

BOARD OF COMMISSIONERS OF NETHER PROVIDENCE TOWNSHIP
LEGISLATIVE MEETING – JULY 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, July 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.

ROLL CALL

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

Gary Cummings	Township Manager
Charles Catania	Township Engineer
Thomas Flannery	Chief of Police
Dennis Sheehan	Assistant Township Manager
Lisa Swan	Finance Director
Darryl Dixon	Public Works Director

EXCUSED: Joseph Lesniak Township Solicitor

PUBLIC: Approximately 9 in attendance

Commissioner Much introduced two girls from the Girls Del Val North Softball team and congratulated them on their division Championship and informed the audience that the girls wanted to display their trophy in the Townships showcase for everyone to enjoy. The Board and all in attendance congratulated the girls and gave applause on a well played season that led to the Championship prize.

PUBLIC COMMENTS

Therese Mallory of the Larouch PAC spoke on the need for support HB1849. Entitled the Prudent Banking Act of 2011 and asked the Board to ask Congressman Meehan to support. It will end the bailout of Wall Street and European nations and amend the banking laws which have not been changed in a long time. She asked for the Board to urge congressman Meehan to vote for the law.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr Cummings stated no one was in attendance for any of the Boards or Commissions and stressed that there are still vacancies on the three Boards. He noted the UCC Appeals Board lacks a quorum and asked that anyone interested should submit a resume to the Township.

SOLICITORS REPORT

Nothing to report.

ENGINEERS REPORT

Mr Catania stated the 2011 Road Resurfacing project would be starting on July 19th and noted the Woodward Road culvert replacement is about 20% completed. Mr Catania also stated he is seeking to get a restoration price from Aqua PA on their main replacement at Heatherward. He also noted PENNDOT resurfacing of Rose Valley Road will start soon. Mr Noyes asked about Aqua's restoration

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criteria noting new road surfaces need full width resurfacing. Mr Baker asked about when CDBG funding would be used to resurface roads in Garden City. Mr Catania said Garden City and South Media streets will probably not be done until fall.

APPROVAL OF MINUTES

MOTION TO APPROVE MAY 12th LEGISLATIVE MEETING MINUTES

After a brief discussion Mr. Sullivan moved to approve the May 12th minutes. Mr Dougherty seconded the motion which passed 6-0-1 with Mr Much abstaining as he was not present for that meeting.

MANAGER'S REPORT

Mr Cummings noted the township office has "No Soliciting" signs for any resident that wished to post on their property. Mr Cummings stated the township is still seeking to fill the position of Township Health Inspector and asked anyone interested to forward their resume. He also noted that there will be a Climate Action Workshop on Saturday July 16th from 9:00am to 1:00pm at SHHS and also reminded residents to please keep properties in code by trimming the trees and bushes overhanging or obscuring drive vision or citations will be issued. Mr Cummings noted the Crum Creek Stormwater Management Plan has been revised and the township will be reviewing. He also informed the Board that Ms Swan prepared the 6-month budget review and to contact Ms Swan with questions.

COMMUNITY ENHANCEMENT COMMITTEE REPORT

Recycling RFP – Mr Kenworthy introduced Jacque Knight from the Recycling Committee. Mr Sullivan excused himself from discussion as his firm does work for Waste Management which is one of the bidders. Mr Kenworthy noted one item that needs resolution is the in-house recycling option. Ms. Knight stated it was important to not impede leaf collection and snow removal operations and noted that Rose Valley Borough is interested in joining in our recycling collection, possible beginning in 2013. She stated they have 395 households and could coordinate with the closest Nether Providence ward. Ms Knight also spoke to Swarthmore on the possibility of joining as well. Mr Kenworthy noted a discussion on obtaining a small compact truck and utilize a dumpster at the garage and reduce the need to travel to Blue Mountain. The Board discussed the frequency of removing the dumpster. Mr Much introduced Darryl Dixon, PWD Director, and thanked Darryl and his workers for all their work throughout the year. Mr Dixon stated there would be problems with getting materials from the trash truck into the dumpster. Mr Noyes said it is an interesting idea that should be looked into. Ms Knight noted that Aston Township their materials into a dumpster. Mr Much asked questions about the profit and loss section of the report. The Board noted questions about various projected costs including salaries, while noting the figures included benefits. Ms. Knight stated 3 additional personnel will be needed and the truck would cost about \$169,000.00. Mr Dougherty suggested this be looked at in two years. It was noted the township would have no backup if there were sick call outs and that the residents would surely call if recycling was not picked up. Mr O'Connor made mentioned that he thought this is a little late at this point. Mr Much noted we need to use the grant money and that purchasing new containers may help to increase recycling in the township. Mr Noyes said with one truck you can count on service interruptions. Mr Dixon said we will have trouble getting organized and ready to go by January. Mr Dougherty stated there is also the noise considerations at the garage. Mr Kenworthy thanked the Committee and Darryl for their work. Mr Kenworthy stated the Board also needs to decide on bids for the RFP and will have to decide at the August 4th meeting. Mr Much noted we have received container quotes and suggested we go out to bid and asked Ms Knight to have the committee determine the appropriate size of cans. Mr Noyes noted JP Mascaro can pick up quicker by hand than using the automated truck hoist. Ms Knight suggested an escrow account be created for future changes in the program. The Board thanked the committee for their work. Mr. Augustine of JP Mascaro noted the Recycling RFP did allow for collection of up to 65 gallons. He also wanted to note their bid suggested a three-day schedule and supplied a copy of the notification they supply to

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disseminate information to residents in other communities they serve. Mr. Augustine noted it could include a letter from the Board. Mr Baker asked if it was good to have information on the lid on the containers. Mr August said residents know what to recycle and he felt it was not needed. He stated Nether Providence residence are recycling a high percentage per household.

Summer Recreation Program- Mr Kenworthy said 197 campers are enrolled and revenues are double over the budget but that expenses were only over by 30%, so we are in good financial shape. He thanked Mr Baker and the recreation staff. He noted that the summer recreation camp received gifts from the business community including cash contributions noting a large donation from Wilson Oil. He noted Garden City Fire Company let them use their kitchen and Nether Providence Police and South Media Fire Company also helped with camp. He thanked Mr Sheehan and Mr Baker for instituting such a good program. Mr Baker thanked Mr Sheehan and the staff.

MOTION TO ADOPT RESOLUTION NO. 2011-13 AUTHORIZING SIGNING PENNDOT AGREEMENT ON STREET CLOSURES

Mr Kenworthy summarized and moved to approve the resolution. Mr Sullivan seconded the motion. Mr Noyes stated he looked over the agreement briefly but suggested the approval be conditioned on Solicitor review and approval. Mr Kenworthy moved to approve the resolution on the condition of the solicitor's review. Mr Sullivan seconded the motion which passed 7-0.

FINANCE AND ADMINISTRATION COMMITTEE BUSINESS AND REPORT

MOTION TO APPROVE WARRANT LIST

Mr Dougherty asked if there were any other proposals or quotes for the street lighting maintenance. Mr Sheehan noted that our current vendor comes in at 30% lower than other companies. Mr Dougherty noted the quarterly payments are on the list and moved to approve the warrant list as follows. Mr. Noyes seconded the motion which passed 7-0 vote.

Procurement Card List	\$ 19,739.89
Prepaid List	\$ 79,211.46
Bills List	<u>\$156,315.95</u>
Bills List Total	\$255,267.30

MOTION ON PREPARE RFP FOR ADMINISTRATION OF PENSION PLANS

Mr Noyes asked when our present contract is up and Mr Cummings explained that the township puts the pension administration out to bid every two years or so. Mr Dougherty moved to authorize to obtain proposals. Mr Sullivan seconded the motion which passed 7-0. Mr. Cummings noted proposals would be for 2012.

Mr Much noted the large delinquency rate in payment of the recycling fee for this year.

FIRE COMMITTEE BUSINESS AND REPORT

Mr Noyes gave the report noting that Mr Ed Kline was to be present and he was going to ask about the Self-contained breathing apparatus (SCBA) but Mr Kline had someone sick in his family. There was a discussion about the DVIT safety grant being used for the for the SCBA masks. Mr Noyes noted he had a discussion on changing the boundaries for the relative to relocating the line around Todmorden in Rose Valley. He also noted both companies responded to the death tragedy in Crum Creek.

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BUILDING AND ZONING COMMITTEE BUSINESS AND REPORT

Mr. O'Connor noted the deadline to send a letter of intent for the rooftop solar panel initiative is tomorrow. Mr Sheehan asked about a non-binding letter of intent and suggested focusing on items 1 and 4 and to use in kind services as the local match. After discussion the Board agreed to send in the letter.

Lot Line revision - 407 MEDIA PARKWAY - Mr O'Connor read and moved for Final Subdivision approval the plans entitled "Final Reverse Minor Subdivision Plan of Property of Patricia A. Davis, dated April 27, 2011, drawn by G. D. Houtman & Son, Inc. (their File No. NP-36492) subject to the following:

1. That a fourth waiver of Section 289-7(C6) requiring dedications along old roads to increase right-of-way width to Township standards (along Cedar Road) be added to the plan.
2. The applicant comply with any other applicable federal, State and local regulations relating to subdivision.
3. The Applicant accept the conditions of approval.

In granting this approval, the Board of Commissioners granted the waivers requested relating to providing a preliminary plan, the need to install sidewalks, the need to provide contour lines, and the need for dedication of additional right-of-way along Cedar Road. Mr Much seconded the motion. Mr Cummings noted he has received a letter from the owner agreeing to conditions. The motion was passed by a vote of 7-0.

MOORE SUBDIVISION - 4 LOTS AT 105 W. BROOKHAVEN ROAD - It was noted this was discussed at the July 5th Planning Commission but no recommendation was made. Discussion will be continued at the August 1st Planning Commission Meeting.

MOTION TO AUTHORIZE SOLICITOR TO PREPARE AMENDMENT TO SHADE TREE REGULATIONS

Mr O'Connor so moved and Mr Kenworthy seconded. Mr Dougherty asked Mr Cummings if he could put in ordinance format. Mr Noyes noted several suggested changes. Mr Noyes noted fees for permits be listed elsewhere. Mr Sullivan asked if Heritage Tree listing runs with land. Mr O'Connor amended the motion to have the ordinance prepared with Mr Noyes' changes. Mr. Kenworthy seconded again and the motion passed by a vote of 7-0.

MOTION TO AUTHORIZE SOLICITOR TO PREPARE AMENDMENT TO ZONING REGULATIONS (DEFINITION OF ACCESSORY BUILDING)

Mr Sullivan asked to discuss this at the August 4th work session meeting. After discussion, this issue will be discussed on August 4th.

HAMPTON INN - Mr Cummings stated that this will be reviewed at the August 1st Planning Commission meeting. Mr Much asked for a letter to be drafted and sent to the Pinnacle Group concerning the debris and trash on site.

535 MANCHESTER AVENUE (Rabena Brothers 3 lot subdivision) - Mr Cummings stated this was also scheduled for review at the August 1st Planning Commission. There will be a discussion on tree removal and Mr. Cummings stated he would confirm the number of trees removed.

INFRASTRUCTURE COMMITTEE REPORT

TE Project – NDI Invoicing – Mr Sullivan summarized the PS & E comments from PennDOT and talked to the project manager about what was needed for resubmission. Mr Much asked if Catania Engineering had submitted inspection documentation. Mr. Much noted they were sending a letter to the State Representatives. Mr Dougherty wants a list of changes and will meet with state representatives. Mr Sullivan noted a request for a tree count estimate and NDI was to coordinate with Mr. Cummings.

PUBLIC WORKS COMMITTEE BUSINESS AND REPORT

Road Resurfacing- Mr Baker noted the project was due to start on Tuesday.

Ridley Drive Traffic Calming - Mr Baker stated that John Brennan from NPAA Soccer was unable to be here tonight but listed problems with the soccer activities concerning driving, parking and the potential dangers this causes. Mr. Baker referenced a diagram from Mr Brennan to show potential parking lot and temporary speed bump locations. He noted NPAA has asked if they could install a stone path and NPAA would incur the costs. Mr Baker said he would like NPAA to pay for speed bumps as well and noted installation of the parking lot is contingent on getting approval from Chester City as it is in their jurisdiction. Mr Sullivan asked about future lot and where people will park. Mr Sullivan was concerned about the aesthetics of the stone. Mr Noyes noted the need for parking. Mr Baker said the speed bumps may have to comply with traffic calming warrants. Mr Dougherty said maybe the township won't charge for man power if NPAA pays for the speed bumps. Mr Sullivan and Mr Noyes suggested we look at all the issues at one time. Mr Baker said the Philadelphia Union reserve players play on the field sometimes and there is a big tournament in April.

POLICE COMMITTEE BUSINESS AND REPORT

Mr Much gave the police report and the statistics for the month of June. Mr Much reminded all residents to call the Police Department if they are going on vacation so the Police can patrol their streets and keep an eye on their properties.

ADJOURNMENT

There being nothing further to discuss the meeting was adjourned.

The next meeting is a work session on August 4th at 7:30pm.