



**UPPER PROVIDENCE BOARD OF SUPERVISORS
REGULAR MEETING
Monday, April 20, 2020 – 7:00 P.M.**

The Board of Supervisors regular meeting held on Monday, April 20, 2020 was held in a virtual only format. Instructions to join the meeting were posted on the township's website. Township Manager, Timothy J. Tieperman, was the meeting moderator.

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; Tom Broadbelt, Public Works Director; Chief Dan Kerrigan, Fire/EMS Services; Rich Ressel, Emergency Management Coordinator; Chief Mark Toomey, UPT Police Department; Arielle Simmons, Communications Officer; and Cheryll Schinski, Administrative Services Manager.

Consultants Present: Geoffrey Grace, Zoning Officer; Joseph Bresnan, Esquire, Township Solicitor; 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.

Supervisor Calci read the following statement from the Board:

During this pandemic, The Board of Supervisors has been in regular communication with township staff during this pandemic and has been monitoring all the issues impacting residents. Due to social distancing guidelines recommended by the Center for Disease Control and Prevention and the stay at home restrictions set forth by Governor Wolf, this Board of Supervisors meeting will not be held at its normal physical location but rather through this virtual meeting forum. On April 14, 2020, this meeting was legally advertised and is being recorded this evening. It will be uploaded our website in the same location as other recorded Board of Supervisors meetings. I would like to thank you who registered as attendees for our first ever virtual meeting. As an attendee, all of you will have the right to speak under public comment later in the meeting. You will see a hand raised symbol on your computer which will alert the moderator that you wish to make a comment. At the appropriate time you will be unmuted and allowed to make comments consistent with our usual meeting regulations. Consistent with our rules and procedures there will be no question/answer session during public comments. However, if you do have a question on a particular item, we will make sure that the appropriate staff member gets back to you with a response. This virtual form is new to us and we ask that you bear with us as we ourselves become acclimated to this new format.

With the uncertain and changing conditions, the Board of Supervisors decided to cancel their March 16, 2020 meeting. This meeting will not be rescheduled.

PLEDGE OF ALLEGIANCE

Due to this meeting being held in a virtual format, Supervisor Calci requested a moment of silence in remembrance to all those touched by COVID-19. Supervisor Calci went on to thank all of the frontline workers helping to fight this pandemic.

MOTION TO APPROVE BOARD AGENDA

Supervisor Pearson motioned, seconded by Supervisor Starling, to approve the April 20, 2020 Board Agenda, per § 2-2-5 (A) of the Township Administrative Code. Motion carried 5-0.

PUBLIC COMMENT

Bill Troutman (1320 Black Rock Road). Mr. Troutman would like to have the compost site opened. Mr. Broadbelt stated that the township is following the governor's recommendations. Mr. Tieperman stated that the governor's office may start lifting some of the restrictions as soon as May 9th.

Kristin Troutman (1320 Black Rock Road). Mrs. Troutman has questions/concerns regarding the location of the new emergency services facility. In April 2018 a special meeting was held regarding emergency services. At that meeting, Mrs. Troutman asked if a new emergency services building was being built at the Black Rock site, where it would be located and how much it was expected to cost. It was stated that the location would be across from the new township building and adjacent to the old township building. Currently, there are surveying stakes in front of her property. She further stated that Mr. Bortnichak provided a copy of the current plan which shows the facility directly across the street from their home. The cost two years ago was projected to be \$3.2 million dollars.

In June 2019, another meeting was held to discuss the facility. There was a slide describing the township's criteria some of which include an arterial road, a central location, and the distance from existing homes. While Black Rock Road is an arterial road, it does have backups during rush hour, it is not centrally located in the Township and the distance from her home to the building is approximately 130 feet from the front yard and 176 feet from the front door. At the June 2019 meeting the distance was approximately 300 feet. She feels that the location of the emergency services building will negatively impact her property value. Mrs. Troutman further stated that several staff members stated that the facility would be built at the eastern end of the parcel and adjacent to the existing fire station.

Mrs. Troutman disagrees with the statement that firehouses are a passive use. She feels that if there are 4-6 calls a day, it will be extremely intrusive to her life. Even without the sirens, she feels that there will be trucks noise and lights all day and night.

Mrs. Troutman went on to say that the township has paid for three separate studies regarding the emergency services building. All three studies indicated that the facility should be built along Route 113 to best serve the needs of the township. She would like to know why the township is now choosing to not follow the studies and would like to know how much the studies cost. Mr. and Mrs. Troutman drove to the Bechtel Road/Ithan Lane site and feel that the location is better suited for several reasons including its distance to existing homes, road access, existing traffic signal changer and the fact that the site is vacant.

If there is an issue with getting volunteers to the firehouse, will the township become a fully paid fire service.

As proposed, the Black Rock site plan would make her driveway part of an intersection.

Mr. Tieperman stated that there were no more attendees waiting to speak.

EXECUTIVE SESSION

Supervisor Calci stated an executive session was held on February 26, 2020 to discuss police contract negotiations. No actions were taken.

APPROVAL OF BILL LIST

1. February 13, 2020 – March 11, 2020: \$1,183,777.54

Supervisor Starling motioned, seconded by Supervisor Pearson, to approve the bill list for the period of February 13, 2020 – March 11, 2020, in the amount of \$1,183,777.54. Motion carried 5-0.

2. March 12, 2020 – April 10, 2020: \$1,282,609.26

Supervisor Pearson motioned, seconded by Supervisor Starling, to approve the bill list for the period of March 12, 2020 – April 10, 2020, in the amount of \$1,282,609.26. Motion carried 5-0.

APPROVAL OF MINUTES

3. February 6, 2020 BOS/Sewer Authority Joint Meeting

4. February 18, 2020 Regular Meeting

5. March 2, 2020 Workshop Meeting

Supervisor Pearson motioned, seconded by Supervisor Starling, to approve the minutes of the February 6, 2020 BOS/ Sewer Authority Joint Meeting, February 18, 2020 BOS Regular Meeting and March 2, 2020 BOS Workshop Meeting. Motion carried 5-0.

PUBLIC HEARING

None

OLD BUSINESS (ACTION/DISCUSSION ITEMS)

6. Consider enactment of Ordinance 582 changing the sanitary sewer billing frequency from quarterly to semi-annual with an effective date of October 1, 2020

Mr. Tieperman confirmed that this ordinance has been properly advertised.

Supervisor Higgins motioned, seconded by Supervisor Pearson, to authorize advertisement of Ordinance 582 changing the sanitary sewer billing frequency from quarterly to semi-annual with an effective date of October 1, 2020. Motion carried 5-0.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

7. Consider awarding a bid for the Road Project “A” to Allan Myers, LP from Worcester, PA, in the amount of \$665,100.00 as lowest responsible bidder

Supervisor Calci stated that this project is entirely funded by state liquid fuel monies. Mr. Dingman stated that there were 10 bids received in early March. The lowest bidder, Allan Myers, LP completed the township’s paving projects last year and did a good job. Mr. Dingman recommends Allan Myers, LP for this road paving project which includes Buckwalter Road, Henry Drive, Helen Drive, Old Mill Road, and Missimer Drive.

Supervisor Pearson suggested that Allan Myers, LP do a quicker job of the stripping after the road paving. Mr. Dingman stated he would make them aware.

Supervisor Calci asked for the budgeted project amount. Mr. Tieperman stated he believes it was in the \$700,000 range. Mr. Bortnichak stated that the township received liquid fuel funding in an approximate amount of \$680,000 which exceeds the bid amount. Mr. Dingman stated that the bids were competitive as the four lowest bids were all within 10% of each other. The projects are bid at this time of year to get more competitive bids and begin the projects before other municipalities.

Supervisor Calci asked about the timeline due to the pandemic. Mr. Dingman stated Allan Myers, LP is ready to begin the project. He further stated that the number one, two, and four bidders have won township bids in the past.

Supervisor Starling motioned, seconded by Supervisor Pearson, to award Road Project “A” to Allan Myers, LP, of Worcester, PA, in the amount of \$665,100, as lowest responsible bidder within budgetary limitations.

8. Consider adopting Resolution 2020-15 for a GTRP Grant application for the Ashenfelter Road/Troutman Road trail

Supervisor Calci stated that this resolution is to authorize the submission for a \$225,000 grant application through the Greenway Trails Recreation Program to be used for the Ashenfelter Road/Troutman Road trail project.

Mr. Grace stated that this trail has been identified in years past as a high priority. This trail connects an existing trail on Troutman Road to an existing trail on the north side of Route 422 and takes you through the Providence Corporate Center and on to the Perkiomen Trail. This trail connects through the Glaxo Smith Kline campus who has offered an easement through the rear portion of their property. This will allow for a complete trail from the municipal campus to the Perkiomen Trail. Additionally, this project will complete the trail connection from Black Rock Park, through Rivercrest and end at the Schuylkill Trail. In essence, there will be a trail connection from the Perkiomen Trail to the Schuylkill Trail.

Mr. Dingman stated that the grant is 85% with a 15% township match. The length of the trail is approximately 3,000 linear feet. The overall budget is under \$300,000.

Supervisor Starling motioned, seconded by Supervisor Pearson, to adopt Resolution 2020-15 to submit a GTRP grant application for the Ashenfelter Road/Troutman Road trail. Motion carried 5-0.

MANAGER AND DEPARTMENT HEAD REPORTS

9. Fire and Emergency Services facility update

Supervisor Calci read the following statement:

We are in the process of designing a four-bay emergency services facility with a footprint of about 21,300 square feet on Black Rock Road near the former township meeting hall. This facility will accommodate career and volunteer firefighters as well as EMS on a 24/7 basis. The architect, Godshall Kane O'Rourke, has partnered with architect Dan Redstone who is known nationally for his experience in designing similar public safety facilities. Exterior finishes will be selected that mirror those of the police station and the Administration building. The architect has been directed to design the building with an aim toward meeting green building design standards that are established by the US Green Building Council under their leadership in energy and environmental design a.k.a. LEED Program. The project schedule calls for bid advertisements in October with an anticipated bid award in December and groundbreaking in the Spring of 2021. The project budget currently stands at \$7.2m for the building with associated site work costs of approximately \$2.9m. We intend to have the architect make a presentation to the Board of Supervisors and the public at a future board meeting as soon as the COVID-19 restrictions are lifted.

Supervisor Calci further stated that these are just preliminary budget figures and will need to be flushed out by the Board.

CONSULTANT REPORTS

10. Engineering and capital improvement project updates

Mr. Dingman discussed various engineering/sewer projects. The Road Project "B" is currently out for bid with anticipated action by the Board at their May meeting. The Tindy Run

sewer project is ongoing and the habitat survey found that there are no bog turtles. The planning module should be submitted for public comments and agency reviews shortly. The Lock 60 trail project is almost completed with just a few punch list items remaining.

Mr. Moore discussed several traffic engineering projects. In February 2020, a PennDOT permit was received for the Linfield Trappe/Township Line Road project. Bidding was open at the beginning of March but due to the COVID-19 restrictions, bids were extended to the beginning of May. In February, the Board approved bids for the Egypt Road adaptive signal project. This work was completed in March; however, Econolite, in conjunction with PennDOT, is still configuring the system and this process has slowed because of the pandemic. The GSK Edaptive project is moving ahead with the signal vendor. UPT will be responsible for five years' maintenance of the programming system.

Supervisor Calci asked for an update on the DOW bike lane/green paint project. Mr. Moore stated that the project has been put on hold because of the ongoing maintenance of the painted lanes and paving schedule for Black Rock Road. At a later time, a new location for the bike lanes may be scouted.

Mr. Grace stated that currently there are approximately seven land development applications. Consultants have been reviewing each application and reaching out to the applicants in an effort to have clean consultant letters/plans before the application would come before the Planning Commission or the Board of Supervisors in a public format. The Planning Commission will most likely have a virtual meeting in May pending any legislative bill. At this point, Mr. Grace would like to keep controversial items off the agenda and this type of virtual format. The land developers have been agreeable to this and providing any necessary time extensions. The Comprehensive Plan, Parks Master Plan and Complete Streets project are moving forward as best they can in this virtual format. The goal is to have these approved this year; however, each relies on a public comment format which is critical for completion.

Supervisor Starling appreciates the efforts of the applicants and staff to keep controversial items off of this type of virtual format.

SOLICITOR'S REPORT

Solicitor Bresnan discussed Senate Bill 841 which was signed into law today and contains several items related to COVID. He will provide detailed memos to each department as needed. One item of note, this bill allows virtual meetings to include written comments in advance rather than the two-way audio. It also allows local municipalities to extend the discount period for real estate taxes through the end of August and the face period through the end of December. There is discretionary in nature. The county has asked local municipalities to follow what they have done for tax relief; however, there is no requirements to do so. Further with land development reviews, the bill states that the "clock" is not running during the declaration of emergency period.

11. Authorize the solicitor to execute the Settlement Stipulation regarding the VEREIT BE Portfolio assessment appeal

This item is a tax assessment appeal. The school district handles the majority of the legal work for these items but the municipality must sign off on the agreement. This appeal is for the Bob Evans Restaurant. As a result of the appeal, the assessment dropped from approximately \$800,000 to a little over \$600,000.

Supervisor Pearson motioned, seconded by Supervisor Starling, to authorize the solicitor to execute the settlement stipulation regarding the VEREIT BE Portfolio assessment appeal. Motion carried 5-0.

SUPERVISORS COMMENTS

Supervisor Calci read the following statement:

This now brings us to supervisor comments. I think this is a good opportunity to bring everyone up to speed on the current COVID-19 state of emergency that we're still in and its impact on local government operations. I believe all of us have been receiving daily situation reports from our township emergency operations center as well as some inquiries from our residents on certain topics. Here are a few noteworthy updates that I'd like to share with everyone:

Mr. Tieperman stated that he sent out the latest COVID-19 update with Upper Providence having 86 positive cases with 13 deaths. Mr. Ressel stated that there have been approximately 500 new cases since the last report. Supervisor Higgins clarified that the new cases covered the Friday-Monday timeframe, with Montgomery County just shy of 3,000 cases. Mr. Ressel stated that there are 2,923 cases with 164 deaths in Montgomery County. The stay at home order is working and helping the hospitals stay ahead of this pandemic. If we can continue on for a few more weeks we could be over the burden of the pandemic. If the stay at home order is released too early, there is a very good chance of a second wave and the need to start over from square one with the stay at home order.

Chief Kerrigan stated that operationally shift schedules have been modified to accommodate the Governor's orders. The biggest challenge on the operational side has been acquiring PPE (personal protective equipment) and cleaning supplies/disinfectants. The township has received a lot of donations of homemade masks and thanks everyone for their support.

Supervisor Calci thanked all the staff for keeping the township going forward and getting this done.

Chief Kerrigan stated that the county is using Exhibit Hall C at the Oaks Corporate Center has a distribution center for PPE for essential personnel. This is not a public event and the equipment is only being disbursed as needed. The Red Cross is going to be holding a blood drive in the near future. Mr. Ressel confirmed the blood drive for Tuesday, Wednesday, and

Thursday this week. As for the 500 new cases since the last situational report, Mr. Ressel confirmed that the numbers came from the county and their last situational report was Friday.

Supervisor Calci asked for clarification on summer camps. Mr. Tieperman stated that this issue will be reviewed in conformity with the county and state health departments. At this juncture, we do not know if we can safely hold day camps. A final decision will be made in the near future.

Supervisor Starling thanked township staff and residents who are staying home and following the Governor's orders. As one of the first counties in the state to be shut down due to the high rate of cases, it was very important that everyone follow the guidelines. It appears that we are starting to flatten the curve. All of the hospitals in Montgomery County are able to handle incoming patients and have available beds. With a few more weeks of mitigation, Supervisor Starling believes we will be past the worst of this and we can then start implementing our phased plans to return to a new normal. He appreciates everyone's efforts. He further stated that there will be discussion about extending tax deadlines.

Supervisor Higgins thanked all of the people who are essential workers and have to go to work. Their efforts are appreciated. She also thanked everyone who is making masks and donating them. She asked everyone to volunteer where you can, when you can, or what you can. Supervisor Higgins also asked everyone to be mindful of the businesses that are open and struggling, like local restaurants. She asked everyone to support these businesses by buying gift certificates.

UPCOMING EVENTS

Due to the health crisis, all upcoming events are on a review schedule and may be cancelled in order to comply with federal and/or local restrictions. Please check the website or contact administration at 610-933-9179. All upcoming meetings will be held in this virtual format.

12. Board of Supervisors meeting schedule:
May 18, 2020 at 7:00 p.m.

13. Planning Commission meeting schedule:
May 13 at 7:00 p.m.
Agenda Items: MJ4 Properties/Twins on Fourth; Pope John Paul bleachers; SEI

14. Parks and Recreation Committee meeting schedule:
May 20, 2020 at 6:00 p.m.

15. Comprehensive Plan Subcommittee meeting schedule:
May 20, 2020 at 7:00 p.m.

16. Municipal Authority meeting schedule:
June 4, 2020 at 7:00 p.m.

ADJOURNMENT

There being no further business, Supervisor Pearson motioned, seconded by Supervisor Starling, to adjourn the meeting at 7:58 p.m. Motion carried 5-0.

Respectfully Submitted,



Timothy J. Tieperman
Township Manager/Secretary