

UPPER PROVIDENCE TOWNSHIP  
DELAWARE COUNTY  
REGULAR COUNCIL MEETING  
June 8, 2023

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The Upper Providence Township Council held the regularly scheduled monthly Business meeting on Thursday, June 8, 2023 at the Upper Providence Township Building. Chairperson Elgin Akarsoy called the business meeting to order at 7:30 PM. Mr. Akarsoy led the Pledge of Allegiance.

There was an executive session held immediately prior to the Council meeting to discuss personnel matters.

**Roll Call**

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

**Awards, Presentations and Announcements**

Chairperson Akarsoy along with all members of Council thanked all the firefighters and especially Chief Bob Brown for their quick and efficient response to the fast-moving brush fire on Route 1 on May 30<sup>th</sup>. They with the assistance from surrounding departments and tankers from Chester County were able to get the fire under control and prevented any major property damage to homes that were threatened. Chief Brown and many of his fellow firefighters were present to describe the incident. A resident whose home on Briar Lane was threatened was also in attendance to thank the fire company for saving his home.

**Public Forum**

Scott and Molly Erdy from 249 Bortondale Road (Middletown Twp.) were present to express their concerns for their property as work is being done on the Bortondale Pump Station. Mr. Kelly addressed their concerns and will do a site visit with them.

**Approval of Minutes**

Ms. Rexing made a motion, seconded by Mr. McFadden, to approve the May 11, 2023 Regular Council Business Meeting minutes.

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

Motion approved 4-0

Ms. Rexing made a motion, seconded by Mr. McFadden, to approve the May 25, 2023 Council Business and Committees Meeting minutes.

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

Motion approved 5-0

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

Vacancies on Sewer Authority and Zoning Hearing Board were discussed.

### **Zoning, Subdivision and Land Development**

410 E. Rose Tree Road – Sketch Plan – Tabled until a later date

### **Unfinished Business**

#### **Ordinance 548 – Medical Marijuana Facilities – 2<sup>nd</sup> Reading**

Discussion: The Planning Commission wanted hours of operation and ID required added.

Ms. Rexing made a Motion, seconded by Mr. McFadden, to approve the 2<sup>nd</sup> reading and adoption of Ordinance 548 regarding Medical Marijuana Facilities.

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

Motion approved 5-0

#### **Ordinance 549 – §1256.04 – Use Definition and Standards – 1<sup>st</sup> Reading**

Discussion: The height of fences in front yard, corner properties, setbacks and the amount of open/see through parts of fencing and what are classified as major streets were discussed at length.

Ms. Rexing made a Motion, seconded by Mr. McFadden, to approve the 1<sup>st</sup> reading of Ordinance 549 §1256.04 – Use and Definition Standards – amending part 12, Title 6 of the Code of the Township to update regulations relating to fences permitted in front yards to make the language consistent with the current terminology used by the Pennsylvania Department of Transportation and amend the definition of solid fence.

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

Ms. Peterson            Yes

Motion approved 5-0

**New Business**

**Voucher List for May 2023**

Ms. Rexing made a motion, seconded by Ms. Peterson, to approve the voucher list for May 2023 in the amount of \$493,881.63.

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

Motion approved 5-0

**Resignation – Rec Board**

Ms. Rexing made a Motion, seconded by Mr. Else, to accept the resignation of Timothy Schuler, from the 2<sup>nd</sup> District, from the Recreation Board, whose term is to expire December 31, 2024.

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

Motion approved 5-0

**Resolution 2023-20 – June as Pride Month**

Ms. Rexing made a Motion, seconded by Mr. Else, to approve Resolution 2023-20, recognizing June as Pride Month.

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

Motion approved 5-0

Discussion 547 Plan Management – this is an optional pension plan. Mr. Egan had discussions with other municipalities, and he feels that our current fees are high and would like to look into other options. They would like to put out an RFP to look for cost savings. Council agreed that we should be looking for competitive pricing.

**Council's Administrative Reports**

- Ms. McCloskey advised that Community Day is coming quick and that we still needed a race sponsor. Ms. Rexing said she would work on it.
- Ms. Watson along with Ms. Hill went to a sustainability Conference and obtained a lot of information for the Taskforce.
- Council received the stop sign fines signs to be placed around the Township.
- Mr. Vymazal advised that the CD race registration will kick off next week on the 13<sup>th</sup>. Vendor registrations are coming in. The police vehicle, equipment and software as well as the Ridley Creek Stabilization and Park grants are all in the workings. The new lighting has been installed in the Council room.

**Engineers Report**

Road program award letter went out to the contractor. He will have something ready regarding the storm sewer GIS mapping by August. They are also working on the renderings for proposed improvements to Ray Roche Park.

**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 8:42 PM.

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Don Vymazal  
Township Secretary

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Elgin Akarsoy  
Council Chairperson