



**UPPER PROVIDENCE BOARD OF SUPERVISORS
MONDAY, JULY 16, 2018 – 7:00 P.M.**

ATTENDANCE:

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

Staff Present: Timothy J. Tieperman, Township Manager; Bryan Bortnichak, Assistant Township Manager; Mark Toomey, Chief of Police; Jennifer Steffenauer, Director of Recreation and Special Events; and Geoff Grace, Director of Planning and Zoning.

Consultants Present: Joseph Bresnan, Township Solicitor; Ken O'Brien, Traffic Engineer; and William Dingman, Township Engineer.

CALL TO ORDER

Chairman Pearson started the meeting by reading a short story entitled *The Group of Frogs (Encouragement)*.

PLEDGE OF ALLEGIANCE

Chairman Pearson asked everyone to stand for the Pledge of Allegiance.

EXECUTIVE SESSION: None

COMMENDATION:

Chief Toomey commended Officers James Enright, Steven Dise, and Shea Johnson for their work in preventing an attempted suicide.

Chief Toomey also commended Officer Shea Johnson, Sergeant Matthew Tobin, and Detective Patrick Haines for their work in solving two burglaries.

Finally, Chief Toomey commended Sergeant William Dixon for his academic achievements and graduation with honors from St. Joseph's University for his Bachelor's degree in Criminal Justice.

APPROVAL OF BILL LIST:

1. June 14, 2018 to July 9, 2018: \$ 978,518.95

Mr. Vagnozzi motioned, seconded by Ms. Calci, to approve the bill list from June 14, 2018 to July 9, 2018 in the amount of \$978,518.95. The motion passed unanimously 5-0.

APPROVAL OF MINUTES:

2. June 18, 2018 Meeting Minutes

Ms. Calci motioned, seconded by Mr. Vagnozzi, to approve the June 18, 2018 Meeting Minutes. The motion passed unanimously 5-0.

PUBLIC COMMENT: None

PUBLIC HEARING: None

OLD BUSINESS (ACTION/DISCUSSION ITEMS):

3. Resume discussions on the status of the Township Recreation Center.

Mr. Pearson announced that the fitness center will remain open for 18-24 months, until a new plan is created based on the results of a community survey among Township residents. He mentioned the possibility of buying the fitness equipment as opposed to renting. Mr. Barker said that he did not recall discussing any of these issues with the Board.

The Board then discussed transparency and communication issues. Mr. Vagnozzi emphasized the importance of debating issues in front of the public. Ms. Higgins said that after investigating the costs of the equipment of the fitness center, it made economic sense that the equipment should be purchased.

Ms. Calci emphasized the importance of savings in the context of the fitness center and how important the purchase of the fitness equipment would be in that regard. Mr. Vagnozzi emphasized that no official Board action has yet been made with reference to the purchasing of the fitness equipment. Mr. Bresnan explained the Sunshine Laws and the importance of clarifying which members of the Board one is speaking for when speaking to the public.

Mr. Pearson then opened the floor to the public:

- Helen Giansante (103 Redwood Drive, Colleeville) emphasized the importance of community and adult wellness. She asked for some moderation in the decision making process and not to resort to extreme, reactionary measures.
- Tom Gosse (25 Berman Court) asked why the equipment is being leased for \$38,000 when it could be purchased for \$11,000. Mr. Bortnichak explained that \$38,000 of the budget is being put aside for when Comcast decides to provide digital instead of analogue signal for the equipment. He said that currently, it only costs approximately \$6,000/quarter to rent the equipment, but the \$38,000 is for when that might change.

Mr. Gosse asked if the decision to turn the fitness center into a community center is final. Mr. Pearson clarified that it has not yet been voted on, pending the

completion of a Township-wide survey. Mr. Gosse also asked if the Board would accept a for-profit business proposal for the space. Mr. Pearson responded affirmatively and encouraged him to email his ideas to the Board.

- Gerald Preschutti Jr. (17 Longacre Drive) asked for clarification that the fitness center will remain in place as-is for 18-24 months. Mr. Pearson clarified that yes, the fitness center will remain as-is for the time being. He also asked for clarification regarding the purchase of equipment. Mr. Vagnozzi and Mr. Pearson clarified that the equipment decision still needs to be voted on. Mr. Preschutti then offered various opinions on how he believes the fitness center's operational and capital costs should be structured and properly evaluated. He also suggested that a modest increase in the membership pricing structure should be considered.
- Beverly Warnitsky (3881 Arbours Avenue) explained the importance of her Silver Sneakers membership and how grateful she is that her insurance covers her membership at the fitness center and that the fitness center is very clean and of such great quality.
- Steve Tagert (1215 Sugarberry Lane) emphasized how important the fitness center is to the 3% of the community that uses it. He also pointed out that many of the newly-proposed programs for the community center would not use the fitness center room because they would take place outside, thus making the closing of the fitness center unnecessary. In addition, he pointed out that kids are in school for nine months a year, making kids' activities unnecessary for those nine months. In addition, Mr. Tagert argued that by putting a toddler gym in the fitness center, it would only be used during the hot months while the current fitness center is being used year-round.
- Thomas Jendzurski (4 Buckthorn Lane) pointed out that the Township already owns the free weights in the fitness center, so that it only needs to pay for the aerobic equipment. He asked if the digital service was necessary for the equipment. He also suggested several types of questions that should be included in a community survey.

Mr. Vagnozzi expressed his interest in hiring a professional surveying service to ensure that the Township gets what it wants from the Recreation Center. Mr. Vagnozzi also pointed out several projects going on in the Township to help serve the residents. He stated that the Recreation Center facility is underutilized partly because it was not designed properly. He said he believes the building needs to be bigger to be better and offered some ideas to augment the fitness programs such as additional meeting rooms or perhaps a library.

Ms. Calci emphasized that the Board is working hard behind the scenes to best serve the residents.

- Robert McTamney (820 Birch Drive, Norristown) emphasized that the basketball gym is a gold mine and should be used much more than it should. He emphasized

that it is a good, quality gym even if it is small.

- Marcia Singh (48 Goldfinch Circle) talked about how the Silver Sneakers helped her mother work herself out of a “slump” when her husband passed away..
- David Moyer (33 Sheffield Court) suggested that the Board hire a professional to deal with the numbers regarding profits, costs and projections. Mr. Moyer also encouraged the Board to consider investing in eSports.
- Dennis Weaver (712 Raynham Road) asked how the Recreation Center was paid for. Mr. Pearson explained that the funds derived from developer open space contributions. Mr. Weaver asked if changing the center into a library would compromise the integrity of the original intention for the money. Mr. Barker explained that it would not, noting that the developers were required to supply a certain amount of funds solely for “recreation and open space,” for which they were then used. Ms. Calci said that the Board is looking at all of their options. Mr. Vagnozzi said that the Board will hire someone to help create an appropriate plan for the use of the building.
- William Epprecht (1107 Meadowview Lane) asked if the fitness center’s hours of operation would revert back to their original times. Mr. Pearson said they will not. Ms. Higgins said very few people used the fitness center from 6:00-8:00 am. Mr. Bortnichak said that based on swipes from June 1, 2017 to June 1, 2018, on average, only 4.3 people swiped in between 6:00 am and 8:00 am.

Mr. Pearson closed the discussion but offered up the email addresses of the members of the Board for any questions or comments residents may have moving forward.

4. Consider adoption of Resolution 2018-39 authorizing a design proposal for the replacement of the Ashenfelter Road Bridge and a capital budget amendment to fund the project.

Mr. Pearson tabled this item, which will be discussed at a future meeting.

NEW BUSINESS (ACTION/DISCUSSION ITEMS):

5. Consider adoption of Resolution 2018-40 to approve a Tentative Sketch Plan for the BRW Medical Center, located along Hollow Road.

Mr. Ed Mullin reported that the UPT Planning Commission had approved a tentative land development for the BRW Medical Center. He asked the Board if they had preliminary questions, even though a detailed plan has not yet been finalized. Mr. Pearson asked how this medical center would handle detox cases. Both Mr. Mullin clarified that BRW would be equipped to handle a detox program, followed by residential programs.

Mr. Barker commented that there were many pages of comments on the project, but Mr. Mullin responded that the review letters were quite simple and manageable.

Arlyn Bell (708 Meadowview Lane, Mont Clare) asked if the public could use the emergency exit. Mr. Mullin and Mr. Thom Ludgate responded no, that only emergency personnel could use the emergency exit.

Mr. Vagnozzi motioned, seconded by Ms. Calci, to adopt Resolution 2018-40 to approve a Tentative Sketch Plan for the BRW Medical Center, located along Hollow Road. The motion passed unanimously 5-0.

6. Consider recommendation from the Executive Steering Committee on Fire Services to appoint D'HUY Engineering, Inc. as the project manager for the new central emergency services facility.

On behalf of the Executive Steering Committee, Mr. Tieperman introduced Arif Fazil, President of D'HUY Engineering, whom the Committee is recommending to perform the pre-design work for the Central Emergency Services Facility. He said the company has an excellent track record for bringing projects at or within budget with limited change orders.

Mr. Fazil gave a brief introduction of the company and its business model, which involves an integrated team approach to bring projects in on budget. He reviewed multiple public projects in which D'HUY was involved successfully from the pre-design to construction phases. He focused particularly on the recently completed Upper Dublin Township Firehouse, which came in under budget and received rave reviews from UDT officials. He also made the Board aware that his company specializes in risk management.

Mr. Barker asked if the proposal was to do both the design and construction management for the emergency services facility. Mr. Fazil and Mr. Bortnichak confirmed that the \$18,500 proposal was for the pre-design phase only. The Township may choose to retain the firm for additional phases at the appropriate time if they are satisfied with the company's performance.

Ms. Calci inquired how much the total fees would be using the project management approach for all phases. Mr. Fazil responded that construction management fees typically cost approximately 3.5-4%. However, he said he prefers not to give percentages because his company does not want to add unnecessary fees. Since the current project is vague, he is unable to give a full cost estimated until the completion of the pre-design phase. Mr. Vagnozzi and Mr. Fazil clarified the definition of the word "scope" in this conversation. Mr. Vagnozzi also clarified the importance of utilitarianism over design.

Mr. Barker asked if the Board had checked out other engineering companies. Mr. Bortnichak explained that he visited Upper Dublin's firehouse, where he met with Township Manager Paul Leonard and learned about D'HUY engineering's approach, which actually helped Upper Dublin complete the project under budget. Mr. Bortnichak recommended using this company.

Ms. Calci asked if the Township had ever worked with D'HUY before. Mr. Bortnichak said that they had not. He clarified that the only action the Board would be taking during at this time is incurring no more than \$18,500 for the pre-design phase.

Mr. Chris Caggiano offered his services as a project manager, based on his experience on the new police building and the municipal center renovations. Mr. Barker offered his support for Mr. Caggiano and detailed Mr. Caggiano's history working with the Township.

Mr. Pearson said he supported approving this phase of the project, while still keeping the Board's options open for future phases.

Mr. Barker asked if it would be possible to table the vote until he had a chance to read over the materials. Mr. Bortnichak explained that it would not interfere with the schedule too much. Therefore, Mr. Pearson agreed to table the vote until the next meeting.

7. Consider adoption of Resolution 2018-42 appointing the firm of Maillie, LLP Certified Public Accountants, to perform an audit of the Township's financial records for fiscal years 2018-2019.

Mr. Pearson pointed out that the Township has worked with Maillie previously and that they do much municipal work. Ms. Calci asked if Maillie performs the audit every year, and Mr. Pearson said that yes, they did. Mr. Richard Livergood said that Maillie has been doing it for sixteen or seventeen years.

Mr. Barker asked why Maillie will perform the audit for two years instead of one. Mr. Livergood said that most municipalities contract for audit services every two years.

Mr. Vagnozzi motioned, seconded by Ms. Calci, to adopt Resolution 2018-42 appointing the firm of Maillie, LLP Certified Public Accountants, to perform an audit of the Township's financial records for fiscal years 2018-2019. The motion passed unanimously, 5-0.

8. Consider adoption of Resolution 2018-43 authorizing the transfer of budgetary reserves to the post-retirement health care fund and the capital expenditure fund.

Mr. Richard Livergood reported that the General Fund has a healthy balance between \$9.5 and \$10 million dollars. He said that the \$500,000 for post-retirement health is the current liability as categorized by the actuary in that fund, most of which is for the police, but some is for non-uniform employees. He said that the \$750,000 is a transfer of excess funds, which is authorized by the 2018 budget to be applied to defray the costs of some capital expenditures.

Mr. Vagnozzi motioned, seconded by Ms. Calci, to adopt Resolution 2018-43 authorizing the transfer of budgetary reserves to the post-retirement health care fund and the capital expenditure fund. The motion passed unanimously, 5-0.

9. Consider adoption of Resolutions 2018-44 through Resolution 2018-51 authorizing the installation of LED's at eight traffic signals in the Township through a previously awarded Green Light Go Grant.

Mr. Ken O'Brien reported that this project is slightly behind schedule because of PennDOT delays. He said that according to PennDOT's new rules, in order to install LEDs at nineteen intersections, nineteen resolutions must be passed by the Board.

Ms. Calci motioned, seconded by Ms. Higgins, to adopt Resolutions 2018-44 through Resolution 2018-63 authorizing the installation of LEDs at traffic signals in the Township through a previously-awarded Green Light Go Grant.

Mr. Pearson asked about the pending grant application for Mont Clare. Mr. O'Brien replied that the State has not yet rendered a decision. He did report, however, that the Township's Green Light Go application for the intersection of Township Line Road—Linfield and Trappe Road was successful.

MANAGER AND DEPARTMENT HEAD REPORTS:

10. Manager Highlights

Mr. Tieperman reported that the Township received four (4) responses to the ALS Medic Responder RFP. The companies submitting responses were from Trappe, Friendship, Lower Providence and West End Fire Company. He said Staff is reviewing all the proposals and hopes to have a formal recommendation at a future meeting.

11. Draft Act 209 Land Use Assumptions Report

Mr. Ken O'Brien reported that the first step in the Act 209 study process is the preparation of a land use assumptions report. He said the report must be submitted to all adjacent municipalities and asked for Board consensus to send it out.

Mr. Pearson asked how the public hearing for this will be advertised. Mr. O'Brien said the hearing will be an hour before the Board meeting on September 17th. Mr. Bresnan suggested the Board authorize the distribution of the assumptions report. .

Mr. Vagnozzi motioned, seconded by Ms. Calci, to allow the Act 209 Transportation Impact Committee to distribute the draft land use assumptions report to all adjacent municipalities, including the Spring-Ford School District and Montgomery County as required by law. The motion passed unanimously, 5-0.

Mr. Vagnozzi asked about the timing of the traffic lights on Route 29 between Arcola and Black Rock Road. Mr. O'Brien reported that, for the most part, the system has been implemented, but there are still a few improvements to be made. He said that he's been coordinating with the GSK engineers to work on the project.

CONSULTANT REPORTS:

12. 2nd Avenue Culvert Replacement Project

Mr. William Dingman reported that this is a PennDOT project, the purpose of which is to replace a storm culvert. He said that the Township is involved because there is a UPT sanitary pump adjacent to the culvert that needs rerouted. He said that PennDOT will cover the whole cost, which should take place in late 2018. He said that 2nd Avenue would be closed between 113 and Vaughn during the construction period.

13. Kline Road Update

Mr. Dingman reported that Kline Road will be closed in August and September for this project. He will meet with PECO to discuss drainage.

14. GSK Trail Connector Update

Mr. Dingman reported that GSK has obtained its Army Corps wetlands permit, so the project can now move forward. Mr. Pearson asked whether this trail would allow access to the Schuylkill River Trail, the Perkiomen Trail, and others. Mr. Geoff Grace explained that the last remaining gap is on Troutman Road under Route 422, where an on- or off-road solution still needs to be found.

Mr. Dingman gave a progress report on the MS-4 Stormwater Update. The Department of Environmental Protection (DEP) returned the Township's Pollution Reduction Plan (PRP) with some comments. He said he met with GSK and discussed an alternative drainage scheme that can help meet the Township's five-year goal for sedimentation reduction. He said that in order to implement this, the PRP plan must be revised, and there must be another public meeting in August. Ms. Calci asked for clarification regarding the new developments. Mr. Dingman explained that the Township has a sediment load that must be reduced, and it can be done so by using this alternative approach.

Ms. Higgins asked if Kline Road will be closed from Linfield Trappe to Ridge Pike, which Mr. Dingman confirmed. Mr. Barker asked when the construction will start and how long it will last. Mr. Dingman said that it would start the first full week of August and would last for a few months.

SOLICITOR'S REPORT:

15. Administrative Code Update

Mr. Bresnan reported that Mr. Tieperman has given him his initial rewrite of the Administrative Code, which covers all areas of governance. Mr. Bresnan will either do the same or supplement Mr. Tieperman's rewrite with a report.

Mr. Bresnan also reported that the fireworks ordinance is not in coordination with the state law and therefore must be rewritten at a later date.

SUPERVISOR’S COMMENTS:

16. Suggest goal workshop dates to discuss 2019 budget priorities

Mr. Vagnozzi asked for clarification regarding Recreation Center opening hours. Mr. Pearson recommended that the current hours not change. Mr. Vagnozzi shared his opinion that the center should return to the original hours in order to get a full picture. Mr. Pearson suggested the Board defer to the Recreation Director.

Mr. Tieperman proposed to convene a pre-2019 budget workshop at an off-site location to be determined soon.

ADJOURNMENT

Mr. Steve Tagert thanked Chief Toomey for commending the police officers. He also proposed that the Township publish a fitness center-related newsletter. He also asked for a summary regarding the firehouse project.

There being no further business, the Board adjourned into an executive session at 9:44 p.m to discuss a personnel matter. The Board returned from executive session at approximately 10:30. Ms. Calci motioned to approve an employee separation agreement. Ms. Higgins seconded the motion. The motion passed unanimously 5-0.

There being no further business, the Board adjourned at 10:31 p.m.

Respectfully Submitted,



Timothy J. Tieperman
Township Manager/Secretary