

## **BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – December 8, 2022**

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, December 8, 2022. Legislative Meeting.

### **ROLL CALL**

#### **PRESENT:**

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

**EXCUSED:** Commissioner Knapp

#### **ALSO PRESENT:**

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

10 members of the public were in attendance.

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

**Swearing in of Officer Jordan Culbreath** – Chief Splain introduced Officer Jordan Culbreath. Officer Culbreath's family was in attendance, and Judge Elizabeth Gallard swore in Officer Culbreath. He received a standing round of applause from those in attendance. Ms. McKenzie welcomed Officer Culbreath to the Township.

#### **Public Comment-Vernon Street**

Residents from 605,606, 609 Vernon Street: Elizabeth Bala from 605 Vernon and Felice Benson spoke as the representatives from the 600 Vernon block. They asked the Board to address the speed & traffic on Vernon Street. She said as there are bus stops, no sidewalks, street parking, and there are people who walk to and from Sapovits Park. They also noted that Vernon Street is used as a cut-through road. The residents are asking for speed control devices, such as speed humps. Mr. Molloy said he thinks it is important to have resident input to go along with the data. Ms. McKenzie said the next step would be to do a survey of the residents along Vernon Street.

**Approval of Minutes-** Ms. McKenzie made a motion to approve the minutes of November 10, 2022. Mr. Molloy seconded the motion, which passed 5-0. Mr. O'Connor abstained. Ms. McKenzie made a motion to approve the minutes for November 17, 2022. Mr. Molly seconded the motion, which passed 5-0. Mr. O'Connor abstained.

**Appointments to Boards and Commissions** – Ms. McKenzie made a motion to approve Noel Coker as an Environmental Advisory Committee ad-hoc member. Mr. Garson seconded the motion, which passed 6-0.

**CDCA – Nether Providence Representative Appointment** – Ms. McKenzie said Christine Ruether is not renewing her term. She said Cory Salmon, an engineer and resident of the Township, expressed interest in the appointment. Ms. McKenzie made a motion to approve Cory Salmon. Mr. Molloy seconded the motion, which passed 6-0.

**SOLICITORS REPORT** – None

**ENGINEER REPORT-** Mr. Catania asked for approval from the Board to add another entrance to the Garage design for recycling drop off access. The Board was in consensus for the change.

**PUBLIC SAFETY COMMITTEE REPORT- Micah Knapp**

Vernon Street- Ms. McKenzie noted this was covered during public comment.

Strath Haven High School Lockdown- Chief Splain gave a report on the Strath Haven High School lockdown. He said the Township's police department, along with three other local departments, investigated a possible handgun at the high school. Police identified the suspect and found the weapon, which was a replica and not a real handgun. After investigation, the police lifted the lockdown.

**GOVERNMENT RELATIONS REPORT- Max Cooper**

PECO Tree Work- Mr. Cooper said The Township does not have any updates from PECO other than the Parkridge Drive project, which PECO says will begin this month.

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

Public Right-of-Way Access for Utilities Ordinance Consideration – Mr. O'Connor said Solicitor Scott has drafted an ordinance that amends Chapter 221 of our code regarding street and public right-of-way excavation. Solicitor Scott said the Township Manager had suggestions for the ordinance, and Solicitor Scott is incorporating those into the draft.

Motion to Approve H2O Grant Resolution – Mr. Cooper said the H2O grant covers projects for storm sewers or sanitary sewers and for projects over \$500,000. There is a 50% match. The Henry Lane project has an estimated cost of \$649,250. ARPA funds could be used for this, which would require removing the "draft" projects of Hemlock Rd and Canterbury Rd water quality projects. The Henry Lane project would not bring MS4 credits, and the Hemlock and Canterbury projects would. Mr. O'Connor made a motion to approve the resolution to apply for the H2O Grant for the Henry Lane storm sewer project. Mr. Cooper seconded the motion, which passed 6-0.

Motion to Approve PA Small Water and Sewer Grant Resolution – He said there is a 15% match and covers projects up to \$500,000. The two Palmers Lane Phases are estimated to cost \$416,000, so the 15% match would be \$62,400. Mr. O'Connor made a motion to approve the resolution to apply for the PA Small water and Sewer Grant for the Palmers Lane and Briarwood Stormwater projects. Mr. Molloy seconded the motion, which passed 6-0.

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

Leiper House – Tree Removal – Mr. Garson said the Township had its arborist review the site, and several trees were identified as needing removal within the next two months. An initial quote was for \$30,500, but the Township contacted PECO about one of the oak trees in wires. PECO has agreed to remove that tree, which should reduce the overall price. The Township, however, expects the price to exceed the bid thresholds. Mr. Garson made a motion to approve the township to go to bid for the Leiper house tree removal. Ms. McKenzie seconded the motion, which passed 6-0.

**Agenda Addition**- Mr. Garson made a motion to add an agenda item in regards to adding turf to Gouley park. Ms. McKenzie seconded the motion, which passed unanimously.

Gouley Field- Mr. Garson said he met with people from Swarthmore Recreation Association (SRA), and they expressed interest in providing funds for the installation of an artificial turf field at Gouley Park in the lower portion of the park. Mr. Garson said the township still has over \$170,000 Redevelopment Assistance Capital Program (RACP) funds for the Summit School Demolition Project. Mr. Garson asked the Board to give permission for Solicitor Scott to write up a terms sheet for the Township to give to SRA to start discussions about a possible collaboration. The Board agreed.

**FINANCE & ADMINISTRATION COMMITTEE – Kaitlin McKenzie**

Year End Employee Compensation – Ms. McKenzie said this will be discussed in Exec session and discussed at the December 22 meeting.

Bills List – Ms. McKenzie provided highlights of the expenses and made a motion to approve the Bills list in the amounts of:

- AP Interims List – \$54,825.54
- A/P Procurement Card - \$47,559.33
- A/P Bills List - \$81,332.54

Mr. Cooper seconded the motion, which passed 6-0.

Earned Income Tax Study Info – Mr. Grady said Keystone collections performed an earned income tax analysis for the Township. They noted that 22 other municipalities in Delaware County have an EIT. They estimated that the impact

could be just over \$5M if a 1% EIT were implemented. However, they note the figures represent only those communities with a non-resident, or commuter, EIT where Keystone is the Act 32 Tax Officer, such as in the Bucks, Chester, Delaware, and Northampton Counties. These figures do not include non-resident EIT currently paid by Nether Providence Township residents who work in Montgomery County. The Board discussed pros and cons of EIT and will continue to discuss at future meetings. It was noted that an EIT would not go into effect in 2023.

Motion to Adopt 2023 Budget – Mr. Grady did a presentation about the 2023 budget. He highlighted the largest sources of revenues and the breakdown of the revenue structure. He highlighted the largest expenditures and provided a breakdown of the expense structure. The tax millage will be 3.3562, which is a 4.36% increase.

One of the outstanding budget items was the yard waste bid. Ms. McKenzie said she thought this should wait until a later point in time, especially with the current increase in the recycling. Mr. Cooper agreed. Ms. McKenzie noted that the Leiper House funding is being increased by a \$1,000 and the Library Funding is increasing by \$29,000. Ms. McKenzie said the Township might be able to assist with basic maintenance issues for the library. The other funded organizations will be held at the 2022 rates. Mr. Molloy said he felt that Garden City Fire Company is a bigger organization than South Media Fire Company, and he thinks they should receive more funding than South Media. Ms. McKenzie understood Mr. Molloy’s point, but there was not further interest in changing the contribution amount for Garden City Fire Company. There was discussion about the future of emergency medical services, the involvement of the County, and the contribution towards Media Fire Company’s advanced life support services.

Ms. McKenzie made a motion to approve Resolution 2022-26 - Annual recycling fee for 2023 setting the rate at \$99.00 per residence. Mr. Garson seconded the motion, which passed 6-0. Ms. McKenzie made a motion to approve resolution 2022-27 setting the annual sewer fee for 2023 at \$664.00 per unit. Mr. Garson second the motion, which passed 6-0. Ms. McKenzie made a motion to approve the 2023 general budget with Ordinance 845, setting the millage rate at 3.352 mills. The expenditures are as follows:

Government	\$971,419.82
Public Safety	\$3,898,770.80
Code & Inspections	\$247,253.60
Recycling & Waste	\$422,055.62
PWD	\$1,255,934.59
Rec & Parks	\$249,013.50
Debt Service	\$507,932.13
Insurance	\$432,064.00
<u>Match Grants &amp; Misc.</u>	<u>\$231,074.00</u>
Total	\$8,214,981.53

Mr. Molloy seconded the motion, which passed 6-0.

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

2023 CDBG Grant Round Open – CDBG Hearing – Ms. Barnes noted this was the public hearing for the Community Development Block Grant and she called for public comment. There was no comment from the public. The Board discussed the priority and likelihood of funding of the project. The Board agreed that the priority project should be Phase II of the resurfacing in Garden City Manor and the Hepford Park improvements would be the alternate project.

Motion to Approve CDBG Grant Application Resolution – Ms. Barnes made a motion to adopt Resolution 2022-25 which identifies the primary project of Road Resurfacing and the alternate project of Hepford Park. Ms. McKenzie seconded the motion, which passed 6-0.

Consideration of Lighting Ordinance – She said the Township recently received a complaint about the light from a neighbor’s spotlight causing glare in the window of the neighbor across the street. While this has not come up before, the Township realized there is not anything in the code that would prevent someone from intentionally shining a spotlight into someone’s home. Rich Haywood, the Code Enforcement Officer, found a sample ordinance from Lower Merion Township that addressed lighting issues. The Lower Merion ordinance could be used as a basis for an ordinance. Ms. Barnes made a motion for the Solicitor and Township Manager to draft an ordinance for the Board’s consideration based on the Lower Merion ordinance. Mr. Molloy seconded the motion, which passed 6-0.

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

ZHB Agenda – He noted there are no cases on the agenda for December, so there will not be a meeting in December.

**TOWNSHIP MANAGER REPORT** – David Grady

Mr. Grady said The Pennsylvania Homeowner Assistance Fund (“PAHAF”)—which assists Pennsylvania homeowners facing financial hardship due to the COVID-19 pandemic, including up to \$14,000 for delinquent property taxes and \$10,000 for delinquent utilities per homeowner—recently made the following updates: delinquent property taxes cap now \$14,000 increased from \$8,000; delinquent utilities cap now \$10,000 increased from \$8,000; maximum assistance now \$50,000 increased from \$30,000. He said a Property Tax Rebate is available through PA Department of Revenue. For more information about the Property Tax/Rent Rebate Program, visit [revenue.pa.gov/PTRP](http://revenue.pa.gov/PTRP). He said there are free COVID test kits at the Delaware County Health Department. He noted the Delaware Valley Regional Planning Commission is seeking people for the Public Participation Task Force. COSA is offering classes and information for the “Healthy Steps Program” about how to prevent falls. You can call 610-499-1937 for more information. He said the Township was just notified that it would be receiving funding from Delaware County’s Green Ways program towards Phase II of the Furness Park Trails project.

Ms. McKenzie said the next meeting is on December 22, 2022. The meeting was adjourned around 8:30 PM.