

BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – August 10, 2023

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, August 10, 2023—Legislative Meeting.

ROLL CALL

PRESENT:

Commissioner McKenzie
Commissioner O'Connor
Commissioner Cooper
Commissioner Molloy

ALSO PRESENT:

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

EXCUSED:

Commissioner Barnes
Commissioner Henry
Commissioner Garson

Three members of the public were in attendance.

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

Award- Officer Worrell presented Chief Splain the “Patriot Award” on behalf of the Department of Defense, ESGR, and the Pennsylvania Army National Guard. Officer Worrell said he nominated Chief Splain because of his continuing support of Worrell's military career while on the Nether Providence Township police force.

Resolution Memorializing Darryl Dixon, Sr.; Renaming of Basketball Courts- A Proclamation was read to declare July 22 2023 to be the Darryl Dixon Sr. Day of Remembrance. Also, the Sapovits Basketball courts will be renamed in honor of Darryl Dixon Sr.

PUBLIC COMMENT: None

Approval of Minutes – July 13, 2023- Ms. McKenzie made a motion to approve the July 13th minutes. Mr. O'Connor seconded the motion, which passed 2-0 with Mr. Cooper and Mr. Molloy abstaining.

Appointments to Boards and Commissions: Ms. McKenzie made a motion to approve Resolution 2023-10 appointing Leo Carey to the position of Zoning Hearing Board Member. Mr. Molloy seconded the motion, which passed 4-0.

SOLICITORS REPORT – None

ENGINEER REPORT- None

Government Relations – Max Cooper

Approval of Demolition Funding Award – 703 Atlanta Court – Mr. Cooper said the Delaware County’s Office of Housing and Community Development has provided grant funding in the amount of \$85,000 to be used for the demolition of 703 Atlanta Court. Mr. Cooper made a motion to accept the grant agreement. Ms. McKenzie seconded the motion, which passed 4-0. Mr. Cooper made a motion to advertise the project for bidding. The Board discussed how they have been talking with county officials about how to help residents before the property gets to the point of

having to be demolished. Mr. Molloy seconded, which passed 4-0. Mr. Cooper said one of the items that has come up throughout the comprehensive planning process has been the concept of housing affordability in the Township, and in particular, South Media and Garden City Manor. He said the Township has had discussions with the Media Fellowship House, the Media NAACP, members of Delaware County's Planning Department and Office of Housing and Community Development, and Councilwoman Reuther. Media Borough is undergoing a study, which Mr. Grady has discussed with Media's Borough Manager. Their manager has provided information that is in the packet about firms that could do an affordable housing study if there is interest.

Delco Greenways Grant Program Open – He said this program is funded through Delaware County. There is no match, and applications are due September 29th. Project types include Conserve, which can provide up to \$500,000 in funding; Enhance Projects, which can contribute \$250,000 for capital improvements to park and/or recreational facilities; Connect Projects for multi-use trails included in the Primary Trail Network shown in section 2; or Planning and Design grants, which can contribute up to \$100,000. The board discussed further extending the Houston Park trail or adding a softball field at Sapovits Park.

Local Share Account (LSA) Grant Program Opening September 1st. Mr. Cooper said the grant could be used for solarizing the Township building and the highway garage.

Parks & Open Space Committee- Kaitlin McKenzie

Sapovits Stormwater Project – Ms. McKenzie said the Sapovits Stormwater project is going through the NPDES permitting process, with the goal of construction starting in the fall. One question that has come up is regarding the bioswale at the base of the hill. The current design will have it opened up, which is more environmentally friendly, but the Township Engineer has now expressed concerns about the depth becoming a hazard. He suggested opening only a small section of the stream and keeping an underground culvert in place to avoid creating a hazardous situation for people in the park.

Renaming of Basketball Courts at Sapovits – As noted in the resolution above, the Board renamed the basketball courts at Sapovits Park after the late Darryl Dixon, Sr. It should be noted that the park itself is not being renamed – just the courts.

Houston Park – NPAA Lighting Agreement – She said the Township and Nether Providence Athletic Association's Nether-Swarthmore Baseball Program had a lighting agreement in place, but there have been discussions about revisiting the agreement and formally extending it for the benefit of the neighbors behind the park. While the lighting itself hasn't been an issue, there have been concerns raised about the home run derby and the use of the speakers. The neighbors had requested a formal meeting with NPAA and the neighbors.

Public Safety Committee Report- Kaitlin McKenzie

Stop Sign Request – Ronaldson/Washington – She said a stop sign was requested for the intersection of Ronaldson/Washington. The Township Engineer performed an analysis and determined that a four-way stop is warranted. Ms. McKenzie made a motion to approve Ordinance 852 to create a four-way stop at Ronaldson and Washington Streets. Mr. O'Connor seconded the motion, which passed 4-0.

Copples Streetlight – She said a streetlight was requested on Copples after a series of vandalizations. The cost is about \$800. A survey of the affected neighbors was conducted, and all were in favor. Ms. McKenzie made a motion to approve a streetlight at Copples and Avondale. Mr. Molloy seconded the motion, which passed 4-0.

Possum Hollow/Providence Rd Study – She said it was noted that traffic can back up on Providence Road at the intersection of Possum Hollow and Providence Road, which is made worse by traffic turning left onto Possum Hollow. Per the Pennsylvania Vehicle Code, an engineering study is required to restrict a turning movement.

Additionally, PennDOT approval is required to modify the traffic signal permit. Traffic Engineer Albert Federico has offered a proposal for two items: Task 1 – initial turn restriction assessment (\$2,100); Task 2 – Supplemental Assessment to evaluate potential impacts to other roads if a left turn on Possum Hollow is restricted (\$3,800). Ms. McKenzie made a motion to approve Albert Federico to do an initial traffic study on Possum Hollow and Providence for \$2,100. Mr. Molloy seconded the motion, which passed 4-0.

Beatty Road/Baltimore Pike Study – Ms. McKenzie said there was a request to modify the traffic signal at Baltimore Pike and Beatty Road for eastbound traffic waiting to turn left onto northbound Beatty Road. The adjustment would entail having a variable approach (protected left turn with red/green arrow during peak hours, flashing yellow during non-peak). Research into crash data from 2007-2011, the time period prior to the current traffic signal phasing that was installed under the SR 2016 CL1 Traffic Signal Improvement Project, indicated 4 crashes within 5 years involving eastbound left turn movements. These crashes occurred prior to 2012 when the traffic signal provided only permissive (no green left turn arrows) left turns for both directions of Baltimore Pike. The estimated cost to make the change is just over \$16,000. The board decided to not move forward with adding a left arrow light.

Waterville/Brookhaven Rd Crosswalk Request – She said a crosswalk was requested for the intersection of Waterville Road and Brookhaven Road; however, in researching it, the existing PennDOT signal plan already shows crosswalks across both roads (northern side on W. Brookhaven Road). As such, the Township will paint the cross walks.

Finance and Administration Committee -Kait McKenzie

Bills List – Ms. McKenzie made a motion to approve the bills list in the amount of:

AP Interims List – TOTAL - \$91,010.90

A/P Procurement Card - TOTAL –\$56,704.20

A/P Bills List TOTAL – \$671,147.06

Mr. Cooper seconded the motion, which passed 4-0.

2022 Audit Completed – Mr. Grady said Bee Bergvall completed the 2022 audit. There were no concerns. The ending fund balance was \$1,722,161 (which is just about 20% of expenditures). The statement of revenues, expenditures, and changes in fund balance shows a loss of \$695,017, but this was due to the repayment of the principal balance of the outstanding \$1M loan in the amount of \$955,000. If the Township had not repaid the loan, the surplus would have been about \$200,000. As noted in prior financial updates, much of the reason for the surplus was the real estate transfer tax during the hot real estate markets of 2021/2022.

Acquisition of Right-of-Way Providence Road – Easement Offerings – Solicitor Scott prepared an ordinance expressing an intent to take private property by condemnation for three (3) permanent easements and one (1) temporary construction easement at a location located along the east side of South Providence Road between Copples Lane and Rose Valley Road for the construction of sidewalks as authorized under the First-Class Township Code. The ordinance was been advertised as required. Ms. McKenzie made a motion to approve Ordinance 851, an ordinance of the Township of Nether Providence expressing an intent to take private property by condemnation for three (3) permanent easements and one (1) temporary construction easement at locations located along the east side of south Providence Road between Copples Lane and Rose Valley Road for the construction of sidewalks as authorized under the first-class township code, 53 p.s. § 57301 et seq. and the eminent domain code, 26 pa. c.s. § 101, et seq. Mr. Molloy seconded the motion, which passed 4-0.

Community, Health, and Environment Report – Kaitlin McKenzie

Movie Night August 12 at Sapovits – She said there is a free movie night at Sapovits Park in the lower fields, this Saturday, at 8 PM. Disney's *Moana* will be shown. Ice cream/water ice will be available for purchase at the event.

Recycling Disposition – Ms. McKenzie said bids for recycling processing will be due on Tuesday, September 11, 2023, at which time they will be publicly opened and read for the provision of processing and disposition of recyclables. This does not include the curbside collection.

Curbside Recycling Collection Contract Extension Consideration – The Township accepted the bid and contract for one year, 2023, with B&L Disposal with optional one-year extensions. B&L is agreeable to extending the contract for 2024. The price would be \$78.34 per property, which would be a 10% increase. In general, we have been satisfied with B&L's service in 2023. Mr. Molloy said the waste and recycling committee has sent out surveys and feedback has been gathered. Nothing will be changed for at least the next year. Ms. McKenzie made a motion to extend B&L's service through the end of 2024 at a price of \$78.34 per property. Mr. Molloy seconded the motion, which passed 4-0.

Plastic Bag Ban Consideration – She said the Environmental Advisory Committee has requested that the Board resume considering the Plastic Bag Ban now that Media Borough's ban has been in place since the start of the year. The Media Borough ordinance is included in the packet. She asked Mr. Grady to contact the third-party company Media used to distribute information about the ordinance.

Infrastructure and Public Works Committee -Robert O'Connor

902 Grant Award Acceptance – Leaf Truck and Recycling Cans – Mr. O'Connor said the Township received a grant award from the DEP for the purchase of a self-contained leaf truck (where the driver can operate the suction arm) and for about 200 recycling cans to be used as replacements when cans are damaged. Solicitor Scott has reviewed the agreement and has no issues. Mr. O'Connor made a motion to accept the grant agreement. Ms. McKenzie seconded the motion, which passed 4-0.

Multi-municipal Salt Bid – Motion to Accept Low Bid – He said the Township participated in a multi-municipal salt bid, and the low bidder was Eastern Salt, at \$73.73 a ton. This was the first time the Township participated in the multi-municipal program as the Township had previously used the State's COSTARS program. The COSTARS program had a minimum purchase requirement, which this multi-municipal bidding process does not. The pricing is about the same as what the Township obtained with COSTARS last year. Mr. O'Connor made A motion to accept the bid. Mr. Cooper seconded the motion, which passed 4-0. We'd like to thank George Sharretts, the Public Works Director for Newtown Township, for coordinating the multi-municipal bidding.

W. Possum Hollow Road Culvert – He said John Ellis of our Public Works Department noticed that a storm sewer

culvert under W. Possum Hollow Road was having issues, so he notified the Township Engineer. Charles inspected it, and determined that the culvert needs to be replaced, and he estimates it will cost about \$60,000. He said temporary piping could be used if the Township wants to budget the expense for 2024. The board agreed to budget for 2024. Consideration of skid steer Lease – Mr. O’Connor said the quote came back at \$1,500 per month for 72 months or \$17,700 per year for 6 years. The Township does not currently have a skid steer, but this is something that has been rented several times for projects. The Public Works Department has been asking for a skid steer as it has a variety of uses. For example, a skid steer was recently rented for the installation of trees at Houston Park, and one will be needed for the Martha Burton Park project. Stephenson is a COSTARS vendor. Mr. O’Connor made a motion to accept the lease details for the purchase of a skid steer for \$17,700 per year for 6 years. Mr. Cooper seconded the motion, which passed 4-0.

Sanitary sewer relining on Woodward at Manchester – He said DELCORA was doing smoke testing of their lines earlier this year, and they offered to do a portion of the Township’s lines in the Moylan area. During the inspection, it was discovered that there were defects in the line on Woodward Road near Manchester Avenue. The Township Engineer obtained quotes to reline the sewer. The Township received four quotes ranging from \$22,730 to \$50,629, with SWERP Inc. as the low bidder. Mr. O’Connor made a motion to accept the bid from SWERP at \$22,730. Ms. McKenzie seconded the motion, which passed 4-0.

Building and Zoning Committee Report – Marty Molloy

Ground Solar Panel Array – Mr. Molloy said the ground panel solar array ordinance has been properly advertised. There are a couple of things that the EAC has suggested for consideration. The EAC asked if the solicitor could review the side/front yard of corner lots issue. They also discussed the screening and height requirements. The draft ordinance allows for 8’ panels with no screening requirement, but other Township ordinances limit fences to only 6’, making screening impossible. The committee thought maybe the height limit should be adjusted to 6’ or less so that a fence could screen a ground solar installation if desired. The committee discussed design guidance for solar systems but felt they would quickly be obsolete. The committee discussed the aesthetics requirements for rooftop systems and whether screening was necessary given it’s not required for anything else in residential areas currently. The board decided to wait until the Solicitor was able to make adjustments to the ordinance.

Deck Permitting – Zoning Change – He said Solicitor Scott drafted an ordinance that would amend the definition of a “deck” as being 30” above grade, consistent with the PA Uniform Construction Code. This would increase the height from 15” above grade. The Board agreed the ordinance should be sent to the Planning Commission for their review.

August ZHB Agenda – Mr. Molloy said there are four cases on the agenda, all in residentially zoned areas. Of note is the Pendle Hill application for a special exception to allow for the enlargement of a non-conforming use in order to allow weddings on their campus. The Township has received questions about that application.

TOWNSHIP MANAGER REPORT – David Grady

Mr. Grady said Unity Day at Sapovits Park is August 26th, sponsorships are still needed. The LIHWAP program has reopened for those who need assistance with delinquent water or sewer bills. Route 252 will be closed M-F 9 am- 3 pm from Highland to Wallingford Avenue. Bulk Trash Event August 26 at Hepford Park and South Media Fire Company 10 am- 2 pm. Family Fun Day is October 7th and there is more information coming. Household Hazardous Waste (HHW) event on September 9th at Emergency Training Services. Registration is required, and the link is available on the Township website. The Garden City Golf outing is October 16th, looking for sponsorship, information on their website. Thank you to Jess DelGrosso for getting all the financial reporting for the Forrest Ave project for the grant. Thank you to Jim Boyer and Ryan Smith for putting together a list of capital equipment needs. And thank you to Detective Irey for the arrest of the suspect in the Pine Ridge vandalization of properties.

Ms. McKenzie said the next meeting is on September 14, 2023. The meeting was adjourned around 9:00 PM.