

UPPER PROVIDENCE TOWNSHIP  
DELAWARE COUNTY  
REGULAR COUNCIL MEETING  
March 9, 2023

---

The Upper Providence Township Council held the regularly scheduled monthly Business meeting on Thursday, March 9, 2023 at the Upper Providence Township Building. Chairman Elgin Akarsoy called the business meeting to order at 7:30 PM. Mr. Akarsoy led the Pledge of Allegiance.

An executive session was held prior to the meeting to discuss personnel matters.

**Roll Call**

Present: Mr. Elgin Akarsoy, Chairman, Ms. Christen Rexing, Vice Chair, Mr. Kevin Else, Mr. Tom McFadden and Ms. Marsha Peterson. Also in attendance, Mr. Don Vymazal, Township Manager, Mr. Carl Ewald, Township Solicitor, Mr. J.P. Kelly, Township Engineer, Ms. Kim McCloskey, Adm. Assistant, and Walt Omlor, Constable.

**Awards, Presentations and Announcements**

Recreation Board presentation – tabled until next month

**Public Forum**

Kimberly Hill, 21 E. Linden Lane – advised Council about the Sustainability Taskforce and what their goals and ideas are.

Monica Shane, 111 Summit – motorists blow through the stop sign at Mancil and Summit. She is looking for options for making the neighborhood safer. The engineer will look into traffic calming measures.

Bob Ferry, 1071 N. Ridley Creek – gave council a 2014 old map of the proposed plans for Scott Park.

Jane Ferry, 1071 N. Ridley Creek Road, Upper Providence for Open Space is disbanding. They have some leftover funds, approximately \$4,000 that they would like to gift to the Township to be able to set up a fund for special projects.

Deborah Margulies, 927 Second Ave – inquired about traffic calming, speed humps, new signage for the her neighborhood.

Daniel Krachuk, 946 Second – inquired about getting sidewalks on his street/redirecting traffic.

**Approval of Minutes**

Mr. Rexing made a motion, seconded by Ms. Peterson, to approve the February 9, 2023 Regular Council Business Meeting minutes.

Mr. Else	Abstain		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 4-0; 1 abstained

Ms. Rexing made a motion, seconded by Mr. McFadden, to approve the February 23, 2023 Council Committees Meeting minutes.

Mr. Else	Abstain		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 4-0; 1 abstained

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

Vacancies on Commission and Boards were discussed.

**Zoning, Subdivision and Land Development**

None

**Unfinished Business**

**Ordinance 548– Medical Marijuana Dispensaries**

Ms. Rexing made a motion, seconded by Mr. McFadden, to approve the 1<sup>st</sup> reading of Ordinance 548- an Ordinance of the Township of Upper Providence, County of Delaware, Commonwealth of Pennsylvania, amending the Zoning Ordinance by establishing certain definitions and further regulating the location of medical marijuana dispensaries, medical marijuana growers/processors, significant tobacco retailers and vape shops, and providing regulations regarding the sale or distribution of kratom or delta-8.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**New Business**

**Voucher List for February 2023**

Ms. Rexing made a motion, seconded by Mr. Else, to approve the voucher list for February 2023 in the amount of \$462,597.77.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**PlateLogiq**

Tabled for more information

**AED Purchase**

Ms. Rexing made a motion, seconded by Mr. McFadden, to approve purchasing two AED machines, one for District Court and one for the highway garage, at an amount not to exceed \$4,000.00.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**Cherry Street Park Use - SMM**

Ms. Rexing made a motion, seconded by Mr. McFadden, to approve Cherry Street Field Use by St. Mary Magdalen the Spring Season, as recommended the Recreation Board.

Discussion: Mr. Else questioned the payment amount for the permits. Per use/season/child was discussed. This will be discussed when drafting the fee schedule for next year.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**Media Little League – Fence Ad**

Ms. Rexing made a motion, seconded by Mr. Akarsoy, to approve the donation request in the amount of \$250.00 payable to Media Little League for the renewal of the fence ad for the 2023 baseball season as recommended by the Rec Board.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**Retrievr – SAAS Agreement**

Ms. Rexing made a motion, seconded by Ms. Peterson, to approve signing the Software As A Service Agreement (SAAS) with Retrievr for the curbside collection of textile and eWaste recyclable materials.

Discussion: This is a service provided to our residents with no cost to the Township. They will go pick up any clothing /textiles and eWaste from the residence for a minimum cost. We will still host the annual eWaste event.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**Resolution 2023-12 – Local Government Week**

Ms. Rexing made a motion, seconded by Mr. Akarsoy, to approve Resolution 2023-12 observing April 10-14, 2023 as Local Government Week.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**Tax Assessment Appeal - Murtaugh**

Ms. Rexing made a motion, seconded by Mr. Akarsoy, to accept the tax assessment settlement for Paul and Theresa Flanagan Murtaugh at 178 Dam View Drive, as recommended by the School District.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**Tax Assessment Appeal – Gingerpup Properties**

Ms. Rexing made a motion, seconded by Mr. Akarsoy, to accept the tax assessment settlement for Gingerpup Properties at 1243 N. Providence Road, as recommended by the School District.

Mr. Else	Yes		
Mr. McFadden	Yes	Ms. Rexing	Yes
Ms. Peterson	Yes	Mr. Akarsoy	Yes

Motion approved 5-0

**Sidewalk Feasibility Study**

Mr. Kelly presented a feasibility study for sidewalks and sidewalks connections in the are of Rose Tree Elementary School. He showed existing and proposed sidewalks. No additional property would have to be acquired. All work can be done within the right of way. The work that he has proposed would be approximately \$560,000.00. He recommends applying for multi modul funds which would be due in June. They could incorporate new signage in the design.

Council requested additional sidewalks to the study and to start looing into the grant. There are a few funding opportunities. Make sure that the intersections and where parking begins is properly marked also. The study will be presented at a public hearing in the future.

**SWM Mapping**

Mr. Kelly advised that he has been in discussion with Mr. Vymazal and would like to generate at GIS map for all of the storm water systems owned and operated by the Township. They did a GIS system the sewer system. These maps can be updated instantaneously. It is a great tool for budgeting purposes. The MS4 program is hard to comply, keep up with and constantly changing. The GIS map would simplify this process. This would take a few years to do.

**Council’s Administrative Reports**

Mr. Vymazal noted that we were approved for funding from the Pennsylvania Commission on Crime and Delinquency. This will go toward software improvements for processing tickets and body cams for the police.

**Engineers Report**

JP Kelly issued his report:

- The 2022 Road Program – the Resolution seeking County Aid funds has been submitted to the County.

- They are working with AQUA and the Twp Manager to secure funding for milling and overlay on roads that have new water lines installed.
- Rose Tree Elementary School Sidewalks – They have developed a feasibility study

**Adjournment**

There being no further business, Mr. Akarsoy made a Motion to adjourn the meeting. The motion was approved by unanimous voice vote and the meeting was adjourned at 8:48 PM.

---

Don Vymazal  
Township Secretary

---

Elgin Akarsoy  
Council Chairperson