

## COUNCIL MEETING

July 10, 2024

The monthly meeting of the Rose Valley Borough Council was held on July 10, 2024 in the main room of the Old Mill, 9 Old Mill Lane, Rose Valley, Pa. President of Council Matt Sullivan called the meeting to order at 7:30 p.m. Other Council members present were Leonard Busby, Joe Hare, Cheryl Harner, Kathryn Mehan, Tony Orr and Shannon Prown; Mayor Bill Hale, Treasurer Chris Bourke, Controller John Neilson, Solicitor G. Guy Smith and Secretary Paula Healy.

Residents attending the meeting were Dr. Alexandra Green, Cindy Holston, Katherine Keefe, Chip Seltzer and Nick Slagis.

After the Pledge of Allegiance, the Minutes of the June 12, 2024 Council Meeting were approved on a motion made, seconded and unanimously passed.

### PUBLIC COMMENT

Dr. Green, who lives with her husband Dr. Brian Barnette at 16 Hilltop Road and have three young children, and Ms. Keefe and husband Mr. Slagis, who live at 12 Hilltop Road and have young grandchildren, expressed their concerns about an in-ground pool that was installed in late May on the property at 15 Rabbit Run abutting their back yards. They said the pool does not have a fence around it but instead has a powered safety cover and noted the PA Uniform Construction Code was revised in 2021 to exempt pools with powered safety covers, which are to be closed when no one is at the pool, from having fences around it. The neighbors said they are concerned because they have observed that the cover is frequently left open when no one is around the pool and provided a list of dates and times when they saw this. They feel the pool owners should be required to put a fence around their pool if they are not going to correctly close the cover. They said they discussed the problem with the Davies but to no avail. Mr. Smith said he would investigate the matter.

Mr. Seltzer attended the meeting on behalf of the Rose Valley Swimming Pool to once again request that the Borough exempt the tax collector from collecting the Borough amusement tax from the Pool in 2024. The amusement tax is 5% of membership fees and guest pass income, which the Pool would prefer to save to rebuild the pools when this is eventually required. After much discussion, it was decided to investigate amending the Amusement Tax Ordinance to specifically exclude pool and tennis clubs from the tax.

### ENVIRONMENT & EAC

Mr. Busby, on behalf of the EAC and Council, thanked the Rose Valley Swimming Pool for the beautiful garden work being done there using native plants. Mr. Busby reported that EAC

member Olivia Nnadi met with Tony Orr to discuss incorporating content into the EAC component of the Borough website. Jim Audley led a productive Chadwick Wildlife Preserve workday with the Friends of the Preserves on June 8. A second workday has been scheduled for July 27. The poison ivy within 3 feet of the trails in the Saul Wildlife Preserve was treated by Weeds Inc. The Japanese knotweed which was cut down in June will be treated with glyphosate when it tries to regrow in the fall. The Audrey and Arnold Winklevoss Charitable Fund made a \$500 contribution to the Borough to further the EAC's efforts in the Borough-owned parks.

The EAC discussed noise pollution at its June meeting in following the complaint at the last Council meeting of roosters noisily crowing on Price's Lane. This led to a discussion of other types of noise pollution, including gasoline powered leaf blowers, lawn mowers and barking dogs, to be continued at the next EAC meeting.

### HIGHWAYS, INSURANCE & TECHNOLOGY

Mr. Orr reported that three bids were received for the rebid 2024 Road Work including trench restoration and mill and overlay of Buttonwood Way, Thornpath Lane, Price's Lane, and a small area at the beginning of Arbor Lane, and mill and overlay of the southern end of Todmorden Drive near Brookhaven Road which was not repaved previously due to the culvert repair work in that area. The request for bids was advertised in the Delaware County Daily Times on June 24 and June 27. The bids were opened in the Borough Office on July 9 at 11:05 a.m. and were as follows: Innovative Construction - \$146,797.50; A. F. Damon - \$148,010.00; and Longs Asphalt - \$154,467.25. Mr. Orr made a motion that the low bid from Innovative Construction be accepted. This motion was seconded and unanimously passed.

Mr. Orr also reported he had a good meeting with Ms. Nnadi regarding the EAC component of the Borough website. Mr. Smith noted that access to the Borough website for posting material must be carefully controlled and Mr. Orr replied that he was doing so.

Mr. Hale reported that the Intermunicipal Cooperation Paving Agreement was duly signed by Rose Valley Borough, Nether Providence Township and A. F. Damon. The Township paid Damon \$65,761.84 following completion of the Possum Hollow Road resurfacing work in Rose Valley Borough since it was performed under their contract. The Borough therefore reimbursed the Township for this amount. The Borough also received an invoice from the Township for \$212.50 in legal fees representing the cost of preparing the Intermunicipal Cooperation Paving Agreement for the Possum Hollow Road work.

Mr. Hale also reported that all the residents on Chestnut Lane and the Borough had signed the Aqua PA Paving Funds Escrow Agreement. Mr. Seltzer asked why Chestnut Lane could not be included in the Borough's 2024 Road Work. Mr. Sullivan explained it was because Chestnut Lane is a private road.

### LIBRARY

Ms. Mehan reported that the Library will hold a Summer Auction from July 28 to August 4. Anyone wishing to donate items for the auction may deliver them to the Library.

### PUBLIC SAFETY

Ms. Harner reported that the June Police Report listed 1 response to a motor vehicle crash and 7 requests for services including false alarms, patrol checks, lost animals, assists, and road hazards. The June Fire Report was not received because Fire Marshall Matt Poissant has been sick. Typical data was received from the Rose Valley Road speed device near Thunderbird Lodge. However, the pole and arm next to the Borough parking lot near Possum Hollow Road which supports the flashing yellow lights for the Hedgerow curve, blew down in a storm. The Parking Lot speed device was mounted on this pole so it is out of commission for now.

Ms. Harner said she has not been able to schedule a meeting with State Police liaison Michele Naab because she is on summer vacation. The recent Town Watch recruitment letter yielded several new patrollers.

### PLANNING

Ms. Prown reported that Engineer Houtmann is preparing the final design plans and bidding specifications for the new walkway along Rose Valley Road for the next Council meeting.

It was noted that a homeowner in Rose Valley constructed a very high fence along the rear of their property and that Borough does not have a fence ordinance. After some discussion, Council asked Mr. Smith if he could draft an ordinance regulating fences similar to Nether Providence Township's ordinance. Leonard asked that the ordinance permit 8-foot-high deer fences.

### FINANCES

Mr. Bourke reviewed the Status of Funds and reported that the Bank accounts had been reconciled with QuickBooks. Mr. Hare reviewed the June Income Reports. Mr. Nielson reviewed the July Bills for Approval and answered questions. On a motion made, seconded and unanimously passed, the Bills for Approval in the amounts of \$16,633.41 from the General Fund, \$995.63 from the Highway Aid Fund; and \$212.50 from the Road Improvement Fund to Nether Providence Township were approved.

### MAYOR'S REPORT

Mr. Hale reported that the Fourth of July Parade from the Moylan-Rose Valley Train Station to Rose Valley Swimming Pool and the short ceremony at the Pool were enjoyed by all. Scouts from Rose Valley Troop 272 led the parade and raised the flag at the pool, Leanne Kruger led the

pledge of allegiance, Matt Sullivan recited the opening line of the Declaration of Independence, and Earl Varney sang the National Anthem.

Mr. Hale also reported that a new home was found on a farm for the roosters on Price's Lane.

There being no further business, on a motion made, seconded and unanimously passed, the meeting adjourned at 9:20 p.m.

Paula W. Healy, Secretary