

**BOARD OF COMMISSIONERS OF NETHER PROVIDENCE TOWNSHIP**  
**LEGISLATIVE MEETING – APRIL 14, 2011**

A legislative meeting of the Board of Commissioners of the Township of Nether Providence, duly advertised and posted in accordance with law, was called to order at 7:30 PM on Thursday, April 14, 2011 in the Board of Commissioners' Meeting Room, Township Municipal Building, 214 Sykes Lane, Wallingford, PA 19086. The Pledge of Allegiance was recited by all present.

PRESENT: Commissioner Much  
Commissioner Sullivan  
Commissioner Noyes  
Commissioner O'Connor  
Commissioner Baker  
Commissioner Kenworthy  
Commissioner Dougherty

Gary Cummings	Township Manager
Joseph Lesniak	Township Solicitor
Charles Catania	Township Engineer
Thomas Flannery	Chief of Police
Dennis Sheehan	Assistant Township Manager

PUBLIC: Approximately 13 in attendance

**PUBLIC COMMENTS** - None

Ed Kline, Fire Chief of South Media Fire Company gave a year 2010 report noting the company responded to 869 calls and the volunteers saved the township a lot of money. He noted the need to replace the 1995 Pumper Truck with a smaller truck that would be able to run down smaller streets and noted the existing pumper doesn't meet today's safety standards. Mr Kline also mentioned that the truck has electrical problems, some rust and is losing its resale value. He noted the NFPA recommends no front line use if it exceeds 20 years in age. He noted it is very important to include the purchase of a new truck in the 2012 Budget. Mr Baker asked if they applied for an AFG Grant for the truck. Mr Kline said they applied for a hose grant but will consider applying for the truck as well. There was a discussion on bidding fire vehicles and Mr Baker said he wished Mr Kline would pursue the grant. Mr Noyes suggested he meet with South Media Fire Company to review the issues relating to the purchase of the pumper. Mr Much asked what the resale value would be and Mr Kline estimated it to be around \$80,000.00. Mr Baker asked what model they were thinking of purchasing. Mr Kline said Peirce. Mr Baker asked to look at other models.

Mr Much presented South Media Fire Chief Kline with a check for their portion of the 5k Race proceeds (\$1,141.14) and the 2<sup>nd</sup> quarter Township's funding monies, (\$12,600.00). Mr. Much also presented a check for the same amount to Garden City Fire Chief Joe Lombardo and members Louis DiDomenico and Pat O'Rourke. Mr Noyes noted the next 5k First Responders Race is in October and to please return the envelopes with your volunteer fire company contributions.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

Nothing new to report.

## **APPROVAL OF MINUTES**

### **MOTION TO APPROVE MARCH 10<sup>th</sup> LEGISLATIVE MEETING MINUTES**

Mr. Sullivan moved to approve the March 10<sup>th</sup> minutes. Mr Dougherty seconded the motion which passed 6-0, with Mr. Much abstaining as he was not in attendance for the meeting.

## **SOLICITORS REPORT**

Mr Lesniak noted he has reviewed and approves the DVRFA loan documents as well as the Strathmore Court tri-party agreement, noting that it should be signed by the homeowners and AGB. He also reviewed the Woodward Road culvert replacement contract and saw no issues.

## **ENGINEERS REPORT**

Mr Catania submitted his report and developed the resurfacing cost estimate, noting Aqua estimates as well. Mr Much asked about how the roads are rated. Mr Catania said they are rated by the inspector. Mr Much asked about PWD doing some of the repairs. Mr Noyes asked about the length of the Aqua water line replacement work. It was noted that Turner Road is to be resurfaced by PennDOT this year from the railroad tracks to Baltimore Pike.

## **MANAGER'S REPORT**

Mr Cummings noted the traffic signal improvement project to time signals was proceeding on Baltimore Pike. He also mentioned stream clean-ups on May 7<sup>th</sup>. Mr Cummings stated the 2010 Township audits are complete and also the Township has been initially allocated 2011 CDBG funding for road resurfacing in South Media and Garden City Manor. Mr Cummings stated that June 1<sup>st</sup> there is a Healthy Yards presentation at the Middletown Township building and he has received a request for the Board to adopt a resolution on Children's Mental Health Awareness Week. Mr Much read and made a motion to adopt the resolution. Mr Baker seconded the motion which passed 7-0. Mr. Cummings also noted that the Leiper House is open and leaf mulch is for sale.

## **COMMUNITY ENHANCEMENT COMMITTEE REPORT**

Mr Kenworthy spoke on the Summer Recreation Program noting that there are 140 registrants so far and that we exceeded the break even budgeted amount. He also noted camp counselor positions are still open as well as recreational leaders. Mr Baker noted he has been in contact with Mr Sheehan and has been working on securing various events as well as soliciting businesses for donations.

Recycling Survey - Mr Kenworthy noted a revised survey from Mr Sullivan. Mr Sheehan noted the cost of mailing is \$2,500. Mr Dougherty asked for the actual total cost of the survey. Mr Sullivan suggested a single mailing with window envelopes without return postage. Mr Noyes said we can pass on the cost in recycling fees. Mr Kenworthy noted the fee would be for 2012. Mr Baker said he has concerns with the cost and verification of the returns, that the returns are equated among the wards and it does not ask residents about their recycling habits. Mr Baker thought it was a waste of money for just four questions and wants to know the mechanics of it. He also said trash and recycling is not the same. Mr Kenworthy said we know what to recycle but the questions are whether to bring in-house or contract out and the frequency of the collections. Mr Baker asked why are we preparing the survey at the last hour? Mr Noyes said he thought the questions were appropriate. Mr Baker said he sent suggested questions to the Recycling Committee. Mr Sullivan said the questions were his and Mr Much stated we are way down the road and do not have time to change the strategy. Mr Noyes noted the notice could speak of the urgency to return and feels it still has value and we still have time if there is a 3-month turn around. Mr Dougherty said if a 10% response rate was expected on the return and if the majority go with answer 4, he knows his ward would be wholly against number 4.

After the discussion Mr Much asked to poll the Board on sending out the survey. Mr Kenworthy, Mr Noyes and Mr Sullivan were in favor of sending the survey and Mr Much, Mr Baker Mr. O'Connor and Mr. Dougherty were not in favor of sending the survey. Mr O'Connor stated he didn't think the

survey would help and Mr Dougherty was not in favor of sending it either. Mr Noyes suggested a post card at a lesser cost be sent out especially on such a big issue and that we should make the residents aware. Mr Dougherty suggested an informational sheet be handed out at the polling location on May 17<sup>th</sup>, (Primary Day). Mr Kenworthy then moved to authorize the Assistant Manager prepare an informational sheet for the Board to disseminate at the polls. Mr Noyes seconded the motion which passed 7-0.

Ms Knight noted that the committee was formed in June and they spent 8 weeks reviewing information and then were asked to recommend a one year extension. At this point the Board asked the committee to review the issue of the grant for recycling containers and they were responsive to the Board's direction. She stated they did not push the survey at the last minute. Mr Noyes noted the Board has received the original RFP for services and asked the Board members to review it.

### **BUILDING AND ZONING COMMITTEE BUSINESS AND REPORT**

Strathmore Court Drainage – Mr. Cummings noted all parties have agreed to the tri-party agreement and the Resolution N t o. 2011-5 amending the plans to permit a piping system be installed on lots 9 – 11. Mr Noyes moved to approve the resolution noting we also received a letter from Conoco Phillips giving approval. Mr O'Connor seconded the motion. Mr Much asked for a time table. Mr Cummings said the agreement calls for implementation within 45 days of execution of all documents weather permitting. The motion passed 7-0. Mr Lesniak said we can sign the tri-party agreement as a matter of course.

### **MOTION TO APPROVE ORDINANCE NO. 758-RENTAL INSPECTIONS.**

Mr O'Connor moved to approve the ordinance. Mr Sullivan noted he would abstain as he has a rental property in the Township. Mr Dougherty seconded the motion. Mr Noyes asked if it addressed the larger properties. Mr Lesniak said it does. The motion passed by a vote of 6-0-1 with Mr Sullivan abstaining.

### **FINANCE AND ADMINISTRATION COMMITTEE BUSINESS AND REPORT**

#### **MOTION TO APPROVE WARRANT LIST**

Mr Dougherty moved to approve the warrant list as follows. Mr. Baker seconded the motion which passed on a 7-0 vote.

Procurement Card List	\$ 15,101.43
Prepaid List	\$578,999.06
Bills List	<u>\$154,656.63</u>
Bills List Total	\$748,757.12

#### **MOTION TO RATIFY RESOLUTION 2011-4 ON CONVERSION OF 2006 DVRFA LOAN**

Mr Dougherty moved to approve the resolution. Mr Noyes seconded the motion which passed by a vote of 7-0.

Mr Sheehan note the Board discussed to fix the loan rate but possibly hold \$156,000 for street lighting as a variable. Mr Cummings noted 2010 year end fund balance was high and gave PLGIT interest rates versus the fixed and variable rates in the DVRFA Loan. Mr Cummings noted the Board may want to consider outright funding of a loan project versus paying the higher interest rate on the loan. After discussion, Mr Dougherty moved we keep the portion for the street lights project variable and the portions for the Woodward Road Bridge and side walk projects as fixed rates. Mr Sullivan agreed with Mr Calhoun's recommendation to keep \$156,000 as variable and lock the remaining as fixed. Mr Sullivan seconded the motion which passed 7-0.

**MOTION TO APPROVE RESOLUTION NO. 2011-7 (AUCTION OF POLICE CAR AND OTHER ITEMS)**

Mr Dougherty moved to adopt the resolution. Mr Noyes seconded the motion which passed 7-0.

**FIRE COMMITTEE BUSINESS AND REPORT**

No report.

**INFRASTRUCTURE COMMITTEE REPORT**

Street lighting upgrade - Mr Sheehan noted the county money needs to be used by May and wanted to prepare an RFP for either LED's or Induction Lighting. Mr Sullivan recommended an induction RFP. Mr Dougherty asked the RFP be for both LED and Induction.

SRTS- Mr Sheehan noted the grant money for the project to install sidewalks on Wallingford Avenue is \$304,000. He stated we can use the money for both engineering design and inspection and supplied the Board with a list of three engineers and their experiences. After discussion the Board agreed to utilize Catania Associates as they are the current Township Engineer and have experience in this area.

**MOTION TO ADOPT RESOLUTION 2011-06 (AUTHORIZING SIGNING OF THE T.E. PROJECT REIMBURSEMENT AGREEMENT)**

After discussion Mr Sullivan moved to approve the resolution. Mr Much seconded the motion which passed 7-0.

**PUBLIC WORKS COMMITTEE BUSINESS AND REPORT**

Mr. Baker noted that mulch is available for purchase and delivery, and also made mention of Mr Catania's road resurfacing list.

**POLICE COMMITTEE BUSINESS AND REPORT**

Mr Much noted the Drug-Take-Back program will be on Saturday April 30<sup>th</sup> and also noted there were two car break-ins. He reminded residents to lock their car doors not to leave anything in plain sight. Mr Much also noted that the police department is enforcing the speed limit so please comply.

**ADJOURNMENT**

Nothing further to discuss the meeting was adjourned.

The next meeting is a work session on May 5th at 7:30pm.