saturday drop off.

PennDOT Connects technical assistance report – Mr. O'Connor explained this is a free service and we met with a PennDOT consultant to prepare a safety plan.

**Adjournment** - Next meeting is work session on February 13