

BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – June 11, 2020
Virtual Meeting held via Zoom and shown on YouTube

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, June 11, 2020 via Zoom call and shown on YouTube.

ROLL CALL

PRESENT:

Commissioner Knapp
Commissioner Garson
Commissioner O'Connor
Commissioner Cooper
Commissioner McKenzie
Commissioner Spangler

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

The Board had a moment of silence for the passing of Officer Michael Worrell's father.

APPROVAL OF MINUTES

In the May 14th minutes, two typos were corrected. Mr. Knapp made a motion to approve the April 9th, April 23rd, and May 14th minutes. Mr. Garson seconded, and the motion passed 5-0.

PUBLIC COMMENT

President Knapp started off by explaining that the Board and Police Department are trying to get information out regarding the Police procedures in place, including the "8 Can't Wait" recommendations, and noted seven of the recommendations are met, and the eighth may be met as well. A new Use of Force Policy also has been put into place. He then asked for public comment.

Varma Mitchell – 403 Hastings Avenue. She explained in her 30 years, she has had no bad experiences with the police. She was asking about de-escalation training and policies of the police department. Chief Splain said the officers have all received at least 8 hours of live de-escalation training. She asked about the one "8 Can't Wait" policy that was questionable about its completion, and Commissioner Knapp said it was the announcement before shooting, which sounds straightforward, but is actually more complicated in practice when various conditions and situations are considered.

Barbara Berger-Lynch – 455 Manchester – She said she recalled an officer who told her he liked to issue citations to African American teenagers just for loitering. She believed this officer is probably well into retirement. Commissioner Knapp said if the Police ever received a complaint like that, it would be investigated and handled very seriously. Chief Splain said the curfew for

minors is not handled with citations or arrests, and instead the parents are located, and the minor is given a warning.

Amy Mouldin – 914 Trueepenny – She was wondering what resources the Police Department might need so that they are not wearing so many hats, including suicide prevention, domestic abuse counseling, addiction, etc. Commissioner Knapp explained the importance and difficulty of coordinating the resources across the municipal and county levels. Chief Splain described several of the County and nonprofit agencies that are utilized, but the Police have been the first line of defense. Chief Splain gave background on the Police Accreditation standards, and the Nether Providence Department is getting close.

Carol Fanconi – 103 Quaint Road – Ms. Fanconi spoke about the importance of dealing with institutional racism. She described 4 interactions with the police where she felt the police response was not satisfactory, and felt her safety and concerns were dismissed. She encouraged community input in making changes to the police model.

Paul Jacobs – 201 Ryanard Road – Mr. Jacobs voiced a concern regarding the lack of diversity in the police force, and the fact that it is not entirely reflective of the community that it is policing. The Civil Service Commission only has 3 members, and they may not include people that represent many of the views of the community and could use people such as social workers. Law enforcement should not always believe the first line of defense in all cases, for example such as mental health issues. Mr. Knapp said that the Township and Police Department could take steps to increase diversity in the search when new officers are being hired. With the civil service commission, the Board has generally felt that if volunteers on the various commissions want to continue, regardless of politics, they allow them to continue. Mr. Scott clarified that the civil service commission's role is to oversee the hiring process, to create rules for that process, and handles disciplinary matters. Members cannot be removed until their term is complete. Mr. Garson asked if the alternate members could be defined as needing to represent a minority group, and Mr. Scott said that is possible, but it is not something the Board could impose on future Boards. There are no current alternates.

Mr. Grady read a letter written by Renee Seitz Burgos of 328 Plush Mill Road, who asked that the Board of Commissioners do a thorough review of the policies and procedures of the police force, and she asked if the response is restorative or punitive. She asked that the funding and policies reflect the values of the community and that the relationship between the police and the community be examined.

Mr. Cooper asked Mr. Scott if the civil service commission could be assigned additional oversight capacity, for example, a data gathering function. Mr. Scott believed it could work.

7th WARD COMMISSIONER VACANCY

Mr. Knapp noted that Commissioner Sullivan submitted his resignation, due to his move to Rose Valley, and that created a vacancy.

Martin (Marty) Molloy sent a letter of interest before the meeting. He works for a software development company, and has lived in the Township since 2011, has been active in the

community, and chaired the Township's Summit School Committee. His background is in the nonprofit sector, including serving on several boards. He ran for State Senate in 2016 and that gave him an opportunity to meet many neighbors. His main motivation to run is constituent services.

Richard Glassman - Mr. Glassman has been a Nether Providence resident since 1986. He is in television and production broadcast, and he has worked with hotels in the Philadelphia area. He also worked with Destination Delco and other Delaware County initiatives. He expressed an interest in making the TV broadcasts of the meetings more interesting, including through the use of student videos. He asked about the time commitment, and Mr. Knapp said there are many variables, but generally about 20 hours a month.

Mr. Knapp thanked both applicants for their interest and moved to appoint Marty Molloy to be 7th Ward Commissioner and explained that it was not a slight against Mr. Glassman, but a reflection of Mr. Molloy's experience in the community. Mr. Glassman said he agreed and would be happy to volunteer in some fashion, such as the Historical Commission. Ms. McKenzie seconded, and the vote was 6-0 in favor of Mr. Molloy. Mr. Scott suggested that Mr. Molloy meet with the District Justice to be appointed.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Knapp noted there are two vacancies on the Environmental Advisory Commission

SOLICITOR'S REPORT

Verizon Franchise Agreement – Verizon should have the agreement to Mr. Scott for the Board's approval at the July meeting.

ENGINEER'S REPORT

Mr. Catania said the remaining portions of the 2019 road program are expected to be resumed the week of June 18th. The 2020 road program was previously awarded to Glasgow Inc., and the contract is being sent to the Township for execution of the agreement. Ms. McKenzie asked if steps should be taken to force Sucher to begin working sooner. Mr. Catania suggested that if the work is not completed by July 31st, the Board should consider giving the contract to Glasgow. Mr. Knapp moved to authorize the Engineer, Solicitor, and Manager to negotiate to extend or terminate the contract with Joseph Sucher & Sons. Ms. McKenzie seconded, and it passed 6-0. Golf View Drainage - Mr. Catania said he and Mr. Cummings reviewed the issue, and he believes the next step is for a community meeting with the affected residents be scheduled.

MANAGER'S REPORT

Mr. Cummings said that Delaware County created a COVID-19 memorial and to email photos and a memorial to delcoPR@co.delaware.us. He and Commissioner Cooper congratulated Carter Lee Shelton on attaining the rank of Eagle Scout. Mr. Grady noted that the Furness Library opened for contactless delivery on June 15th.

COMMUNITY ENHANCEMENT REPORT - (Scott Spangler)

2020 Summer Camp – Mr. Spangler noted that the 2020 Township Summer Camp was cancelled due to the COVID-19 emergency.

BUILDING AND ZONING COMMITTEE - (Max Cooper)

Media Quarry – Mr. Cooper noted that he has received questions about the potential sale of the site, as well as the increase in the blasting. Ms. McKenzie said a developer wanted to develop 54 homes, but this would require rezoning, which the Board was not interested in. The developers had recently expressed interest in buying the quarry to maintain quarrying operations.

FINANCE AND ADMINISTRATION (Kaitlin McKenzie) –

Warrant List – Ms. McKenzie noted the DVHT monthly premium was lower due to staffing changes at the Township. A final bill to the auditor, Bee Bergvall, was paid. There were several charges for the hiring of the new Finance Director. Ms. McKenzie asked about the narcotics masks, and Chief Splain explained the narcotics unit could not breathe with the N-95 masks and their current equipment, so the cloth masks were purchased. Ms. McKenzie made a motion to approve the warrants list, including the AP Bills list total of \$59,250.09, the interims fund list of \$6,906.25, the AP Procurement List of \$42,078.69, and \$338,010.30 on the AP Bills list related to the Summit School. Mr. Knapp seconded, and it passed 6-0.

Police Pension – Ms. McKenzie noted that there are still ongoing negotiations, and the advertisement for the ordinance will need to run again.

Tree Removal Expenses – About 13 trees were identified as needing removal on Township properties, and Ms. McKenzie moved to authorize ABC Tree for \$7500 to remove the trees. Mr. Knapp seconded it. The motion passed 6-0.

Financial Update – Ms. McKenzie said 93% of the real estate taxes have been collected, which is fairly good considering the pandemic.

INFRASTRUCTURE COMMITTEE REPORT – (Micah Knapp)

Moore Road Project – Mr. Knapp said the project is expected to be completed in August of 2020.

DCED Watershed Grant – Mr. Knapp said the Township is agreeing to apply for funding to assist with flooding and water quality issues on Palmers and Briarwood Lane. Mr. Knapp moved to authorize the resolution for the grant, and Mr. Garson seconded. The vote passed 6-0.

PA Small Water and Sewer Grant – Mr. Knapp noted that the State came back and asked the Township for a preference of the two projects, between N. Providence Road and Winding Lane. He said there is more bang for the buck for the Winding Lane Project, and Ms. McKenzie noted that several residents in that area on Winding Lane had specifically asked for it. Mr. Knapp moved to authorize the administration to amend the application. Mr. Garson seconded. The vote passed 6-0.

Potential Sale of the Township Sanitary Sewer System – Mr. Knapp said public utilities, including Aqua, had reached out to see if the Township had interest in selling the sewer system. Mr. Knapp said one of the benefits would be that a large capital improvement or repair could be spread out over a larger rate base. There would also be fewer headaches for public works. The downside would be losing some control over rates. If the Township did sell it, the system would be sold to the highest bidder.

ARLE Grant Program – Left Turn Signal Improvements – Mr. Grady said this program can be used for left-turn improvements at Providence Road and Possum Hollow, Providence Road and Brookhaven, and Providence Road and East Rose Valley. There is no match to the grant. Mr. Knapp made a motion to apply for the grant, and Mr. Garson seconded. 6-0.

PARKS AND OPEN SPACE COMMITTEE REPORT – (Matt Garson)

Summit School – Mr. Garson noted that the building has been demolished, and the project is nearly finished.

Furness Park – Greenways Grant Program – Mr. Garson asked if Mr. Scott had reviewed the agreement, and Mr. Scott responded affirmatively. Mr. Garson made a motion to accept the agreement, and Mr. Cooper seconded. The motion passed 6-0.

Furness Park Project – Construction is beginning at the end of June. Mr. Garson said there is much excitement about this project.

Furness Park – DCED Greenways, Trails, and Recreation Program – Mr. Garson made a motion to apply for the DCED Greenways, Trails, and Recreation Program grant, in the amount of \$211,650. Mr. Knapp seconded, and the motion passed 6-0.

Renaming Woodrow Wilson Park – Mr. Garson said the park is about an acre and located in South Media. Mr. Knapp explained that Woodrow Wilson, the former president, had racist policies and was a racist, and he agreed with several residents' desire to rename the park. This will be discussed further in July.

PUBLIC SAFETY COMMITTEE REPORT – (Micah Knapp)

Information on Nether Providence Police Training – Mr. Knapp said he is working with Chief Splain in making information available for the public to inspect.

Coronavirus – Information on the coronavirus is available on the Delaware County website and Health.Pa.Gov. There is also information available on the Chester County Health Department's website.

Food Insecurity – Meals continue to be available at Strath Haven High School for those who need it. Mr. Knapp said that the school board had just received word that the federal funding program had been extended and approved. He also noted that the Media Food Bank was still in need of donations.

Delaware County in the Yellow Phase – Mr. Knapp said the parks will be opening. He also said there was a resolution that Mr. Scott had seen other communities pass with regard to outdoor

dining in certain areas, but due to the fact that the Township only has one restaurant that could offer outdoor seating, it didn't make sense to make policy that impacted only one place.

Stop Sign at Anderson and Ronaldson – Mr. Knapp said this ordinance is to correct the ordinance from May where the stop sign was placed at the wrong side of the Anderson and Ronaldson intersection. Mr. Knapp moved to adopt the ordinance, and Ms. McKenzie seconded. Vote passed 6-0.

PUBLIC WORKS COMMITTEE REPORT – Robert O'Connor –

Yard Waste Removal – Mr. O'Connor noted that pickups will resume on July 14th, and to call the Township to get on the list. Additionally, the public works yard would be open for drop-offs on the first Saturday of the month and from 8:00 AM to noon on Mondays and Tuesdays each week.

Other business - Mr. Knapp and Ms. McKenzie commended Chief Splain for being responsive and helpful during this time when many questions are being asked about the police department. Chief Splain said he appreciated the outpouring of support from many within the community.

Mr. Knapp asked if Mr. Cummings, who is retiring and becoming part-time, would be attending the July meeting. Mr. Cummings said he would, and noted he estimates this is his 560th meeting. Mr. Knapp thanked Mr. Cummings and said he would be honored soon. Mr. Knapp also noted that the Board had decided in executive session to promote Mr. Grady to the role of Manager, and the Board is working on a contract for him. Mr. Cummings said it has been a pleasure to serve Nether Providence, and he commended the Board for being very professional and great to work with.

Adjournment - There being no further business, the meeting was adjourned at 10:44 PM. Mr. Knapp noted the next meeting would be virtual on July 9th as a combined working and legislative session.