

(288) **BOARD OF COMMISSIONERS OF NETHER PROVIDENCE TOWNSHIP**
LEGISLATIVE MEETING – November 10, 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, November 10, 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
Commissioner O'Connor

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 5 in attendance

PUBLIC COMMENTS

George Levitsky of 205 Copples Lane said WSSD had the P.A. System running loud from 10:00am to 10:00pm, 12 hours straight. Having more games creates a lot more noise and it was loud for a very long time. Mr Dougherty asked if he went to the school board and he said they only comply for a short period of time. Mr Much asked if the PA system was used for anything other than games. Mr Levitsky said the band was there and maybe there could be a limit put on. He also said they spoke to Mr Vince Mariott and noted bottles, cans and eggs have been thrown at his home in the past. Ms Levitsky said the sound was unbelievably loud and stated the system was installed in 2008 and they moved there in 1984.

Bill Burns of Green Valley Road asked if a case study was done for recyclables. He said new containers takes 3 times longer to pick up and will not be filled in a week. Mr Sullivan said he fills his cans up every week.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr Paul Rosier was present and stated he is a professor at Villanova and is interested in EAC. He stated he is a member of A Few Steps and is interested in sustainability issues. Mr Rosier has lived in the township since 2000. Mr Kenworthy noted MMCP municipalities are working together on these issues. Mr Much moved to appoint Mr Rosier to the EAC. Mr Sullivan seconded and the motion which passed 7-0.

Mr Much thanked and congratulated all the Board members that were reelected and those other candidates who ran.

Pension Administrators RFP's – Mike Glackin and Jeff Hugo from INR were present and said they have been in business since 1990 and are fiduciary advisors to 70 municipalities. They spoke on their investment strategy on asset allocation noting it was an all market index approach. Mr Much thanked them for their presentation. Mr Dougherty said they are independent custodian and they do not get any fees or revenues from their acquisitions and they have a defensible position. Mr Much asked how often a review is done. Mr Glackin said reviews are usually quarterly and he recommends setting up a pension committee. Mr Noyes asked if the cost is .56 basis points. Mr Hugo said they get .40 basis points. Mr Much asked if fees are negotiable. Mr Glackin said he would have to look at our plan specifics. Mr Hugo said they came in with their best price. Mr Much asked to put the decision to select pension advisor on the agenda for November 17th.

APPROVAL OF MINUTES

MOTION TO APPROVE OCTOBER 13th LEGISLATIVE MEETING

MINUTES

It was noted that several changes were made to minutes concerning Hampton Inn. Mr Much moved to adopt the October 13 minutes. Mr Sullivan seconded the motion which passed by a vote of 7-0.

SOLICITORS REPORT

Mr. Lesniak spoke on litigation issues including two zoning matters and a mobile home issue. He is also working on civil service regulations and wants to make additional changes above those required by the state. He noted he emailed SEPTA the agreement and hoped it could be approved next month.

Mr Sullivan asked if anyone on the Board authorized using the Township Logo on election material and asked Mr Lesniak about it. Mr Lesniak asked if it was trademarked. Mr Noyes questioned Mr. Lesniak being campaign manager for individuals running for election and stated he has concerns with this noting he took adverse positions to some board members. Mr Lesniak said he did represent Larry Baker but not Ms Gorbey. Mr. Lesniak referred to past financial support from the previous solicitor to the democratic party. Mr Sullivan said he heard that he threatened to place 5th ward Judge of Elections under arrest. Mr Sullivan asked in what capacity he did this. Mr Lesniak said he did say he was calling police and did it as an individual. Mr Noyes said his concern is the Township Solicitor taking adverse positions to members of the Board.

COMMUNITY ENHANCEMENT COMMITTEE REPORT

Recycling Schedule – Mr Kenworthy noted Jeff Ropunno, Sr. Account Manager for J. P. Mascaro and Sons was present. Mr Kenworthy noted the Board has 2 collection schedule maps and discussed options. Mr Ropunno said he could do whatever the township wished but will need to check on the option to flip Wards 1 & 2 so Ward 1 is on Thursday and Ward 2 is on Wednesday.

Mr O'Connor left at this time 8:50pm.

ENGINEERS REPORT

Mr Catania noted he sent a letter on H2O Grant work to DELCORA and they corrected their response so now the allocations are available. Mr Much asked about installing a mirror at the intersection of Twyckenham and Beatty Roads. Mr Cummings said PENNDOT has forms to request mirror installations. Mr Much asked about inspections of WES and Mr Catania said he has inspectors there. Mr Much asked about the 107 Harvey Escrow release and Mr. Catania stated they needed to do work on driveway drainage. Mr Noyes asked about repairing the Sheperds Lane culvert. Mr Catania stated damage occurred from the hurricane and noted his recommendation is in the capital request. He stated Mr Sheehan and Mr Dixon met with FEMA on this culvert. Mr Sheehan will have Mr Dixon check the barricade.

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MANAGER'S REPORT

Mr Cummings noted the Wellness Fair and the WSSD Foundation 5 K events on November 12th. He also informed the residents of the Landlord-Tenant law discussions being held by the Delco Bar Association and noted there was a low-cost internet program for students being provided by Comcast.

FINANCE AND ADMINISTRATION COMMITTEE BUSINESS AND REPORT

MOTION TO APPROVE WARRANT LIST

Mr Dougherty asked if there were any questions on the warrant list. There were questions about spending \$850 for playground mulch, the Higgins invoice, gas prices, and the Vista Printing invoice for the recycling post cards. After discussion, Mr Dougherty moved to approve the warrant list as follows:

Procurement Card List	\$ 24,722.33
Prepaid List	\$ 317,765.63
Bills List	\$ 35,084.41
Bills List Total	\$ 377,572.37

Mr. Baker seconded the motion was passed by a vote of 6-0 (Mr. O'Connor left earlier).

2012 Budget – First Reading

Mr Dougherty summarized the 2012 proposed budget and noted it was set at \$5,891,326.00 at 11.2% increase and stands at a 4.55 millage rate. He noted the next Budget Meeting was next Thursday and the Board will continue to revise it to reduce the tax amount.

RFP for Auditing Services – Mr. Dougherty noted the requests were sent out Monday and the Board will be updated next meeting.

MOTION TO APPROVE RESOLUTION NO. 2011-15 (TAX AND SEWER CERTIFICATION FEES)

After some discussion Mr Dougherty moved to approve Resolution No. 2011-15. Mr Sullivan seconded the motion which passed 6-0.

PUBLIC WORKS COMMITTEE BUSINESS AND REPORT

Mr Baker gave the highway report and asked residents to keep leaves out of the road. Mr Noyes said there was a request to go up Coles Hill Road. Mr Sullivan said there was also a request from Morgan Lane and maybe we can set a weekly schedule and place it on the website.

FIRE COMMITTEE BUSINESS AND REPORT

Mr Noyes highlighted the Fire Marshalls report.

BUILDING AND ZONING COMMITTEE BUSINESS AND REPORT

Rabena 4-lot Subdivision at 535 Manchester Avenue-Motion to grant extension until 12/31/2011 -
Mr Much moved to grant the extension to 12/31/2011. Mr Noyes seconded the motion stating he reviewed the site and believes a sidewalk is warranted. The motion passed by a vote of 6-0.

MOTION TO RELEASE \$2,500 SINGLE LOT ESCROW FOR NEW HOME AT 107 HARVEY ROAD

After discussion Mr Much moved to release upon approval by the township engineer for resolution of the storm water management There was a question about encroaching on floodplain. Mr. Cummings stated the flood waters were below the silt fence. Mr Sullivan seconded and the motion was passed by a vote of 6-0.

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INFRASTRUCTURE COMMITTEE REPORT

Transportation Enhancement - Mr Sullivan advised NDI sent in their review to PennDOT and Mr Cummings submitted the inspection RFP.

POLICE COMMITTEE BUSINESS AND REPORT

Mr Much asked Chief Flannery to report. Chief noted two arrests involving a Township burglary but there still are open cases and said a suspicious vehicle has been seen in the vicinity of burglaries. He stated an older model silver Honda with a female with dirty blonde hair has been seen. He also noted a 46" TV was stolen on the 400 block of Beech Road. The Chief stated he will email information to the Board.

Mr Much gave the statistical report and asked Board members to provide a list of stop sign installation requests. He asked if we can install an "opposing traffic does not stop" sign on the stop sign on Surrey at Mulberry. Mr. Sullivan stated traffic calming is needed on Waterford Way at Kent Road and Devon Lane. Mr Baker said he was interested in placing portable speed humps on Ridley Drive and other wards.

ADJOURNMENT

There being nothing further to discuss the meeting was adjourned.