

COUNCIL MEETING

June 8, 2022

The regular meeting of the Rose Valley Borough Council was held on June 8, 2022 in the main room of the Old Mill, 9 Old Mill Lane, Rose Valley, PA. President of Council Dave Firm called the meeting to order at 7:30 p.m. Other Council members present were Councilpersons Leonard Busby, Shannon Prown, Matt Sullivan and Vippy Yee; Mayor Bill Hale, Controller John Neilson, Treasurer Mario Bacchia, Solicitor G. Guy Smith and Secretary Paula Healy. Councilpersons absent were Joe Hare and Shawn Stancill.

Members of the public attending the meeting were Deb DeMasi, Monica Gagliardi, Cindy Holston, Peter Howell, Jim Kimsey, Cindy McPherson, Teresa O’Flynn, Ron Ploeg, Susan Ploeg, Eric Root and Chip Seltzer.

MINUTES

After the Pledge of Allegiance, the Minutes from the May 11, 2022 Council meeting were approved on a motion made, seconded and unanimously passed.

PUBLIC COMMENT

Mr. Chip Seltzer, President of the Rose Valley Swimming Pool Board requested that Borough Council again waive the amusement tax collection from the Pool in 2022. Mr. Seltzer discussed the pool’s aging infrastructure and how the Board is working to try to build a capital fund for the eventual rebuilding of the pool. On a motion made, seconded and unanimously passed, Council agreed to exonerate the Borough tax collector from collecting the amusement tax from Rose Valley Swimming Pool for 2022.

Mr. Peter Howell reported the Rose Valley Museum will hold a “Family Day at the Museum” event on the lawn at Thunderbird Lodge on June 18 from 4:00 to 7:00 pm. It will feature a pig roast, hot dogs for kids, sides and salads, ice cream and live music. The Museum will be open on June 25 & 26 with newly installed paintings by Owen Stephens. It will be closed in July and August for refurbishment of the Museum’s south wall and reconstruction of both porches. There will be a field trip on July 28 to Doylestown to tour Fonthill Castle, home of Henry Chapman Mercer and his tile collection, and the Moravian Pottery & Tile Works.

ENVIRONMENT & EAC

Mr. Busby reported that the Native Plant Sale and Environmental Workshop on May 14 was a great success and thanked Cindy McPherson for her hard work on the plant sale.

Mr. Busby recommended appointing Byron Sherwood of 5 Buttonwood Way to fill the voting member vacancy created by the recent resignation of Chris Bourke. On a motion made, seconded and unanimously passed, Byron Sherwood was appointed to the Environment Advisory Council.

Jim Audley led a work weekend in the Saul Wildlife Sanctuary on May 28 and 29. Jim and other volunteers installed the new pet waste station, constructed a stone wall at the base of entrance kiosk and spread crushed stone on additional sections of path. There is now a map with a QR code posted at the entrance kiosk which people can use to download the map and additional information.

Mr. Busby asked Council to approve an expenditure of not more than \$3,000 to have Carney Tree drop two trees that are leaning dangerously over paths in the Saul Wildlife Sanctuary with the funds to come from the public safety budget. This request was approved on a motion made, seconded and unanimously approved.

Mr. Hale reported three Eagle Scout Projects benefiting the Borough had recently been completed. Ryan Dougherty planted trees and shrubs in the Saul Wildlife Sanctuary; Jackson Santee extended the bluestone paver path at the gate house ruins over to the Veterans' Memorial and also stained the bridge across from Hedgerow Theatre; and James Traverso built an information kiosk and cleared new paths in the Chadwick Wildlife Sanctuary.

HIGHWAYS

Mr. Sullivan reported that Borough Engineer Matt Houtmann reviewed the invoice from Innovative Construction Services for the gutter repairs and repaving of Brookview Lane, Forestview Road, and Todmorden Drive from Brookhaven to Forestview, and recommends payment of \$172,107.00 for this work. Of this amount, \$48,000.00 will be paid from the Highway Aid Fund and the remaining \$124,107.00 will be paid from the Road Improvement Fund.

Engineer Houtmann is working on the specifications for the culvert repair on the southern side of Todmorden Drive near Brookhaven Road.

LIBRARY & TECHNOLOGY

Ms. Yee reported that the Helen Kate Furness Library's Silent Auction Fundraiser ends tonight, June 8th, and that the Library has numerous summer activities planned. The schedule is posted on the website at www.hkflibrary.org.

Ms. Yee also reported that the Rose Valley Swimming Pool board of directors decided to invite Rose Valley residents to come to a flag raising ceremony at the Pool after the Fourth of July Parade. She also noted Hedgerow Theatre is giving a \$5 discount to Rose Valley residents for "In the Next Room". Tickets are available at www.hedgerowtheatre.org.

PUBLIC SAFETY

In Mr. Stancill's absence, Mrs. Prown reviewed the Police Report from April and the Fire Report for May. The State Police did not provide a Police Report for May due to staffing problems. The Fire Report showed there were no emergency calls in May. Fire Marshall Poissant also

provided a flier on fireworks safety noting that backyard fireworks are quite dangerous and encouraging people to attend public displays put on by professionals.

Mrs. Prown asked that Council approve Resolution 5 – 2022 adopting the updated Emergency Operations Plan for the Borough of Rose Valley and updated Critical Personal Emergency Notification List. The update of the plan only involved changing the date and the names of certain Borough officials. Mrs. Yee noted the notification list required various corrections and approval was postponed until the next meeting.

PLANNING

Mrs. Prown reported on the Planning Commission Meeting on June 2, 2022, which was chaired by Stephanie Middleton as her last public service to the Borough before moving out of Rose Valley.

The Borough submitted a grant application and was notified in late 2021 that it had been awarded a \$75,890 Green Ways Connect Grant from the Delaware County Planning Department. The grant application stated that the funds would be used for the design and construction of a walking path 4 feet wide on Borough property on the south side of Rose Valley Road on either side of Old Mill Lane and 3 feet wide within the PennDOT Right-of-Way in front of the historic houses near the Possum Hollow Road intersection.

The Planning Commission subsequently learned that the subdivision of the original Pew property was a modern subdivision with the property lines and ultimate Right-of-Way (RoW) set back 25 feet from the center of Rose Valley Road for the 6 properties along the road. The original Pew mansion is now the Strine home. The Borough has the right to construct a pedestrian walkway in this area outside the 16.5-foot-wide PennDOT RoW, which is the primary purpose of an ultimate RoW. The original owners of properties on either side of Strine also purchased the land within the ultimate RoW from the developer in addition to their 1-acre house lot. However, even if the property owners own the land in the ultimate RoW, the municipality still has the right to construct a pedestrian walkway in this area. It was also learned that the lot at the corner of Woodward Road and Rose Valley Road across from the train station, which was sold off prior to the Pew subdivision, has its property line set back 20 feet from the center of Rose Valley Road.

The Planning Commission noted the most dangerous section of Rose Valley Road to walk along is the Strine property where there is a stone wall within a few feet of the white line and the adjacent Buttonwood Way property. The Commission felt it would be a much better use of the Connect Grant money to design and construct a safe walking path across these properties than near Old Mill Lane and Possum Hollow Road. Pedestrians can already safely walk across the grass lawns on either side of Old Mill Lane and along the walkways in front of the historic homes near Possum Hollow. It would also be very time consuming to get permission from PennDOT to install a new walkway in their RoW.

Planning Commission members have discussed redirecting the Connect Grant walking path funds to the Strine and Buttonwood Way properties with Steven Beckley and Ann Stauffer of the Delaware County Planning Department, and both indicated this would be acceptable because the

money would still be used for a walking path along Rose Valley Road towards the Moylan/Rose Valley Train Station.

The Planning Commission voted to recommend that Borough Council redirect the Connect Grant funds to the Strine property and adjacent Buttonwood Way property. It also voted to recommend that the Borough Engineer survey and prepare a plan of existing conditions and topography on these properties and of the property lines and ultimate RoW on all 7 properties along Rose Valley Road from south of Buttonwood Way to Woodward Road.

During the Planning Commission meeting, it was explained that the walking path has not yet been designed because this first requires a survey of existing conditions and boundaries. The conceptual plan discussed was removing the existing black wrought iron fence, installing a new black aluminum fence 5 feet further away from the existing fence line, and locating the 4-foot-wide walking path between the new fence and old fence line. The edge of the walking path would be 4.5 feet from the face of the stone wall, which would be far enough back that a fence would not be required by code. Shrubbery and small trees would be installed on the properties to provide vegetative screening. The path would have to be ADA compliant to the extent possible. In areas where the slope of the path is 5% or greater, short “benches” with a slope less than 5% would be needed periodically. Some commented that a fence to prevent people falling off the stone wall into the road should be provided for safety even if not technically required by code, and that it might be better to leave the historic and iconic wrought iron fence in place.

During the Planning Commission meeting, it was noted that the owners of the two properties proposed for the redirected Connect Grant understood the need to provide a means for pedestrians to safely walk along Rose Valley Road and expressed willingness to work with the Borough to develop an acceptable design. A question was raised about another homeowner who opposes the installation of a walking path along Rose Valley Road next to his property. In response it was noted that in any society, the self-interests of individuals are often in conflict with the common interest of the group as a whole, and that the overall benefits to society must be weighed against individual concerns. In the case of a path which greatly improves the safety of pedestrians, vegetative screening could be used to ameliorate perceived negative impact.

After further discussion at the Council Meeting, Mr. Sullivan made a motion to redirect the Delaware County Planning Department Connect Grant funds to the most dangerous area for pedestrians along Rose Valley Road in the vicinity of the Strine property and adjacent Buttonwood Way property instead of on either side of Old Mill Lane and in front of the historic houses near the Possum Hollow Road intersection. This motion was duly seconded and unanimously approved.

Mr. Sullivan also made a motion to authorize G. D. Houtman & Son to survey and prepare a plan of existing conditions and topography along Rose Valley Road for the Strine property and adjacent Buttonwood Way property, and of the property lines and ultimate RoW along Rose Valley Road for the 7 properties from the south side of Buttonwood Way to Woodward Road with the cost be paid out of the Road Improvement Fund. This motion was also duly seconded and unanimously approved.

Lastly, it was noted that Campbell Thomas & Co., the Borough's consultant for the walking path feasibility study, was authorized at the beginning of the year to invoice up to \$10,000 against the \$20,000 planning budget and has invoiced \$9,355 to date. Mr. Sullivan made a motion to authorize Campbell Thomas & Co. to invoice up to \$20,000 this year for work on the feasibility study. This motion was seconded and unanimously approved.

FINANCES

Mr. Bacchia discussed the status of funds and noted that the Borough bank accounts had been reconciled with QuickBooks. Mr. Neilson reviewed the Income Reports for May and went over the June Bills for Approval and answered questions. On a motion made, seconded and unanimously passed, the Bills for Approval in the amount of \$36,483.35 from the General Fund; \$48,000.00 from the Highway Aid Fund and \$124,107.00 from the Road Improvement Fund to Innovative Construction Services for the Todmorden repaving; and \$5,732.00 from the Coronavirus Recovery Fund to Hedgerow Theatre were approved.

MANAGER'S REPORT

Mrs. Healy reported that the large trash pickup on May 16 & 17 went well.

MAYOR'S REPORT

Mr. Hale provided a list of real estate sales and transfer tax receipts for the first half of the year. He also invited everyone to come to the Fourth of July Parade which will start at 2:00 pm on Woodward Road across from the Moylan-Rose Valley Train Station and proceed down Woodward Road, Possum Hollow Road and Pool Lane to the Rose Valley Swimming Pool for a flag raising ceremony.

SOLICITOR'S REPORT

Mr. Smith provided Council members his solicitor's report for June which discussed pending legislation in Harrisburg, grants, sidewalks and paths, cyber-attack insurance, resignations from Council, and guns.

There being no further business, on a motion made, seconded and unanimously passed, the meeting was adjourned at 9:10 p.m.

Paula W. Healy, Secretary