

UPPER PROVIDENCE TOWNSHIP
DELAWARE COUNTY
REGULAR COUNCIL MEETING
July 14, 2022

The Upper Providence Township Council held the regularly scheduled monthly Business meeting on Thursday, July 14, 2022 at the Upper Providence Township Building. Chairman Elgin Akarsoy called the business meeting to order at 7:33PM. Mr. Akarsoy led the Pledge of Allegiance.

Roll Call

Present: Mr. Elgin Akarsoy, Chairman, Mr. Kevin Else Mr. Tom McFadden and Ms. Christen Rexing. 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.

Not Present: Ms. Marsha Peterson

Awards, Presentations and Announcements

Public Forum

Irene Schultz, 1992 Kimberwick and Erica Schneider, 1982 Kimberwick, were in attendance regarding 11.11 – Kimberwick pond cleanup. Ms. Shultz has owned her home since 1987 and has spent 20 years addressing issues with the pond owned by 7 property owners. She summarized the issues with the pond.

Mr. McFadden advised that he was alerted by the of 441 Foxchase, Stephen Slawek that there is a golf cart that has been in the pond against the dam (which is in excellent condition) for over 30 years. Item 11.11 is limited to the removal of the golf cart. He is meeting with the tow company tomorrow to have it winched out. This will be a private initiative and he will contribute \$100 and ask the other 7 homeowners to share the expense.

Ms. Schneider advised that she is one of the property owners that owns a portion of the pond and is inquiring about how to go about getting the pond cleaned up.

Addition of Items

None

Approval of Minutes

Mr. Else made a motion, seconded by Mr. McFadden, to approve the June 9, 2022 Regular Council Meeting minutes.

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

Motion tabled until August

Mr. Else made a motion, seconded by Mr. McFadden, to approve the June 23, 2022 Council Business and Committees Meeting minutes.

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

Motion approved 3-0; 1 abstained

Municipal Boards, Authorities, Commissions and Committees

No vacancies.

Zoning, Subdivision and Land Development

None

Unfinished Business

Ordinance 539 – UCC Amendments

Mr. Else made a Motion, seconded by Mr. Akarsoy to Adopt Ordinance 539, an Ordinance of Upper Providence Township, Delaware County, Pennsylvania enacting supplemental standards to the Uniform Construction Code in the Township (1) to require permits for the erection of utility and miscellaneous use structures greater than 200 square feet, (2) to require permits for alterations and repairs to residential buildings, and (3) requiring that a two-way sanitary sewer clean out be installed.

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

Motion approved 4-0

Farnum Road Traffic Study

Mr. Kelly advised that the traffic study field data is complete and he is just waiting on supplemental data to be included. This will be submitted to council for review at the next meeting.

James Derosa, 598 Farnum Road, doesn't see any issues with Farnum.

New Business

Voucher List for June 2022

Ms. Else made a Motion, seconded by Mr. McFadden, to approve the voucher list for June 2022 in the amount of \$498,098.28.

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

Motion approved 4-0

Community Day Purchases

Mr. Else made a Motion, seconded by Mr. Akarsoy, to approve the purchasing/renting of Community Day equipment/materials/Vendors (including but not limited to: Lawn signs, banners, dry erase maps, tents, face, glitter tattoo and balloon person, and field day games) not to exceed posted donations and up to \$5,000.00.

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

Motion approved 4-0

Benchmark Traffic Study

Mr. Else made a Motion, seconded by Mr. McFadden, to approve supporting of Benchmark School to have a school zone implemented on Providence Road during school operations and events for safety reasons. The implementation of the requested school zone would be completed by Benchmark at entirely at their expense.

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

Motion approved 4-0

DCED Grant Application

Mr. Else made a Motion, seconded by Mr. Akarsoy to approve the Township Engineer to submit the DCED grant for stream restoration, removing the proposed educational sign and parking improvements (total of \$8,700.00) as they are not eligible. With the \$8,700.00 removed from the budget, the Twp is committing for 26.2% match instead of the 25.0% match.

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

Motion approved 4-0

Mr. Vymazal advised that it was requested that he put together a proposal based on other municipalities to develop and implement a taskforce meant to increase sustainability, environmental awareness and fiscal responsibility within the community. The taskforce would be charged reviewing the operations, procedures, infrastructure of the Township and its properties and create a recommendation to move towards more sustainability and costs savings. When the Taskforce is created, it should be done by Resolution.

Resolution 2022-20 – PennDOT TSMA - Adoption

Mr. Else made a Motion, seconded by Mr. McFadden to adopt Resolution 2022-20 – PennDOT Traffic Signal Maintenance Agreement (TSMA).

Discussion: This is a requirement regarding improvements at Sunoco, 1491 N. Providence Road.

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

Motion approved 4-0

Stormwater Maintenance Agreement – 1491 N. Providence Road

Mr. Else made a Motion, seconded by Mr. McFadden to approve the PennDOT Right-of-Way Stormwater Management Facilities Operations and Maintenance Agreement between Upper Providence Township and Jilani Real Estate Group, LC, the owner of Parcel No. 35-00-31404-00, 1491 N. Providence Road.

Discussion: This is also in regard to the Sunoco improvements and the tying into the stormwater inlets.

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

Motion approved 4-0

Resolution 2022-21 – Public Works Laborer

Mr. Else made a Motion, seconded by Mr. McFadden to hire John Menditto to the position of full time Public Works Laborer effective July 29, 2022 in accordance with the Township's Home Rule Charter, Codified ordinances and Non-Uniformed Union contract, at a salary in accordance with said contract.

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

Motion approved 4-0

Mr. Vymazal advised that we do receive funding from the state for liquid fuels. The specific allocation of funding is highly regulated in terms of the direction and use of the funds. In 2019 there was a clerical error in terms of reimbursement to the general fund. We were advised through the Auditor General not to do that. It was clerical, no misuse of funds was found. A similar error occurred in 2020 and they wanted to know how we were going to ensure that this would not happen again. The matter has been taken care of.

Mr. Vymazal also noted that the auditors reviewed all accounts and they reported back that everything is good and Township funds are being well managed.

Mr. McFadden spoke about 11.11 – Kimberwick pond. It was concurred that this is not a Township matter and that Mr. McFadden should get written approval from the homeowner before removing anything from his property. Mr. McFadden does not feel that the pond is contaminated.

Sale of Public Works Truck

Mr. Else made a Motion, seconded by Ms. Rexing, to approve the sale of the 2016 Ford F-250 Super Duty Pickup Truck with plow to Peter Foster in the amount of \$8,000.00

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

Motion approved 4-0

Ordinance 542 - Announcement

Mr. Else Announced Ordinance 542 - Delaware County Model Stormwater Management Ordinance.

Council's Administrative Reports

Mr. Ewald advised that the proposed Zoning Ordinance Amendments will be before County Planning in two weeks and before the UPT Planning Commission on July 25th, and will be ready for consideration for adoption in August. Additionally, the State just enacted a new fireworks ordinance that gives municipalities more latitude in regulating fireworks.

Mr. Vymazal advised that the AV Improvements are moving forward for the Council room. There are some supply chain issues.

Mr. Else advised that there was a meeting with residents regarding Cherry Street Park improvements. They received a lot of input from residents via the survey and they put

together a proposal that matched what people are looking for. Mr. Vymazal is looking into grants options.

Engineers Report

Mr. Kelly advised that the streets on the 2022 Road Program should be completed by August.

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 8:49 PM.

Don Vymazal
Township Secretary

Elgin Akarsoy
Council Chairperson