

UPPER PROVIDENCE TOWNSHIP
DELAWARE COUNTY
REGULAR COUNCIL MEETING
October 13, 2022

The Upper Providence Township Council held the regularly scheduled monthly Business meeting on Thursday, October 13, 2022 at the Upper Providence Township Building. Chairman Elgin Akarsoy called the business meeting to order at 7:30PM. Mr. Akarsoy led the Pledge of Allegiance.

Roll Call

Present: Mr. Elgin Akarsoy, Chairman, Kevin Else, Vice Chairperson, Ms. Marsha Peterson 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: Mr. Tom McFadden

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

Awards, Presentations and Announcements

Mr. Akarsoy advised that Kimberly Hill will be getting the Volunteer of the Year award for all of her hard work for Community Day. He also advised that Township Manager Don Vymazal will be getting an award for Manager of the Year for all of his efforts for Community Day. He again thanked everyone for their participation.

Addition of Items

None

Public Forum

June Morris, 47 Shady Hill Road expressed her concerns about how the redistricting was being managed and Council’s transparency.

Approval of Minutes

Mr. Else made a motion, seconded by Ms. Peterson, to approve the September 8, 2022 Regular Council Meeting minutes.

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

Motion approved 3-0; 1 abstained

Mr. Else made a motion, seconded by Ms. Peterson, to approve the September 22, 2022, Council Business and Committees Meeting minutes.

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

Motion approved 4-0

Municipal Boards, Authorities, Commissions and Committees

After new business, there will be one vacancy on the Planning Commission from any District to fill the unexpired term of Bertie Bonner. Said term will expire on December 31, 2026.

Zoning, Subdivision and Land Development

None

Unfinished Business

Ordinance 540- Accessory Structures

Mr. Akarsoy made a Motion, seconded Ms. Peterson to approve Ordinance 540, an Ordinance of the Township of Upper Providence, County of Delaware, Commonwealth of Pennsylvania amending part 12, title 6 of the Code of the Township of Upper Providence to establish regulations providing for the enhancement of accessory structures and the regulation thereof and amended the definitions section of the Zoning Ordinance to confirm regulation of non-compliant uses and creating an exception for tree houses and swing sets in front yards.

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

Motion approved 4-0

New Business

Voucher List for September 2022

Ms. Rexing made a Motion, seconded by Ms. Peterson to approve the voucher list for September 2022 in the amount of \$1,168,138.11.

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

Motion approved 4-0

Resolution 2022-27 – Act 57 – Property Tax Penalty Waiver Provisions

Mr. Else made a Motion, seconded by Ms. Peterson, to approve Resolution 2022-27, Act 57, amending the local tax collection law directing the tax collector to waive additional charges for real estate taxes in certain situations; and directing the tax collector of Upper Providence Township to comply with the provisions of Act 57, and that this resolution is for tax years beginning after January 1, 2023.

Discussion: Mr. Ewald explained that this is a Resolution that all municipalities must do directing their taxing agencies to follow the law.

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

Motion approved 4-0

Planning Commission Resignation

Mr. Else made a Motion, seconded by Ms. Rexing, to approve the resignation of Bertie Bonner from the 4th District.

Discussion: Mr. Akarsoy read her resignation letter and thank you for her service. There is now one vacancy on the Planning Commission – at large.

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

Motion approved 4-0

Resolution 2022-28 – DELCO Greenways Grant – Scott Park

Mr. Else made a Motion, seconded by Ms. Rexing to approve Resolution 2022-28 to apply to participate in the Delaware County Open Space and Greenways Municipal Grant Program for Scott Park.

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

Motion approved 5-0

Ordinance Announcement

Mr. Else announced Ordinance 542 – Use definitions and standards. Mr. Ewald advised that the BCO noticed a typographical error in regards to fences in front yards. We will be amending Chapter 1256.04 I 3 (c) 2 relating to the following:

The height of walls and fences shall be limited to six feet in rear and side yard areas, and shall be limited to four feet in front yards (except with respect to front yards abutting major streets, as defined in Section 1220.08, which shall be permitted to be six feet in height). A solid fence (being more than 75% open) shall not be permitted in front yards, with the exception of front yards abutting major streets.

Council's Administrative Reports

Mr. Vymazal advised:

- Surveys were sent out to vendors and residents regarding Community Day and a report will be generated for help with planning next year's event;
- Stormwater inlet repairs on First Avenue has started – residents have been notified;
- The annual shred event at the Township Building is scheduled on November 5th from 9-Noon;
- Monday, November 17th from 6-8 we the Township will be hosting an open house at Rose Tree Fire Hall regarding redistricting.

Engineers Report

Mr. Kelly advised:

- The 2022 Road Program is complete and a punch list will be generated to facilitate the close out of the project;
- The annual MS4 Reports were submitted on September 30, 2022;
- The engineer for Clark's Manor has submitted the sketch plan regarding keeping the original driveway.

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 8:09 PM.

Don Vymazal
Township Secretary

Elgin Akarsoy
Council Chairperson