

UPPER MERION TRANSPORTATION AUTHORITY
October 10, 2018

The members of the Upper Merion Transportation Authority met for their regular meeting on Wednesday, October 10, 2018 in the Township Building, 175 West Valley Forge Road, King of Prussia, PA. The meeting was called to order at 7:00 p.m. and commenced with the pledge of allegiance.

ATTENDANCE

Lou Zotti, Vice Chairman
Marvin Meneeley, Treasurer
Carlton Stuart, Secretary
Greg Philips, Supervisor Liaison
Jack Smyth, Jr., P.E., Consulting Engineers, Boles Smyth Associates, Inc., (BSA)
Noah Marlier, Rudolph Clarke, LLC
Sally Slook, Acting Township Manager
Nick Hiriak, Finance Director

ABSENT

Thomas Kohler, Chairman
Ian Kingsley, Assistant Secretary/Treasurer

MEETING MINUTES APPROVAL:

It was moved by Mr. Stuart, seconded by Mr. Meneeley, all voting "Aye" to approve the meeting minutes of September 12, 2018 as submitted. None opposed. Motion approved 4-0.

ENGINEER'S REPORT

**Relocated North Gulph Road, SR 0023 Section 2NG
(Including Cobblestone Restoration at Valley Forge Monument)**

Mr. Smyth reported that BSA met with the PennDOT Construction Unit and Resident Engineer for the 422 project in order to coordinate with them specifically on the 23 interchange with North Gulph Road, and the new US 422 Eastbound flyover off ramp and interactions between the two projects (Relocated North Gulph Rd and the 422 widening). He advised that they were also able to provide some updated information on field adjustments that have been made related to utility relocations.

Mr. Smyth noted that roadway borings are being drilled, a contractor for the drilling was secured, and they are in the process of getting their Special Use Permit from the Park Service in order to be allowed to do the drilling. All documents have been submitted and this should be happening imminently.

BSA has been working with Gannett Fleming as the project's air and noise analysis sub-consultant. Preliminary results of the noise analysis have been completed for the Relocated North Gulph Road. Mr. Smyth explained that there were two sites that came in above the threshold for noise abatement (due to US 422 traffic). He continued that there are three steps to this process: Step 1 is to determine if the noise levels warrant analysis; Step two is to see if it is feasible to do a noise barrier (and it is); and Step 3 is the reasonableness, and that step is not met. The reasonableness is related to whether or not it is cost effective.

Mr. Smyth further explained reasonableness as how many resources benefit from the threshold reduction in noise compared to the overall cost and the calculations to determine cost per resource. If you are below the cost per resource, then it is reasonable to install a noise barrier, and if you are above, then the barrier is not reasonable.

A brief discussion ensued about how noise from the project will affect the apartments at the Village of Lafayette at Valley Forge apartments, and Mr. Smyth stated that construction is on the westbound side, and that everything associated with the relocated North Gulph Road project is on the eastbound side. Therefore, the apartments are outside the scope of the project.

In response to a question about responsibility if, in fact, there are noise problems at the apartments, Mr. Smyth advised that this was already part of the 422 Widening Project since that was part of the potential effect of that project. Mr. Smyth continued that if there were complaints, the noise study that was done as part of the 422 project could be provided and advise them that this has been addressed as the study was part of that project to get the required environmental clearance.

In conclusion, Mr. Smyth stated that there are no barriers recommended as part of this project and the report is being finalized.

BSA, and Pat Quigley, Natural Resource Specialist, are coordinating on the threatened and endangered species records. The follow up documentation is with the PA Fishing and Boat Commission and also in regards to a Port Kennedy bone key, which is outside of our area.

Mr. Philips asked who discovered the bone key, and Mr. Smyth replied that it was something that was logged into the system as a threatened or endangered species. It's either a plant or animal species that is threatened or endangered.

Mr. Smyth advised that the right of way process is advancing, which is the land transfer that is going to be required as part of this project with the National Park Service. The existing right of way of Route 23 needs to be transferred over to the new alignment; and, as such, the right of way plans are being developed and meetings are being held with PennDot and the National Park Service to outline the procedures.

With regard to the cobblestone repair, Mr. Smyth stated this part of the project is also being advanced, as well as the Section 106 process, which is the archeological or the historical

evaluation elements of both projects (Relocated North Gulph Road and the Cobblestone Restoration at Valley Forge Monument).

Mr. Smyth noted that part of the PennDot process is the environment clearance specifically for Section 106, which is one of the areas where projects get bogged down. He suggested that for future projects, reviewing Section 106 resources in advance of the project and getting them cleared beforehand or know what the resource is so that you know if it is eligible or not through the Section 106 project. He explained that once it gets to PennDot, you are beholden to the Environment Unit's pace, which is generally slower than most projects want. In essence, if these things are cleared beforehand, they just go on to the site that shows it, they reference it, and they are done.

Trout Creek Bridge

Mr. Smyth stated that at the September meeting, it was noted that the CEE document was approved and this was done in order to make sure that funding could be obligated for Final Design, Right of Way, Utility Relocation and Construction. It is BSA's understanding that the money was obligated at the end of September, and this was a very good milestone.

He continued that BSA submitted the H&H report based off the proposed new bridge and how the Trout Creek runs under it. BSA also submitted a draft of the Type, Size and Location Plan for the new bridge and is preparing a Line and Grade submission so that the Structures Unit can do a formal review of the type, size and location plan.

Lastly, BSA is preparing a Safety Review which analyzes the elements of design, reviews all the PA 23 crash records, prepares the design criteria report and determines if the design has any design exceptions.

Church Road Bridge over SEPTA Route 100 Line

Mr. Smyth advised that the major element of this update is on the Church Road Bridge and there has been a lot of movement on the project. Mr. Smyth thanked The Transportation Authority, and in particular Mr. Kohler and Mr. Stuart, for their assistance in getting the County as a partner, and this has resulted in some significant movement. A conference call was held on Friday, October 5th, with Lydia Gross, Engineering Director for Septa and the following was discussed.

It was noted that three items are needed from Septa:

- 1) Utility clearance – Septa has the utility lines that run along the tracks. Ms. Gross said we will have the form that we need this week
- 2) The draft reimbursement agreement – Septa was informed that they would be receiving that agreement within the next couple of weeks, as it was sent to Solicitor Marlier for review. This draft agreement was based on a template from another project from Montgomery County.

Mr. Smyth explained that the other element to this is the construction schedule that goes along with it because the construction schedule dictates what allows Septa to estimate their costs for flagging, tracks, and bus shuttling that would be needed if tracks were to be detoured for a weekend. BSA will coordinate with Solicitor Marlier to make sure the Agreement gets to Septa within the course of the next two weeks as was indicated.

- 3) Temporary Construction Easement – This would give us the right of way clearance. Mr. Smyth noted that BSA received a letter from Septa on August 9, 2018, stating that Septa agreed that the temporary construction easement as presented could move forward, however, Septa was looking for just compensation, even though it's only an area of less than 750 square feet and not a permanent easement. BSA wrote back and provided them with the PennDot forms and waiver of right of forms for appraisal services saying that Septa would be donating the temporary construction easement. Septa then wrote back and said they are not authorized to donate and have to be provided just compensation by statute to do that.

Mr. Smyth advised that the requirement for just compensation was stated, a second phone call was held (October 10, 2018), and that phone call resulted in PennDOT offering to prepare a Waiver Evaluation Form (a simple, one page document of values that could be under \$25,000). He explained that PennDot has an Open End Agreement for an Appraiser who could do that on behalf of the Authority. BSA had a discussion with Sid New from Gannett Fleming, PennDot, and Matt Edmond from Montgomery County. Mr. New wanted to make sure that Septa would be in agreement with accepting the Waiver Evaluation before going through with it. Matt Edmond from Montgomery County Planning Commission notified PennDOT that he heard from Septa, provided an email and agreed to accept the Waiver.

It was asked who would be paying the just compensation, and Mr. Smyth stated the Authority will be through the right of way reimbursement element.

Mr. Smyth explained that the reason the Waiver of Rights form is not allowed is because Septa indicates they are not allowed to sign it, it is a statutory issue with them, and they have to receive just compensation. This Temporary Construction Easement should be the magnitude of a couple thousand dollars, nothing more. Mr. Smyth advised that the line of thinking in the meeting, with the BSA, Montgomery County, Mr. Kohler, and Ms. Slook, was if this is what is needed to pass the hurdle, then just do it and deal with it later. It was understood that the Authority is in for 2% construction, the County is in for 3% funding in construction, and then the remainder is via PennDOT or federal funds.

With regard, to the Categorical Exclusion Evaluation environmental clearance document, Mr. Smyth stated we are still waiting for the review, and they are pushing Gannett Fleming to see that the Environmental Manager gets that for us. BSA did update and retransmit the Traffic Control Plan, sent them follow up documentation, which is at PennDOT. He added that BSA has also been coordinating with the other remaining utility companies, (Peco Energy, Peco Gas, Aqua and Sunoco), and informing them that the Septa approvals are close and the project is going to be let and advertised to contractors early next January, so that construction can start in the Spring and give them time to plan for their relocations.

The culvert plan has been approved, plans were sent to Gannett Fleming to have signatures for the plans. Mr. Smyth stated that the last major milestone to be submitted to PennDOT is the full plan set for a constructability review, an element of the project development, and this will be done next week.

Prince Frederick Extension

With regards to the appraisals, Mr. Smyth reported that there was coordination with Montgomery County to get a sample of a Request For Proposals that they did for appraisals on County projects. He stated BSA has three appraiser names to get quotes for the stretch of land through the Rossi property. Mr. Smyth continued that one other thing the County has and something to consider is an on call Right of Way Negotiator. He added that it is not only for appraisals but for the entire process of negotiating if the real estate were to be obtained for demolition, etc.

Mr. Philips noted there was some discussion about the School District purchasing this site but added that it does not appear that will be the case. He added that the Developer attended a recent Chairman's meeting, and he asked Mr. McBride to work with BSA. Mr. Philips stated that the Transportation Authority's design is south of where the Developer wants to put the road, but they will put the road in if they develop that site and will do it up to the Rossi track. He added that they don't envision having a trailhead, etc. It was Mr. Philip's hope that coordination can get done so we can get the trailhead and move forward.

Potential New PA Turnpike Interchange at Henderson Road

Mr. Smyth stated that an Open House was held at the Township Building on September 24, 2018, and there were approximately 40-45 attendees, many nearby neighbors were present. He explained that the plan showed an adjusted interchange as opposed to the roundabout concept, which is in the report, and this would minimize the right of way impact on the Estock property. The neighbors were encouraged to see this change.

Following up on that, Mr. Smyth advised that Mr. Kohler, Ms. Slook and he had a meeting with the County, Matt Edmond, to do a de-brief and talk about the Right of Way. Mr. Smyth noted that further modifications may be able to be made to the design as traffic data comes in next May. He added that there was a lot of mention of specific reference to the Septa Route 100 Line Extension project to ensure that all work together. Reference was also made to the potential development of the DelCollo site and what is happening there. It was noted that the Route 100 project may take out the big electric station right at the Saulen Boulevard area. Mr. Smyth stated that basically the partnership with the County in moving this project forward is really moving well and is a positive partnership. He noted that with the budget coming up, a line item for Henderson Road interchange may be something to consider since traffic numbers will be coming in and projections for the Build Scenario will be provided by DVRPC in the Summer, 2019.

EXECUTIVE SECRETARY'S REPORT

Ms. Slook reported there were no development updates with regard to transportation impact fee for this month.

Ms. Slook noted that Mr. McBride did reach out and requested to be on the BoS Workshop agenda for November 1, 2018 to discuss his development plan.

SOLICITOR'S REPORT - no report

FINANCIAL REPORT FOR October 2018

Mr. Hiriak reviewed the financial report for October, 2018. He noted that he will have a draft budget for next month's meeting.

Mr. Hiriak reported that Shriner mortgage has been fully paid, and all the monies have been received back from us. Expenses are mostly reimbursable. He added that a payment was made for a PIB loan in the amount of \$382,000 which is payable in 2022.

Mr. Smyth noted that at a meeting with Matt Edmond, Mr. Kohler was careful to mention that the Act 209 account is the driving factor for the Henderson Road project on what the Authority can do and was very aware of making sure the County understands the expectations of what can be done based on what the account balance shows at this time.

Mr. Hiriak noted that there is \$977,000 in the 209 funds at this point.

REQUISITIONS – OCTOBER, 2018

Boles, Smyth Assoc., Inc.	\$17,443.60	Trout Creek Bridge Replacement Project for work performed for the Period 8-1-18 thru 8-31-18 INVOICE #30
Boles, Smyth Assoc., Inc.	\$23,342.81	Relocation of North Gulph Road (SR 3039) for work performed 8-1-18 thru 8-31-18 INVOICE #57
Rudolph Clarke, LLC Suite 200 Seven Neshaminy Interplex Trevose, PA 19053	\$486.00	Professional Services; General representation INVOICE #68257
Rudolph Clark, LLC	\$405.00	Professional Services Realen INVOICE #68256

Rudolph Clark, LLC	\$324.00	Professional Services Church Road Bridge INVOICE #68255
Rudolph Clark, LLC	\$405.00	Professional Services Church Rd Bridge Invoice #68255
TOTAL:	\$42,406.41	

Authority Action:

It was moved by Mr. Stuart, seconded by Mr. Meneeley, all voting "Aye" to approve the October, 2018 requisitions in the amount of \$42,406.41. None opposed. Motion passed 3-0.


ADDITIONAL BUSINESS

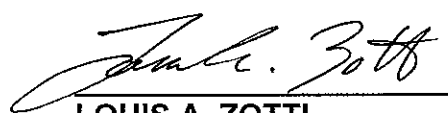
From the Public:

Mr. Erikson noted that the Authority meeting minutes have not been posted since June. He also stated that he is attending this meeting on behalf of the Hughes Park Civic Association regarding the Church Road Bridge. He noted he met with Mr. Wagenmann years ago, and at that time it was mentioned that the Association would be notified if anything comes up. Mr. Erikson asked for that same courtesy.

ADJOURNMENT

There being no further business to come before the Authority, the meeting was adjourned at 7:30 p.m.


SALLY A. SLOOK
EXECUTIVE SECRETARY


LOUIS A. ZOTTI
VICE CHAIRMAN

Minutes Approved: 11-14-18
Minutes Entered:

