



**UPPER PROVIDENCE BOARD OF SUPERVISORS
REGULAR MEETING
Tuesday, January 21, 2020 – 7:00 P.M.**

ATTENDANCE

Board of Supervisors: Helene Calci, Chair; Albert Vagnozzi, Vice-Chair; Laurie Higgins, Supervisor; John Pearson, Supervisor, and Bill Starling, Supervisor.

Staff Present: Timothy J. Tieperman, Township Manager; Bryan Bortnichak, Assistant Township Manager; Chief Mark Toomey, UPT Police Department; Tom Dimmerling, Fire Marshal; Arielle Simmons, Communications Officer; and Cheryll Schinski, Administrative Services Manager.

Consultants Present: Geoffrey Grace, Zoning Officer; Eric Frey, Esquire, Township Solicitor Representative; William Dingman, Township Engineer and Casey Moore, Township Traffic Engineer.

CALL TO ORDER

Supervisor Calci called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Calci started the meeting with the Pledge of Allegiance.

MOTION TO APPROVE BOARD AGENDA

Supervisor Pearson motioned, seconded by Supervisor Starling, to approve the January 21, 2020 Board Agenda, per § 2-2-5 (A) of the Township Administrative Code. Motion carried 5-0.

PUBLIC COMMENT

Kristin Kraft (159 Woodland Avenue). Ms. Kraft presented a petition signed by every resident of the Indian Head neighborhood asking that Upper Indian Head Road remains open as a public road.

Melissa Stoll (443 Lower Indian Head Road). Ms. Stoll asked for clarification on Phase 1 and 1a for the SEI project and would like the residents to be included in the decision process.

Charles Stoll (443 Lower Indian Head Road). Mr. Stoll asked for clarification on the Reber Road/South Reber Road development about the SEI project. Mr. Stoll stated that he would rather have no curb or sidewalks than have the neighborhood be developed to SEI's wishes. He would like Upper Indian Head Road left as is.

EXECUTIVE SESSION

None

APPROVAL OF BILL LIST

1. January 1, 2020 – January 15, 2020: \$99,801.79

Supervisor Starling motioned, seconded by Supervisor Pearson, to approve the bill list for the period of January 1, 2020 – January 15, 2020, in the amount of \$99,801.79. Motion carried 5-0.

APPROVAL OF MINUTES

- 2. January 6, 2020 Reorganization Meeting**
- 3. January 6, 2020 Regular Meeting**

Supervisor Starling motioned, seconded by Supervisor Pearson, to approve the minutes of the January 6, 2020 reorganization meeting and the January 6, 2020 regular meeting. Motion carried 5-0.

PUBLIC HEARING

None

OLD BUSINESS (ACTION/DISCUSSION ITEMS)

4. Consider adopting Resolution 2020-7 approving roadway improvements on Black Rock Road, Green Tree Road, Upper Indian Head Road and Cider Mill Road for SEI's North Campus

Ed Mullin, Esquire (attorney for applicant). Attorney Mullin stated that this part of the project has nothing to do with Reber Road. The focus is on phases 1 and 1a. Applicant received preliminary plan approval but had not yet received the PennDOT permits. Eric Ostemchuk (traffic engineer). Mr. Ostemchuk discussed the traffic improvements. The first refers to Black Rock Road and providing and/or extending the left turn lanes. The span wire traffic signal at Black Rock Road and Green Tree Road will be replaced with a standard mast arm. These changes need to be approved by PennDOT as Black Rock Road is a state owned/maintained road.

The other traffic improvement has to do with Cider Mill Road. These proposed improvements do not need PennDOT approval, with the exception of installing a traffic signal. The traffic signal has received PennDOT approval. McMahan and Associates, on behalf of the Township, has reviewed and approved these traffic improvements related to the design. These improvements include a new signalized intersection and the addition of left turn lanes.

Supervisor Vagnozzi asked about the right of way and easements needed for the project. Mr. Ostemchuk stated that he has received easements from the Greentree Homeowner's Association and another property owner; however, he still needs the right of way. Attorney Mullin stated that the township recently got an appraisal and the matter is moving forward.

Supervisor Calci asked for clarification on the project timeline. Mr. Ostemchuk stated that the Cider Mill Road section will be completed by the end of April. The part that requires PennDOT approval will take approximately 3 months after receipt of the approval.

Supervisor Pearson asked for clarification on any improvements for the lower part of Upper Indian Head Road. Mr. Ostemchuk stated, at this point, that there will be no additional improvements to Upper Indian Head Road below Cider Mill Road. Attorney Mullin clarified that the residents who spoke earlier were referring to phase 2 of this project.

Mr. Ostemchuk stated that there is no sidewalk and curbing proposed for the area where the swale is being redone. Supervisor Starling stated that this could be a direct connection to the Perkiomen Trail. Mr. Ostemchuk stated that there is a trail connection proposed in another location. Attorney Mullin stated that this will be discussed in phase 2. Supervisor Calci asked about a trail head and parking. Mr. Ostemchuk said none is intended for this phase. Supervisor Pearson stated that the trailhead should be moved to the bridge area by Arcola Road. He stated that the Lower Perkiomen Valley Sewer Authority has purchased the "Steeple" property and this would be a great area of the trailhead.

Supervisor Pearson motioned, seconded by Supervisor Higgins, to adopt Resolution 2020-7 approving the roadway improvements on Black Rock Road, Green Tree Road, Cider Mill Road and Upper Indian Head Road for SEI's north campus. Motion carried 5-0.

5. Consider adopting Resolution 2020-8 approving preliminary land development for Providence Business Park III – 60K flex space building

Ed Mullin, Esquire (attorney for applicant). Attorney Mullin stated that the UPT Planning Commission had recommended that this project be given preliminary plan approval. The review letters are all will comply. Applicant is looking for two waivers; the first for the size of the plan and the second for LED lighting.

Tom Ludgate (project engineer). Mr. Ludgate discussed the project for the 60K flex space building. This project will complete three-fourths of the development for this site, Providence Business Park Development. HB Frazer will be building an alternative emergency access to Egypt Road and 60K Flex will be using that access. Attorney Mullin stated an overall traffic study was done for the area by TPD (traffic engineer).

Supervisor Pearson had a concern about the footcandle overflow for LED lighting. Mr. Ostemchuk stated that the lights can be adjusted and shields added to control any overflow. Mr. Dingman stated that the township ordinance is being amended to include LED lighting.

Supervisor Pearson motioned, seconded by Supervisor Higgins, to approve the preliminary land development for Providence Business Park III – 60K Flex Building. Motion carried 5-0.

6. Consider adopting Resolution 2020-10 accepting dedication of a portion of land adjacent to the Phoenixville Spur for Toll Brothers Highfield at Providence development.

Alyson Zarro, Esquire (attorney for Toll Brothers). Attorney Zarro stated that the Highfield at Providence roads have been finished and are dedicated to the Township. This area of land is adjacent to the land owned by Toll Brothers – the “Pierson” tract. Mr. Pierson entered into a right of entry agreement for the 80 feet right of way – a portion of Wilson Way was built on this tract. This area was also known as Service Road #2. PennDOT has stated that they would like this to be a township road. Mr. Grace stated that this area is also known as the Phoenixville Spur. The Township owns 10 feet on either side of this property which allows the Township to be the immediate adjacent landowner in the PennDOT decides to relinquish their rights to the property.

Supervisor Starling motioned, seconded by Supervisor Vagnozzi, accepting dedication of a portion of land adjacent to the Phoenixville Spur for Toll Brothers Highfield at Providence development. Motion carried 5-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

7. Consider authorizing advertisement of Ordinance 582 amending §143 of the Township Code to change the sanitary sewer billing frequency from quarterly to semiannual

Mr. Bortnichak stated that the sanitary sewer billing was outsourced to Berkheimer in 2019. To further reduce costs, it was contemplated that the sewer billing would become semi-annual instead of quarterly. The Township Code states that sewer billing is quarterly, therefore an ordinance amendment is needed. The sewer bills would be mailed April 15 and October 15. For the first cycles, finance would provide a 45-day payment window as opposed to the standard 30 day. A mailer would be included in the next sewer bill to inform residents of the change. The township would save approximately \$28,000. Supervisor Starling would like the billing change to start next April. He would like to have sufficient communication to the residents of the change. Supervisor Calci suggested starting in October. Attorney Frey stated that the ordinance could be advertised and passed with an October effective date. The matter was tabled to the next meeting.

8. Consider approving fire investigation mutual aid agreements with Perkiomen Township, Lower Providence Township and Limerick Township

Tom Dimmerling, Upper Providence Township Fire Marshal. Mr. Dimmerling discussed the investigation mutual aid agreements. This started very informally and we are now looking to formalize agreements. Trappe Borough uses a third-party contractor for investigations.

Supervisor Vagnozzi motioned, seconded by Supervisor Pearson, to approve the fire investigation mutual aid agreements with Perkiomen Township, Lower Providence Township and Limerick Township. Motion carried 5-0.

MANAGER AND DEPARTMENT HEAD REPORTS

9. 2019 Recap – Year in Review

Mr. Tieperman presented the 2019 Year in Review which highlighted various projects, and improvements in the Township.

10. Announce 2020 Road Paving Projects and anticipated bid award

Mr. Tieperman announced the following projects that are anticipated to go to bid this year:

- A. Anderson Road, Anthony Wayne Circle, Brandon Circle, Dreibelbis Road, Green Street, Minuteman Drive, North Borough Line Road, Von Steuben Drive, Yocum Road, Buckwalter Road, Buckwalter Circle, Helen Circle, Henry Drive, Missimer Drive, and Old Mill Road
- B. Spring Mill Lane, Ashford Court, Brentford Court and Pleasant Lane

Mr. Tieperman stated that the Road Paving “B” projects will be done in conjunction with the sewer projects in the same area. Mr. Bortnichak stated that the bids are anticipated in the March timeframe. Since these projects are approved in the capital budget, advertisement would be done on PennBid with Bids brought to the Board in March.

CONSULTANT REPORTS

11. Engineering and capital improvement project updates

Mr. Dingman stated that the storm sewer project has started. The survey work and environmental studies for Pleasant Lane, Tindy Run and the emergency services building are ongoing.

SOLICITOR’S REPORT

12. Brief overview of The Sunshine Law

Solicitor Frey discussed a brief overview of The Sunshine Law. This law outlines the rules for public agencies to deliberate and take official action on items at a public meeting. It prohibits a quorum of the board from meeting outside a public setting. The one exception is executive session which can be held to discuss real estate, personnel/labor matters or privileged communications. All meetings must be advertised with and deemed a regular, special or

emergency meeting. Rules applying to public comment at meetings are outlined, including asking the person to state their name and address. Minutes for all public meetings must be taken.

SUPERVISORS COMMENTS

Supervisor Pearson commented on the skate park and the respect and consideration shown by the kids at the park.

Supervisor Higgins recommended reading “Lab Girl” by Hope Jahren.

UPCOMING EVENTS

Supervisor Calci announced the following upcoming events:

13. Board of Supervisors meeting schedule:
February 18, 2020 at 7:00 p.m.
March 16, 2020 at 7:00 p.m.
14. Planning Commission meeting schedule:
January 22, 2020 at 7:00 p.m.
Agenda Items: Cancelled
February 12, 2020 at 7:00 p.m.
Agenda Items: Murphy Lot Line Change; 188 Bechtel Road
15. Parks and Recreation Committee meeting schedule:
February 19, 2020 at 6:00 p.m.
16. Comprehensive Plan Subcommittee meeting schedule:
February 19, 2020 at 7:00 p.m.
17. Municipal Authority meeting schedule:
February 6, 2020 at 7:00 p.m.

ADJOURNMENT

There being no further business, Supervisor Pearson motioned, seconded by Supervisor Starling to adjourn the meeting at 8:06 p.m. Motion carried 5-0.

Respectfully Submitted,



Timothy J. Tieperman
Township Manager/Secretary