



UPPER PROVIDENCE BOARD OF SUPERVISORS MINUTES FOR AUGUST 15, 2016 MEETING

ATTENDANCE

Board of Supervisors: Philip Barker, Chairman; Lisa Mossie, Vice Chairman; Albert Vagnozzi, Supervisor;

Staff Present: Timothy J. Tieperman, Township Manager; Bryan Bortnichak, Assistant Township Manager; Joseph Bresnan, Township Solicitor, William Dingman, 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.

APPROVAL OF BILL LIST

1. July 28, 2016 to August 11, 2016: \$496,708.45

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve the bill list from July 28, 2016 through August 11, 2016 totaling \$496,708.45. The motion passed unanimously 3-0.

APPROVAL OF MINUTES

2. August 1, 2016 Meeting Minutes

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve the August 1, 2016 Meeting Minutes. The motion passed unanimously 3-0.

PUBLIC COMMENTS

Bill Kasper (688 Egypt Road) appealed to the Board to table Resolution 2016-40, regarding the Self Contained Breathing Apparatus until Fire Marshal Overholt talks to the volunteer fire fighters.

Matthew German (9 Hickory Place) asked the Board to look into offering guest passes at the Recreation Center. Mr. German stated that the Recreational Center is underutilized and that offering guest passes will actually be a source for generating revenue. Mr. Barker explained that the Township does allow guest and explained the current policy.

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

3. Consider adoption of Resolution 2016-37 to approve a final subdivision and land development application filed by Hartford Properties, Inc. for the proposed Shoppes at Upper Providence

Present for this discussion were Attorney Joseph Brion and Michael Jeitner, Bohler Engineering.

Mr. Jeitner stated that the applicant will comply with all the comments in the Consultant's review letters.

Mr. Bresnan summarized the Resolution.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve Resolution No. 2016-37, for Hartford Properties, Inc. located at 1831-1835 Ridge Pike, Plan No. 8-001 017-1120 (P)LD, Preliminary

Land Development, subject to revision number four (4) , dated July 21, 2016 and number five (5), dated August 12, 2016. This is the final development approval. The motion passed unanimously 3-0.

4. Consider adoption of Resolution 2016-38 to authorize participation in a financing program subsidized by Montgomery County for the acquisition of police radios.

Mr. Bresnan summarized the Resolution. This Resolution authorizes the participant in a financing program subsidized by Montgomery County for the acquisition of police radios.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve Resolution 2016-38 to authorize participation in a financing program subsidized by Montgomery County for the acquisition of police radios. The motion passed unanimously 3-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

5. Consider adoption of Resolution 2016-39 to approve the subdivision application for the Bard Subdivision

Present for this discussion was Robert Moncrief, Moncrief Land Surveying. Mr. Moncrief briefly described the plan.

Mr. Bresnan summarized the Resolution.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to approve Plan No. 2-038 007-1121 (P)SD for Philip A Bard, III and Cortney Bard, and the adoption of Resolution 2016-39, subject to the conditions of the Planning Commission's recommendation of August 10, 2016. The motion passed unanimously 3-0.

6. Consider adoption of Resolution 2016-40 to approve a lease purchase arrangement for a new self-contained breath apparatus.

This Resolution was tabled.

7. Consider adoption of Resolution 2016-41 to add Pleasant Lane to PennDOT's Liquid Fuels List.

Mr. Tieperman summarized the Resolution to add Pleasant Lane to the State's liquid fuel's registry.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi, to adopt Resolution No. 2016-41. The motion passed unanimously 3-0.

8. Begin initial discussion on proposed changes to Chapter 135 (Property Maintenance) of the Township Code of Ordinances.

Assistant Township Manager, Bryan Bortnichak initiated a discussion about amending Chapter 135, Property Maintenance Code. Mr. Bortnichak stated that the current code was last amended in March 1977 and as such fails to address many current property maintenance violations. Mr. Bortnichak recommended to the Board to consider adopting the 2015 International Property Maintenance Code (IPMC) as is, or add provisions that addresses rental and resale requirements. Adopting this new code, will allow the Township to effectively respond to residents' concerns.

MANAGER'S REPORT

9. Borough Line Phase 2 Inter-Municipal Agreement with Trappe Borough

Mr. Tieperman requested the Board's authorize for the amended Inter-Municipal Agreement between Upper Providence and Trappe Borough.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi to authorize and execute the amended Inter-Municipal Agreement for Borough Line Road dated August 15, 2016. The motion passed unanimously 3-0.

10. Authorize Engagement Agreement with PFM Associates.

Mr. Tieperman summarized this proposal. This matter was tabled.

11. Ratify GSK Traffic Signal Easements

Mr. Tieperman stated that to expedite the application process to secure a highway occupancy permit, GSK requires three (3) signed easement agreements. The Solicitor reviewed and approved the easement document for execution.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi to approve the following three traffic signal easement agreements:

1. Between Quest Diagnostics Clinical Laboratories, Inc. and Upper Providence Township
(Part of Tax Parcel 61-00-00226-20-8)
2. Between GlaxoSmithKline, LLC and Upper Providence Township
(Part of Tax Parcel 6-00-00994-00-7)
3. Between GlaxoSmithKline, LLC and Upper Providence Township
(Part of Tax Parcel 6-00-00994-00-7)

The motion passed unanimously 3-0.

12. Ratify New Fuel Bid Award

Mr. Tieperman stated that on February 25, 2016, the Township opened bids for the on-site delivery of vehicle fuel for the Township's fleet. Royersford based Oehlert Brothers submitted the lowest bid. However, to date, Oehlert has failed to submit the required performance bond despite various attempts to secure the bond.

On that note, the Solicitor advised the Township to award the bid to the next lowest bidder – Superior Plus Energy Services, Inc.

Mrs. Mossie motioned, seconded by Mr. Vagnozzi to award the 2016 bid for vehicle fuel to Superior Plus Energy Services – the lowest qualified bidder within budgetary limitations and meeting all required bid specifications and insurance requirements. The motion passed unanimously 3-0.

CONSULTANT REPORTS

13. Mennonite Road Updates

Mr. Dingman summarized the paving projects on Vaughn Road, Yeager Road and N. Mennonite Road. Mr. Dingman also stated that the work on S. Mennonite Road should be completed by the beginning of September.

Mr. Barker asked if the stripping on N. Mennonite Road can be changed to include a bike lane.

Mrs. Mossie stated that she had been asked about the lack of notification on the paving of Vaughn Road.

Mr. Dingman explained that if a road has to be closed and a detour is necessary, signs are installed to alert motorists. In the case of Vaughn road, because the road was just being repaved, they used a flag person instead.

Mr. Barker asked if the Township could notify residents using the reverse 911 that the Township has used in the past.

Mr. Bortnichak will look into this matter and report his findings.

SOLICITOR'S REPORT

14. Impact of Reed vs. Town of Gilbert Court Decision

Mr. Bresnan stated that the Township, as well as almost every municipality in the country, will have to rewrite its sign ordinance as a result of a Supreme Court's decision. In summary, this decision forbids any municipality from making observations about the content of any signs. Mr. Bresnan sighted political signs as example, stating that under this new law, such signs cannot be called a political signs as doing so will be deemed as labeling the context of the signs as political. Delaware Valley Insurance Trust Council has circulated a memorandum to all participating municipalities with a suggested guideline for rewriting the ordinance. Mr. Bresnan stated that he do his due diligence in further researching this decision and will seek authorization from the Board to make the changes to the Sign ordinance.

In relation to the discussion on signs, Mr. Barker announced that there are supportive signs of our Police Department available for pick up at the Police Department and the Recreation Center. Mr. Barker also noted that the signs were donated by a local business.

SUPERVISORS COMMENTS

Mrs. Mossie stated that the School Board changed its policy about school buses going into private developments to pick up students for safety reasons. Mrs. Mossie would like to see more "School Bus Stop" signs on Black Rock Road near the blind curve. Mrs. Mossie expressed the need for the Township to be consistent with safety measures when it involves our children.

ADJOURNMENT

There being no further business Mrs. Mossie made a motion, seconded by Mr. Vagnozzi, to adjourn the meeting at 8:26 p.m. The motion passed unanimously 3-0.

Respectfully Submitted By:



Timothy J. Tieperman, Township Manager/Secretary