

(264) **BOARD OF COMMISSIONERS OF NETHER PROVIDENCE TOWNSHIP**
LEGISLATIVE MEETING – JUNE 9, 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, June 9, 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.

ROLL CALL

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

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| Gary Cummings | Township Manager |
| Joseph Lesniak | Township Solicitor |
| Charles Catania | Township Engineer |
| Thomas Flannery | Chief of Police |
| Dennis Sheehan | Assistant Township Manager |
| Lisa Swan | Finance Director |

EXCUSED: Commissioner Baker

PUBLIC: Approximately 7 in attendance

PUBLIC COMMENTS

Jacque Knight 773 Pennsylvania Ave- Asked who is responsible for updating the members of the Boards and Commissions and also asked why the minutes were not updated. Mr Much responded that the meetings are broadcast on the community channels on Comcast and Verizon. Ms Knight asked if meetings are broadcast on Direct TV. Mr Cummings noted that all the Legislative Meeting Minutes are on the website after approved by the Board of Commissioners and noted meetings are not on Direct TV. Ms Knight asked about where she could find voting information. Mr Cummings commented that he thought the locations are available from the County Election Bureau.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Randy Rook of 209 Willow Road was introduced as a candidate for the Historical Commission. His interest is in township planning and he has a background in architecture. Mr Much asks what Mr Rook has to bring to the table and Mr Rook's response was that of cataloging and research skills. Mr Much moved to appoint Mr Rook. Mr Dougherty seconded the motion which passed 6-0.

Steve McElroy of 1 Bullens Lane spoke on his interest in being appointed to the Recycling Committee stating that he wanted to improve the recycling program. He noted that he read the 2007 report and noted the report listed various options. Mr Sullivan asked what options he reviewed and Mr McElroy noted it recommended equipment upgrades and to combine trash and recycling. Mr Noyes advised Mr. McElroy that decisions need to be made quickly. Mr Sullivan noted the Board voted to not combine trash and recycling and does that pose a problem. He said it did not. Mr Much moved to appoint Mr McElroy to the Recycling Committee. Mr Dougherty seconded the motion which passed 6-0.

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APPROVAL OF MINUTES

None were available to approve.

SOLICITORS REPORT

Mr Lesniak noted the litigation results in Judge Griffin's court were good. He stated the review of the sign and fence ordinances are proceeding. Mr Lesniak said he reviewed the Road Contract and the H2O Grant Agreement and there were no issues with either. He also reviewed the Green House Gas Resolution noting it looks good with no obligations.

ENGINEERS REPORT

Mr Catania noted Mr. Cummings submitted the MS-4 report and Woodward Road bridge work was set to start and road closed signs will be up next week. He also noted that AG&B started on the drain pipe and reported on the FEMA risk map initiative to provide supplemental information on flood plains in about 2-3 years.

Escrow Release for 115 A Beech Road – Mr. Catania recommended the requested \$2,500 release and noted the township would receive money in lieu of installing trees on the property. Mr Much moved to release the escrow monies subject to receipt of tree funds. Mr Dougherty seconded the motion which passed 6-0.

Mr Dougherty asked about the WES renovation work and if they would be working on Monday, July 4th, he would like the residents notified. Mr Kenworthy asked if we are inspecting the Strathmore Court house connections to the drain pipe. Mr Catania said they were inspected and thought it would take about a week to complete.

MANAGER'S REPORT

Mr Cummings noted Community Clean-up day was a success on Tuesday June 7th. It was suggested that next year the day be run on a weekend instead of a week day. He also made mention of County Veteran Affairs Dept was available if any veterans needed help. He stated the DCCC is having Electronic Friday on June 17th from 9am to 1pm where they would accept electric appliances and the Leiper House Open House will be held from 7pm to 9pm on June 17th.

COMMUNITY ENHANCEMENT COMMITTEE REPORT

Summer Recreation Program- Mr Kenworthy noted the Summer Recreation Program starts in two weeks.

5k Race- Mr Kenworthy noted that the race this year will have a new course and will take place on October 22, 2011.

Mr Kenworthy noted the Board agreed last week to re-naming the Bullens Lane Field after Mickey Vernon.

Recycling RFP – Mr Kenworthy noted the Board had the revised RFP by Mr Sheehan. Mr Noyes noted RFP becomes part of the contract so it's important that the language be clarified. He asked if the township would be able to go after costs if the contract was breached; and also noted that the definition of "recycling containers" be changed from "64 gallon containers." Mr Lesniak said he had not reviewed it yet. Mr Noyes said Mr Lesniak should look at Section 13 and expand to apply to any protected class. Mr Noyes defined "assignment" in case of a takeover by another company. He was also a little unclear on how condos and commercial properties fit in. Mr Cummings suggested excluding commercial properties but to allow condominiums an option. Mr. Noyes also discussed the ownership of recyclables and the fuel escalation clause and said to change it to fuel adjuster.

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Mr Sullivan spoke on recycling containers only being mentioned once. He asked that on page 15, second paragraph, the phrase, "recycling containers or otherwise" be stricken. Mr Sullivan also requested the paragraph numbering be changed. Mr Sheehan will revise and distribute. Mr Kenworthy asked that Mr Lesniak review it so conditional action can be taken and changes made. Mr Kenworthy also said the timeline stated we would have it out by June 13th. Mr Noyes said another option is to renew the service with Suburban Waste Inc. and we still need to decide whether or not to bring the service in-house. Mr Kenworthy said Suburban's bid for 2012 is approximately \$70/unit so that is what to compare everything to. Mr Kenworthy made motion to send out the revised RFP subject to the Solicitors review. Mr Noyes seconded the motion which carried 6-0.

Mr Noyes said the need for an in-house option complicated the issue and the Recycling Committee needs to review this carefully. Mr Dougherty asked to include Mr Dixon in all discussions. Mr Kenworthy said Mark Simms did a lot of the research on this. Ms Knight noted that Mr Simms' work is a good starting point. Mr Noyes said he needs a summary on the in-house option to discuss at the next work session. Mr Kenworthy noted the equipment and staffing and a two week collection and operating expenses should be included. Mr Much would like to include a payment for recycling materials and Mr Sullivan said to look at recycling value trends. Mr Dougherty said he would like to set the program for three years. Mr Much asked if yard waste and Christmas trees would be included in grant amounts. Mr Cummings said it would be

MOTION TO ADOPT RESOLUTION NO. 2011-12 (GHG AND CLIMATE CHANGE)

Mr Kenworthy summarized and moved for approval of the resolution. Mr Sullivan seconded the motion which passed 6-0.

FINANCE AND ADMINISTRATION COMMITTEE BUSINESS AND REPORT

MOTION TO APPROVE WARRANT LIST

Mr Sullivan asked about the \$439.00 charge for a faulty smoke detector and Mr Cummings responded that it will be reimbursed to the township by way of the Safety Grant. Mr Dougherty moved to approve the warrant list as follows. Mr. Much seconded the motion which passed 6-0.

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| Procurement Card List | \$ 28,633.27 |
| Prepaid List | \$ 48,334.15 |
| Bills List | <u>\$112,494.68</u> |
| Bills List Total | \$189,462.10 |

MOTION ON SALE OF POLICE VEHICLE AND OTHER AUCTION ITEMS

Mr Dougherty said he would like item # 3, a dog cage, removed from the list but to sell the others. He reviewed the requested selling prices. Mr Dougherty moved to approve the sale of the items except for the dog cage. Mr Noyes seconded the motion which passed 6-0.

FIRE COMMITTEE BUSINESS AND REPORT

Mr Noyes gave the report noting Garden City Fire Company got new hose and new radios under a grant. He also noted that a simulated car accident was held the school. Mr Noyes noted that the Fire Marshall said SHMS issues are going well and so is the upcoming WES renovation, noting a ground breaking ceremony for WES was held last Friday.

BUILDING AND ZONING COMMITTEE BUSINESS AND REPORT

Mr. O'Connor noted he received a letter from Mr Houtman's office, engineer for 407 Media Parkway.

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He noted the Township Planning Commission met last Monday and had two comments. H stated the Moore Road subdivision will be before the Township Planning Commission on July 5.

INFRASTRUCTURE COMMITTEE REPORT

Street lighting upgrade – Mr Sullivan asked for an update. Mr Sheehan stated asked for additional funding for the induction lighting pilot project.

MOTION TO AUTHORIZE ENGINEERING FOR H2O PROJECTS AND TO RECEIVE BIDS FOR BEECHWOOD ROAD SEWER

Mr Sullivan so moved. Mr Dougherty seconded the motion which passed 6-0.

PUBLIC WORKS COMMITTEE BUSINESS AND REPORT

Mr. Much noted the Road Resurfacing bid was awarded last week to Innovative Construction in the amount of \$101,326.25.

Animal Control - Mr Cummings spoke on the help offered by Dr Herman of the Providence Veterinary Hospital. Chief Flannery also gave some details of the arrangement and said the township should thank the doctor for his help and good will. He also mentioned that we need to find out what to do after holding a dog the 48 hours. It was noted that the cats fees were more expensive than the dog. Mr Dougherty suggested we send the doctor a letter thanking him and also accepting his proposal.

Mr Much reviewed the recycling center use report from last Saturday and also read a letter from SEPTA concerning the improvements on the 101 trolley line.

POLICE COMMITTEE BUSINESS AND REPORT

MOTION TO AMEND CIVIL SERVICE REGULATIONS AS CHANGED BY STATE LAW

Mr Much moved with Mr O'Connor seconding. Mr Noyes asked if we were just adopting the state amendments and Mr Lesniak said yes. The motion passed by a vote of 6-0.

Mr Much asked Chief Flannery to come up and talk about the burglaries. Chief Flannery spoke of daytime burglaries in the township and also noted individuals knocking on doors on Knoll Road. The Chief asked residents to call 911 if they saw anything suspicious. Mr Much said residents should ask any person at the door for a permit. The Chief noted residents may post a "No Solicitation" sign on their property. Mr Sullivan again told residents to call 911 with any suspicious activity noting that the officers are responsive. Mr O'Connor thanked all the police officers for their public presence. Mr Much then summarized the Police Monthly report.

ADJOURNMENT

Nothing further to discuss the meeting was adjourned.

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