



**UPPER PROVIDENCE BOARD OF
SUPERVISORS MINUTES FOR MAY 2, 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, Michael Coyne, Township Engineer; Geoff Grace, Planning Consultant; Ken O'Brien, Traffic Engineer; and Mark Toomey, Chief of Police.

PLEDGE OF ALLEGIANCE:

Chairman Barker opened the meeting with the Pledge of Allegiance.

SPECIAL RECOGNITION:

1. Presentation of Police Chief Commendations:
 - a. Officer Scott Reynolds
 - b. Officer Michael Sheehan
 - c. Officer James Enright

Chief Toomey read the Life Saving Citation and presented the award to the Officers Reynolds and Sheehan. Officer Enright was not present.

APPROVAL OF BILL LIST:

2. April 1, 2016 – April 14, 2016: \$ 413,460.65

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to approve the bill list from April 1, 2016 to April 14, 2016 totaling \$413,460.65. The motion passed unanimously 3-0.

3. April 15, 2016 – April 28, 2015: \$ 325,917.90

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to approve the bill list from April 15, 2016 to April 28, 2016 totaling \$325,917.90. The motion passed unanimously 3-0.

APPROVAL OF MINUTES:

4. April 4, 2016 Meeting Minutes

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to approve the April 4, 2016 meeting minutes. The motion passed unanimously 3-0.

PUBLIC COMMENT:

The following resident offered public comments:

- Bill Troutman, 1320 Black Rock Road, asked about the Black Rock Trail Grant.
- Don Peters, owns property on Mennonite Road, asked if the trail that is to be installed could be put on the other side of Mennonite Road.
- Dr. Icenhower, 1408 Egypt Road, asked if lights were going to be installed on the new traffic islands that were recently installed on Mennonite Road.
- Pam Baumann, 110 Berkshire Lane, feels that Hartford Properties is not addressing the resident's concerns regarding the Shoppes at Upper Providence.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

5. Consider adoption of a motion to approve a tentative subdivision application filed by Hartford Properties, LLC for the Shoppes at Upper Providence. *(1831-1835 Ridge Pike, 8-001 017-1114TSD)*

Present for this discussion were Attorney Joseph Brion, Engineer Michael Jeitner of Bohler Engineering and Robert Hill, Hartford Properties.

Mr. Jeitner gave a brief description of this plan and addressed the resident's concerns regarding storm water management.

Mr. Hill addressed the building design and elevations.

The following residents expressed their concern regarding elevation, height of the buildings, storm water management, operation hours and noise.

- Tracy Wagner, 208 Berkshire Lane
- Pam Baumann, 110 Berkshire Lane
- Deborah Doheny, 110 Berkshire Lane
- Tim Palladino, 311 Cambridge Drive
- Dopyong Chang, 105 Berkshire Lane

Scott Bendig, 106 Berkshire Lane, asked if he could see or have a copy of this plan.

Connie Peck, Trappe, PA stated that there have been many proposals for this property, but she feels that this is the best use of this parcel.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to approve Plan No. 8-001 017-1114TSD in accordance with the Planning Commissions' recommendation of April 27, 2016, and the Consultants review letters as follows:

Gilmore Associates	dated	April 27, 2016
Grace Planning Consultants		April 26, 2016
McMahon Associates		April 1, 2016
Fire Marshal		April 26, 2016

Mrs. Mossie also stated that the applicant will address all easement concerns to the Township Solicitors satisfaction. The motion passed unanimously 3-0.

- 6. Consider adoption of a motion to approve a tentative land development application filed by Hartford Properties, LLC for the Shoppes at Upper Providence. *(1831-1835 Ridge Pike, 8-001 017-1106TLD)*

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to approve Plan No. 8-001 017-1106TLD in accordance with the Planning Commissions' recommendation of January 13, 2016 and the Consultants review letters as follows:

Gilmore Associates	October 8, 2015, November 5, 2015 and January 8, 2016
Grace Planning Consultants	October 6, 2015, November 5, 2015 and January 11, 2016
McMahon Associates	October 7, 2015, November 6, 2016 and January 8, 2016
Fire Marshal	September 2, 2016 and November 6, 2015
MCPC	September 28, 2015

Mrs. Mossie also stated that the landscape buffer exhibit, revision number 4, dated April 25, 2016 is included. The motion passed unanimously 3-0.

- 7. Consider adoption of Resolution 2016-14, authorizing the submission of an application to the Delaware Valley Regional Planning Commission (DVRPC) for a Transportation and Community Development Initiative (TCDI) planning grant.

Mr. O'Brien gave a brief description of this grant application.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to adopt Resolution No. 2016-14. The motion passed unanimously 3-0.

- 8. Consider adoption of Resolution 2016-15, authorizing the submission of an application to the Chester County Planning Commission to submit an application to DVRPC for TCDI planning grant.

Mr. Tieperman stated that this Resolution supports Chester County Planning Commission submission for a TCDI Grant.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to adopt Resolution No. 2016-15. The motion passed unanimously 3-0.

9. Consider adoption of a Resolution 2016-16 appointing a member to the Zoning Hearing Board.

This Resolution authorizes the Board of Supervisors to appoint Kevin Holohan to the Zoning Hearing Board.

Mr. Vagnozzi made a motion, seconded by Mrs. Mossie to adopt Resolution No. 2016-16. The motion passed unanimously 3-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

10. Consider adoption of Resolution 2016-17 to approve revisions to the Township Fee Schedule to institute a 5% escrow administration fee

Mr. Bortnichak gave a brief description of the revisions.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to adopt Resolution No. 2016-17. The motion passed unanimously 3-0.

11. Review draft Board policy regarding the solicitation of private donations.

This review was tabled.

MANAGER'S REPORT:

12. Capacity Rights Agreement – 1519 College Avenue

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to approve one (1) EDU for 1519 College Ave. The motion passed unanimously 3-0.

13. Capacity Rights Agreement – 150 Spares Lane

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to approve one (1) EDU for 150 Spares Lane. The motion passed unanimously 3-0.

14. Proposed Procedural Change #1 – Unlimited Extension Agreements
15. Proposed Procedural Change #2 – Contract for Professional Services
16. Proposed Procedural Change #3 – Escrow Establishment Procedures
17. Proposed Procedural Change #4 – SALDO Application Approval Process

Mr. Bortnichak gave a brief description of these procedural changes.

18. Disposition of Curb Bids

Mr. Tieperman stated that the bids received were not within budgetary limitations.

Mrs. Mossie made a motion, seconded by Mr. Vagnozzi to reject the current bid proposal. The motion passed unanimously 3-0.

CONSULTANT REPORTS:

Mr. Dingman gave a brief review of the ongoing projects in the Township.

North Mennonite road paving project to start June 1, 2016
Demolition of 135 Bridge Street to start May 9, 2016
Advertising for the 2016 Township Road project to include curbing.

Mr. Mossie made a motion, seconded by Mr. Vagnozzi to authorize advertising for the 2016 Township Road paving project. The motion passed unanimously 3-0.

SOLICITOR'S REPORT:

Mr. Skypala asked if the Board wanted the Solicitor to attend a Building Code Appeal. Also, Mr. Skypala received a letter from Attorney Mr. Mullin in regard to the Freeland Village building permits.

SUPERVISORS COMMENTS:

19. Consider appointment of an alternate member to the Zoning Hearing Board.

This item was tabled.

ADJOURNMENT:

There being no further business Mrs. Mossie made a motion, seconded by Mr. Vagnozzi, to adjourn the meeting at 9:37pm. The motion passed unanimously 3-0.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager/Secretary