

## BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – November 10, 2022

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

### ROLL CALL

#### PRESENT:

Commissioner McKenzie  
Commissioner Barnes  
Commissioner Knapp  
Commissioner Cooper  
Commissioner Molloy  
Commissioner Garson

NOT PRESENT: Commissioner O'Connor

#### ALSO PRESENT:

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

15 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 - Ms. McKenzie made a motion to approve the October 20, 2022, minutes. Mr. Knapp seconded the motion, which passed 5-0, Mr. Cooper abstained.

**Bird Town PA Presentation of Nether Providence Certification** – Ms. Heidi Shriver of the Bird Town PA Organization presented the Township with its official Bird Town PA Certification. She gave a presentation and shared that Nether Providence is the 36<sup>th</sup> Bird Town in Pennsylvania and the 4<sup>th</sup> in Delaware County.

#### **Appointments to Boards and Commissions – None**

#### **Garden City Fire Company Budget Presentation-**

Garden City Fire Company President Lou DiDomenico reported in past years the fund drive and fundraising is usually how they pay for the fire house mortgage. He reported that this year's donations have declined. The fire company is requesting an increase of funds for 2023 of \$6,000.00. He said truck maintenance and the inflation in costs have made the increase necessary. Ms. McKenzie asked about the expected increase in the Fire Relief Association Funds, and Mr. DiDomenico said that is included, but not in their operating expenses. Mr. Molloy asked about space usage and have hall rentals resumed. Mr. DiDomenico said it had.

#### **NPAA Budget Presentations-**

Mr. Ron Anderson spoke on behalf of the Nether Providence Athletic Association.

Wrestling: 74+ kids signed up, which was an increase from last year. Practices Monday, Tuesday, Wednesday, and Thursday and they are using rooms at both the Middle School and High school. The team registration fee slightly increased this year.

Soccer: Over the past years soccer has restricted the program to make it more affordable. The summer camp will start again this year. The Easter-weekend tournament will return this year as their main fundraiser. They introduced a scholarship program and re-invested \$60,000 to develop facilities.

Sara Kelly spoke on behalf of NPAA Basketball: Covid restrictions have been all lifted for the season. She said the program is available for elementary school, middle, high school students and adults. The Basketball program is asking

for help from the Township in the way of advocacy for space with the school district rather than monetary help. She noted Swarthmore Recreation Association may have funding available that could be used at Gouley Park.

Dave Shuster spoke on behalf of Baseball: Mr. Shuster echoed Ms. Kelly's difficulties in scheduling with the school district. He said registration increased for both baseball and softball. Fundraising from 2022 will be used to improve facilities at Hepford Park and Bullens Lane Park. Softball will be moving to Smedley Park.

**SOLICITORS REPORT** – Township succeeded in the appeal for a zoning appeal for a property on Bullens Lane.

**ENGINEER REPORT-** Mr. Catania recommended the release of the Media Walk Escrow.

**Public Comment:** Mr. Grady read an anonymous letter from a resident:

I am writing today in regards of the leaves left in front of residents' homes. It's becoming ridiculous on how far out in the street the leaves are being left. Our township does a great job in posting when the leaves will be picked up and we are lucky to have this service. However, many residents have a total disregard to what the township has posted on where to place the leaves.

- Please keep your leaves at the curb but NOT in the street. Leaves in the street can cause safety issues as cars will swerve around piles into oncoming traffic, the leaves can create slippery conditions, and the leaves will wash into the storm drains and create blockages.
- Please do not bag the leaves. They are sucked up by a leaf vacuum, so the bagging is not necessary.
- No other yard waste, besides leaves, should be included in the piles. This will cause problems for the machines. The non-leaf yard waste is mulched at the Township's leaf-site, whereas the yard waste is taken off-site. For that reason, yard waste and leaves cannot be co-mingled.
- Please do not park vehicles in front of the leaf piles as the workers will be unable to collect them. They will not be able to return until the following week to collect them if something is blocking the pile.

Last week my son fell off his bike trying to avoid the massive piles of leaves in the street and an approaching car. We don't have sidewalks and the streets are too narrow to accommodate traffic, pedestrians, and massive piles of leaves. Residents need to be warned when their leaves become a safety concern.

**GOVERNMENT RELATIONS REPORT-** Max Cooper

PECO Tree Work – Mr. Cooper said the Township has a meeting scheduled with PECO, State Rep. Krueger, and Senator Kane next week. PECO will be providing more information about their projects planned for 2023. The Township plans to get more information, especially in relation to the number of trees that PECO plans to remove.

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

Gouley Park Playground Completion – Mr. Garson said the Gouley Park playground has been completed. He noted the playground is well liked by the kids!

Wallingford Train Station Platform Extension to Furness Park – SEPTA Request to Share Cost – Mr. Garson said the Township has been working with SEPTA to get the outbound platform extended to meet the trail into Furness Park. SEPTA has offered a plan to do a 50/50 split of the \$30,000. The Township has been pushing back in an effort to get SEPTA to pay for a larger share since the platform extension will benefit SEPTA's ridership numbers.

**PUBLIC SAFETY COMMITTEE REPORT-** Micah Knapp

Fire Committee Meeting – Mr. Knapp said the leadership from Garden City Fire, South Media Fire, the Fire Marshal, and two Commissioners met just prior to the meeting. Topics included the fire siren and the sharing of resources among the fire companies. Mr. Knapp said it was a productive meeting, with more discussions to come.

**FINANCE & ADMINISTRATION COMMITTEE** – Kaitlin McKenzie

Act 157 Resolution – Tax Collection Fee Waiver Notice – Mr. Grady said the Act 57 of 2022 went into effect on October 11th, and the Board of Commissioners needs to enact a resolution on or before January 9, 2023 directing the tax collector to implement Act 57 of 2022. Act 57 allows taxpayers who fail to receive a tax notice during their first year of occupancy to apply for a waiver from penalties and additional costs from the tax collector. The state Department of Community and Economic Development is required to make a standard waiver form available for purposes of applying for such a waiver. Act 57 of 2022 requires all municipalities that levy real estate taxes to adopt a resolution or ordinance directing their tax collector to implement its provisions. Ms. McKenzie made a motion to approve Resolution 2022-23 Act 57 of 2022 Property Tax Penalty Waiver Provisions. Mr. Garson seconded the motion, which passed 6-0.

Fee Schedule Updating – Ms. McKenzie said the Board had discussed at the last meeting updating the fee schedule to reflect costs more accurately, to reduce any fees that may have been higher than needed, and to attempt to simplify the fee schedule. Ms. McKenzie made a motion to approve Resolution 2022-24. Mr. Knapp seconded the motion, which passed 6-0.

2021 Audit Report – She said there were no major findings. Mr. Grady shared a summary from the Township’s contracted-accountant, Julie Davis of Dunlap SLK:

Summary:

- The audit is prepared on the modified accrual basis of accounting, which provides for a short-term view of the Township’s financial activity.
- This short-term view means that the balance of outstanding debt, pension liabilities, and the net cost value of the Township’s capital assets are not recorded in the statements - these are traditionally presented in a second set of full accrual statements, which the Township has opted not to present at this time.
- These items are disclosed in the notes to the financial statements though, so it is important to read the notes in conjunction with reviewing the statements themselves, to provide a full view of the Township’s financial position.
- The fund balance is in line with the Government Finance Officers Association’s recommendations, which is a significant improvement from past years when the balance was very low.
- The Township received an unmodified, “clean” opinion on the financial statements, and there were no deficiencies communicated by the auditors. For the second year, the audit was prepared in accordance with GASB 34, an accounting standard that prescribes the format of municipal financial statements.

First Reading of the 2023 Draft Budget – Mr. Grady covered each of the budgets:

- Grants Fund Budget – He said the expenses in the grants fund budget are projected at \$1,947,676, and they will cover the Providence Road sidewalk project, the TA Set Aside Providence Rd project, Phase II of the Summit School/Gouley Park project, the Houston Park streambank project, the Houston Park trail project, and the Leiper-Smedley Feasibility Study. Revenues will come from the grant agencies and a \$160,574 transfer from the General Fund.
- American Rescue Plan Act Fund – he said the ARPA budget is \$1,331,900 and includes \$500,000 for the Public Works building, \$759,000 for stormwater work, and \$72,900 for professional services.
- Liquid Fuels Budget – he said the expenses are projected at \$440,454 and include costs for the road resurfacing debt service and road resurfacing costs.
- Recycling Fee – He said the current recycling fee is projected to be \$119, which is a 43% increase over last year, due to an assumed yard waste collection cost and the actual increase in costs from the collection and disposal. The yard waste costs will be known at the next meeting.
- Road Resurfacing Budget – He said the road resurfacing budget was \$500,000 and includes the road resurfacing cost of \$475,000 and the \$25,000 in engineering costs.
- Sewer Fund Budget – the Sewer Fund budget is expecting an increase of 3.43% to \$664 to cover costs of \$3,913,384.23.
- Mr. Grady noted changes that occurred since the last budget meeting:
  - Recycling – added in assumption for yard waste collection (\$74K).
    - Per user rate without yard waste \$98 (17% increase)
    - Per user rate with yard waste \$119 (43% increase). Bids are due November 17<sup>th</sup>
  - EMS Contribution - \$30,000 for Media Fire for advanced life support services.
  - Technology - \$4,000 for cybersecurity upgrades
  - Reduction in Police Salaries due to changes in staffing.
  - Increased the library contribution by \$29,000
- Ms. McKenzie did the first reading of the General Fund Budget:

• General Government	\$971,419.82
• Public Safety	\$3,898,774.80
• Codes and Inspections	\$247,253.06
• Recycling and Waste	\$502,464.14
• Public Works/Highway	\$1,263,248.93
• Recreation/Parks	\$249,013.50
• Debt Service	\$507,932.13
• Insurance	\$427,271.00
• Grant Matches and Misc.	<u>\$231,074.00</u>
• Total:	\$8,298,451.38

The projected millage is 3.3639 mills.

## **COMMUNITY, HEALTH, AND ENVIRONMENT REPORT** - Shaina Barnes

**2023 CDBG Grant Round Open – CDBG Hearing on December 8th** – Ms. Barnes said the 2023 Community Development Block Grant Round will be opening again in January. Garden City Manor is the only area in the Township that is eligible. The funding can be used for a variety of projects, including road resurfacing, sanitary sewers, storm sewers, or recreational improvements. This year, the Township received funding for road resurfacing, which will take place next year. There will be a hearing on December 8th, and after that, the Board should decide which project(s) it would like to apply for. There is a primary and a secondary application that can be submitted.

**Yard Waste Bids** – the Township will be opening yard waste collection bids on November 17th. The Board will then need to decide if the yard waste costs should be a part of the 2023 budget.

**Tree City USA Application/Arbor Day Resolution** – The Township appears to meet the requirements of becoming a Tree City USA, so if the Board is interested in applying for the no-cost program, the Arbor Day Resolution should be passed. Sophia Phung of the Swarthmore College Green Advisors Program, who has been working with the EAC, wrote up a memo about why the Township should apply. While it's nearly 6 months in advance of Arbor Day, the resolution is needed to apply. Ms. Barnes made a motion to adopt Resolution 2022-26 – Tree City/Arbor Day Proclamation, where we do hereby proclaim April 28, 2023 as ARBOR DAY in the Township of Nether Providence, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands. Mr. Molloy seconded the motion, which passed 6-0.

## **INFRASTRUCTURE AND PUBLIC WORKS COMMITTEE REPORT** – Kait McKenzie

**Public Right-of-Way Access for Utilities Ordinance Consideration** – Bob Scott is reviewing and editing for the Board.

**H2O and Small Water and Sewer Grants** – She said there are two funding sources that can be used for sewer or water projects in the Township.

- The Small Water and Sewer project: Eligible projects are those which have a total project cost of not less than \$30,000 and not more than \$500,000 and involve the construction, improvement, expansion, repair, or rehabilitation of a water supply system, sanitary sewer system, storm sewer system, or flood control projects that are owned and maintained by an eligible applicant. Two projects that come to mind are the Henry Lane storm sewer project and the Moylan neighborhood request for sanitary sewer extensions. A 15% match is required

- H2O PA Project: Eligible H2O PA projects are those that involve the acquisition, construction, improvement, expansion, or rehabilitation of all or part of a water supply, sewage disposal, or storm water system which is owned and maintained by an eligible applicant. Project must cost at least \$500,000 and a 50% match is required.

**Henry Lane Drainage** – She said several residents along Henry Lane have complained about the very poor drainage on Henry Lane, so the Township Engineer's office did a study to see what options are available. The study determined that a storm drain, along with a potential bioswale, could cost about \$500,000.

**Providence Rd** – design engineering – Ms. McKenzie noted the Township was awarded \$1,000,000 for a sidewalk on Providence Rd, which was originally supposed to go south from E. Rose Valley down to the Mother of Providence School entrance on the northbound side of Route 252. PennDOT, however, required that the bridge near Putters be replaced, and the township would need to shoulder the cost of the bridge design. As such, the Township asked that the project be rescoped to start at the intersection of 252/320 and proceed north to Waterford Way. The State has approved this, so the Township can begin the design process. Ms. McKenzie made a motion to approve using Catania Engineering and their subcontractor, TPD, to do the design work. Catania/TPD have worked closely on the other sections of the Providence Road sidewalk. Mr. Garson seconded the motion, which passed 6-0.

## **BUILDING AND ZONING COMMITTEE REPORT** – Marty Molloy

**Media Walk Escrow Release** – Charles has reviewed the request and has recommended it be approved. Mr. Molloy made a motion to release the escrow in the amount of \$6,490. Mr. Garson seconded the motion, which passed 6-0.

**Public Hearing – Zoning Amendment – Fence Regulations** – Mr. Molloy said the public hearing was properly advertised and he called for public comment. There was no comment.

**Motion to Adopt Ordinance Amending Fence Regulations** – Mr. Molloy made a motion to adopt Ordinance 844 Revising the Fencing Regulations. Fences and walls must have the finished side facing out toward the adjacent property or right of way. Support posts and support rails shall face inward toward the center of the property. Welded wire fencing, when installed with a post and rail fence or split rail fencing, shall be on the inside of the fence posts and shall face inward toward the center of the property. Mr. Knapp seconded the motion, which passed 6-0.

## **TOWNSHIP MANAGER REPORT** – David Grady

Mr. Grady said the Shade Tree Commission's Tree Planting event in Houston Park was scheduled for Saturday, November 19th at 11:00am. He said political signs can be dropped off at the front of the Public Works Garage until

December 1<sup>st</sup>. He said November 14-18 is Crash Responder Safety Week. Move Over or slow down for emergency vehicles. It's the law.

Ms. McKenzie said the next meeting is on November 17th. The meeting was adjourned around 9:00 PM.