

BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – November 9, 2023

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, November 9, 2023—Legislative Meeting.

ROLL CALL

PRESENT:

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

ALSO PRESENT:

Dave Grady	Township Manager
Frank Daly (for Robert Scott)	Township Solicitor
Charles Catania	Township Engineer

EXCUSED:

Commissioner Henry
Commissioner Molloy

6 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.

PUBLIC COMMENT:

Phyllis Tezla – 700 Block of Atlanta Court - Ms. Tezla expressed concerns about the condition and number of vehicles that are parked on Atlanta Court and belong to a single owner. She feels the condition of the vehicles makes the area unattractive, and it creates parking difficulties for those who live on the block. She said three of her neighbors were here to support her. She has asked the Township and Police Department work to get these vehicles removed. Chief Splain said he would ask Officer Liss to investigate the matter by inspecting the vehicles to see if they are legally registered. Ms. McKenzie noted that if the vehicles are legally parked, it does limit what the Township and police can do. Ms. Tezla also noted that the owner of the property has a dog, and she believes the dog is not being kept in conditions that meet humane standards.

William (last name not provided) - 700 Block of Atlanta Court – He wanted to reiterate Ms. Tezla's concerns about the cars, and in particular, the concern about the dog. He said he has not seen the dog in two weeks, and he's not sure if it is still alive. He said the dog's leg appears to be broken. Chief Splain said the police would investigate this matter as well.

Presentation of Donation from Progressive New Homes, LLC and South Media Neighbors United – Ms. Sarah Peck of Progressive New Homes and Nannette Whitsett of South Media Neighbors United addressed the Board and said that Progressive New Homes would be donating \$25,000 to the Township to assist with the redevelopment of Martha Burton Park. Ms. Whitsett said \$2,000 of the \$25,000 will be earmarked for usage in the South Media area of the Township at the discretion of the neighbors. It was noted that the Media Walk Development is nearly complete. Ms. McKenzie accepted the donation on behalf of the Township and thanked Ms. Peck for her generosity.

Approval of Minutes – October 26, 2023 - Ms. McKenzie made a motion to approve the October 26th meeting minutes. Mr. Garson seconded the motion which passed 5-0.

Infrastructure and Public Works Committee – Kait McKenzie

Enterprise Fleet Management Proposal – Colin McDonell and James Harris of Enterprise Fleet Management were present to discuss their proposal. They work with other municipalities such as Aston, West Chester Borough, Upper Merion, and Chester County. They provided their analysis of the Township's fleet, which showed that the average age of the vehicles is 11 years, and they are proposing a five-year leasing model where the Township is only paying for the portion of the vehicle for the life of the period that it is utilized. He said Enterprise is proposing a model where the

Township would lease vehicles with no restrictions on upfitting, maintenance, etc. with a more frequent turnover than what we currently do. The Township has trucks that are 10-15 years old, and maintenance is becoming an issue. The idea is to re-sell the vehicles while they still have value and before they need a lot of repairs. Enterprise purchases in bulk directly from the manufacturers, so they can provide savings over the dealer markups. There is no long-term commitment to Enterprise. They use a program called Sourcewell, which is similar to COSTARS in that it allows for the competitive purchasing of vehicles and remains in compliance with PA procurement laws. They are estimating that this will save the Township about \$260,000 over the next 10 years. Ms. McKenzie asked if the Township would be required to sell the vehicles at a certain time, and Enterprise said it would be the Township's discretion. She also asked about fees, and they said their fees are based on the capitalized cost of the vehicles, and that is built into the leasing pricing. They said they cannot acquire fire trucks or heavy equipment. They are not limited in the makes of the vehicles, such as Dodge or Ford. Mr. O'Connor asked how this was better than the current approach that the Township uses. Mr. Harris said the Township would not be tying up funds in capital purchases since the Township would only be financing a portion of the vehicle's value. When the vehicle is sold, the sales value/equity goes towards the cost of the next vehicle.

SOLICITORS REPORT – None

ENGINEER REPORT- None

Government Relations – Max Cooper

Mr. O'Connor was excused at this point.

Local Share Account (LSA) Grant Program Resolution – Mr. Cooper said the Township has been in discussions with Exact Solar, a COSTARS vendor, regarding a quote for the installation of solar panels at the Township Building, Public Works Garage, and the two fire companies. He said a resolution is needed to authorize the grant application. Mr. Cooper made a motion to pass resolution 2023-15 authorizing the application for the Local Share Account program for the installation of solar panels at the Township Building, the Public Works Building, and the two fire companies. Ms. McKenzie seconded the motion, which passed 4-0.

CDBG Public Hearing Scheduled for December 14th – the 2024 Community Development Block Grant will be opening. For the past two years, the Township has obtained funding for road resurfacing in the Garden City Manor, the only area that is eligible for CDBG funding. The Township Engineer is preparing a list of the remaining sections of Garden City that need to be repaved. Other options can include improvements to Hepford Park, storm drains, and other streetscape improvements. He said if the Township obtained funding for this third round, then the majority of Garden City Manor would be resurfaced.

Parks & Open Space Committee- Kait McKenzie

Sapovits Park Stormwater Work Bids to be received 11/17/23 – Ms. McKenzie said this project has been placed out for bid and bids are due November 17th. This work would likely start in mid-December.

Public Safety Committee Report by Matt Garson

SHMS Exit – Left Turn Ban – Motion to Advertise – the traffic engineer has prepared a recommendation that a left turn be banned from Strath Haven Middle School during the morning. The Board voted on proceeding, but it was later noted that an ordinance is necessary. Mr. Garson made a motion to authorize advertising the ordinance to ban left turns from Stackhouse Lane of Strath Haven Middle School onto Providence Road from 7 AM to 9 AM. Ms. McKenzie seconded the motion, which passed 4-0.

Crossing Guard Position at Brookhaven Rd and Providence Rd – The intersection of Brookhaven Road and Providence Road is one of the busiest intersections in the Township, and in response to the recent pedestrian incident, the Board has opted to explore adding a crossing guard at that location during the morning commutes to school and the afternoon commutes home. Mr. Garson made a motion to authorize hiring a crossing guard position at the corner of Brookhaven and Providence Roads. Ms. McKenzie seconded the motion, which passed 4-0.

Mr. Garson asked that a traffic engineer could give an estimate for assessing and improving the intersection.

Mr. Garson said there recently was a threat at the Synagogue, and he thanked Chief Splain, the Nether Providence Police, and Upper Darby. He said there is no place for hate in the community. Chief Splain said he is working with the FBI, as this is broader issue, and he said anyone found guilty will be prosecuted to the fullest extent of the law.

Community, Health, and Environment Report – Shaina Barnes

Plastic Bag Ordinance Consideration – this ordinance has been advertised and is ready for consideration. The Township will begin notifying the businesses of the ordinance and work with them as they phase out the plastic bags if the ordinance passes. Ms. Barnes made a motion to adopt the ordinance. Ms. McKenzie seconded the motion. She said the Township would continue the discussions with the affected entities. The motion passed 4-0.

Electronics Recycling and Shredding Event 11/18 at SHHS – Ms. Barnes said this event was taking place at Strath Haven High School at the Brookhaven Road entrance and would last from 9 AM to 1 PM on Saturday, November 18th.

Infrastructure and Public Works Committee – Kait McKenzie

Funding for Public Works Garage – Ms. McKenzie said the Township is beginning the application process for the loan application for a \$600,000. Rates are in the range of 4.5%.

Building and Zoning Committee Report – Kait McKenzie

Delaware County Land Bank Resolution – Ms. McKenzie said the Board agreed to enter into an intergovernmental agreement with the Redevelopment Authority for the Land Bank program, and Solicitor Scott has discovered that a resolution is needed. Ms. McKenzie made a motion to adopt resolution 2023-16 to have Nether Providence Township participate in the Delaware County Land Bank. Mr. Garson seconded, and the motion carried 4-0.

Media Walk Escrow Release #21 – the Township Engineer has reviewed Progressive New Homes’ 21st escrow release request for the Media Walk development, and he recommends its approval in the amount of \$26,076.74. Ms. McKenzie made a motion to release Media Walk Escrow #21 in the amount of \$26,076.74. Mr. Cooper seconded, and the motion carried 4-0.

Solar Panel Ordinance – Ms. McKenzie noted the ordinance has been advertised for adoption on November 16th.

November ZHB Meeting Agenda – there are two cases on the docket: a residential case on Crestview Circle and the continuation of the Pendle Hill request for a special exception for the expansion of a nonconforming use to allow for weddings.

Finance and Administration Committee - Kait McKenzie

Computershare Resolution – Ms. McKenzie said this item is being tabled.

Pension Fund Resolution – Updating Signatories – the Township would like to update its names on the pension fund. While the former Finance Director no longer has access to the accounts, his name still needs to be removed. The Township would also like to add Kait McKenzie, as president, to the account. Ms. McKenzie made a motion to adopt Resolution 2023-17 updating the pension signatories. Mr. Garson seconded, and the motion passed 4-0.

2024 MMO Amendment – Police Fund – Mr. Grady said the Board adopted the minimum municipal obligations (MMO) for both the uniform and non-uniform funds prior to September 29th, as required by the state pension act. Unfortunately, the actuary just completed the January 1, 2023 asset valuation, and, therefore, revised the MMO to increase from about \$501,000 to about \$608,000, a \$107,000 increase. Mockenhaupt Benefits Group says, “The contribution requirement under the revised MMO would be greater than the amount determined by the initial 2024 MMO, which was based on the January 1, 2021 Actuarial Valuation Report. Although you are not required to amend the MMO originally adopted and submitted to the governing body by September 29, we recommend that you adopt this revised MMO since it reflects a contribution level that is more consistent with the plan’s current funding condition.” Upon further discussion with Mockenhaupt, while they have noted that it is not a requirement to contribute the additional amount, and while it might create a higher MMO in 2026, that may be offset by the “paying off” of the \$100,000 amortization payment in 2026. The risk is that there will be additional amortization bases added, that would offset that \$100,000 reduction. Additionally, if there is a budgetary surplus in 2023 or 2024, it could be used to help fund the pension fund. He noted that there is no risk to the participants as the pension fund is nearly 100% funded currently. Ms. McKenzie and Mr. Garson agreed with checking on the status of the financial position at the end of the year to see if an additional contribution can be made.

First Reading of 2024 Budget – Ms. McKenzie did the first reading of the budget, noting that the Township is restricted in raising category totals by more than 10%. She reviewed several discretionary items that would be removed or adjusted, including the Furness Park invasives plants management plan and the retirement payout estimates for the two retiring police officers. Mr. Cooper noted that there is currently an \$80,000 contribution to Media Fire Company for ambulance coverage. Ms. McKenzie asked to review the police overtime figures. She noted tree maintenance has increased significantly. Mr. Cooper asked about road resurfacing and said he would prefer to keep a figure in there for increasing road resurfacing.

General Government	\$1,043,820.33
Public Safety	\$4,005,222.50

Codes and Inspections	\$298,541.87
Recycling and Waste	\$449,884.98
Public Works/Highway	\$1,394,007.22
Recreation/Parks	\$261,353.50
Debt Service	\$417,106.00
Insurance	\$459,189.00
Grant Matches and Misc.	<u>\$178,000.00</u>
	\$8,507,125.41

Grant Fund – 2,516,035

Liquid Fuels \$411,778.27

Sewer \$4,052,520.64 with a rate of \$682 per unit.

TOWNSHIP MANAGER REPORT – David Grady

Mr. Grady said the curbside leaf collection program is ongoing. Please check the Township website for the ongoing schedule. He said the yard waste drop-off is closed due the construction at the public works garage, but there will be drop-off dates on Saturday 11/18, 11/25, and 12/2 from 8 to noon. He said Vision Zero Safety Ambassadors are needed for the Delaware County program which is meant to improve pedestrian safety. Mr. Grady thanked Fire Marshal Jack Gresch for completing all the safety inspections in the schools. He thanked John Ellis of the Public Works Department for fixing a long-standing sewer issue on Canterbury Drive. He also thanked Officer Kevin Smith for his quick life-saving action to help two teenagers who were injured in a serious accident on E. Rose Valley Road in September. Chief Splain reiterated the importance of the heroic actions of Officer Smith.

Ms. McKenzie said the next meeting is on November 16, 2023. The meeting was adjourned around 9:00 PM.