

UPPER PROVIDENCE TOWNSHIP  
DELAWARE COUNTY  
BUSINESS MEETING  
February 14, 2019

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The Upper Providence Township Council held the regularly scheduled monthly Business meeting on Thursday, February 14, 2019 at the Upper Providence Township Building. Chairman Timothy Broadhurst called the business meeting to order at 7:30 PM. Mr. Broadhurst led the Pledge of Allegiance.

**Roll Call**

Present: Mr. Timothy Broadhurst, Chairman, Ms. Kathy Heupler, Vice Chair, Mr. Edward McLoughlin, Ms. Beth Glassman and Mr. Ray Wilson. Also in attendance, Mr. Gregory Lebold, Township Manager, Ms. Naughton-Beck, Township Solicitor, Mr. J.P. Kelly, Township Engineer, Ms. McCloskey, Adm. Assistant and Walt Omlor, Constable.

**Awards, Presentations and Announcements**

Mr. Lebold advised that Harper the Pit Bull has been adopted by a rescue agency in New Jersey, that the Comprehensive Plan surveys have been mailed to random addresses, and that Representative Chris Quinn will be holding a question and answer session at the Township building on Friday February 22 from 3 – 4:30pm. Mr. Lebold noted that Representative Quinn will also be holding an event from 7-9 pm on Friday, March 22<sup>nd</sup> at the Glen Mills School to promote awareness of World Water Day. Details are on our website. Mr. Lebold also noted that an E-waste event will be held on April 20, 2019 from 9-12 at the Promenade at Granite Run, in conjunction with Middletown and Edgemont Townships.

**Public Forum**

Max Rivera from 213 W. Coulter Lane, an Eagle Scout, wants to build a fence around the dumpsters at the Unitarian Church at 145 W. Rose Tree Road. He asked for relief from the requirements for obtaining a zoning permit.

Kevin Else of 58 Cedar Hill Lane had questions about how the bid process works, how they are advertised and who is there for the opening of the bid. Mr. Lebold advised that bids are advertised twice and posted at the Township Building. For the opening of the snow removal bid it is the Township Manager, the Roadmaster and the contractor(s). He also questioned how the meetings are run and when the public can give their input. Mr. Broadhurst explained how the Council and Committees Meetings are run.

**Approval of Minutes**

Ms. Heupler made a motion, seconded by Mr. McLoughlin, to approve the January 7, 2019 Reorganization and Business Meeting minutes.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Approval of Minutes**

Ms. Heupler made a motion, seconded by Ms. Glassman, to approve the January 10, 2019 Regular Council Business Meeting minutes.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Approval of Minutes**

Ms. Heupler made a motion, seconded by Mr. Wilson, to approve the January 24, 2019 Committee Meeting minutes.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Municipal Boards, Authorities, Commissions and Committees**

Vacancies on the Sewer Authority and the Planning Commission were discussed.

**Zoning, Subdivision and Land Development**

**Preliminary SDLD – South Ave. & South Orange**

Ms. Heupler made a motion, seconded by Mr. McLoughlin, to approve the Preliminary Land Development and Subdivision Plan of South Avenue and S. Orange Street prepared by Linn Architects dated January 7, 2019, subject to compliance with the January 25, 2019 review comments from the Township Engineer.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Unfinished Business**

**Public Hearing**

Ms. Heupler made a motion, seconded by Mr. McLoughlin, to close the Business Meeting and open a public Hearing on the Verizon Cable Franchise Agreement.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

Ms. Naughton-Beck explained that the purpose of the hearing is to discuss the re-negotiation of the current Verizon Franchise Agreement. In order to effectuate the most cost effective way to negotiate these agreements the Township entered into a consortium with Middletown and Edgemont Townships as a collective bargaining group to retain Cohen Legal Group to negotiate the best possible terms. The Townships current Franchise Agreement is set to expire on March 8, 2019. As part of the process each municipality is required to hold at least one public hearing to consider Verizons past performance under the contract. Public notice of tonight's hearing was published in the Delaware County Daily Times on February 4, 2019. This hearing is for past performance not future wish list items. The quality of services in the past, meaning signal quality, response to consumer complaints, and billing practices. This hearing is being held to invite the public to comment on Verizon's past performance. Mr. Else asked how much it costs us. He was advised that we derive money from Verizon.

Mr. Broadhurst asked if there was any input from Council or the audience. Hearing none, he thereby concluded the Public Hearing and asked for a motion to close the Public Hearing.

**Close Hearing/Open Meeting**

Ms. Heupler made a Motion, seconded by Ms. Glassman to close the public hearing and reopen the business meeting.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**New Business**

**Voucher List for January 2019**

Ms. Heupler made a motion, seconded by Mr. McLoughlin, to approve the voucher list for January 2019 in the amount of \$493,614.13.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Resolution 2019-7 – County Aid Application**

Ms. Heupler made a motion, seconded by Mr. Wilson, to approve Resolution No. 2019-7, authorizing the Township Engineer to submit for County Aid for the 2019 Road Program.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Conditional Use Hearing – Darhun Construction**

Ms. Heupler made a motion, seconded by Mr. McLoughlin, to schedule a Conditional Use Hearing for Darhun Construction, 923-925 N. Orange Street at the March 14, 2019 Council Regular Business meeting.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Donation Request – Media Little League**

Ms. Heupler made a motion, seconded by Ms. Glassman, to approve the donation request from Media Little League for the field/fence advertisement in the amount of \$175.00.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Abstain
Ms. Heupler	Yes		

Motion approved 4-0

**Authorize the Township Solicitor to Appear**

Ms. Heupler made a motion, seconded by Mr. Wilson, to authorize the Township Solicitor to appear on behalf of the Township regarding variance applications for 516 S. Orange Street and 1214 First Ave. for the February 27, 2019 Zoning Hearing Board.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Sale of Police Vehicle**

Ms. Heupler made a motion, seconded by Ms. Glassman, to accept the bid in the amount of \$11,577.00 from Joseph Laumann for the 2015 Dodge Charger Police vehicle.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Sewer Authority Appointment**

Ms. Heupler made a motion, seconded by Mr. Wilson, to appoint Robert Powell, a resident of the 4<sup>th</sup> District, to

the vacant position on the Township Sewer Authority, for a first term which will expire on January 21, 2024.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**609 Summer Street Waiver Request**

Ms. Heupler made a motion, seconded by Ms. Glassman, to approve waiving the requirements of Chapter 1258, Sections 1258.02.A.1 and 1258.02.A.3 for the construction of a single family home at 609 Summer Street.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Zoning Permit Waiver Request**

Ms. Heupler made a motion, seconded by Mr. Wilson, to approve waiving the requirements to obtain a Zoning permit for construction of a fence around the existing dumpsters at the Unitarian Church at 145 E. Rose Tree Road.

Ms. Glassman	Yes	Mr. Wilson	Yes
Mr. McLoughlin	Yes	Mr. Broadhurst	Yes
Ms. Heupler	Yes		

Motion approved 5-0

**Council's Administrative Reports**

None

**Engineers Report**

Mr. Kelly advised that the multi modul grant has been postponed and is now scheduled for March 26, 2019. Pursuant to Council's adoption of Resolution 2019-7 for County aid, he will submit the forms to PennDOT the 2019 Road Program. He would like to have contracts completed for consideration in March.

**Adjournment**

There being no further business, Mr. McLoughlin made a motion to adjourn the meeting. The motion was approved by unanimous voice vote and the meeting was adjourned at 7:56 PM.