

COUNCIL MEETING

December 11, 2024.

The monthly meeting of the Rose Valley Borough Council was held on December 11, 2024 in the main room of the Old Mill, 9 Old Mill Lane. President of Council Matt Sullivan called the meeting to order at 7:30 p.m. Other Council members present were Leonard Busby, Cheryl Harner and Tony Orr, Mayor Bill Hale, Treasurer Chris Bourke, Controller John Neilson, Solicitor G. Guy Smith and Secretary Paula Healy. Councilpersons Joe Hare, Kathryn Mehan and Shannon Prown were absent.

Residents attending the meeting were Lucy Glasson, Jim Kimsey, Ron Ploeg and Katie Rubin. Elizabeth Spencer of the “Swarthmorean” attended as a guest.

MINUTES

After the Pledge of Allegiance, the Minutes of the November 13, 2024 Council Meeting were approved on a motion made, seconded and unanimously passed.

PUBLIC COMMENT

There was none.

ENVIRONMENT & EAC

Mr. Busby presented a Draft Ordinance for the Ownership of Fowl in Rose Valley Borough to address, among other things, the issue of crowing roosters disturbing neighbors. Section 1 stated: The purpose of this ordinance is to establish guidelines for the ownership and care of Fowl in Rose Valley Borough in order to protect the welfare of the community, maintain public health and safety, and ensure proper animal care. Section 2 defined (a) Fowl: Domestic birds, including without limitation, chickens, ducks, turkeys, and guinea fowl; (b) Rooster: A male chicken; (c) Coop: A covered, enclosed structure designed to house Fowl; (d) Enclosure: A secure fenced-in area surrounding the Coop to allow Fowl to roam safely; and (e) Acre: a unit of land equal to 43,560 square feet. Section 3 stated: Roosters are prohibited in Rose Valley Borough. Any roosters must be removed from the property within two weeks of receipt of written notice from the Borough Manager. Failure to do so will subject the property owner(s) to a fine of up to \$20 per week after the first two weeks after notice, and up to \$100 per week after the first five weeks after notice. Section 4 stated: (a) All fowl must be kept in a Coop at night; (b) During the day, fowl must be in an enclosure or a coop; and (c) No part of an enclosure may be closer than 15 feet to a property line of the owner(s). Section 5 stated: Up to eight fowl are permitted per acre of property; for areas less than one acre, the number of fowl will be calculated on a prorated square foot basis, rounding down to the whole bird. Section 6 stated: (a) Manure must be composted or disposed of in a manner that prevents contamination of stormwater, groundwater, or surface water; (b) Runoff from any enclosure must be managed to prevent pollution of water sources. Any enclosure must be located to avoid direct runoff into any stream

or body of water. Section 7 stated: This ordinance will take effect on [Insert Date], and all residents are expected to be in compliance by [Insert Date].

Mr. Busby said EAC member Ron Ploeg has volunteered to meet with fowl-owning residents to further discuss and possibly modify Sections 4, 5 and 6 and made a motion that Council approve the Ordinance with these sections removed for now, which was seconded for discussion. Mr. Sullivan and Mr. Orr expressed reservations about this divided approach and indicated they would prefer to give Ron time to gather input for a comprehensive ordinance. Mr. Busby agreed and withdrew his motion. Council thanked Mr. Ploeg for his offer to help with the ordinance.

Mr. Busby then made a motion that Council approve the Deer Management Plan for January 2025, which will authorize one hunter to perform an archery deer hunt in the Borough-owned Todmorden Woods only, from January 6 to January 31, 2025. During this period the Todmorden Woods will be closed to the public Monday through Friday from dawn until 9:00 a.m. and from 2:00 p.m. until dusk. The hunter will be paid \$800 plus \$150 for each deer harvested. This motion was seconded and unanimously passed.

Mr. Busby thanked Katie Rubin for organizing the December 4th showing of the movie “2040” about climate change at the School in Rose Valley which was well attended.

HIGHWAYS, INSURANCE & TECHNOLOGY

Mr. Orr reported that the 2024 Road Work on Buttonwood Way, Thornpath Lane, Price’s Lane and Todmorden Drive was completed and that the Borough Engineer has recommended payment to Innovative Construction Services in the amount of \$144,264.05. On a motion made, seconded and unanimously passed, Council approved the payments of \$40,000 from the Highway Aid Fund and \$101,469.05 from the Borough Road Improvement Fund to Innovative Construction Services for the 2024 Road Work. The remaining \$2,795 will be paid using County Aid money from the General Fund. On a motion made, seconded and unanimously passed, Council also approved payment of \$3,394 from the Borough Road Improvement Fund to G. D. Houtman & Son for engineering work associated with the 2024 Road Work.

Council previously authorized accepting a contribution from Aqua PA of \$24,500 for the mill and overlay of all of Chestnut Lane, a private street, following water main replacement and trench restoration by Aqua. The Borough entered into an Aqua PA Paving Funds Escrow Agreement for Chestnut Lane signed by all the homeowners along the Lane to hold the \$24,500 from Aqua PA for payment to the contractor the homeowners hire to perform this road restoration work plus additional base course repair. Innovative Construction Services was hired by the homeowners to perform the work at a total invoiced cost of \$34,410. On a motion made, seconded and unanimously passed, Council approved payment of \$24,500 from the Borough Road Improvement Fund to Innovative Construction Services, thereby releasing the escrowed Aqua Pa Funds. The remaining \$9,910 will be paid by Jim Audley with funds provided by the homeowners along the Lane.

The Aqua water line replacement work done earlier this year involved a portion of a private driveway at the end of Price’s Lane. Aqua included \$3,980 to repave this portion of the

driveway in the money it gave to the Borough to repair roads. However, the owners of the driveway have requested that it not be repaved because they are considering changing it from paved macadam to crushed stone. Council subsequently approved, and the owners signed a Driveway Repaving Agreement and Release for the distribution of this money. On a motion made, seconded and unanimously passed, Council approved payment of \$3,980 from the Borough Road Improvement Fund to Monica Gagliardi and Steven Cunicelli.

Mr. Orr used a laptop, camera and microphone to demonstrate how Council could live stream future Council meetings. The meetings would be available for the public to watch live or archived on a YouTube channel. \$4,000 has been allocated in the proposed 2025 Budget for the purchase of the necessary equipment and channel.

LIBRARY

In Ms. Mehan's absence, Lucy Glasson, the Borough's at-large representative on the Helen Kate Furness Library Board, presented a report. She noted new programs are being well attended, and adult and kid programs documented over 700 participants in October. Fundraising efforts have been successful with 320 Market Giving Day bringing in just under \$1,000, Well Red approximately \$6,500, and Delco Gives Day about \$11,000. The endowment investments are up almost 12 percent year to date. A donor is interested in supporting some specific building projects next year. Four new members are soon expected to join the board. The annual meeting will be held on Tuesday, January 21, 2025 at 7:00 pm.

PUBLIC SAFETY

Ms. Harner reported that the November Police Report listed 6 incidents including 3 vehicle accidents and 3 requests for services, while the November Fire Report listed 1 response to an automatic fire alarm. The Fire Marshall sent a flier about religious candle safety. Typical data was received from the Rose Valley Road speed device near Thunderbird Lodge, but the Borough Parking Lot device is still not working.

Mr. Sullivan will call State Representative Leanne Kruger to ask about getting the speed limit on Rose Valley Road reduced from 35 to 30 miles per hour in the Borough, as was recently done in Nether Providence Township.

Residents have asked about the possibility of having crosswalks installed on Rose Valley Road at Price's Lane for children who walk to the School In Rose Valley and at Possum Hollow Road for users of the Borough Parking Lot. It was noted that these are mid-block locations approaching a curve and that the Borough would need to make formal requests to PennDOT supported by engineering, vehicle traffic and pedestrian volume studies. The Borough Engineer will be asked to estimate the cost of performing these studies and to assess the likelihood these crosswalks would be approved by PennDOT. Mr. Neilson pointed out that there are already flashing yellow lights at the Hedgerow curve and School Lane and felt additional signage would be unsightly and ineffective. He said the crosswalks would probably need to have pushbuttons and flashing lights like those on Yale Avenue in Swarthmore to actually stop traffic so pedestrians could safely

cross the street, and said he was opposed to any crosswalks. It was also noted that the Borough would have to pay for the installation of the crosswalks and associated equipment.

PLANNING

Mr. Sullivan reported that the plans for the Rose Valley Road walking path are being adjusted to address certain concerns of the affected homeowners. Mr. Ploeg asked if the Borough planned to apply for additional grants for the walking path. Mr. Sullivan said the Borough did plan to apply as grants become available.

Mr. Smith presented a rough draft of the fence ordinance and sought guidance from Council on various issues. After some discussion, it was agreed that the ordinance should not require permits for fences, should use general penalty provisions, should include exceptions for deer fencing, and should require fences to be at least 6 inches from a property line. After Mr. Smith clarified that the Borough is required to adopt the PA Uniform Construction Code, it was agreed the fence ordinance would not address fences around swimming pools since these are already covered by the UCC. Mr. Smith will incorporate this guidance into a revised draft fence ordinance for the February Council Meeting.

FINANCES

Mr. Neilson reviewed the Status of Funds and reported that Mr. Bourke had reconciled the bank accounts. He then went over the Income Report for November and reviewed the December Bills for Approval and answered questions. The Bills for Approval in the amounts of \$41,239.66 from the General Fund and \$511.89 from the Highway Aid Fund for street lighting were approved on a motion made, seconded and unanimously passed.

The Proposed 2025 Budget was advertised and has been on display in the Borough Office since November 15. The total taxable assessed value of real estate in the Borough provided by the Delaware County Board of Assessment came in at \$206,130,303, slightly lower than the \$207,500,000 assumed for the proposed budget. However, an additional \$8,722 in real estate transfer tax was received in December, which increases next year's estimated income from this source. It will also allow the Final 2025 Budget to pay \$3,000 for street lighting for the first half of next year out of the operating budget, instead of assuming there will be enough in Highway Aid for the whole year after paying for snowplowing and salting. The Borough will have about \$1,000 remaining in the Highway Aid Fund at the beginning of next year and expects to receive approximately \$30,000 in Aid at the end of March. A beginning of the year loan to the Highway Aid Fund from Capital Reserve will be required to pay for snowplowing and salting until the Highway Aid funds are received. There will be a special meeting on Wednesday, December 18, 2024 at 7:30 pm in the main room of the Old Mill to approve the Final 2025 Budget. The salaries resolution and millage ordinance for 2025 will also be approved at that time.

MANAGER'S REPORT

The following resolutions were approved on motions made, seconded and unanimously passed.

Resolution 11-2024, Appointing Fischer Cunnane as Auditors for 2025
Resolution 12-2024, Reappointing Scott Laughlin to the Zoning Hearing Board
Resolution 13-2024, Reappointing John Curtis to the Zoning Hearing Board
Resolution 14-2024, Reappointing Jim Kaufmann to the Planning Commission
Resolution 15-2024, Reappointing Steve Karlovic to the Planning Commission
Resolution 16-2024, Setting Permit Fees for 2025

SOLICITOR'S REPORT

Mr. Smith informed Council that the Borough Code will soon be amended to remove the requirement that the preliminary budget be prepared at least 30 days prior to the adoption of the final budget. This means that in future years, there will not be any need for special Council meetings in December just to adopt the final budget.

There being no further business, on a motion made, seconded and unanimously passed, the meeting adjourned at 9:36 p.m.

Paula W. Healy, Secretary