

BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – February 10, 2022

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, February 10, 2022. Legislative Meeting

ROLL CALL

PRESENT:

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

ALSO PRESENT:

Dave Grady	Township Manager
Robert Scott	Township Solicitor
Charles Catania	Township Engineer
Chief Splain	Police Chief

No members of the public were in attendance.

Ms. McKenzie chaired the meeting. She announced that Executive Session would be held after the meeting.

Approval of Minutes- Mr. Garson moved to approve the January 27, 2022 meeting minutes. Mr. Cooper seconded the motion, which passed 5-0. Ms. McKenzie abstained.

Mr. Knapp arrived at this point.

Appointments to Boards- Ms. McKenzie made a motion to approve Resolution 2022-6 to appoint Aaron Campbell to the Zoning Hearing Board as an ad-hoc member. Mr. Garson seconded the motion, which passed 7-0.

PUBLIC COMMENTS – No public comment.

SOLICITORS REPORT – Nothing to report.

Commissioner Committees- Ms. McKenzie said Mr. Molloy had proposed new committee arrangements for the Board of Commissioners. Ms. McKenzie made a motion to create the new committees as follows:

- Public Safety - Micah Knapp
- Parks and Open Space - Matt Garson
- Building and Zoning - Marty Molloy
- Finance - Kait McKenzie
- Government Relations - Max Cooper
- Infrastructure & Public Works - Robert O'Connor
- Community, Health & Environment - Shaina Barnes

Ms. Barnes seconded the motion, which passed 7-0.

ENGINEER REPORT- Mr. Catania said his items are covered in the agenda.

PUBLIC SAFETY COMMITTEE REPORT- Micah Knapp

Magisterial District Letter of Concern- Mr. Knapp said this is the first time the Board has discussed this topic.

Ms. McKenzie noted that a significant portion of the Township is now within the Lima District Court, which is twice as far from the Nether Providence Police Department than the current Media District Court. Police officer travel to and from Middletown will be an additional cost for the Township, and with the Police Department already the Township's single largest expense, this is concerning. She said having our on-duty officers a significant distance away in Middletown is also a safety concern for our residents. Additionally, Ms. McKenzie shared that when youth in the school district must go to district court for hearings, the removal of the Media District Court now means that children will be forced to go before a judge in Ridley Township. She said many of the cases are handled appropriately within the school district or by the Nether Providence Police, without the need to go to court. The closure of the Media District Court will result in travel and transportation impediments for Nether Providence residents who will not be able to access the courts with a vehicle. Mr. Knapp said he is concerned from a practical standpoint as opposed to a political one. With all matters arising within the District being routed to the Ridley District Court, about half of Nether Providence residents could find themselves in a situation where a matter related to their child is being handled by a judge with whom they have no communal relationship and from a district where they will not have the opportunity to participate in an election. Mr. Cooper and Mr. O'Connor agreed that both parties in the Township have concerns with the removal of the Media District Court. A letter of concern was drafted by the Board and displayed at the meeting. Mr. Knapp made a motion to Authorize the Board President to sign a letter to Judge Kelly. Ms. McKenzie seconded the motion, which passed 7-0.

PARKS AND OPEN SPACE COMMITTEE REPORT – Matthew Garson

DNCR Grant Round Open for 2022- Mr. Garson said the Township has three projects in works from past DCNR Grants: Martha Burton Community Park, Gouley Park, and Sapovits Park. He asked the Board to be thinking of other projects to apply for this year.

Hepford Park- Mr. Garson made a motion to approve the grant agreement with the Commonwealth of Pennsylvania in the amount of \$148,600.00 for Hepford Park. Ms. McKenzie seconded the motion, which passed 7-0. Mr. Garson said the Board is very grateful to Representative Krueger for helping the Township obtain the funding.

Houston Park- Mr. Garson shared a letter from the NPAA Soccer club asking if the Township would like to put funding towards the soccer fields at Houston Park. The Board said this would be an unbudgeted expense. After discussion, the Board agreed that the Township should focus on putting funding towards other fields, such as Gouley Park, and it could not offer financial assistance towards the project. Ms. McKenzie also was concerned about funding towards a field that the recreational league cannot use. Mr. Garson said if there are non-financial ways for the Township to assist, we may be able to do so, and there is interest in extending the agreement with soccer.

BUILDING AND ZONING COMMITTEE REPORT – Max Cooper

Marijuana Sales- Zoning locations- Mr. Cooper said a hearing has been scheduled and advertised for the February 24th Board meeting and further discussion would be had at that time.

Amendment to R5b zoning- Mr. Cooper said it had been brought to the Township's attention that there is inconsistent wording in the Township code regarding townhomes not being permitted in the R-5b zoning district, even though many townhomes currently exist in the district. The Township's Zoning Officer has drafted wording, which Mr. Scott is reviewing.

6-8 E. Brookhaven Road Development- Mr. Scott said that a condition of the 2019 subdivision approval was that the applicant construct a sidewalk, but no sidewalk has been installed. Mr. Scott said approximately \$15,000 in additional funds are needed above the original escrowed amount from 2019. Mr. Molloy asked if the new owners could be responsible, and Mr. Scott said that the lawsuit would go with the property, so this would put both the current and potential owners on notice. Mr. Cooper made a motion to authorize Solicitor Scott to file a writ of summons and a lis pendens against the two properties. Mr. Knapp seconded the motion, which passed 7-0.

Comprehensive Plan Update- Mr. Cooper said Maureen Feyas, Bob Linn, and Mr. Grady had a brief meeting to discuss the Comprehensive Plan process. The first step will be to build out the team to lead the process. After the team is formed, stakeholders would be identified, such as the Township commissions/committees, funded organizations, and athletic leagues. He said he thinks it would be a good idea to have one or two Commissioners to regularly participate in the meetings, and he feels the Board should decide who the Board representative will be. Mr. Garson and Mr. Cooper both expressed interest. Mr. Cooper made a motion to appoint himself and Mr. Garson to serve on the Comprehensive Plan Committee. Mr. Knapp seconded the motion, which passed 7-0.

FINANCE & ADMINISTRATION COMMITTEE – Kaitlin McKenzie

Approval of employment agreement extension for Township Manager- Ms. McKenzie made a motion to extend the employment agreement for the Township Manager until the end of 2023. Mr. Knapp seconded the motion, which passed 7-0. Mr. Grady thanked the Board for the opportunity to continue serving as Manager.

COMMUNITY ENHANCEMENT REPORT- Shaina Barnes

Local Share Assistance Grant- Ms. Barnes shared this grant opportunity has no match and is very broad in terms of the eligible projects. It can be used for acquisition, demolition, infrastructure, purchase of vehicles/equipment, planning/engineering planning projects. She said she expects the grant to be competitive. She asked the Board to consider if it wants to apply, and if so, for what projects. There was discussion about possibly adding an elevator to the Township offices through this grant program.

CRC Stream Cleanups in March- Ms. Barnes said the Chester Ridley Crum (CRC) stream cleanups will be on March 26th from 9 AM to 11:30 AM. She said volunteers are needed.

DCED's WRPP, GTRP Programs open – Ms. Barnes said these grant programs are for the Department of Community and Economic Development's Greenways, Trails, and Recreation Program, which has been used for Furness Park trails in the past, and the DCED's Watershed Restoration Program, which has been used for the Parkridge Drive outfall replacement, the Gouley Park streambank restoration project, the Sapovits Park work later in 2022, and Palmers Lane. She said this grant is good for helping meet the pollutant reduction plan requirements as well. They're due May 31st and have a 15% match, and ARPA funds could be used as a match. The Board was going to discuss at future meetings.

PUBLIC WORKS COMMITTEE REPORT – Robert O'Connor

Road Resurfacing- Mr. O'Connor reported bids were received. The lowest bidder was AF Damon. The bid results that were received came in under budget with a savings of \$6,501. The base bid was \$796,492 and alternates totaled \$52,257. This is a total bid of \$848,750, and the Township has \$855,250 in available funding. Mr. O'Connor made a motion to approve the bid from AF Damon. Mr. Molloy seconded the motion, which passed 7-0.

Comprehensive Road Program Discussion- Mr. O'Connor shared each year, the Township has about \$200,000 of Liquid Fuels funds available to cover resurfacing or the loan repayment. Roughly \$100,000 was needed this year to go towards the repaving of the Aqua roads. That amount varies each year based on how much work Aqua does. A rough rule of thumb seems to be Aqua's payment covers about 75% of the cost of repaving the entire road, and the Township has to cover the remaining portion. Alternatively, the Township could allow Aqua to restore the road on their own, but they will only restore where they worked not repave curb-to-curb. Mr. Cooper said there was consideration about taking out a loan to frontload the repairs and then pay off the loan over several years. Mr. Cooper said the Township is also looking at Aqua's plans, as their pipe work would affect the roads. Ms. McKenzie noted most of the Aqua work is in the northern and central part of the Township. Mr. Cooper said the anticipated inflation rate, of about 7%, is expected to exceed the interest rate on a loan, between 1.5% and 2%, so there could be savings to the Township by spending the funding now with the loaned funds before the road resurfacing costs increase in the coming years. Ms. McKenzie said she wants to do long-term planning for the budgeting of road resurfacing before immediately going to a loan and impacting the Township's budget flexibility. Mr. Garson said there are projects in the 2022 budget that will free up funding in future budgets. There was discussion among the Board members. A formal vote was not taken, but Mr. Garson, Ms. McKenzie, and Mr. O'Connor were opposed to the loan. Mr. Cooper, Mr. Molloy, and Ms. Barnes were in favor. Mr. Knapp was undecided. Mr. Cooper said he would share more information for the Board to consider in a future meeting.

Putnam Blvd Safety concerns Discussion- Speed humps - Mr. O'Connor said he and the Township Manager met with Weston Village representatives earlier that evening to discuss concerns. He said he would like to gather more information before making any decisions on the speed humps.

INFRASTRUCTURE REPEORT – Martin Molloy

DELCORA 537 Plan- Ms. McKenzie asked for more time to gather information and to familiarize herself with the letter before voting.

E. Possum Hollow Sidewalk- Mr. Molloy shared the project will be the week of March 21st.

E. Rose Valley Rd Sidewalk - Mr. Molloy said bids were received. Mr. Molloy made a motion to accept the bid from Premier Concrete with the bid being \$552,389.60. Mr. Cooper seconded the motion, which passed 7-0.

TOWNSHIP MANAGER REPORT -

Mr. Grady said Delaware County is continuing to offer vaccinations and testing options, and he said people can visit delcopa.gov/covid for more information. New Federally Funded Utility Assistance Program Available for

Pennsylvania Homeowners. For more information or to apply go to www.peco.com/help. He said an electronics recycling and paper-shredding event would be held on February 12th at Gouley Park from 9 AM to 1 PM. He said the CAT Club would be hosting a cleanup along 320 on 2/12 and under the blue route on Avondale on 2/21. Lastly tax bills have been mailed out and a short bulletin is inside with Township news.

Ms. McKenzie said the next meeting is a legislative meeting February 24th. The meeting was adjourned around 9:00 PM.