

## **BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – December 16<sup>th</sup>, 2021**

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, December 16, 2021. Legislative Meeting

### **ROLL CALL**

#### **PRESENT:**

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

#### **ALSO PRESENT:**

Dave Grady	Township Manager
Charles Catania	Township Engineer
Carl Ewald	Solicitor (in place of Robert Scott)
Chief Splain	Police Chief

**EXCUSED:** Commissioner King

Mr. Knapp chaired the meeting. He announced that Executive Session would be held after the meeting.

**Approval of November 11th, 2021, Minutes & November 18th-** Mr. Garson made a motion to approve the minutes of the November 11, 2021 Board meeting. Mr. Knapp seconded the motion, which passed 5-0. Mr. O'Connor abstained. Mr. Garson made a motion to approve the minutes of the November 18, 2021 Board meeting. Mr. Molloy seconded the motion, which passed 5-0. Mr. Cooper abstained.

**Appointments to Boards and Commissions-** Mr. Garson said there are openings and reappointments for several committees:

Planning Commission: 2 openings  
EAC: 4 openings  
Shade Tree: 1 opening  
Historical: 2 openings  
Zoning: 2-3 openings for alternates

### **PUBLIC COMMENTS –**

**Gina Gibbs on Byre Lane-** Ms. Gibbs shared that she and her neighbors would like “no parking” restrictions on both sides of Byre Lane for safety and visibility reasons due to the recent parking issues from high school students. Mr. Knapp thanked Ms. Gibbs for her comments.

**SOLICITORS REPORT –** Mr. Ewald was in attendance on behalf of Solicitor Scott. He said the Board needs to take action on the approval of the settlement on the opioid class action lawsuit which is a nationwide settlement that the PA Attorney General and County have participated in. The terms of the settlement reduce the amount of money given to the state if the municipalities with 10,000 or more residents don't sign on. He said there is no disadvantage to the Township unless the Township were to file a lawsuit of its own. Mr. Knapp motioned to approve the opioid settlement. Mr. Garson seconded, and the motion passed 6-0.

**ENGINEER REPORT-** Mr. Catania said the PennDOT Permit for the East Rose Valley Sidewalk project was finally approved. He said the next step is to get bids, and the project is expected to start in the spring of 2022.

**Police Chief-** Chief Splain read a statement to address a Tik Tok video about threats against schools on December 17. He said the Police are aware of the video and will be adding more of a presence to each school in the district. He said they are investigating and taking the threat seriously.

**PUBLIC SAFETY COMMITTEE REPORT-** Micah Knapp

**Penn Street and Markham Street-** Mr. Knapp said there had been a request to make Penn Street a one-way road. The Board is considering the request, and there was discussion about making Markham Street one-way as well. The Board agreed to seek public opinion from those in the area.

**Parking on Byre Lane-** Mr. Knapp said the Township polled the neighbors on Byre Lane, and the consensus was for two-hour parking restrictions. Mr. Knapp made a motion to advertise an ordinance for two-hour parking restrictions on Monday through Friday, 9 AM to 4 PM, on Byre Lane. Mr. Molloy seconded the motion, which passed 6-0.

**Stop Sign on Hastings and Beech-** Charles reviewed criteria for the sign and said it did not meet the criteria or warrant a stop sign. Mr. Knapp asked Mr. Grady to notify the residents that made the consideration.

**PARKS AND OPEN SPACE COMMITTEE REPORT** – Matthew Garson

**RACP Resolution for Township Funding-** Mr. Garson said the County asked for the wording to be amended. Mr. Garson made a motion to amend Resolution 2021-30, for the project known as the Summit Site Redevelopment, to improve the Summit School Site (Gouley Park). The amount of money the Township is contributing for match funds is \$73,935. Mr. Knapp seconded the motion, which passed 6-0.

**BUILDING AND ZONING COMMITTEE REPORT** – Max Cooper

**Marijuana Sales- Zoning locations-** Mr. Cooper said the Planning Commission reviewed the ordinance that would amend where marijuana sales to industrial districts only. He noted their recommendation for its approval contingent upon the Township Solicitor's opinion that it would not be considered exclusionary zoning. The Board would authorize advertisement at a future meeting after Mr. Scott's conclusion.

**FINANCE & ADMINISTRATION COMMITTEE** – Kaitlin McKenzie

**2022 Budget** – Ms. McKenzie noted that the 2022 budget was available for review. She said there were no substantial changes, and the budget is scheduled to be approved on December 23<sup>rd</sup>.

**Ratify Accounting Services Agreement with Dunlap Associates** – Ms. McKenzie said that the Township would like to bring in Dunlap and Associates as a contractor to help with the Finance Director responsibilities since the Finance Director position is vacant. She said they have municipal experience. She made a motion to approve the accounting services agreement, and Mr. Garson seconded. The motion carried 6-0.

**Aqua Restoration Offer – Consideration of Acceptance** – Ms. McKenzie explained that Aqua gives the option to provide funding in lieu road restoration work. Aqua would typically only repave the section of road where they worked, but the Township is able to receive the funds and repave the full width of the street. Ms. McKenzie made a motion to accept Aqua's contribution offer in the amount of \$340,000

**COMMUNITY ENHANCEMENT REPORT-** Micah Knapp

**CDBG Application – Resolution for Projects** – Mr. Knapp said the Township had a public hearing for input about potential Community Development Block Grant (CDBG) projects on December 9<sup>th</sup>. Shaina Barnes, the incoming 5th Ward Commissioner, offered her input, and said she felt the priority project should be road resurfacing in the Garden City Manor. Her secondary project preference would be improvements within Hepford Park. He noted the Garden City Manor area is the only eligible area of the Township, and he agreed that road resurfacing is needed. Mr. Knapp made a motion to apply for the CDBG grant, with road resurfacing as the primary project and the Hepford Park improvements as the alternate project. Mr. Molloy seconded, and the motion passed 6-0.

**PUBLIC WORKS COMMITTEE REPORT** – Robert O'Connor

**Highway Report-** Mr. O'Connor said the highway report would be available at the next meeting.

**Putnam Boulevard Safety Concerns Discussion** – Mr. O'Connor said a persistent complaint he has received was about speeding on Putnam Boulevard. He noted it is a densely populated area with lots of walkers and younger drivers. Chief Splain said they have deployed the speed trailer and other traffic enforcement in the area. Mr. O'Connor said he would like the Board to consider speed hump installations. Ms. McKenzie suggested doing a poll of the homeowners' associations in the area.

**Avondale Guide Rail Discussion** – Mr. O'Connor said this is in relation to the guide rail along Avondale Road within the 1st Ward. Max, Charles, and Mr. Grady met with the engineer from Traffic Planning and Design Inc. to see the

results of the guide rail analysis. His draft report identified three things: first, the guide rail near Avondale/E. Rose Valley Road is in good shape, but the end cap is not in compliance with current safety standards. That would cost about \$13,000 to replace. Second, the wooden guide rail along Leiper Park could be removed and the land next to it could be regraded. The removal of the guide rail would require the regrading. The other option is to replace it with a metal guide rail at a cost of about \$50,000. Third, the guide rail near Niblick should be replaced at a cost of about \$50,000. We believe this could be paid for with Liquid Fuels Funding. The Board discussed the removal of the guide rail along Leiper Park. Mr. Cooper asked about the retaining wall. Mr. Grady said Public Works could do the repairs, and anything more than that would require approval from the State Historical Commission. Mr. Cooper made a motion to have Public Works remove the guide rail along Leiper Park and to regrade the land. Mr. Garson seconded, and the motion passed 6-0.

Low-Volume Road Program Grant Award – Mr. O’Connor said the Township was awarded \$38,000 through Delaware County Conservation District’s Low Volume Road Program. This would go towards regrading, repaving, and adding a drainage basin along Forrest Ave between Moylan and Ronaldson.

Amended Agenda Item – Mr. Knapp made a motion to add 107 Chesley Drive and the potential zoning amendments to the agenda. The Board agreed with continuing the discussion. Mr. Knapp read an email that was sent to Solicitor Scott from the owner’s attorney seeing if there would be interest in adding a daycare as a permitted use within the Professional Office District. Mr. Grady said the Board has three options: first, take no action. Second, tell the owner to seek a “use” variance from the Zoning Hearing Board. Third, the Board of Commissioners could amend the zoning. Mr. Knapp said the Board is not opposed, but they would like more information from the owner.

#### INFRASTRUCTURE REPEORT – Martin Molloy

Providence Road Sidewalk Grant Award - \$500,000 – Motion to Approve Acceptance – Mr. Molloy said the Township was awarded an additional \$500,000 through the DCED’s Multimodal Transportation Fund for a sidewalk along Providence Road. This brings the total amount to \$1,250,000 for the sidewalk. This funding would go towards a sidewalk from E. Rose Valley Road and head south towards the Country Club. He said more research and design work is needed to determine how far the sidewalk can go. Mr. Molloy made a motion to accept the funds, contingent upon Solicitor Scott’s approval of the agreement. Mr. Cooper seconded, and the motion passed 6-0.

Providence Road – Design Submission Engineer – Motion for RFP – Mr. Molloy said Township Engineer Catania has recommended the Board hire an engineering firm to complete the design submission to PennDOT for the Providence Road sidewalk from E. Rose Valley Road to Copples Lane. The preliminary design has been completed, and a meeting was held that evening for affected residents. Mr. Cooper said only one person attended, and that person had a few questions, but he was in favor of the project. It is estimated that the design could cost between \$90,000 and \$100,000. Mr. Molloy made a motion to do a request for proposals for the engineering design, and Mr. Cooper seconded. The motion carried 6-0.

Township Road Assessment Completed – Mr. Molloy said Catania Engineering completed a comprehensive road evaluation just recently. Mr. Cooper said he would like to take advantage of the low interest rates and take out a loan to do a substantial amount of road resurfacing. He would like to act quickly before interest rates increase, and the loan would be repaid with the annual liquid fuels funding. Mr. Cooper, Mr. Catania, and Mr. Grady would sit down to come up with options for the Board. Mr. Knapp asked if there were any refinancing options for the Township’s current debt. Mr. Grady said he and the Finance Department had researched that, and there were no current options.

Environmental Advisory Committee Update – Mr. Molloy said the EAC held a two-hour planning meeting for 2022. He covered a few of their initiatives, including the Zero Waste goal and plastic bag ban.

#### TOWNSHIP MANAGER REPORT -

Mr. Grady said there Delaware County was hosting a “Healthy for the Holidays” Program. Mr. Cooper said he would recommend that that people considering boosters should get Pfizer or Moderna. Mr. Grady said the Township is hosting a food drive collection at the Township Building until the holidays. Mr. Grady said the County was holding a broadband survey, and it can be found online and on paper. He said Delaware County has a cold-weather program for the vulnerable or elderly and people can find info at delcopa.gov. He said Delaware County has reopened round two of the Emergency Rental Assistance program. He said the American Red Cross is holding a blood drive on December 29<sup>th</sup> at the Township building.

Mr. Knapp said the next meeting is a budget meeting on December 23<sup>rd</sup>. The meeting was adjourned around 9:00 PM.