

## BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – March 23, 2023

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, March 23, 2023. Legislative Meeting.

### ROLL CALL

PRESENT:

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

EXCUSED: Commissioner Cooper

ALSO PRESENT:

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

20 members of the public in the audience.

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

**Motion to Approve Sergeant Promotions;** Chief Splain asked the board to make a motion to approve two sergeants. Ms. McKenzie made a motion to approve the promotion of Officer Michael Erikson to Sergeant and Officer Michael Markunas to Sergeant. Mr. Garson seconded the motion, which passed 5-0. Judge Elizabeth Gallard administered the oaths to Sergeants Erikson and Markunas, who were joined by their families. Each officer received a standing ovation from the crowd.

**PUBLIC COMMENT:** None

**Approval of Minutes** – Ms. McKenzie made a motion to approve the March 9, 2023 minutes. Mr. Molloy seconded the motion, which passed 4-0-1, with Mr. Garson abstaining as he was not present at the March 9<sup>th</sup> meeting.

**Third Ward Commissioner Appointments:** Ms. McKenzie made a motion to approve Beth Henry as Third Ward Commissioner. Mr. O'Connor seconded the motion, which passed 5-0. Judge Elizabeth Gallard administered the oath of office to Ms. Henry. After a round of applause, Ms. Henry was invited to sit with the Commissioners.

**Appointments to Boards and Commissions:** Ms. McKenzie noted there is an opening on the Zoning Hearing Board.

**SOLICITORS REPORT** – None

**ENGINEER REPORT-** None

**Government Relations** – Kaitlin McKenzie

**National Opioid Settlement** – Ms. McKenzie said the National Opioid Settlements require the settling manufacturers and pharmacies to pay billions of dollars to abate the opioid epidemic. The Settlements total over \$20 billion. Of this amount, approximately \$17 billion will be used by participating states and subdivisions to remediate and abate the

impacts of the opioid crisis. Eligible subdivisions within each participating state decide whether to participate in each settlement. The more subdivisions that participate, the more funds flow to that state and its subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. Mr. Scott noted this settlement is separate from the one the Township approved in 2022. Ms. McKenzie made a motion to approve the Township Manager to fill out all paperwork to approve the settlement. Mr. Garson seconded the motion, which passed 6-0.

**Parks and Open Space Committee** Matthew Garson

Martha Burton Community Park – Approval to Lease from WSSD – Mr. Garson said the Township has had a license agreement with the Wallingford Swarthmore School District since the 1970s, and during the course of the grant work for the Martha Burton Park upgrades, the DCNR is requiring the license agreement be upgraded to a “lease” and extended for more than 25 years. The school board will be reviewing the agreement at their meeting on March 27th will, hopefully, approve it. Of note, the WSSD Board originally approved the extension of the license agreement, but the DCNR wanted the agreement to be a lease, which is why this might seem familiar. Mr. Garson made a motion to approve the lease agreement between the Wallingford Swarthmore School District and the Township. Mr. O’Connor seconded the motion, which passed 6-0.

Authorize Bids for materials for Martha Burton Park – He said the DCNR grant requires that all items be competitively purchased. The playground will be purchased through a COSTARS vendor, but the other items, such as stone, lighting, etc. will need to be bid out. Mr. Garson made a motion to authorize the Township Engineer to prepare bid documents and put them out for advertisement. Ms. McKenzie seconded the motion, which passed 6-0.

**Public Safety Committee Report-** Kait McKenzie

Quiet Zone Designation – She said a resident reached out to see if the Wallingford Train Station crossing at Brookhaven/Turner Road could be designated as a quiet zone. She said the Township obtained information from SEPTA, and it is up to the municipality to designate a quiet zone, which would need approval from the Federal Railroad Administration. The Township would be responsible for the cost of the infrastructure. Mr. Garson said this was the first time he had been approached about the creation of a quiet zone. He said the Township would begin investigating it. Mr. Molloy said he was concerned about the safety impact of eliminating the horn, since his brother had been struck by a train years ago.

**Finance and Administration Committee** -Kait McKenzie

Bills List – Ms. McKenzie covered a number of items on the bills list. She then made a motion to approve the bills list in the amount of:

AP Interims – \$90,686.14

A/P Procurement Card - \$ 56,178.84

A/P Bills List - \$92,751.67

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

Police – Officer-in-Charge Provision Extension – She said in the last collective bargaining agreement, the Board and police union agreed to institute a practice of paying a patrolman who is acting in charge a higher rate to compensate for the increased workload and liability. The agreement called for both sides to revisit this officer-in-charge provision after one year. There have not been any major issues, and the cost has only been a couple of thousand dollars. Ms. McKenzie made a motion to extend the Officer-in-Charge Provision for the length of the current FOP contract. Mr. Garson seconded the motion, which passed 6-0.

Change of Actuarial Assumption for Pension Plans – Increase Inflation – She said the Mockenhaupt Benefits Group, the Township's pension actuary, has recommended that the Township increase its inflation assumptions for the pension plans. The current inflation projection is 2.5%, and they are recommending an increase to 2.75%. While US inflation rates are much higher at the moment, the long-term inflation projection is closer to 2.64%. The actuary said their firm surveyed 14 investment managers, and their average inflation projection was 2.64%. This change will increase the pension liability by less than 1%. Mr. Molloy asked if it made sense to be even more conservative than 2.75%, and make the interest rate 3%, since the impact is minimal. Ms. McKenzie said she thought the responsible step would be to follow the actuary's recommendation. Ms. McKenzie made a motion to increase the inflation assumption to 2.75%. Mr. Garson seconded the motion, which passed 5-0-1, with Mr. Molloy abstaining.

Approval to trade-in 2018 Dodge RAM 1500 Car 5 for \$16,000 – She said the new car will be delivered in several weeks to replace this vehicle that is being traded-in. Ms. McKenzie made a motion to approve the trade-in of the 2018 Dodge RAM 1500 Car 5. Mr. Garson seconded the motion, which passed 6-0.

Audit Engagement for Single Audit of Federal Funding – She said the Federal government requires entities that receive more than \$750,000 obtain a “single audit”, which is a term for an audit of federal funds. The E. Possum Hollow sidewalk project, the CDBG funding, and the ARPA funds total to just over \$1M. Therefore, the Township obtained a proposal from Bee Bergvall, the financial auditors for the single audit, which would add an estimated \$5,000-\$8,000 to the cost of the audit, and this was included in the 2023 budget. Ms. McKenzie made a motion to approve the additional cost for the single audit not to exceed \$8,000.00. Mr. Garson seconded the motion, which passed 6-0.

**Community, Health, and Environment Report** - Shaina Barnes

CRC Streams Cleanup March 25th – She said the Chester Ridley Crum Watershed is hosting many stream cleanup events on March 25th, including one at Leiper Park and one at Smedley Park. The event starts at 9 AM.

Summer Camp Registration Opening – She said the summer camp registration is opening April 3rd. Counselors and volunteers are needed. Applications are available on the website.

Tree City Announcement – she said the Township was recently awarded “Tree City” Status. More information will be forthcoming.

**Infrastructure and Public Works Committee** -Robert O’Connor

Highway Report- He said the Public works Department performed their normal monthly jobs. Other work performed: sewer marking and sewer lines, maintenance on the Field of Dreams, benches at Smedley Park, sinkholes, painted over graffiti on the Leiper-Smedley Trail, mulch delivery, and two emergency sewer calls.

**Building and Zoning Committee Report** -Marty Molloy

Ground Solar Panel Array – Mr. Molloy said the ordinance has been drafted and will be shared with the County Planning Commission.

Zoning Variance Approval Extension Period – He said the ordinance has been drafted and will be shared with the County Planning Commission.

424 Wallingford Ave Rezoning – the Township Planning Commission and the County Planning Commission have both reviewed the proposed zoning change, and both commissions have recommended the approval. Mr. Molloy moved to advertise the public hearing and the ordinance for the second meeting in April. Mr. O’Connor seconded the motion, which passed 6-0.

**TOWNSHIP MANAGER REPORT** – David Grady

Mr. Grady said the Delco Sustainability Open house has multiple events and the flyer is on the website and Facebook page. He said two grants awarded to the Township. The first grant award is for civic access upgrades to the Township Building on Sykes Lane. The project’s main focus is improvements to the Township Building that will make it more inviting to those with disabilities. This will include the installation of an elevator and a tower to house the elevator, which would go from the main lobby up to the public meeting room on the second floor. The walls, windows, and roof over the entrance will also be rehabilitated as part of this \$489,000 project, which is 100% funded by the State. The second grant award, in the amount of \$250,000, is for the continuation of sidewalk improvements along Providence Road. The Township has received a total of \$1,500,000 for sidewalks along Providence Road through the Multimodal Transportation Fund. Funding has been secured for sidewalk improvements along Providence Road from E. Rose Valley Road to Copples Lane. Ms. McKenzie thanked Representative Krueger and Senator Kane for their assistance in obtaining the grants. He said there is a Bird Town Events on April 15<sup>th</sup> at 1:30 PM at the Township Building, and the presentation is about “Making Your Back Yard Bird Friendly.” He said there is a Shade Tree planting event on April 22<sup>nd</sup> at 10 AM at Leiper Park.

Mr. Garson said the next meeting is on April 23rd, 2023. The meeting was adjourned around 8:20 PM.