

(283) **BOARD OF COMMISSIONERS OF NETHER PROVIDENCE TOWNSHIP**
LEGISLATIVE MEETING – October 13, 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, October 13, 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 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
Darryl Dixon	Public Works Director

EXCUSED: Commissioner O'Connor

PUBLIC: Approximately 2 in attendance

PUBLIC COMMENTS

None

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr Cummings stated Steve Brown was interested in applying for an opening but was unable to attend tonight's meeting.

APPROVAL OF MINUTES

MOTION TO APPROVE SEPTEMBER 8th LEGISLATIVE MEETING MINUTES

Mr. Much was not present at this meeting so Mr Sullivan moved to approve the minutes. Mr Baker seconded the motion. Mr Noyes noted spelling corrections and the motion was passed 5-0 with Mr. Much abstaining.

SOLICITORS REPORT

Mr. Lesniak recommended approval of the AG&B escrow release and stated he contacted SEPTA and is working on an entry agreement. He stated he is in the process of revising the Civil Service regulations to comply with state law and noted the first step of the court order for the property on Providence Road is accomplished. Mr. Lesniak noted the Hampton Inn stipulation and final land development plan can be approved subject to changes to the escrow account.

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ENGINEERS REPORT

Mr Catania noted Woodward Road is open and spoke on the status of H2O grants and AQUA is finishing their work in Heatherwold. He noted DELCORA has advised the Township's allocation of sewer units may be exceeded. Mr Catania said we are ready to advertise for bids for the Beechwood Road sewer extension and noted a fish kill was traced to roof cleaning on Plush Mill Road. He wished to make sure DEP's contact information is on the Township website. Mr Noyes said the report originated with children and he would like to send them a letter of thanks. Mr. Noyes asked about the timing of the paving in Heatherwold and Mr Catania said it would be beneficial to bid this out in the spring.

MANAGER'S REPORT

Mr Much asked Mr Cummings if he would allow Allison Karpyn of 308 Martin Lane to speak concerning the Panther Foundation and the Pajama 5 K Run & Walk beginning at 9:00am on November 12. Ms Karpyn would like to close the Avondale Road and noted the South Media Fire Company will supply volunteers. She also noted the Foundation was formed to support the School District. Mr Kenworthy also noted they wish to use Copples Lane and she may want to close that as well.

Mr Cummings stated the Garden City Fire Company golf outing was being held on Monday October 17 and the drug take back program is on October 29 at the police station. He stated delinquent recycling bill notices have gone out and Chester Water Authority was flushing hydrants in the southern portion of the Township. He also noted the Moore subdivision had requested a three month extension which was approved by the Board at their October 6 meeting. Mr Much asked everyone to help out with the 5K First Responders Race.

FINANCE AND ADMINISTRATION COMMITTEE BUSINESS AND REPORT

MOTION TO APPROVE WARRANT LIST

Mr Dougherty asked if there were any questions after reviewing the list. There were questions on the sign machine repairs, Broadview Networks invoice, Linn Architects expenses, the Penn Woods Tree invoice and fees for prisoner lodging at Media Borough. Mr Dougherty moved to approve the warrant list as follows:

Procurement Card List	\$ 14,827.12
Prepaid List	\$ 422,285.97
Bills List	<u>\$ 751,936.71</u>
Bills List Total	\$1,189,049.80

Mr. Sullivan seconded the motion which passed by a vote of 6-0.

2012 Budget Presentations:

Administration - Mr Sheehan highlighted the Summer Recreation program stating there was information in the folders for the Board to review. He also noted the line-by-line review would occur next week. Mr Sheehan reminded the Board that the recycling fee is a big decision and that the Board would be given information about the inclusion of the recycling fee in the tax bill insert.

Police – Chief Flannery presented the budget noting officer's salaries are set by collective bargaining. He noted the budget includes a tactical vest for Officer Liss (\$1,500) and the gasoline line is being raised. The Chief noted the Alert System fee also includes the Seepin fee which is expensive but shared. He also spoke on ClearNet which is a program to track suspects and relatives and missing people. He stated the cost is \$187/month per password. He also would like to lease 2 new police cars at \$22,000 next year. Mr Noyes asked about the cost of animal control and the Chief said the budget line item includes an Animal Control Officer while noting we still can use Dr Herman . Mr Baker

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asked if information is shared between departments when an officer goes on web. The Chief said one officer per department has access and can share information. Mr Baker also asked about leasing cars versus purchasing. Mr Much asked about the rotation schedule of the cars.

Public Works – Darryl Dixon spoke on the increase in part-time salaries due to the vacation schedules on many full time employees being at the maximum amounts and the same will occur next year. Mr Dixon said he wants an increase in the salt budget as well since we went way over the last several years. Mr Dixon said his capital budget items will be discussed next week. Mr Dougherty asked about the salt budget.

Pension Administration RFP's – Mr. Dougherty noted RFPs were received October 6 and the price comparisons were in the folders for review. Mr Sheehan noted the costs are down compared to the last solicitation. Mr Much asked about comparative returns and asked to check references. Mr Noyes asked to have Simon Capital come in. Mr Kenworthy asked to compare the vendors to set indices. The Board asked Mr Sheehan and Ms Swan to further investigate and for Simon Capital to come to the November 3rd work session.

MOTION TO RATIFY RFP'S FOR AUDIT SERVICES

Mr Dougherty moved to ratify decision to seek RFPs for auditing services. Mr Noyes seconded the motion which passed 6-0.

MOTION TO APPROVE RESOLUTION NO. 2011-14 DISTRIBUTING ACT 205 PENSION FUNDS

Mr Cummings summarized the resolution and the allocation for the Police and Non-uniform pension funds. Mr Dougherty moved to approve the resolution. Mr Baker seconded the motion which was approved 6-0.

BUILDING AND ZONING COMMITTEE BUSINESS AND REPORT

Lot Line Revision Hampton Inn – Mr Cummings reviewed the project. Mr Lesniak said he finds everything okay and we're in agreement with the stipulations. Mr Noyes asked about tree removal, the storm water easement and consolidating escrow accounts with Media Borough. Mr Lesniak said he believes it appropriate to have one account with releases approved by both Boards. Mr Sullivan asked if storm water easements were needed and whether the discharge location was to change. Mr Kerr said an easement is not required when the strip of land is acquired and stated that although the pattern was changed on-site, the discharge location will remain the same. He noted this was addressed in preliminary approval. Mr Dougherty moved to approve finalization of the subdivision and lot line revision as follows:

The Plans entitled Hampton Inn and Suites, Final Plans dated July 2, 2007, last revised September 27, 2011, consisting of 18 sheets prepared by Pennoni Associates (their job No. PHGL0601), including the Storm Water Management Report dated January 15, 2010 last revised August 31, 2011 and the associated Stormwater Management Plans (Pre-/Post-Development Drainage and Inlet Plans dated 4/28/11 last revised 9/27/11 and the Post-Construction Stormwater Management Plans dated 6/3/2011 and Details Plan dated 7/2/2007 last revised 9/27/2011) can receive Conditional Final Land Development Approval subject to the following:

1. Compliance with all the conditions and requirements of the March 10, 2011 Conditional Preliminary Land Development Approval (attached).
2. Compliance with the terms of the Settlement Stipulation between the Township and the Pinnacle Group from the appeal of the August 16, 2010 Nether Providence Township Zoning Hearing Board decision made on Township Zoning Application No. 10-08.

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3. Compliance with the comments of the Township Engineer in their comment letters of July 26, 2011 and October 13, 2011 (attached).
4. Compliance with conditions of the Township Planning Commission per their September 6, 2011 approval including compliance with comments of the Township engineer.
5. Compliance with applicable Conditions of Final Approval by the Borough of Media resulting in a Record Plan signed by the Borough of Media.
6. Compliance with any applicable regulations of the Delaware County Planning Commission per review comments dated August 18, 2011.
7. Review and Approval by the Township Fire Marshall of any applicable Fire Code regulations.
8. Review by the Township Environmental Advisory Committee (EAC) as applicable.
9. The Applicant entering into a Developers Agreement providing financial security for improvements as provided by state law and as approved by the Township Solicitor.
10. Compliance with all other applicable Township, State and Federal laws and ordinances.
11. The Applicants accept the conditions of Approval.

The Lot Line Adjustment Plan also prepared by Pennoni Associates dated 1/11/11, last revised 10/6/2011 consisting of 1 sheet can also be approved. The Record Lot Line Revision Plan can be signed prior to compliance with all the above Conditions of Approval which are applicable to the Land Development Plans.

Mr Kerr said they accept conditions of approval. Mr Noyes seconded the motion which passed by a vote of 5-1 as follows: Mr. Sullivan, yes, Mr. Noyes, yes, Mr. Dougherty, yes, Mr. Kenworthy, yes, Mr, Baker, yes, Mr Much, no.

MOTION TO APPROVE ORDINANCE NO. 760 (AMENDMENT TO SHADE TREE REGULATIONS)

Mr Much moved to approve the ordinance. Mr Noyes seconded the motion which passed 6-0.

MOTION TO GRANT EXTENSION UNTIL 11/11/11 for RABENA 4-LOT SUBDIVISION AT 535 MANCHESTER AVENUE

Mr Much moved to grant the extension request. Mr Noyes seconded the motion which passed 6-0. Mr Noyes asked about the storm water run-off issue. Mr Catania stated he went out and said they have addressed it.

RATIFY ESCROW RELEASE TO ARTERS, GREAVES & BROWN IN AMOUNT OF \$36,535.50

Mr Cummings said \$36,535.50 is the amount approved by the engineer. Mr Much moved to authorize the release. Mr. Kenworthy seconded the motion which passed 6-0.

PUBLIC WORKS COMMITTEE BUSINESS AND REPORT

Mr Baker noted leaf season is underway and to place leaves at the edge of the property and not in the street. He also said that the Highway Department is working very hard to get around the entire township in a very timely manner.

COMMUNITY ENHANCEMENT COMMITTEE REPORT

Recycling Schedule – Mr Kenworthy noted Mr Augustine was unable to attend tonight, but could make it next week to which the Board agreed.

Recycling Containers & Notices – The Board reviewed the content of the postcard. Mr Kenworthy

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moved to approve and Mr Sullivan seconded the motion. Mr Noyes asked about existing containers and there were other comments to make it bold and have the font stand out. Mr Kenworthy moved to approve with the three changes, Mr Sullivan seconded the motion which passed 6-0. Mr Much asked about recycling by religious organizations.

MOTION TO DISSOLVE SUSTAINABILITY COMMITTEE

Mr Kenworthy referenced David Director's letter and moved to dissolve the committee with thanks. Mr Dougherty seconded the motion. Mr Noyes and Mr Sullivan voiced some concern that all their activities may now fall under the EAC, so the Board should consider some subcommittee to EAC. Mr Noyes said we should notify EAC of their extra duties. After further discussion the motion carried by a vote of 6-0.

FIRE COMMITTEE BUSINESS AND REPORT

Mr Noyes noted he received a letter from Stage 1 and noted they plan to have 200 events in Summit School. He also noted it is Fire Prevention Week and the Fire Marshal's office is in the midst of doing fire drills at schools and scheduled fire extinguisher training events. Mr Noyes reminded residents it is typical to change batteries in smoke detectors with the time change. Mr. Noyes stated the Fire Marshal has generator quotes and all WSSD Middle School door hardware has been replaced. Mr Noyes noted Chief Lombardo's mother passed away and gave condolences.

INFRASTRUCTURE COMMITTEE REPORT

Transportation Enhancement - Mr Sullivan noted we need to go out for bid for construction inspection services.

SRTS - Mr Sheehan said he and Mr Cummings reviewed engineering RFPs and will recommend Baker Engineering. He noted we discussed the matter with Mr Catania and he is ok with this as well. Mr. Sheehan stated Baker Engineering has done similar work in Delaware County with good reviews. Mr Sullivan moved to select Michael Baker as design and inspection engineer. Mr Larry Baker, (no relation) seconded the motion. After further discussion, the motion was approved 6-0.

POLICE COMMITTEE BUSINESS AND REPORT

Mr Much gave the Police report. He noted that the new Police SUV won a prize at a car show. He noted there were arrests in a home invasion and that car thefts continue and asked residents to lock cars and doors and call 911 if you see any suspicious activity.

Speed bump request, (400 Block of E. Country Club Lane) – Mr Dougherty noted he has received a request for speed humps and asked the Chief to look at location. He said he would like to further investigate.

Mr Dougherty noted again that leaf pick up starts next week and to please keep leaves off of the street as it is a hazard.

ADJOURNMENT

There being nothing further to discuss the meeting was adjourned.