

COUNCIL MEETING

September 11, 2024

The monthly meeting of the Rose Valley Borough Council was held on September 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 council persons Joe Hare, Kathryn Mehan, Tony Orr and Shannon Prown, Mayor Bill Hale, Treasurer Chris Bourke, Controller John Neilson, Solicitor G. Guy Smith and Secretary Paula Healy. Council persons Leonard Busby and Cheryl Harner were absent. Borough Engineer Matt Houtman also attended.

Residents attending the meeting were Manya Bradley, Kelly Caulfield, Christina DiChiara, Monica Gagliardi, Laurie Grant, Cindy Holston, Steve Karlovic, Sue Keilbaugh, Jessie King, Ira Josephs, Scott Laughlin, Jamie Lindsay, Bruce Luehrs, Jim May, Elisabeth Mericle, Teresa O'Flynn, Carol Porter, Owen Redgrave, Sally Redgrave, Harvey Rice, Katie Rubin, Diane Seider, Nick Slagis, Alice Strine, Walter Strine, Marion Taxin, Richard Taxin, William Thomas and Hope Thurlow.

After the Pledge of Allegiance, Mr. Sullivan asked for a moment of silence in remembrance of those who died in the 9/11, 2001 terrorist attacks. The Minutes of the August 14, 2024 Council Meeting were then approved on a motion made, seconded and unanimously passed.

PUBLIC COMMENT

Matt Sullivan noted that the plans for a four-foot-wide macadam walking path along the east side the Rose Valley Road from Woodward Road to Buttonwood Way had been placed on display for half an hour prior to the meeting for residents to inspect and ask questions. He then requested public comment. Over the course of the comments, various people including Cindy Holsten, Carol Porter, Tina Dichiara, Katie Rubin, Jessie King, Monica Gagliardi and Hope Thurlow said they supported the walking path so people could safely walk to the train station or walk for recreation. Other people including Kelly Caulfield, Theresa O'Flynn, Laurie Grant, Alice Strine, Jim May, Sally Redgrave and Richard Taxin said they opposed the path and liked Rose Valley Road the way it is.

Several people expressed concern about taking down trees to make room for the path. Mr. Sullivan noted that PECO is planning to upgrade their power distribution line along Rose Valley Road and take down larger trees this fall to harden it against storms. Katie Rubin remarked that many of these trees are old and nearing the end of their use useful lives and can be replaced with new trees planted further back from the road.

Richard and Marion Taxin asked why a survey regarding the walking path had not been sent out to residents. Mr. Hale replied that our consultant advised that public meetings were a much better way to share information, answer questions, exchange points of view and develop a consensus. Steve Karlovic noted the Planning Commission held numerous public meetings with many residents in attendance and recommended proceeding with the safe walking path to the train station because more people were pro than con.

Monica Gagliardi said she was in favor of the walkway but asked if a non-asphalt surface could be used such as packed gravel. Mr. Hale replied that much of the path involves grades over 5 percent with some areas over 9 percent and that our consultant and other experts advised that alternate materials would be eroded by storms. Mr. Sullivan noted that the two Delaware County Green Ways Grants require a hard surface and that macadam was selected based on cost and maintainability considerations. Mr. Hale noted that he and Ron Ploeg had met with representatives of porous pavement company Organic Lock who said that while it works well in relatively flat areas, it would not hold up at our steep grades. Unlike macadam, it would also be difficult to clear of ice and snow without damaging the surface and to repair. It was also not clear if porous pavement would offer a substantial benefit given its much higher cost because a lot of the water would still end up in the swales along the road after it infiltrated through the walkway. It was noted that water running north from the top of the Strine hill flows into the front yard of the Doyle property which acts as an infiltration bed with the excess going into the stormwater inlet leading over to Pew Park. Water running south from the Strine hill flows down Buttonwood Way into the stormwater inlets leading to the West Vernon Run valley where it can infiltrate.

Sally Redgrave said she opposed the path and complained about the many additional light fixtures. Mr. Sullivan explained there would be no additional lights and that the symbols on the plans indicated cross sections through the walkway shown on another sheet.

Jim May asked if the walking path was encroaching on people's property. Mr. Sullivan replied that it would be within the municipal rights-of-way. Mr. May also said he thought a walking path along Rose Valley Road was unnecessary because there had been no pedestrian fatalities in the 48 years he has lived here. Mr. Hale pointed out this was not really valid proof that the road was safe for pedestrians.

Alice Strine noted that the final design is very different from earlier approaches discussed which had the walkway close to the existing stone wall. Mr. Hale explained that when we first started talking, the Borough did not know that the PennDOT right-of-way included all the stone wall and much of the ground between it and the existing estate fence. We also did not realize that the subdivision of the Pew properties was a modern subdivision with municipal rights-of-way extending out 25 feet from the title line in the center of Rose Valley Road for all the properties. Alice also expressed concerns about liability and trees dying from the installation of the walkway and asked if the Borough was going to guarantee their survival. She also pointed out that considerable landscape screening would be needed to prevent pedestrians from looking into their living room windows. Walter Strine expressed concern about the cost of the project and questioned how many people would actually use the walkway.

Laurie Grant said she thought it was not worth building the path because only twenty-five or fewer people a day would use it.

Hope Thurlow said she had heard a lot of fear but that the path would in fact make walking along Rose Valley Road much safer.

Bruce Leuhrs noted that change is always difficult but that his family and the other 45 or so families that live in the Traymore development would love to be able to safely walk to the Moylan-Rose Valley Train Station.

Regarding a question about future sections of the path, Mr. Sullivan answered that completing the path to Possum Hollow Road would depend on easements and grant availability. Mr. Hale noted that the land on either side of Old Mill Lane and up to just beyond Traymore Lane is owned by the Borough, and that the Thunderbird Lodge property is owned by the Rose Valley Centennial Foundation which would like people to be able to safely walk to the Rose Valley Museum at the Lodge.

In response to a question about how much the project would cost and who would pay for it, Mr. Hale responded that construction is estimated to cost \$326,000 and that the Borough has grant commitments of \$226,000 from Delaware County and \$100,000 from the State. The Borough is funding final design with around \$5,900 spent so far. Mr. Sullivan noted that the section of walkway in front of the Seider's was done as an Eagle Scout Project.

In response to a question regarding next steps, Mr. Sullivan said these included finalizing the bidding documents and advertising for construction bids. Additional meetings with affected property owners will also be held to discuss concerns and finalize landscaping details.

ENVIRONMENT & EAC

In Mr. Busby's absence, there was no report. The next EAC meeting will be on September 24.

HIGHWAYS, INSURANCE & TECHNOLOGY

Mr. Orr reported that Innovative Construction has not yet scheduled the 2024 Road Work and that the Borough Engineer is awaiting PennDOT approval. Resolution 7-2024, authorizing the application to Delaware County for an allocation of approximately \$1,400 in Liquid Fuels Tax Funds for the Borough's 2024 Road Work was approved on a motion made, seconded and unanimously passed.

LIBRARY

Ms. Mehan reported that the September Library Board meeting was cancelled due to lack of a quorum and that Jessica Brill submitted her resignation as one of the Borough's two appointed representatives on the Library Board, noting that she serves as the other. Council accepted Mrs. Brill's resignation on a motion made, seconded and unanimously passed. Mrs. Healy will notify residents of the opening and ask if anyone is interested in serving on the Library Board as the Borough's second representative.

PUBLIC SAFETY

In Ms. Harner's absence, Mr. Sullivan reported that the August Police Report listed 7 responses including a theft, false alarm, lost dog, patrol check and two disabled motorists. The August Fire Report listed 3 responses to automatic fire alarms.

PLANNING

Resolution 8-2024 authorizing the Borough to enter into an Intergovernmental Cooperative Agreement and Memorandum of Understanding with the Redevelopment Authority of Delaware County to be able to use the Delaware County Land Bank from time to time to deal with blighted real properties, was approved on a motion made, seconded and unanimously passed.

Mr. Neilson asked how much grant money had been received for the Rose Valley Road walking path project and how much of that money had been spent so far. Mr. Hale responded that none of the \$326,000 in grant money had yet been received or spent on the project because the Borough is funding the final design from the planning budget while reserving the grant money for construction. He noted the section of walkway in front of the Seider's was done as an Eagle Scout Project with donated materials. Mr. Hare said that \$5,915 had been spent on final design to date.

FINANCES

Mr. Hare reviewed the Status of Funds for August and reported that Mr. Bourke had reconciled the bank accounts. He then went over the August Income Reports. Mr. Neilson reviewed the August Bills for Approval and answered questions. On a motion made, seconded and unanimously passed, the Bills for Approval in the amounts of \$52,581.03 from the General Fund and \$528.25 from the Highway Aid Fund were approved.

Ordinance 356 amending the Borough's Amusement Tax Ordinance 198 by exempting swimming pools and tennis clubs from the tax, having been duly advertised, was adopted on a motion made, seconded and unanimously passed.

MAYOR'S REPORT

Mr. Hale reported that a new sign with the Rose Valley emblem was installed along Rose Valley Road near the intersection with Brookhaven Road by Nathan Lin as part of his Eagle Scout Project. This sign, like it's twin in Pew Park, welcomes drivers entering the Borough with the words "Rose [emblem] Valley, Founded 1901 by Will Price".

SOLICITOR'S REPORT

The solicitor's report for September noted that the State legislature has enacted numerous gun control laws which state that only the Commonwealth can enact gun-control legislation. Consequently, Borough Ordinance 315 enacted in 2005 which prohibits the discharge of firearms within the Borough with certain exceptions, is not valid or enforceable and should be repealed. Mr. Orr asked if Section 3 of the Ordinance dealing with hunting on lands owned by the Borough should be retained; Mr. Smith said he would look into this.

Mr. Smith also discussed two pending tax assessment appeals by the Sigismondi's and the draft fence ordinance he recently sent to Council members. Council will have to decide what kind regulations it wants in the ordinance and if it wants to include swimming pool fences, knowing that we would need to submit a formal application to the Department of Labor and Industry to obtain approval to deviate from the PA Uniform Construction Code.

There being no further business, on a motion made, seconded and unanimously passed, the meeting adjourned at 9:35 p.m.

Paula W. Healy, Secretary