

## BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – June 15, 2023

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, June 15, 2023. Legislative Meeting.

### ROLL CALL

#### PRESENT:

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

#### ALSO PRESENT:

Dave Grady	Township Manager
Robert Scott	Township Solicitor
Charles Catania	Township Engineer

No members of the public were in the audience.

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

**Approval of Minutes** – Ms. McKenzie made a motion to approve May 25 Minutes. Mr. Garson Seconded the motion, which passed 7-0.

**Appointments to Boards and Commissions:** Mr. Garson noted there is an opening on the Zoning Hearing Board. Ms. McKenzie made a motion to approve Steven Spalding to the Historical Commission. Mr. Garson seconded the motion which passed 7-0.

**CDCA Update- Cory Salmon-** Mr. Salmon, as the Township's representative on the CDCA board, provided an update. He noted that CDCA would be implementing a new policy for late payments. He also said the Township, CDCA, and Media Borough should discuss a development in Media Borough that would like to connect to the Township's sewer system.

**SOLICITORS REPORT** – None

**ENGINEER REPORT-** None

**Government Relations** – Max Cooper

**PECO Updates** – Mr. Cooper said no major updates other than PECO has confirmed they are willing to host a virtual meeting. They are still coordinating internally to come up with a date for that meeting. It should be noted that PECO had recently marked out some locations in the Moylan area, but this was related to gas line work and had nothing to do with the "reliability" project that involves the tree removals.

**CDBG Bids Received** – Consideration of Award; Request for Additional County Funding – Mr. Cooper said the Township received two bids: the low bidder was Moore Brothers Enterprises, Inc. in the amount of \$142,721.80. This was the second time the Township placed the project out for bid as the Township did not receive any bids the first time. The project includes resurfacing work on Atlanta Court, Austin Court, Boston Court, Denver Court, Raleigh Court, and Salem Court. The Township was awarded \$100,000 for the project, so additional funding would be needed. The Township has requested additional funding from the County. Mr. Cooper made a motion to award the contract to

Moore Brothers Enterprises in the amount of \$142,721.80, subject to the availability of funding, and if rescoping is needed, the Board authorizes Ms. Barnes, Mr. Catania, and Mr. Grady to determine the roads that fit within the available funding. Mr. Garson seconded the motion, which passed 7-0.

**Parks & Open Space Committee-** Beth Henry

Creekside Courts – Solicitor Scott has prepared a draft terms sheet that has been shared with Creekside Swim Club for their review. As a reminder, the Township and the Delco Dills have been in talks with Creekside Swim Club about having the Township rehabilitate the two tennis courts so that they can be used as pickleball courts. The Township would use an easement to make the court space open to the public. The Township would provide 50% of the funds to fix up the courts, and the Delco Dills have said they would be willing to fundraise for the other 50%.

**Public Safety Committee Report-** Matthew Garson

ARLE Application – Resolution to Apply for Grant – this resolution will be available for reading at the meeting. The Township submitted a scoping document to PennDOT, who provided a response that was more favorable than in past years. They said that the benefits of the signal would exceed the grant funding. This does not necessarily mean that the Township will receive the funding, but it does seem more optimistic than in the past. Mr. Garson made a motion to pass Resolution 2023-7 to apply for the PennDOT ARLE Program for a traffic signal at Baltimore Pike and Turner Road. Ms. McKenzie seconded the motion, which passed 7-0.

Avondale Guiderail Work – Mr. Garson said that at the last meeting, the Township accepted a proposal from Collinson Inc. for the installation of the new guiderail on Avondale Road. TPD Engineering reviewed the proposal and required modifications. A new proposal was provided in the amount of \$21,400. Mr. Grady noted that a portion of the cost would be recovered from the insurance company of the driver who damaged the guiderail. Mr. Garson made a motion to accept the quote from Collinson Inc. in the amount of \$21,400. Mr. Cooper seconded the motion, which passed 7-0.

Streetlight on Copples – The Township received a request to install a streetlight on Copples near the intersection of Avondale after the property owner had one or two vandalism incidents. The Township obtained a quote for the light for around \$800. In the past, the Township has followed the policy of seeking the approval of 75% of the affected neighbors prior to the installation of a streetlight. The Board agreed to ask the administration to begin seeking feedback.

Rose Valley Road – Speed Limit Reduction Request Rejected – The Township submitted a request to reduce the speed limit on East and West Rose Valley Road, but PennDOT rejected the request. They did speed studies, crash data analysis, and site line review, and based on those engineering parameters, a reduction in the speed limit is not justified. PennDOT suggested the usage of the mobile speed display signs. Mr. Molloy asked if PennDOT could make the study information available to compare to the data that the Township Police obtained through its speed study.

Beatty Road Crosswalk discussion – The Township Engineer has been performing analysis in the area of Beatty Road/Woodridge Road/and Winding Lane to determine if a crosswalk could be installed. There were some sightline concerns that may be addressed through the clearing of overgrowth from a couple of properties in the area. Ms. McKenzie noted that many pedestrians come through the area, so she would like to explore it further.

**Finance and Administration Committee** -Kait McKenzie

Bills List –

A/P Procurement Card - TOTAL –\$ 52,774.97

AP Interims List – TOTAL - \$43,693.08

A/P Bills List TOTAL – \$272,154.18

Ms. McKenzie made a motion to approve the bills list in the amounts shown above. Mr. Garson seconded the motion, which carried 7-0.

GO2 Technology – Proposal to Amend Agreement – Mr. Grady said that the Township’s cyber insurance provider was requiring that endpoint management be put in place. Doing so requires an upgrade to the Nexus platform through GO2 Technologies, the Township’s IT provider. This platform would provide a number of important security upgrades and allows for unlimited IT support. Mr. Molloy explained the importance of endpoint management. He also said that if the Township has found GO2 to be knowledgeable and responsive, then it should move forward with the proposal. Mr. Grady said the annual cost is expected to be around \$60,000. Ms. McKenzie made a motion to accept the Nexus proposal, subject to Solicitor Scott’s review, and Mr. Molloy seconded the motion. It passed 7-0.

Financial Update – Mr. Grady provided a financial update. He said the current cash balance in the General Fund is \$5,285,268. Real estate taxes are at 96% collected. The Real estate transfer tax is lagging at \$107,000, due to high

mortgage rates. Interest earnings are at \$72,181, well over the \$2,500 budgeted. At this point last year, interest earnings were just over \$700, and they were at \$300 the year before. Building permits are at 84% of budget. Tech costs are over budget. Police overtime is at about 90% of the budgeted amount. There is still one more police vehicle to purchase. Tree Maintenance costs are at \$29,400 of the budgeted \$18,000. In total, there were no major concerns with the budget-to-actual figures.

Acquisition of Right-of-Way Providence Road – Easement Offerings – Mr. Scott explained that there is a strip of land between the PennDOT right-of-way and where the abutting property owners' property lines stop, so Stantec has been working on behalf of the Township to acquire the necessary right-of-way to install the sidewalk. He also noted there are "ghost parcels" of land along the proposed sidewalk where their owners are not known. He said there are other property owners that have not responded. Those may need to be condemned, and the appraised fair market value will be paid. He said the process can take several months, but any challenges are usually about funding disagreements with the adjoining parcel owners and not about the ability to construct the sidewalk. This section is between Copples Lane and East Rose Valley Road along Providence Road.

### **Community, Health, and Environment Report** – Shaina Barnes

Summer Camp Registration Closing Soon – Ms. Barnes said camp begins June 26<sup>th</sup>, and 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 26<sup>th</sup> through July 27<sup>th</sup>.

Movie Nights – Ms. Barnes said the Township has July 15<sup>th</sup> at Hepford and August 12 at Sapovits – the Township is again hosting movie nights. There is no cost to attend. Ice cream/water ice vendor will be at the events. Movie choices to be announced soon.

Growing Greener Grant Resolution – Beatty Run in Houston Park – The DEP has a Growing Green Plus grant program with a deadline of June 21<sup>st</sup>. In discussions with the Township Engineer, Ms. Barnes said she thought it would make sense to apply for Phase II of Houston Park's streambank restoration. There is a 15% match. Recently, the Township applied for funding for Houston Park streambank restoration through the DCED Watershed Restoration Protection Program. If both applications are funded, they may be able to "match" each other, or one of them could become Phase III. This would also give the Township a better chance of having one of the applications get funded. Ms. Barnes made a motion to apply for the Growing Greener Plus grant program for the Beatty Run streambank restoration. Mr. O'Connor seconded the motion, which passed 7-0.

### **Infrastructure and Public Works Committee** -Robert O'Connor

Parkridge Drive Sewer Repair – Mr. O'Connor said proposals for this work are due on June 29<sup>th</sup>. The Board can review and decide at the July meeting.

Township Building Elevator Project – Motion to Advertise for Bidding – at the last meeting, the Board discussed the grant-funded elevator project. The Board asked the Township Engineer to review the plans and provide comments, which have been shared with Linn Architects. One of the main comments was the consideration of future site work that could improve the ADA accessibility. He said Mr. Grady also suggested adding options for the window and roofing replacement. Mr. O'Connor made a motion to advertise the bids for the Township's civic access/elevator project. Ms. McKenzie seconded the motion, which passed 7-0.

Sewer Lateral Ordinance Amendment – in discussions with plumbers and those in the industry, the Township staff/engineer would like to ask the Board to consider removing the option for dye testing as part of the sewer lateral inspection process when selling a home. The smoke test, in conjunction with the dye test, is more effective. If the Board agrees, a motion can be made, and the ordinance amendment can take place at the next meeting. Mr. O'Connor made a motion to remove the dye test option in the sewer lateral inspection ordinance, and Mr. Molloy seconded it. The motion carried 7-0.

Multimodal – E. Rose Valley Project Change Order Approval – there were two change orders related to the E. Rose Valley walkway project: one was for the installation of emergency preemption on the traffic signal of \$11,361.90, and a second one for the driveway apron adjustment on a property where the ADA ramps had caused flooding, and this change order was for \$7,906.02. Mr. O'Connor made a motion to approve the change orders, and Mr. Garson seconded. The motion passed 7-0.

### **Building and Zoning Committee Report** – Marty Molloy

Ground Solar Panel Array – the draft ordinance is currently being reviewed by the Delaware County Planning Commission. Upon their review, the Township can advertise a public hearing and ordinance.

Public Hearing and Ordinance Consideration for Special Exception/Variance Expiration Date – Mr. Molloy made a call for public comment. This ordinance would amend the zoning code to say: "A special exception or variance shall expire in the event that the applicant shall fail to obtain a building permit within eighteen months from the date of

authorization thereof by the Board's decision." The ordinance has been advertised, and it is ready for adoption. Mr. Molloy moved to adopt ordinance 850, amending the special exception and variance timing to eighteen months. Mr. O'Connor seconded the motion, which passed 7-0.

Oak Valley Subdivision – Waiver Condition Adjustment – Mr. Molloy said the Township provided several waivers for the Oak Valley subdivision, and one of the waivers was the agreement to plant 50 trees at Gouley Park. He said two property owners behind Houston Park had concerns about screening and baseballs by the baseball field. Mr. Cooper noted that he and Mr. Grady met with the neighbors and discussed taking five or six of the trees from Gouley to be planted at Houston Park. Mr. Garson said he believes the Township, and not the developer, should plant the trees at Houston Park. The Board was in agreement.

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

Mr. Grady said the Summer Meeting Schedule would be July 13<sup>th</sup> and August 10<sup>th</sup>; He said the CAT Club is looking to schedule a cleanup event in August. Delaware County is holding a public meeting on June 26<sup>th</sup> to discuss the new park at the Don Guanella tract. He said the Foundry Church is hosting a summer movie series, and the next movie is on June 17<sup>th</sup>. He said Ron Anderson of the Nether Providence Athletic Association is retiring after 30 years of service to the organization. He noted the LIHWAP program is reopening on July 10<sup>th</sup>. He said there will be a Bulk Trash Day on July 22<sup>nd</sup> at Hepford Park and at the South Media Fire Company – no hazardous waste or electronics are permitted. He said he would like to offer several staff thank you-s: Anne Marie Cooke for her work in coordinating the Williamson Trade School students who volunteered at the Leiper House; John Ellis of the Public Works Department for his efforts in coordinating the Forrest Avenue drainage project; and Officer Michael Worrell for his handling of a snake that had gotten into the homes of two retired people.

Ms. McKenzie said the next meeting is on July 13, 2023. The meeting was adjourned around 8:50 PM.