



**UPPER PROVIDENCE BOARD OF SUPERVISORS
MINUTES FOR MARCH 7, 2016**

ATTENDANCE

Philip Barker, Chairman; Lisa Mossie, Vice Chairman; Albert Vagnozzi, Supervisor; Staff present was Timothy J. Tieperman, Township Manager; Bryan Bortnichak, Assistant Township Manager; Edward Skypala Esq., Township Solicitor, William Dingman, Township Engineer; Geoff Grace, Planning Consultant; and Ken O'Brien, Traffic Engineer.

PLEDGE OF ALLEGIANCE

Chairman Barker opened the meeting with the Pledge of Allegiance.

EXECUTIVE SESSION REPORT

Mr. Barker stated that there was an Executive Session held on February 23, 2016 regarding police contract negotiations.

APPROVAL OF BILL LIST

1. **February 13, 2016-March 3, 2016 \$434,820.20**

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve the bill list from February 13, 2016 through March 3, 2016 totaling \$434,820.20. The motion passed unanimously 3-0.

APPROVAL OF MINUTES

2. **February 16, 2016 Meeting Minutes**

Mrs. Mossie stated that the name of the Parks and Recreation appointee was misspelled. With that amendment, Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve the February 16, 2016 minutes as amended. The motion passed unanimously 3-0.

PUBLIC COMMENTS

There were no public comments.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

3. **Review and consider setting a public hearing date to receive comments on an application filed by Perkiomen Township resident Suzanne D. Banyacsky for inclusion in the Upper Providence Agricultural Security Area.**

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to set a date for a public hearing on the application filed by Perkiomen Township resident Suzanne D. Banyacsky for inclusion in the Upper Providence Agricultural Security Area. The date for this hearing will be April 18, 2016. The motion passed unanimously 3-0.

4. Review and consider setting a public hearing date to review comments on the final text amendment to the Township's Floodplain Ordinance to comply with the Federal Emergency Management Agency's new floodplain regulations.

Mr. Grace gave a brief summary of this Ordinance. He confirmed that we received all requisite statutory reviews, which clears the way for the Ordinance's public hearing and adoption and the next regular meeting.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to set March 21, 2016 as the public hearing date to review public comments on the final text amendment to the Township's Floodplain Ordinance. The motion passed unanimously 3-0.

5. Consider adoption of Ordinance 552, amending Chapter 160 (Taxation) to amend the rate of the Township's Per Capita Tax.

Mr. Tieperman gave a brief review of this Ordinance. He explained that the Spring-Ford School District had eliminated the \$5 per capita fee and that the Township is now able to collect the full \$10 per capita tax, as authorized under Commonwealth law. To do so, however, requires the Township to amend Chapter 160. Amending tax ordinances requires legal advertisement for three consecutive weeks. That requirement has been satisfied. Mr. Tieperman emphasized that this ordinance is tax neutral as it relates to the impact on each UPT resident.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to adopt Ordinance No. 552, which amends Chapter 160 (Taxation) to amend the rate of the Township's Per Capita Tax. The motion passed unanimously 3-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

6. Discuss preliminary steps and timelines for conducting an Act 209 Traffic Impact Study.

Mr. O'Brien gave a brief presentation of PA Act 209, which authorizes a municipality to assess impact fees and sets forth the required steps to enact such fees. He explained the law's purpose is to allocate equitably the cost of qualified transportation projects between development, municipalities and PennDOT. The process requires an area-wide Traffic Study and Capital Improvement Plan, which serves as the regulatory tool for collection of fair-share contributions from development projects.

Mr. O'Brien emphasized that the impact fee becomes the minimum fee requirement and pertains to off-site improvements. The Township still has the flexibility to negotiate additional contributions commensurate with requested relief. The developer is still responsible for access improvements and site-adjacent improvements not in the Capital Improvement Plan.

Certain non-transportation projects do not qualify for Act 209 funding. Examples include bike lanes, pedestrian ways, bus lanes toll ways and rail lines in addition to any existing roadway repairs or improvements design to remedy existing safety deficiencies.

For the Township to enact an Act 209 impact fee, it must pass a Resolution creating an Advisory Committee that consists of seven to fifteen members with a minimum of 40% development representation. All Act 209 recommendations pass through this advisory committee.

Mr. O'Brien stated that one downside of enacting this Act are the major start-up costs, which have dissuaded many municipalities from doing the required study. He stated also there are strict cost accounting requirements regulating how these revenues are expended.

The Board then deliberated on the pros and cons of an Act 209 program and asked Mr. O'Brien to provide a cost estimate for implementing such a study should it decide to move forward in the future. This will be on a future BOS agenda.

7. Consider action to approve a Cooperative Memorandum of Agreement between the Pennsylvania Department of Transportation and Upper Providence Township for the implementation of a Transportation Management Plan (TMP) related to several Route 29 Intersections.

Mr. O'Brien gave a brief description of this agreement. PennDOT is seeking to install travel time readers as part of its planned improvements along the Route 422 corridor. This agreement pertains only to the applicable 422 interchanges located within Upper Providence Township.

Mrs. Mossie made a motioned, seconded by Mr. Vagnozzi, to approve the Cooperative Memorandum of Agreement between Upper Providence Township and the Pennsylvania Department of Transportation. The motion passed unanimously 3-0.

8. Consider adoption of Resolution authorizing ownership Manager to execute the Cooperative Memorandum of Agreement in # 7 above.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to adopt Resolution No. 2016-09 authorizing the Township Manager/Secretary to execute the Cooperative Memorandum of Agreement. The motion passed unanimously 3-0.

9. Review and consider action on revised Borough Line Road (Phase 2) inter-municipal Agreement with Trappe Borough.

Mr. Tieperman explained that this agreement with Trappe Borough has been delayed because of prolonged negotiations with Trappe Borough regarding the proportional cost sharing for construction and professional services. This agreement codifies these negotiated cost sharing formulas.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve and authorize execution of the Borough Line Road (Phase 2) Inter-Municipal Agreement with Trappe Borough. The motion passed unanimously 3-0.

10. Consider the following bid award recommendations:

- a. **Aggregates:**
- b. **Bituminous Material**
- c. **Vehicle Fuel**
- d. **Park Maintenance Mowing**
- e. **Parks Weed Control and Fertilizer**

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to award bid contracts to the following vendors, being the lowest responsible bidders within budgetary limitations:

Parks Maintenance/Mowing:

GoreCon, Inc. of Doylestown, PA
Amount: \$31,200.00

Parks Weed Control & Fertilizer

Lawn Specialties/DeAngelo Brothers of Hazleton, PA
Amount: \$16,722.74

Vehicle Fuel:

Oehlert Brothers of Royersford, PA
 Amount: \$1.101 Unleaded
 \$1.164 Diesel

Bituminous Materials:

Glasgow, Inc. of Glenside, PA
 Amount: P/U: \$185.75 (combined total of low bid)
 Delivered: \$211.25 (combined total of low bid)

Aggregates:

Highway Materials, Inc. of Blue Bell, PA
 Amount: Plant: \$40.00 (combined total of low bid)
 Delivered: \$80.00 (combined total of low bid)

The motions passed unanimously 3-0.

MANAGER'S REPORT

a) **Authorize ordinance advertisement for an amended inter-municipal Agreement with Trappe Borough related to Collegeville-Trappe Joint Municipal Authority (CTJMA) Water Service.**

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to authorize advertisement of an Ordinance for an amended inter-municipal agreement with Trappe Borough to include additional properties to receive water services from the Collegeville Trappe Joint Municipal Authority. A hearing date is tentatively scheduled for the April 4, 2016 BOS Meeting.

b) **Approve amendment language to HR Manual addressing health insurance opt-outs**

Mr. Tieperman reviewed a proposed change to the Township's HR manual that the Board approved in concept last year. The proposed Resolution authorizes health insurance opt-outs for non-police employees. The employees would need to satisfy a list of criteria to qualify for the cash opt-out. He asked the Board to review and consider approval at its March 21, 2016 regular meeting.

c) **Madison Topsoil Export Request**

Mr. Tieperman reviewed a written request from Providence Multifamily Associates, L.P. to export topsoil from the Madison at Providence site to a location outside the Township. Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve the request. The motion passed unanimously 3-0.

d) **Police and Non-Uniform Pension RFP Update**

Mr. Tieperman reviewed the draft RFP (Request for Proposals) that the Finance Department and he plan to use to interview qualified pension investment advisors. He noted that the advisory services for both the non-union and police pension plans have not been subject to competitive review for several years. The Board gave its concurrence to proceed with the RFP process.

e) Police and Non-Uniform Pension RFP Update

Mr. Tieperman reviewed the draft RFP (Request for Proposals) that the Finance Department and he plan to use to interview qualified pension investment advisors. He noted that the advisory services for both the non-union and police pension plans have not been subject to competitive review for several years. The Board gave its concurrence to proceed with the RFP process.

f) Official Appointment of Professional CPA firm to complete the 2015 Audit

Mr. Tieperman explained that Section 917 of the Second Class Township Code allows the appointment of a professional firm to audit the Township's books instead of the elected Board of Auditors. However, the Code requires the governing body to publish its intent to appoint a professional firm. It may then appoint a firm no earlier than thirty (30) days after ad's publication.

Having complied with that legal requirement, Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to adopt Resolution 2016-10 to appoint Oaks-based Maillie, LLP Certified Public Accountants to perform an audit of the Township's records for fiscal year ending 2015, in accordance with Section 917 of the Second Class Township Code, as amended. The motion passed unanimously 3-0.

CONSULANT REPORTS**a) Hopwood and Route 29 Update**

Mr. O'Brien gave an update on the Hopwood Road and Route 29 study. He said McMahon is currently conducting traffic counts at this intersection to determine whether a traffic light is warranted. The report will also analyze to determine if a signal alone is enough to improve the intersection or if a left turn lane on Route 29 is needed. Mr. O'Brien will have a progress report at the next meeting

On unrelated business, Mr. Dingman updated the Board on various grading permits that he issued recently.

SOLICITOR'S REPORT**a) Vacation of Greenwood Avenue Right-of-Way**

Mr. Skypala stated that the Greenwood Avenue Right-of-Way is ready for vacation and and that an Ordinance is being prepared for consideration at the Board's March 21, 2016 meeting.

SUPERVISORS COMMENTS

There were no Supervisor comments this evening.

ADJOURNMENT

There being no further business Mrs. Mossie made a motion, seconded by Mr. Vagnozzi, to adjourn the meeting at 8:10pm. The motion passed unanimously 3-0.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager/Secretary