

BOARD OF COMMISSIONERS OF NETHER PROVIDENCE TOWNSHIP
LEGISLATIVE MEETING – August 4, 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, August 4, 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
Joseph Lesniak	Township Solicitor

PUBLIC: Approximately 15 in attendance

SWEARING IN OF POLICE OFFICER

Officer Richard Subers was sworn in with his family and friends in attendance.

PUBLIC COMMENTS

Ed Kline Fire Chief of South Media Fire Company spoke on the Red Cross and the work that they do for those in need. He noted that the Chester-Wallingford Red Cross was taken over by the South Eastern Pennsylvania chapter.

Dave O'Connell of Wilson Oil Company – spoke on the Township 5k Race and noted this year it is combined with the Susan G Komen Foundation and Wilson Oil Company. He displayed brochures and noted they have posted advertising the run on their website. Tom Gallagher thanked the Board for allowing the roads to be closed and also for their support and he requested to be able to come back in September to speak again. He also thanked Mr Sheehan for his help. He said many businesses will support their efforts. Mr Noyes acknowledged the involvement of Ms Reuther in organizing the 5k Race. Dennis Sheehan noted the race will be held October 22nd and thanked Mr O'Connell for the large donation that Wilson Oil Company made to the Summer Recreation Program.

APPROVAL OF MINUTES

MOTION TO APPROVE JUNE 9th LEGISLATIVE MEETING MINUTES

After a brief discussion and revisions asked to be made by Mr Noyes concerning the wording on page three as it pertains to recycling, Mr. Much moved to approve and Mr Dougherty seconded the motion which passed 6-0-1 with Mr Baker abstaining as he was not present for that meeting.

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MOTION TO APPROVE JULY 14th LEGISLATIVE MEETING MINUTES

Mr Much moved to approve and Mr Kenworthy seconded the motion which passed 7-0.

SOLICITORS REPORT

Mr. Lesniak stated he had reviewed and the DELCORA updated regulations and rules and saw no issues. He also noted he has reviewed the Loughran zoning appeal.

ENGINEERS REPORT

Mr Catania stated the 2011 road resurfacing was completed. He also noted the Woodward Road Culvert would arrive August 15th or August 16th. Mr Catania stated that Aqua started the Green Valley Road main replacement and they offered a restoration fee. He also reviewed the Crum Creek Storm Water Management Plan and said that public comments were open until an August 12th public hearing.

Mr Much asked where we stand with the Beechwood Road Sewer Project and it was noted that the sewer design was moving along and DEP approval was needed. Mr Much then asked about the Manchester sub-division. Mr Cumming said it was on hold as while plans were being revised to four lots instead of three lots. Mr Noyes asked if the water mains in Green Valley Road were under a paved surface and Mr. Catania stated he thought they were. Mr Sullivan asked about the cost of the work to improve drainage on Berkshire Drive. Mr Catania said a ball park figure is \$15,000. Discussion focused on location and type of drainage improvement.

MANAGER'S REPORT

Mr Cummings noted the township office has No Soliciting signs for residents to post on their property if there is a need. He also made mention that the Green Energy Workshops will be on August 11th and August 22nd for anyone that is interested in attending. Mr Cummings asked the Board to review the recycling and sewer rent rebate amount to see if they wish to raise the amount.

FIRE COMMITTEE BUSINESS AND REPORT

Mr Noyes asked South Media Fire Chief Ed Kline to the microphone. Mr Kline noted that he thought the maintenance on the SCBA system would be a good candidate for reimbursement from the DVIT Safety Grant. After some discussion, Mr Noyes moved to use the DVIT Grant funds for the SCBA System. Mr Much seconded and the motion was passed by a vote of 7-0.

Chief Kline gave the quarterly report noting 87 incidents and they had more firefighters per civil and recruiting and had a BBQ. He noted they did a mock crash at SHHS and he spoke on other training events. Mr. Kline spoke on issues with their 1995 pumper truck including no air conditioning and also damage to the wire harness. He noted he is getting proposals for a new truck and noted Peirce was not the highest priced truck. He wanted to thank Mr Lesniak, Mr Cummings and staff. Mr Much asked if he got any information on overhauling the vehicle versus replacement and Mr Kline said he can talk to Glick and Peirce noting they can address new safety systems. He also discussed re-chasseing the truck but then it will not be in compliance with the EPA. He said the township agreed years ago to go on a 15 year replacement schedule and it is at a good resale value now. Otherwise it will continue to reduce in value. Chief Kline said the cost of a replacement truck is about \$650,000.00.

Mr Baker asked questions about response to structure fires by two pumper trucks to see response reports (NIFR's). Mr Baker and Mr Dougherty asked questions on the interaction of the two pumper trucks between the two fire companies. Mr Baker said \$650,000 is a lot of money and asked to see all of the maintenance records for the 1995 truck. Mr Kline said NFPA says 20 years is the lifetime of the truck and said he feels it may be at a point where the truck is unreliable. There was more discussion on reviewing the need to purchase a new pumper truck and the former 1978 analysis of the township fire needs. Mr Much asked Mr Noyes to set-up a meeting with Mr Kline and others interested. Mr Baker noted he has been in fire service for 20 years but has a different role as a Commissioner in reviewing the need for a new truck.

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Mr Noyes gave the Fire Marshall report noting the School District is resolving the SHMS door issue.

BUILDING AND ZONING COMMITTEE BUSINESS AND REPORT

Oak Valley Road subdivision – Jon Sutton handed out information and noted he knows the Board would be interested in the sewer tie in connection. He stated the subdivision was reduced from 14 lots to 8 lots and he wanted to use indigenous materials and stone to stabilize steep slopes and rocky areas. He said he asked to keep to a 15 degree slope and noted many existing properties are at a 20 degree slope. He noted the economy is making it hard to get financing, particularly with large up-front infrastructure costs. He asked the Board what approvals would be needed to make changes requested. Mr Cummings responded that either the engineering would need to change or a plan review depending on the scopes of changes. Mr Noyes said to submit a list of changes to Mr Cummings and Mr Catania. He noted the most difficult driveways to design are on Lot 6 and Lot 8.

Moore Lot Subdivision at 105 W. Brookhaven Rd – It was noted this 4 lot subdivision plan will be discussed at the September 6th planning meeting. Further Board discussion will take place at the September 1st work session.

Hampton Inn and Suites – It was noted the Final Plan will be discussed at the September 6th planning meeting. Further Board discussion will take place at the September 1st work session.

Rabena Subdivision for 535 Manchester Ave – Mr. Cummings stated this is on hold while being revised to 4 lots. Discussion focused on installing a street light on Penn Street and Mr Cummings stated it would be requested of the applicant.

MOTION TO AUTHORIZE SHADE TREE AMENDMENT

Motion and discussion were moved to September 1st Work Session meeting.

Amend zoning permits (Section 300-138.2) to expand accessory structures requiring a permit- Mr Cummings spoke on the proposal to expand definitions of accessory structures. Mr Sullivan asked to further clarify the section on accessory structures and noted it limits the number to one per property.. There was a discussion on the number of accessory structures permitted. After further discussion, the Board asked to move this subject to the September 1st meeting and also to involve the Planning Commission.

COMMUNITY ENHANCEMENT COMMITTEE REPORT

Recycling Contract – Mr Kenworthy referred to the summary of the contract in folder. Mr Sullivan excused himself as his firm does work for Waste Management, one of the bidders. Mr Kenworthy stated that in light of dumpster issue being a bit confusing, he asked the Board only to consider awarding the recycling bid to the lowest responsible bidder for a once a week recycling pick up. He noted the lowest responsible bidder was J.P. Mascaro and Sons and moved to award the contract to them. Mr Dougherty seconded the motion. Mr Noyes said that if the dumpster was considered than Mascaro would not be the lowest bidder. There was more discussion on reducing the size of the dumpster and whether a dumpster would be separately funded by the budget or part of the recycling fee. Mr Noyes noted that all of the bids are lower than the current contract. Mr Baker asked if any there were any legal issues with getting a dumpster later and Mr Lesniak said there is no issue. Mr Noyes stated Suburban Waste has provided good service but knows that Mascaro will provide good service as well. The motion was passed by a vote of 6-0-1 with Mr Sullivan abstaining. Mr Albert DeGennaro, General Counsel of J.P. Mascaro, thanked the Board for the award.

Recycling Containers - Mr Kenworthy noted we have a grant for containers and moved to authorize Mr Sheehan, Township Assistant Manager, to work with Rehrig Pacific to purchase 65 gallon containers and to also get 35 gallon containers. Mr Much stated noted he thought the 48 gallon containers may be

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sufficient. There was much discussion on getting a number of smaller sized containers while also noting residents can use secondary containers. Mr Much said he was not sure if any surrounding municipalities have 2 different sized containers in use. He said smaller containers are easier but larger containers encourage recycling. Mr Noyes said some people may not be able to roll the big containers up the driveway and they are heavy to pick up. The Board took note of Recycling Task Force report on containers recommending 65 gallon containers. Mr Baker said we want to improve the recycling process and a 65 gallon container will help but a smaller container should be available for those who request it. After further discussion the Board agreed to defer making a decision until the September 1st meeting. The Board asked that Mr Sheehan and the Recycling Committee to recommend the type of container stamps etc. and should supply have as many details as possible. Mr Much asked to consider a different colored lid. Mr Kenworthy noted Rehrig Pacific does not make 48 gallon container but does use recycled HDPE. Ms Knight she recommended Rehrig Pacific because they are respected in the business and recycle a lot. They also have electronic scanners to align containers to a property. Mr Kenworthy stated Mascaro would be able to pick up all plastic styles 1-7.

Mr Much thanked Mr Sheehan and Mr Cummings and the Summer Recreation Staff while noting Mr Baker did a tremendous job on the program spending much time and money from his own pocket to assist the program.

INFRASTRUCTURE COMMITTEE REPORT

Street Lighting Upgrade – Mr Sullivan noted the county grant of \$15,000 is to start the LED Street Lighting Conversion Program and we will be replacing 43 street lights. He noted the county will have an additional round and we plan to resubmit for conversion of additional street light to induction fixtures if possible. Mr Sullivan moved approve our pilot project to Independent lights subject to receiving grant funds. Mr Much seconded the motion which passed by a vote of 6-0 with Mr Kenworthy temporarily out of the room.

NDI response and TE update - Mr Sullivan summarized the status and noted NDI still did not want to do more work until the outstanding billing issues were resolved. He suggested we pay September and October invoices and pay one-half of April's invoice. After more discussion, Mr Sullivan moved to pay the September and October invoices and one-half of the April invoice. Mike Dougherty seconded all agreed and the motion was passed 7-0. Mr Dougherty noted Mr Cummings heard from Senator Pileggi's office but Representative Hackett was very interested in helping as well.

PUBLIC WORKS COMMITTEE BUSINESS AND REPORT

Mr Baker gave the highway report noting that the township's mulch supply was depleted. He also noted that the leaf machines would be worked on in anticipation of leaf collection season.

FINANCE AND ADMINISTRATION COMMITTEE BUSINESS AND REPORT

MOTION TO APPROVE WARRANT LIST

Mr Dougherty asked if there were any questions after reviewing the list. Several questions were asked about Unemployment Compensation payment. Linn Architects and prisoner lodging was also discussed. Mr Dougherty moved and Mr Baker seconded. The warrant list was passed by a vote of 7-0.

Procurement Card List	\$ 16,304.61
Prepaid List	\$ 286,913.89
Bills List	<u>\$124,775.07</u>
Bills List Total	\$427,993.57

2012 Budget Schedule-Mr Dougherty noted the 2012 schedule was in the Board packet and noted that budget

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meetings occur almost every Thursday until it is passed.

MOTION TO APPROVE TD BANK SERVICE AGREEMENT

Mr Dougherty so moved to approve the TD service agreement. Mr Noyes seconded the motion which passed by a vote of 7-0.

MOTION TO CLOSE UNUSED ACCOUNTS (PRIDE DAY, MAR-J. & SAGE SENIOR LIVING ACCOUNTS)

Mr Dougherty so moved to close these three accounts. Mr Kenworthy seconded the motion which passed by a vote of 7-0.

Sewer billing based on water usage - Mr Cummings spoke on status noting a variance in the numbers supplied by the water companies and the number of sewer units. Mr Sullivan asked if Swarthmore had commercial units in their listing. Mr Cummings stated he will ask.

POLICE COMMITTEE BUSINESS AND REPORT

Mr Much gave the police report and the statistics for the month of July.

Ridley Drive speed bumps and parking - Mr Baker noted the conceptual diagram for the location of the speed bumps prepared by Mr. Catania. Mr Sullivan asked for Mr Lesniak to review to see if the temporary speed bumps proposed meet standards of the township. Mr Baker said the parking issue will be discussed separately.

Engle Drive Parking - Mr Sullivan said he sent a letter to all Engle Drive residents and abutting properties asking parking restriction preferences. He said nine households want to extend the 2 hour parking and four are satisfied as it is. Mr Sullivan asked Mr Cummings to prepare an amendment to extend the 2 hour limit on Engle and within 100 feet on Brookhaven Road on either side on Engle.

Animal Control - The Board discussed requiring ID tags on dogs. Mr Cummings and Mr Lesniak will work on this.

ADJOURNMENT

There being nothing further to discuss the meeting was adjourned.

The next meeting is a work session on September 1st at 7:30pm.