

COUNCIL MEETING

October 13, 2021

The regular meeting of the Rose Valley Borough Council was held on October 13, 2021 at the Old Mill, 9 Old Mill Lane, Rose Valley, PA in the main hall. President of Council Bill Hale called the meeting to order at 7:30 p.m. Other Council members present were Councilpersons Deb DeMasi, Dave Firn, Stephanie Middleton, Bob Siwicki, Judy Voet and Vippy Yee; Mayor Tim Plummer; Treasurer Joe Hare; Controller John Neilson; Solicitor G. Guy Smith and Secretary Paula Healy.

Guests attending the meeting included Borough Engineer Matt Houtmann, Trail Consultant Bob Thomas and Trooper Jessica Tobin. Members of the Helen Kate Furness Library Board of Directors attending the meeting were Jessica Brill, President; Kathryn Boland, Treasurer; and Jennifer Zwick, Co-Vice President. Descendants of Maurice and Adele Saul in attendance were Prudence Churchill and Jonathan Sprogell. Pru's husband Larry Plummer also attended.

Residents in attendance were Chris Carpenter, Sharon Carpenter, Kelly Caulfield, Aaron Childs, Maggie Dee, Tina DiChiara, Cindy Holston, Peter Howell, Joe Kanter, Richard O'Flynn, Theresa O'Flynn, Ron Ploeg, Marion Taxin and Richard Taxin.

After the Pledge of Allegiance, the Minutes of the September 8, 2021 Council Meeting were approved on a motion made, seconded and unanimously passed.

PUBLIC COMMENT

Prudence Churchill and Jonathan Sprogell, grandchildren of Adele and Maurice Saul, attended the meeting because they had heard the Borough was considering the construction of a large pedestrian bridge across Ridley Creek to Long Point with one of its towers on the Saul Wildlife Preserve. They spoke to the intent of their grandparents regarding the donation of the Saul Wildlife Sanctuary noting the deed restriction requiring it to be used only as a wildlife refuge and bird sanctuary. They said such a bridge would be completely inconsistent with the intentions of their grandparents and urged Borough Council to reject the idea. Prudence and Jonathan came to live on the Saul Estate in 1968 and were here when the last parcels of the sanctuary were donated to the Borough by their grandparents. They noted Maurice and Adele could have donated the land to the Borough for use as a park, but they did not. Prudence, Jonathan, Jonathan's wife Kathy Taylor, and Jennifer Vandenberg, a great granddaughter of Adele and Maurice Saul, all wrote letters to Council stating the Saul's would have been opposed to the bridge. These letters will be filed with the Saul Wildlife Preserve documents for future reference if need be.

ENVIRONMENT & EAC

Mr. Houtmann attended the meeting to discuss the PA Department of Environmental Protection's Municipal Separate Stormwater Sewer Systems (MS4) program. He had prepared a revision to the Pollutant Reduction Plan (PRP) previously submitted to DEP to meet the requirement that the Borough reduce sediment pollution loads by 10% over the five-year

permitting period from March 2018 to March 2023. The plan proposes stabilizing 150 feet of the Vernon Run streambank on Rose Valley Folk or Rose Valley Pool property at an estimated cost of \$28,500. Ms. Yee asked if pandemic relief funds could be used to fund this purpose and Mr. Houtmann said they could. Mr. Firm indicated he thought the stabilization of 165 feet of Ridley Creek streambank in the Saul Wildlife Sanctuary in 2018 using funds from a Growing Greener grant had already satisfied the sediment reduction requirement for this period. Mr. Houtmann replied he would see if DEP would accept this earlier work. Council must advertise the plan for review and hold a special public meeting for comment and discussion prior to plan approval. A motion was made to authorize advertisement of the plan for comment and a special public hearing to discuss the plan at the next Council Meeting. This motion was seconded and unanimously passed.

The Borough's current recycling contract with Mascaro expires on 12/31/21. The recycling bid for 2022 was advertised in the Delaware County Times on 9/22/21 and 9/29/21 and two bids were received. B & L Disposal bid \$55,000.00 for weekly pickup and \$55,000.00 for every other week pickup; Mascaro bid \$55,392.00 for weekly pickup and \$46,020.00 for every other week pickup. Discussion followed about the merits of recycling and weekly vs. every-other-week pickup. It was noted that although recycling is expensive and far from perfect, the majority of the material does apparently get recycled. Many Borough residents have also expressed a desire to return to weekly pickup. A motion was made to accept B & L Disposal's bid of \$55,000 for weekly recycling pickup starting 1/5/22. This motion was seconded and unanimously passed.

The EAC will hold its Fall Stewardship weekend on October 22 and 23 in the Saul Wildlife Sanctuary. They will be removing invasives, planting native species and doing trail improvement work.

EAC member Monica Gagliardi submitted her resignation letter due to work and childrearing demands on her time. Council accepted her resignation with great regret on a motion made, seconded and unanimously passed and praised her work on the EAC. Mr. Firm recommended Cindy McPherson of 32 Prices Lane to fill the vacancy created on the EAC. On a motion made, seconded and unanimously passed, Cindy McPherson was appointed to the EAC.

HIGHWAYS & TECHNOLOGY

Ms. Yee reported that the Prices Lane sightline improvement project was completed. The stone wall was rebuilt at a cost of \$11,400. Additional work beyond the original scope totaling \$10,200 included relocating a sewer vent/clean-out pipe closer to the house to make room for the stone wall, repairs to the driveway and replacement landscaping.

Aqua has repaired the collapsed gutter sections and will soon repave both lanes of the southern half of Todmorden Drive (with the exception of the first 250 feet), Cedar Hollow Drive, Briarcrest Drive, and Tanglewood Circle. The Borough will repave the remaining roadway in 2022 since PennDOT is unlikely to approve the work in time for this season.

The soil around the south side of the stream culvert on southern Todmorden Drive near the entrance from Brookhaven Road has been eroding over the years. This erosion has partially undermined the gutters and is threatening the asphalt roadway. Mr. Houtmann is exploring methods of repair including using gabion rock baskets to stabilize the embankment and road. He will report back to Council with a recommendation.

Authorization was requested to publicize the snowplowing bid for the upcoming winter months. This request was approved on a motion made, seconded and unanimously passed.

Ms. Yee discussed the new Borough website noting it is still a work in progress. She asked Council members to look it over and give her their feedback and recommendations.

LIBRARY

Mrs. Voet introduced Helen Kate Furness Library Board of Director members Jessica Brill, President; Kathryn Boland, Treasurer; and Jennifer Zwick, Co-Vice President. Ms. Brill discussed what has been happening at the Library, how the pandemic has affected operations and why community support is needed. Jennifer Zwick talked about the recent fundraising efforts and thanked Councilperson Judy Voet for all her hard work. Kathryn Boland asked Council to consider contributing an additional \$3,000 to the Library in 2022 for a total of \$28,000. The increase would be used for salary and benefits, as more staff is needed. The Library is in need of more volunteers and also has openings on the Board. Anyone interested should contact the Library or go on the HKF website for an application.

PUBLIC SAFETY

Deb DeMasi reviewed the Police and Fire Reports for September. The Police Report cited one incidence of fraud and a car accident on Rose Valley Road. The Fire Report showed two responses to automatic fire alarms, a response to a carbon monoxide alarm, and a response to the car accident on Rose Valley Road. The Fire Marshall also included a flier on the importance of having working smoke alarms.

The Town Watch program is progressing as usual but needs volunteers in all three sections. The commitment is only for 1 hour a month. Please contact the Borough office if interested.

Mrs. DeMasi reviewed the data from the Rose Valley Road speed devices.

Trooper Jessica Tobin noted she is available to conduct a workshop via Zoom about how to protect yourself from identity theft.

Mrs. DeMasi reminded everyone to still be careful to avoid Covid by getting appropriately vaccinated or boosted and following CDC guidelines, and to get their flu shots.

Deb asked that persons named in the Notification and Resource Manual of the Rose Valley Emergency Operations Plan notify the Borough office if their contact information has changed.

She also reminded residents that drivers must stop on both sides of the road when a school bus has its flashing red lights on and remain stopped until these lights go off.

PLANNING

Ms. Middleton reported the Planning Commission met on October 7 and addressed the following matters.

School in Rose Valley Rezoning 15 School Lane

The School in Rose Valley (SRV) submitted an Application for Act 247 Review to the Delaware County Planning Commission on September 30, 2021 for a Zoning Map Change to rezone the vacant lot at 15 School Lane from Residential 'A' to Institutional. SRV presently uses part of the lot as a gravel parking area for staff. The neighbors on the lane attended the meeting to express their opposition to rezoning. It was noted that the lot is only 1 acre whereas the RV Zoning Code requires at least 2 acres for Institutional zoning. It was also suggested that SRV could seek a variance from the Zoning Hearing Board for additional parking instead of rezoning. This approach would not enable future development such as the construction of an institutional building. The application was subsequently withdrawn by SRV.

Act 537 Plan Update

DELCORA requested that the Rose Valley Planning Commission review and comment on its Act 537 Plan Update which evaluates options for redirecting Delaware County's Eastern Service Area wastewater flow away from the City of Philadelphia's Southwest Water Pollution Control Center for treatment by DELCORA in Delaware County. The report prepared by Garrett Fleming considered four alternatives:

Alternative 1: Redirect flow to an expanded Western Regional Treatment Plant in Chester, PA by constructing traditional shallow pipelines. Estimated cost \$560 million.

Alternative 2: Redirect flow to an expanded Western Regional Treatment Plant in Chester, PA by constructing a deep (~130 feet), 8.5-mile-long tunnel through bedrock using a tunnel boring machine. Estimated cost \$472 million.

Alternative 3: Redirect flow to a new Waste-Water Treatment Plant with associated pipelines. Estimated cost \$614 million.

Alternative 4: Continue to discharge Eastern Service Area wastewater to the City of Philadelphia. Estimated cost \$882 million.

DELCORA selected Alternative 2 with the tunnel as the most economical option.

The Planning Commission's main comment was that in light of the very high cost of the proposed project, it seems prudent that DELCORA hire an engineering firm nationally recognized as proficient in the field of sanitary waste handling and treatment to perform a limited third-party, technical peer review of the options outlined in the Plan and the associated cost estimates. This review should include a risk analysis of the options and assessment of applied

contingency costs. The cost of the review should be paid for by DELCORA with the firm selected by Delaware County Council to avoid selection bias.

Rose Valley Road Walking Path Feasibility Study

Stephanie and consultant Bob Thomas noted the following points about the walking path were made at the October 7th Planning Commission meeting:

- a) The walking path appears feasible on Borough properties along the south side of Rose Valley Road because there is room to locate the path outside the PennDOT right-of-way and easements are not required. The walking path also appears to be feasible within the PennDOT right-of-way on the south side of Rose Valley Road in front of the historic houses near the Possum Hollow Road intersection. It is impractical to locate the path outside the PennDOT right-of-way in this area with the houses and stone walls so close to the road, so easements are not required. Furthermore, there are already walkways of various sorts or a macadam driveway existing in the PennDOT right-of-way in this area.
- b) The feasibility of the walking path between School Lane and Woodward Road will depend on the willingness of landowners along Rose Valley Road to grant trail easements. Planning Commission representatives have held initial conversations with all these landowners. Most want to have a better understanding of where the trail would be located on their property and what it would look like before making a decision about an easement.
- c) If a homeowner does not want to grant an easement so the walking path can be safely set back from the road, people will have to walk in the PennDOT right-of-way across that property.
- d) The Borough will not use eminent domain to obtain trail easements.
- e) Homeowners who grant the Borough an easement will not be required to maintain the walking path or remove snow and ice and would be shielded from liability by state law.
- f) There will be no flashing stop signs.
- g) A hardscape surface, such as bluestone pavers, would be required in the Vernon Run floodplain on either side of Old Mill Lane because looser material would be washed away in a big storm.
- h) No additional lighting will be required for the walking path; the streetlights are sufficient.

Green Ways Grant Applications

The Borough submitted two Green Ways grant applications to the Delaware County Planning Department on September 17th. One was a Trails grant application for the design and construction of a walking path along the south side of Rose Valley Road on Borough property on either side of Old Mill Lane and within the PennDOT right-of-way in front of the historic houses near the Possum Hollow Road intersection. The other was a Planning grant application for the planning and design of a trail along Rose Valley Road on privately-owned property between School Lane and Woodward Road to facilitate easement acquisition.

Recommendations Regarding Walking Path Next Steps

Stephanie reported the Planning Commission unanimously voted to make the following three recommendations to Borough Council:

1) Authorize Campbell Thomas & Co. to assist the Planning Commission in developing preliminary plans and sketches of where the walking path might be located and what it might look like on various properties so landowners can decide if they are willing to grant the Borough a trail easement for the walking path. There is \$9,860 remaining to fund this work in this year's \$20,000 Planning budget. On a motion duly made, seconded and unanimously passed, Council authorized Campbell Thomas & Co. to spend up to an additional \$9,860 this year assisting the Planning Commission in developing preliminary walking path plans and sketches.

2) If a landowner along Rose Valley Road is willing to grant the Borough a trail easement for the walking path, the Borough should accept it. This will involve preparing a plan of the property showing the location of the trail easement and preparing a trail easement legal document. Borough Engineer G. D. Houtman & Son can prepare the plans and Borough Solicitor G. Guy Smith can prepare the trail easements. The plans and trail easements would be similar to those prepared by G.D Houtman and G. Guy Smith when the Bartons granted a trail easement to the Borough within the old trolley track right-of-way running across their property on Woodward Road. There are sufficient funds in the Road Improvement Fund for this work. On a motion duly made, seconded and unanimously passed, Council approved this recommendation.

3) Authorize G. D. Houtman & Son to prepare a plan of existing conditions in front of the historic houses on the South side of Rose Valley Road from the Possum Hollow Road intersection to the edge of the Valley Green property. This will involve a detailed survey to determine where the as-built center line of the road is in relation to the PennDOT Right-of-Way (which is centered on the property lines in the bed of the road) and the exact location of the existing hardscape walkways and stone walls. Mr. Firn suggested Council wait to see if the Borough receives the Green Ways Trail Grant before approving this recommendation since the grant could cover the cost of the plan.

FINANCES

Mr. Hare reviewed the Status of Funds for September noting that the PNC Bank accounts and QuickBooks had been reconciled. Mr. Siwicki reviewed the Income Reports for the month of September. Mr. Neilson went over the October Bills for Approval and answered questions. On motions made, seconded and unanimously passed, the Bills for Approval in the amounts of \$26,308.76 from the General Fund and \$21,600.00 from the Road Improvement Fund for the Prices Lane sightline improvement project were approved.

Mr. Siwicki had prepared and distributed a preliminary 2022 Budget for Council's review. The proposed 2022 Budget will be presented at the November 10, 2021 Council Meeting. The proposed Budget will then be on display at the Borough Office for 30 days and a special Council meeting will be held on Tuesday, December 14 at 7:30 to adopt the 2022 Budget. A motion was made to advertise the December 14, 2021 special Council Meeting to adopt the 2022 budget. This motion was seconded, and unanimously approved.

The original reporting date of October 31, 2021 for the Coronavirus Local Recovery Funds established under the American Rescue Plan Act has been extended to April 30, 2022.

MAYOR'S REPORT

Mr. Plummer reminded everyone that the dedication of the Historical Marker honoring William Lightfoot Price, the visionary founder of Rose Valley in 1901, will take place on Saturday, November 6, 2021 at 11:00 a.m. at Prices Lane, noting that Rose Valley Road will be closed for the occasion. The dedication will be immediately followed by the Rose Valley Museum's two-day conference on "The Arts and Crafts Movement from John Ruskin to William Lightfoot Price" at Hedgerow Theatre.

Tim also reminded Council members to begin preparing their input for the 2022 State of the Borough address.

GENERAL COMMENTS

Peter Howell, Rose Valley Museum Board Member, reported that the Rose Valley Museum will reopen on October 23 and 24 from 12:00 noon to 4:00 p.m. with an exhibition on the fight for women's rights.

Councilperson Judy Voet announced that she is planning to move out of Rose Valley shortly and submitted her letter of resignation from Council. It was with great reluctance that Council accepted her resignation on a motion made, seconded and unanimously passed. Council thanked Mrs. Voet for her excellent work on Council and with the library. The vacancy will be announced in an email blast and on the Borough website requesting those interested in serving out the remainder of Judy's term to submit their resume to the Borough Office.

There being no further business, on a motion made, seconded and unanimously passed, the meeting was adjourned at 9:40 p.m.

Paula W. Healy, Secretary