



**UPPER PROVIDENCE BOARD OF SUPERVISORS  
REGULAR MEETING  
MONDAY, APRIL 22, 2019 – 7:00 P.M.**

**ATTENDANCE:**

**Board of Supervisors:** Laurie Higgins, Chair; Helene Calci, Vice Chair; Philip Barker, Supervisor; John Pearson, Supervisor; and Albert Vagnozzi, Supervisor.

**Staff Present:** Timothy J. Tieperman, Township Manager; Bryan Bortnichak, Assistant Township Manager; Mark Toomey, Chief of Police; Richard Livergood, Director of Finance and Administration; Geoff Grace, Director of Planning and Zoning; Arielle Simmons, Communications Officer; and Cheryll Schinski, Executive Assistant.

**Consultants Present:** Joseph Bresnan, Esquire, Township Solicitor; William Dingman, Township Engineer; Michael Coyne, Township Engineer; and Casey Moore, Township Traffic Engineer.

**CALL TO ORDER**

Supervisor Higgins called the meeting to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

Supervisor Higgins started the meeting with the Pledge of Allegiance.

**MOTION TO APPROVE BOARD AGENDA**

**Per § 2-2-5 (A) of the Township Administrative Code**

Supervisor Higgins read the updates to the Board agenda.

Supervisor Vagnozzi motioned, seconded by Supervisor Pearson, to approve the April 22, 2019 Board Agenda, per § 2-2-5 (A) of the Township Administrative Code. The motion passed unanimously 5-0.

**SPECIAL BRIEFING REGARDING 2019 SEWER RATES**

Mr. Tieperman provided an update on the 2019 sewer rates. He acknowledged that the Township received many complaints on this issue. He apologized for the lack of communication and stated that the Township will try to do a better job in this area. Presented were the 10 year sewer capital fund cash flow projections through 2029, and a comparison in sewer rates with other neighboring municipalities. Mr. Tieperman went on to explain that the Township's previous sewer rate was the lowest in the County; and even with the increase, the Township's sewer rate still remains one of the lowest. The main reasons for the increase were due to a rate hike from Lower Perkiomen Valley Sewer Authority and to stabilize the capital fund. As a result of the fulltime sewer billing clerk resigning at the end of 2018, and after a cost effective study, the Township decided to use Berkheimer for quarterly sewer billing. The Township is saving approximately

\$10,000 per year and, when semi-annual billing is effective next year, the Township will save approximately \$35,000 in costs.

Tracey Holland (513 Quincy Street) thanked Mr. Tieperman and the Board for clarifying this matter. She said that this matter was not transparent and that a note could have been put in the bill. She said that the reasons for the increase make sense. Ms. Holland also said that people are questioning if the bills are valid.

Sam Quay (5 Cha Mar Lane) said that a 55% increase is quite a bit for fixed incomes. He questioned if the billing could be done by the number of people in the household. He said that if he would have known sooner he could have budgeted for this increase. He said that people with fixed incomes cannot pay the semiannual billing.

Supervisor Higgins said that the monetary increase is less than nine dollars a month.

Jovia Keytanjian (193 Sloan Road) asked if the corporate centers sewer bills were also being increased. Mr. Tieperman said that the residents are charged for one EDU whereas corporations are charged for more. Supervisor Vagnozzi said that the rates increased for the corporations as well. Supervisor Barker said that the corporations pay per EDU and the amount of EDUs is determined by water usage. Ms. Keytanjian questioned how the decision was made to increase the rates. Supervisor Barker said that there was a lot of debate and research done by Mr. Tieperman and Mr. Bortnichak.

April Cole (102 Mulberry Court) said that she appreciated the apology. She explained her difficulties with finding information. She said that Berkheimer is charging a \$2.00 fee to pay the bill online and was told to keep track of the money and it will come off of the next bill. Mr. Livergood said that Berkheimer is working on the issue and trying to fix that problem. He said that Berkheimer could not get the fee corrected and they will credit the \$2.00 fee on the next bill. Mr. Livergood added that residents are welcome to pay their sewer bill at the Township Building. Mr. Tieperman explained that the uncertainty of the date was from trying to get a turnaround date from Berkheimer. Ms. Cole suggested putting that information out to the public. Mr. Tieperman said that the Township is forming a Communications Committee.

Ms. Higgins thanked everyone for their comments.

### **EXECUTIVE SESSION:**

#### **1. The Board of Supervisors met in Executive Session on Monday, April 8, 2019 to discuss personnel issues and real estate matters.**

Supervisor Higgins announced that the Board met in Executive Session on Monday, April 8, 2019 to discuss personnel issues and real estate matters.

**APPROVAL OF BILL LIST:**

**2. March 29, 2019 – April 17, 2019: \$871,951.00**

Supervisor Pearson motioned, seconded by Supervisor Vagnozzi, to approve the bill list for March 29, 2019 – April 17, 2019 in the amount of \$871,951.00. The motion passed unanimously 5-0.

**APPROVAL OF MINUTES:**

**3. April 1, 2019 Regular Meeting**

Supervisor Pearson motioned, seconded by Supervisor Calci, to approve the April 1, 2019 Regular Meeting Minutes. The motion passed unanimously 5-0.

**PUBLIC COMMENT:**

John Gentile (1704 Morgan Lane) expressed his concern for the proposed rezoning on Hopwood Road. He said that the area is currently zoned R1 and the neighbors would like to keep it zoned R1. He said that there is concern over the broader proposed rezoning. When this was proposed a few years ago, over 300 signatures were obtained in opposition of the rezoning. He said that intersection at Hopwood Road and Route 29 is very dangerous and needs to be addressed.

John McDonald (104 Yellowwood Court) said that he opposes any development on Hopwood Road and Route 29. He feels that there will be environmental impacts. He said the intersection is dangerous, adding more cars will increase the already high capacity, and was wondering if a traffic study had been done. He feels that it will cause a significant strain on the school district and township services. He is displeased with the proposed five story height, how a building that tall will look in the Township, and what effect it will have on property values.

Kevin Midall (139 Hemlock Drive) said that his house will face the development. He said that he was concerned about light pollution and a decrease in EMS and police response time. He is concerned about the effect on the small businesses in the area. He would like to know if there is another option for the land; can it be used as open space.

Theresa Martini (108 Pin Oak Court) questioned why heavy machinery was on the property. Mr. Coyne replied that the already existing sanitary sewer interceptor is going to be replaced. Supervisor Vagnozzi said that the interceptor is behind the property and machinery is being moved into place from Route 29.

Terence Biglin (113 Pin Oak Court) also expressed his concerns for the proposed development on Hopwood Road and Route 29. He said that he was concerned about the traffic and congestion. He doesn't feel a traffic circle will help. Because of the businesses in front of his development, there is now an issue with erosion due to a water basin and the water shed. Ms. Cole stated that her property is having issues with water and her swales are full. Mr. Bigland

asked about the open space and environmental assessment in 2006. He stated that the current population already exceeds the assessment. Mr. Grace mentioned that the proposed development is 185 units. Supervisor Vagnozzi explained that PennDOT is the reason why there is no left turn lane. Supervisor Barker gave the history on the intersection and said that there is no more right of way available.

David Satterthwaite (144 Hopwood Road) discussed the 185 unites plus a daycare. He asked if notification was given to the residents. Supervisor Vagnozzi stated that notice was given to all of the effected property owners. Supervisor Higgins clarified that this is simply a proposal.

Melanee McCutcheon (124 Magnolia Court) asked about widening the road. She expressed her opposition of the traffic circle as well as her concern about pedestrians utilizing the sidewalk. Supervisor Vagnozzi said that the intersection will be engineered to be the safest possible road. Supervisor Higgins said that Route 29 is a state road and PennDOT will not improve the road unless a developer will pay for it.

Joe Bucara (1715 Morgan Lane) said that he was involved with this issue years ago and helped obtain 300 signatures in opposition. He said that traffic is a major concern and any rezoning will result in a lot more traffic.

Liz Precopio (1720 Morgan Lane) said that she supports her neighbors. She asked where the project lies and what is the next step. Mr. Grace said that currently the applicant has a tentative sketch application which is typically on a time clock. He explained that the Township received an extension from the applicant. Meetings will be held before the Planning Commission. He said that at the next Board of Supervisors Meeting it will be announced what projects will be on the May 13 Planning Commission Agenda.

Tracey McGinty (1708 Morgan Lane) said that she does not want to see townhomes in her back yard. She said that added traffic will not fix the congestion problem. Her daughter's grade has over 700 students. She is concerned about property values.

Theresa Martini (108 Pin Oak Court) questioned the proposed \$6,000,000 emergency facility. She asked if the Township will have a full time fire department. Supervisor Higgins said that currently the Township has six full time firefighters and has for a few years. Mr. Tieperman said that the Township already has the \$6,000,000 budgeted in anticipation of the facility. He said that they are still honing in on a location. Supervisor Vagnozzi said that the building is for fire and ambulance service and is already in the budget. Mr. Tieperman advised that the budget is on the website.

**PUBLIC HEARING:** None

**OLD BUSINESS (ACTION/DISCUSSION ITEMS):**

4. **Review latest draft of Ordinance 577 establishing a pay-to-play ordinance and consider legal authorization.**

Supervisor Vagnozzi motioned, seconded by Supervisor Calci, to authorize advertisement of the latest draft of Ordinance 577 establishing a pay-to-play ordinance. The motion passed unanimously 5-0.

**NEW BUSINESS (ACTION/DISCUSSION ITEMS):**

5. **Consider approving a cost sharing agreement between Upper Providence Township and Montgomery County for the Lock 60 – Upper Schuylkill Valley Park Trail.**

Mr. Bortnichak gave a brief overview of the trail project.

Supervisor Pearson motioned, seconded by Supervisor Vagnozzi, to approve a cost sharing agreement between Upper Providence Township and Montgomery County for the Lock 60 – Upper Schuylkill Valley Park Trail. The motion passed unanimously 5-0.

6. **Consider approval of a bid award to Flyway Excavating, Mount Joy, Pa in the amount of \$848,748.00 for the repair/construction of Montgomery County Schuylkill Trail East - Lock 60, as the lowest responsible bidder within budgetary limitations.**

Supervisor Calci asked for a cost breakdown which was explained by Mr. Bortnichak. Per the viewed chart, the County will contribute \$300,000, UPT will contribute \$353,748 and the State will contribute \$195,000. Mr. Pearson added that this will allow UPT access to maintain the sewer line. Supervisor Vagnozzi said that most people do not know where the trail is located. He said that is it a beautiful waterfront trail. Supervisor Higgins said that the trail is around 1.25 miles. Supervisor Calci asked about the time frame for the project. Mr. Bortnichak said that he hopes the project will be completed by September or October of this year.

Supervisor Pearson motioned, seconded by Supervisor Calci, to award the bid award to Flyway Excavating, Mount Joy, Pa in the amount of \$848,748.00 for the repair/construction of Montgomery County Schuylkill Trail East - Lock 60, as the lowest responsible bidder within budgetary limitations. The motion passed unanimously 5-0.

7. **Consider a commitment of \$8,333 as a partial match toward a \$50,000 Schuylkill Highlands Mini Grant application that will be submitted by the Schuylkill Canal Association to complete a dredging study of the Lock 60 forebay.**

Mr. Gary Drennen (Schuylkill Canal Association) gave a brief overview of the project and the need for dredging. Supervisor Pearson asked if the Association was looking to do the entire forebay. Mr. Drennen said that the area between the first spillway and lock gates are the most impacted but he would like to look at the forebay as a whole. Supervisor Vagnozzi asked for the opportunity for Board Members to come down and see the area. Mr. Drennen stated that

the area was designed as an engineered waterway and dredging was part of periodic maintenance. Supervisor Pearson said that it helps maintain the lock itself and the last time the Schuylkill River was dredged was 1949.

Supervisor Pearson motioned, seconded by Supervisor Calci, to approve a commitment of \$8,333 as a partial match toward a \$50,000 Schuylkill Highlands Mini Grant application that will be submitted by the Schuylkill Canal Association to complete a dredging study of the Lock 60 forebay. The motion passed unanimously 5-0.

Mr. Drennen added that the Schuylkill Canal Association is looking to put an all access (ADA compliant) fishing platform at Longford Park. A parking spot will also need to be designated as handicapped. Supervisor Pearson asked who owns the property, to which Mr. Drennen replied that the Township owns the property.

Supervisor Pearson motioned, seconded by Supervisor Calci, to approve \$7,500 as a partial match toward a \$30,000 Schuylkill Highlands Mini Grant application that will be submitted by the Schuylkill Canal Association to install a fishing platform at Longford Park. The motion passed unanimously 5-0.

**8. Consider approval of traffic and civil engineers for Mont Clare Realignment Project of Jacobs Street and Route 29 as required by PennDOT.**

Mr. Bortnichak said that this item has to do with the multimodal grant we received and is required by PennDOT. Supervisor Pearson asked the timeframe for this project. Mr. Bortnichak said that it is expected that construction will begin in 2020-2021 with a conclusion in 2022. Supervisor Vagnozzi asked about the formation of the committee and its members.

Supervisor Pearson motioned, seconded by Supervisor Vagnozzi, to approve the formation of a committee to recommend traffic and civil engineers for the Mont Clare Realignment Project of Jacobs Street and Route 29 as required by PennDOT. The motion passed unanimously 5-0.

**9. Consider adoption of Resolution 2019-24 approving a tentative plan from DeVimy Equities for 431 and 1441 South Collegeville Road.**

This item was tabled.

**MANAGER AND DEPARTMENT HEAD REPORTS:**

**10. TMO Communications Committee**

Mr. Tieperman said that he is putting together a staff committee on communications. He said that he is looking to improve content on all platforms. He said that some of the areas of focus are improving disbursement of information on topics like capital improvement projects, adding more videos, profiling local businesses and creating a welcome packet. Mr. Tieperman said that he is looking for residential feedback on how to improve communication.

**CONSULTANT REPORTS:** None

**SOLICITOR REPORT:** None

**SUPERVISORS COMMENTS:**

Supervisor Higgins thanked everyone for their comments and attending the meeting. She is currently reading/listening to “Biased” by Jennifer Eberhardt, and “Nickel and Dimed” – unsure of the author. The PSATS conference was very informative and helpful.

**UPCOMING EVENTS:**

**11. Up! Music Festival – May 4, 2019, Anderson Farm Park**

Supervisor Higgins announced UP! Music Festival will be held on May 4, 2019 at Anderson Farm Park.

**12. Traffic Impact Advisory Committee/Act 209 Public Meeting – May 6, 2019 at 6:00 p.m.**

Supervisor Higgins announced that the Traffic Impact Advisory Committee/Act 209 will be having their Public Meeting on May 6, 2019 at 6:00 p.m.

**13. Field Goals Presentation of Community Needs Survey – May 15, 2019 at 6:00 p.m., UPT Meeting Hall**

Supervisor Higgins announced that the Field Goals Presentation of Community Needs Survey will be held on May 15, 2019 at 6:00 p.m. in the UPT Meeting Hall.

**14. 2019 Annual Community Golf Outing – May 20, 2019**

Supervisor Higgins announced that the 2019 Annual Community Golf Outing will be held on May 20, 2019.

**15. Board of Supervisors Meetings for May:**

**May 6, 2019 at 7:00 p.m.**

**May 20, 2019 at 7:00 p.m.**

Supervisor Higgins announced that the Board of Supervisors Meetings for May will be held on May 6 and May 20 at 7:00 p.m.

**ADJOURNMENT**

There being no further business, Supervisor Pearson motioned, seconded by Supervisor Vagnozzi, to adjourn the meeting at 8:24 p.m. The motion passed unanimously 5-0.

Respectfully Submitted,



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Timothy J. Tieperman  
Township Manager/Secretary