

BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – May 11, 2023

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, May 11, 2023. Legislative Meeting.

ROLL CALL

PRESENT:

Commissioner Henry
Commissioner Garson
Commissioner Barnes
Commissioner O'Connor
Commissioner Cooper

EXCUSED:

Commissioner Molloy
Commissioner McKenzie

ALSO PRESENT:

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

Five members of the public were in the audience.

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

PUBLIC COMMENT: There was no public comment.

Public Works Garage – Bob Linn, the Township's contracted architect for the project said he was asked to look at the existing Public Works garage. It consists of two buildings, and the one section of the main structure was in need of replacement after 20-30 years and the poor construction materials that were used at the time. He said the conclusion was to keep half of one building in working order while the new building is being built. Then the second building will be built. Mr. Linn said he discovered, during the course of the design, that the utilities that go to the building are failing, which include gas, electricity, water, and sewer. He said the cost for the utility work alone was close to \$300,000. He said they will have to relocate the utilities to the new building. He recommends replacing the building instead of patching and fixing it. He explained that multiple bidders provided prices for general contracting, plumbing, and HVAC. There was one bidder for electrical. Mr. Linn said he has worked with Paoella, the low bidder on the general contractor portion, on past projects, and they have had a very positive experience.

Timothy Sullivan and Todd McKenney - Oak Valley Drive Development.

Mr. Sullivan provided a brief history of the site, including the approved subdivision from 2006. Since that time, the Township has updated its code which would impact this subdivision. Those include a requirement for sidewalks or a contribution in lieu of installation; the expansion of the required riparian buffer; and a tree replacement schedule. Mr. Sullivan has asked for a waiver from those three requirements. Mr. Garson asked if the developer would be willing to consider a fee-in-lieu of sidewalk installation. Mr. Sullivan said his client would be creating a connection to the Township's capped sewer line on Winding Lane, which would give the residents on Winding Lane access to public sewer. This was a condition of the original subdivision approval and would cost the developer over \$100,000. He noted that being required to pay for the sidewalk and the trees would cut into the developer's margin. Ms. Henry said she felt they should contribute funding, and the developer would be able to pass through those costs. The Board and Mr. Sullivan agreed to have a meeting with the 4th Ward Commissioner, who was unavailable for the Board meeting, and the Shade Tree Committee. He said a motion will be made at the next meeting.

Approval of Minutes- Mr. Garson made a motion to approve the April 27th minutes. Mr. Cooper seconded the motion, which passed 5-0.

Appointments to Boards and Commissions: Mr. Garson noted there is an opening on the Zoning Hearing Board.

SOLICITORS REPORT – None

ENGINEER REPORT- Mr. Catania said the road repaving started. The contractor is a little ahead of the timeline.

Government Relations – Max Cooper

PECO Updates – Mr. Cooper said the Township has not received any further updates regarding the PECO project. The Township has been talking with PECO about the possibility of a virtual public meeting.

CDBG Urban County Participation – He has said that Delaware County has started the federal Urban County Qualification process for participation in the Community Development Block Grant (CDBG) Program for Fiscal Years 2024-2026. This process is required by the U.S. Department of Housing and Urban Development. Delaware County has the authority to carry out essential community development and housing assistance activities for all municipalities within the County. All presently participating municipalities are automatically included in the Urban County unless and until specific action is taken by a municipality to exclude itself from participation with the County at the time of requalification. There does not appear to be any benefit in having the Township exclude itself from the program and doing so would also hurt the remainder of the County. No action is needed as the Board wishes to remain a part of the program. He said Delaware County recommends that the Township remain a part of the program.

County Health Department – On-Site Sewage Inspection – He said the Delaware County Health Department has issued a notification that it will be assuming the responsibility of inspecting on-site sewage systems. Currently, the Township has a Sewage Enforcement Officer, a contractor who was appointed several years ago. Going forward, the Township will not need to appoint a Sewage Enforcement Officer.

Parks & Open Space Committee- Beth Henry

Creekside Courts – Ms. Henry said she, Ms. McKenzie, and Mr. Garson met with representatives from the Creekside Swim Club and the Delco Dills to discuss an arrangement where the Township would obtain an easement from the Creekside Swim Club in order to fix up the tennis courts and turn them into public pickleball courts. The Township Engineer is in the process of evaluating the courts to determine what the cost of rehabilitating the courts would be. Mr. Garson said he is supportive of finding a public location for the Delco Dills and pickleball players to use.

DCED Greenways, Trails, and Recreation Grant Program Open – Ms. Henry said the Township has been having discussions with Nether Swarthmore (NPAA) Baseball regarding an application to the DCED Greenways, Trails, and Recreation Grant program for the installation of dugouts at the other field at Hepford Park one field will be getting dugouts through a separate grant and at Bullens Lane Park. There is a 15% match for the grant, which is due May 31st. The Township could also submit a separate application for a different project if the Board so desired.

Public Safety Committee Report- Matthew Garson

Wallingford-Swarthmore SD - MOU with police – Mr. Garson said this is a continuation of the item from last week. A memorandum of understanding is required between the police and WSSD and it outlines the NPPD involvement on WSSD property. WSSD is not ready yet.

ARLE Application – Preapplication Scoping and Possible Warrant Analysis – He said Al Federico is beginning the process of a warrant analysis at the intersection of Turner Road and Baltimore Pike to set the Township up to apply for the ARLE grant program. The scoping document was submitted at the end of April.

Avondale Guiderail Work – Mr. Garson said the guiderail along Avondale Road near Niblick Lane was badly damaged just recently, and emergency work will be needed to replace it. Traffic Planning and Design, Inc. (TPD) completed a study last year to determine where guide rails are needed. The Township has asked them to finalize a design so that a new guide rail can be installed. Due to the urgency, the Township will search for a COSTARS vendor, but if one cannot be located, the Township will engage a vendor. Because of the emergency need, the Township will not have time to follow the normal bidding process.

Mr. Garson said he was disappointed to see cases of vandalism in Furness Park and others, and he said it is frustrating since the Township has been putting funding and finding grant funds to improve the parks. He said, to the extent people are identified vandalizing the parks, there will be an uncompromising approach to how they are dealt with,

whether that be community service or if it is a minor, their parents are notified. He said the Township will be undeterred with moving forward with parks improvements.

Finance and Administration Committee -Kait McKenzie

Mr. Garson said there is nothing to report on this section.

Community, Health, and Environment Report – Shaina Barnes

Summer Camp Registration Open – She said there is still time to register for summer camp, but the spots are filling up. The cost is \$295 for five weeks, Monday – Thursday, 8:30 AM to noon, June 26th through July 27th. Counselors and volunteers are still needed.

Infrastructure and Public Works Committee -Robert O'Connor

Parkridge Drive Sewer Repair – He said there are no new updates at the moment. The Township is still waiting to receive three quotes before proceeding with the work.

Watershed Restoration Protection Grant Program Open – Mr. O'Connor said the Township has applied for and received this grant in the past. A new round is open, and it has a 15% match and a May 31st deadline. Mr. Grady recommends applying for an MS4, pollutant reduction plan project, such as a streambank restoration project in Furness Park or a continuation of Houston Park. Mr. O'Connor made a motion to apply for the Watershed Restoration Program for Houston Park. Mr. Cooper seconded the motion, which passed 5-0.

Public Works Garage Bids Received – Mr. O'Connor noted this was discussed earlier in the meeting, and he said bids were received for the Public Works garage. Unfortunately, those bids were much higher than the initial estimate. The Township had allotted \$500,000 from the American Rescue Plan Act funds for this project. Additional funding will be needed. Mr. Grady obtained pro formas for several different loan options through the Delaware Valley Regional Financing Authority. Mr. Grady said the interest rates through DelVal are in the range of 3.56% - 3.9%. He said a 20-year, \$1M loan would have about \$70,000 in debt service. Mr. Garson said other options would be to use fund balance or to take from the ARPA stormwater projects, but he was not in favor of those ideas. Mr. Cooper agreed and said he did not see the same sense of urgency as there was last year in terms of rising interest rates. He also noted that the Township is about to undertake the elevator project at the Township Building where costs could come in higher than the grant amount, in which case the Board may want to take this that project into consideration when looking at loans.

Building and Zoning Committee Report – Matthew Garson

Ground Solar Panel Array – He said there is no additional information at this time. The Delaware County Planning Commission is still reviewing the draft ordinance.

Draft Ordinance for Special Exception/Variance Expiration Date – Mr. Garson said the Delaware County Planning Commission has reviewed the ordinance and agreed with the amendment. The DCPD had one suggestion which was to begin the 18-month period upon final approval of a land development process, which would only apply if Land Development were needed for a project. If the Board agrees, the ordinance can be amended and then advertised for a public hearing and adoption at a future meeting. The earliest would be the June 15th meeting.

424 Wallingford Ave Rezoning – He said there will be a hearing on May 25th for consideration towards changing the zoning for 424 Wallingford Avenue and 702 Forrest Ave from commercial to residential, which was at the request of the resident for purposes of a future subdivision of the property.

Oak Valley Subdivision –Mr. Garson noted this was discussed at the start of the meeting.

TOWNSHIP MANAGER REPORT – David Grady

Mr. Grady said the summer meeting schedule is June 15th, July 10th, and August 13th. Keep your eyes open for June CAT Club clean-ups. The Delco Medicare Program is having a Zoom meeting Monday, May 15th. The link is on the township website. Delaware County has formed a land bank, and they are searching for public comment. For more information, visit <https://www.delcopa.org/delcolandbank>. Leiper House is getting help from Williamson volunteers to do repairs around the house and property. Campaign sign recycling will be available at the Public Works garage on May 17th and 18th.

Mr. Garson said the next meeting is on May 25th, 2023. The meeting was adjourned around 8:50 PM.