

**BOARD OF COMMISSIONERS of NETHER PROVIDENCE TOWNSHIP – January 11, 2024**

A public meeting of the Board of Commissioners of Nether Providence Township was called to order at 7:30 PM on Thursday, January 11, 2024—Workshop Meeting.

**ROLL CALL**

**PRESENT:**

Commissioner Garson  
Commissioner Henry  
Commissioner O’Connor  
Commissioner Carbone

**ALSO PRESENT:**

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

**EXCUSED:**

Commissioner McKenzie  
Commissioner Cooper  
Commissioner Barnes

4 members of the public were in attendance.

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

**PUBLIC COMMENT:**

Mr. Gary Silver of 103 Harvey Rd said he was there representing the neighbors that are concerned with the proposed purchase of the ground lot owned by Holy Trinity Church on Providence Road. They are against the property being bought and turned into a commercial assisted living facility along with two homes. He asked the Board to be transparent and possibly buy the property, which is adjacent to Houston Park.

Commissioner Garson informed him that no application has been received, and they would need to go before the Planning Commission and Board of Commissioners prior to any work. Solicitor Scott clarified that a commercial assisted living facility would not be permitted under the zoning, but he did say that group homes with disabled people may be permitted under the Federal Fair Housing Act and Americans with Disabilities Act.

Peter Falk, 101 Harvey Rd. wanted to add that open space is limited and hopes that it could stay that way.

Todd Eaton, 903 S Providence Rd., would like to add that the reason he moved to Wallingford is the greenery and open space.

**Approval of Minutes** – Mr. Garson made a motion to approve the December 21, 2023 meeting minutes and the January 2, 2024 meeting minutes. Ms. Henry seconded the motion which passed 4-0.

**SOLICITORS REPORT** – None

**ENGINEER REPORT**- None

**Building and Zoning Committee Report** – Ms. Carbone

**35 Waterford Way** – Ms. Feyas gave an overview of the subdivision. She explained that this was a lot line adjustment and there was no planned development related to it. She noted that all revisions had taken place. There are three waivers that the applicant, Mr. Vincent Guarino, is seeking: 289-22.A, Review of plans, 289-22.C.10, Not to provide topography and 299-22.C.11, not to provide tree locations. The Board did not have any questions. Ms. Carbone made a motion to approve the 35 Waterford Way subdivision and to grant the three requested waivers. Mr. Garson seconded, and the motion carried 4-0.

**Government Relations** – Matt Garson

**County Aid Resolution** – Mr. Garson said the Township would file an application to Delaware County for an allocation of County Liquid Fuel Tax Funds in the amount of \$15,174.00 to be used toward the 2024 Roadway/Street Improvement Program. He made a motion to approve Resolution 2024-1 – Application to Delaware County for Liquid Fuels funding in the amount of \$15,174.00. Ms. Henry seconded the motion, which carried 4-0.

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

**Sapovits Park DCNR Project Bids Received** – Ms. Henry said The Township received bids for the recreational improvements at Sapovits Park. For Contract A, which was for park materials, the bids ranged from \$59,678.00 to \$153,173.00. For Contract B the bids ranged from \$11,610.00 to \$48,600.00. Catania Engineering recommends awarding Contract A, for the park materials, to L.J. Paoella Construction in the amount of \$59,678.00 and awarding Contract B for the basketball court repaving to L.J. Paoella Construction in the amount of \$11,610.00. The current available funding is \$92,000 in materials, so the bids are within the grant budget. Ms. Henry made a motion to accept the bid for contract A from L.J. Paoella for \$59,678, and the bid from L.J. Paoella for contract B in the amount of \$11,610, and Mr. Garson seconded the motion, which carried 4-0.

**Gouley Park Turf Field Agreements** – Ms. Henry said NPAA and SRA appear to be ready to sign the agreement to proceed with the installation of the turf field at Gouley Park. The Township, through the RACP program, will contribute about \$170,000, and SRA and NPAA will each contribute about \$125,000.

**Furness Phase II – Authorize Bidding** – She said the final design and permitting is being completed, but the Township is ready to bid out Phase II of Furness Park. Ms. Henry made a motion to put the project out for bid, and Mr. Garson seconded. He noted that this project has been in the pipeline for a while, and he is excited to see it moving along. The motion carried 4-0.

**Leiper-Smedley Trail Grant Project Discussion** – the Township was awarded funding for the Leiper-Smedley Trail improvements through the 2020 Delco Green Ways program. Due to a variety of factors, the project has been on hold. He said the Township is looking to restart this program, either through bidding the project or having Public Works complete it, although they have a few projects on the docket. Maureen, in her new role as Assistant Manager, is going to assist with moving this project along.

**Public Safety Committee Report** – Matt Garson

**SMFC ARPA Fund Allocation** – Mr. Garson said the Township had tentatively allocated funding to South Media Fire Company in the amount of \$15,000, but the Commissioners wanted to first get an understanding of what it would be used for. He said South Media Fire Company is planning to put it towards the driveway apron repairs, which are estimated to cost a total of \$21,000. He said \$15,000 was previously allocated to Garden City Fire Company. Mr. Garson made a motion to contribute \$15,000 to South Media Fire Company. Ms. Henry seconded the motion, which passed 4-0.

**Finance and Administration** – Mr. Garson

**Township Manager Employment Agreement Extension** – Mr. Garson said that Township Manager Grady's employment agreement had expired at the end of 2023, and it was time to renew the agreement, which cannot be for longer than the two-year election cycle. He made a motion to approve the two-year extension, and Mr. O'Connor seconded. The motion carried 4-0. Mr. Grady said he was grateful for the opportunity to continue serving the Township.

**Community, Health, and Environment Report** – Mr. Garson

**Grant Funding Awarded for Henry Lane Stormwater/Water Quality** – He said that, as was announced at the last meeting, the Township was awarded funding through the PA Small Water and Sewer Program of \$450,000 for Henry Lane. He thanked Representative Krueger and Senator Kane for their advocacy and help in obtaining this state funding. Catania Engineering is going to begin designing the project once the grant paperwork/contract are received and approved.

**902 DEP Grant – Leaf Machine Authorization to Purchase** – the Township was awarded funding in 2023 through the Department of Environmental Protection for a new leaf collection truck. The price of the vehicle has increased, and an additional \$22,000 is needed. While it is unfortunate that the cost has gone up from \$337,000 to \$359,952.41, he said it would not make sense to reject the grant funding. Mr. Garson moved to approve the purchase of the leaf truck in the amount of \$359,952.41, and Mr. O'Connor seconded. The motion carried 4-0.

**Infrastructure and Public Works Committee** – Mr. O’Connor

Front loader lease consideration – as was noted during the budget planning, the front loader is in bad shape. It needs a significant amount of work, and probably is not safe to be on the road. He thanked Jim Boyer in Public Works for the legwork to gather this information:

3CX14 - \$134,625.30 – if not financed

Option 1: Five annual payments of \$30,272.26 (1st in advance to SEI followed by four to JCB Finance)

Option 2: Six annual payments of \$25,935.39 (1st in advance to SEI followed by five to JCB Finance)

3CX15 - \$137,748.72 – if not financed

Option 1: Five annual payments of \$30,973.03 (1st in advance to SEI followed by four to JCB Finance)

Option 2: Six annual payments of \$26,534.89 (1st in advance to SEI followed by five to JCB Finance)

Mr. Grady said the Board had discussed during the 2024 budget process and budgeted approximately \$28,000 for leasing this equipment. Mr. Garson asked about selling the old front loader. Mr. Grady said the Public Works Department sees value in keeping the old equipment as it can still be used in the Public Works yard and can be a backup if the other machine is being used or being serviced. Mr. O’Connor made a motion to lease the 3CX15 front loader with the five annual payments of \$30,973.03. Ms. Henry seconded the motion, which carried 4-0.

2024 Road Program – Advertise Bidding – Mr. O’Connor said Catania Engineering has prepared an initial listing of the roads based on the assessment and information that has been received. He gave an overview of the roads that will be restored because of the Aqua work, which includes a contribution from Aqua in lieu of their restoration costs. He also said there are roads that will be resurfaced through the Community Development Block Grant program, and there are streets that will be repaved with general funds and state liquid fuels funds. Mr. Garson made a motion to go out to bid for the Aqua 2023 streets and “one” rated roads on the resurfacing list. Ms. Henry seconded the motion, which carried 4-0.

Garage Construction Change Order Consideration – Electrical Work – Mr. O’Connor said that Linn Architects determined that the original drawings did not have any power receptacles in the ceiling to operate the five overhead garage door motors, so CMSE Electric proposed a price of \$4,352 to install them. Linn Architects negotiated the labor rate and CMSE came back with a revised labor rate that is now in line with where it should be, and which reduced the price to \$3,837. Linn Architects is recommending the acceptance of the change order. Mr. O’Connor made a motion to accept the change order in the amount of \$3,837. Mr. Garson seconded the motion, which carried 4-0.

Addition of Public Works Employee – Mr. O’Connor said that the 2024 budget included an additional Public Works employee to help with the increased number of projects for the Public Works department. Mr. O’Connor made a motion to approve promoting a part-time employee to full-time employment. Ms. Henry seconded the motion, which passed 4-0.

**Building and Zoning Committee Report** – Ms. Carbone

Ms. Carbone said Catania Engineering has reviewed the escrow cost estimate for the Oak Valley Subdivision, lots 2-8 and recommended that the escrow be set as follows:

- General Site Construction - \$331,921.05
- Lot 2 - \$ 79,240.75
- Lot 3 - \$48,732.40
- Lot 4 - \$63,100.50
- Lot 5 – \$99,143.80
- Lot 6 - \$96,809.30
- Lot 7 - \$ 68,672.25
- Lot 8 - \$ 91,016.75

Ms. Carbone made a motion to set the escrow at the aforementioned amounts. Mr. Garson seconded the motion, which carried 4-0.

**TOWNSHIP MANAGER REPORT** – David Grady

Mr. Grady said Christmas Tree collection was ongoing, and if your tree has been out longer than a week, please call the Township Building. He made an announcement about an upcoming Martin Luther King, Jr. Day event at Strath Haven Middle School. He thanked Anne Marie Cooke for her assistance with several projects. He thanked the Public Works Department for their hard work during the recent snowstorms. Everyone wished Chief Splain a happy birthday.

Mr. Garson said the next meeting is on January 25, 2024. The meeting was adjourned around 8:30 PM.