

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
AUGUST 16, 2012

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, August 16, 2012, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:39 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Philips, Greg Waks, Erika Spott, Bill Jenaway and Carole Kenney. Also present were: Ron Wagenmann, Township Manager, David Kraynik, Township Manager Designee; John J. Iannozzi, Township Solicitor; Tom Beach, Township Engineer; Judith A. Vicchio, Assistant Township Manager.

MEETING MINUTES:

It was moved by Mr. Philips, seconded by Mr. Jenaway, all voting "Aye" to approve the July 19, 2012 Business Meeting Minutes as submitted. None opposed. Motion approved 5-0.

CHAIRPERSON'S COMMENTS:

Chairperson Spott stated no Executive Session was held prior to the business meeting.

NEW BUSINESS

SWEARING-IN OF POLICE OFFICER SHAWN WALBERT

Police Chief Tom Nolan introduced Shawn Walbert who was chosen from among 200 applicants who applied for the Upper Merion Township police position. Chief Nolan explained and outlined the various components of the intense, rigorous and extensive police officer selection process. Shawn Walbert is 23-years old, a graduate of Fleetwood High School, received his Bachelor of Arts Degree in Sociology from Albright College, and is a graduate of the Reading Police Academy. Judge William Maruszczak administered the Oath of Office to Police Officer Walbert.

CONSENT AGENDA:

1. Resolution 2012-25 re: Disposition of Township Records
2. Approval of Lease re: Petrucci Ice Cream Store
3. Authorization to Purchase K-9 for Police Department
4. Waiver of Fees re:
 - a. \$144.00 - MDP
 - b. \$149.00 - Eagle Scout Project
5. Equipment Replacement Requests re:
 - a. Replace Office Furniture in Police Department - \$5,563
 - b. UMGA TV - \$6,700

Mr. Wagenmann stated the motion should include the budget adjustments are to be made from Equipment Replacement to Capital Budget to allow expenditures to be made.

Board Comment:

Mrs. Kenney asked for more details about the Eagle Scout project for an observation deck at Walker Park. Mr. Wagenmann responded the Eagle Scout project is for an observation post for officials observing the game and will provide for a better view of field activities. The Safety/Codes Enforcement staff reviewed the project and are satisfied with its design and proper nailing patterns to carry the loads.

Board Action:

It was moved by Mrs. Kenney, seconded by Mr. Philips, all voting "Aye" to approve the required budget adjustments from Equipment Replacement to Capital Budget to allow aforementioned expenditures and approve the Consent Agenda as submitted. None opposed. Motion approved 5-0.

BID RECOMMENDATION RE: MATSUNK TRICKLING FILTER REHABILITATION PROJECT

Mr. Wagenmann explained the role oxidation towers have in the treatment process associated with the Matsunk Trickling Filter Rehabilitation project and the work necessary to prepare the towers for repainting. He noted \$1 million of the bond issue was allocated for this preventative maintenance project and the other projects are \$1 million each for Trout Run and Matsunk to replace their belt filter presses (the watering operation for the sludge).

Mr. William H. Bohner, Jr., P.E., ARRO Engineering, stated bids were received by Upper Merion Township for the Trickling Filter Rehabilitation Project. The low bid was received from the Derstine Company, LLC of Souderton, Pennsylvania in the amount of \$838,500. The low bid was reviewed by ARRO Consultants and upon obtaining references and understanding of the capabilities of the Derstine Company; ARRO recommended that the project be awarded to this company.

Mrs. Spott asked who will be overseeing the work. Mr. Bohner responded ARRO will be overseeing the work. He indicated there will be a construction services portion of this project, structural engineers as well as qualified field observation personnel helping with oversight.

Mrs. Spott asked if ARRO will certify the work was properly done upon completion of the project. Mr. Bohner responded in the affirmative and indicated ARRO would be providing documentation throughout the course of the project through field reports the work is being done properly and observing and making sure the contractor is following specifications.

Mrs. Spott asked for more information about the reference check. Mr. Bohner responded references were received from all the bidders. In checking the Derstine Company a number of local municipalities were contacted that had direct experience with their work. In contacting the Valley Forge Sewer Authority, it was learned they were pleased with Derstine's primary work which involved tank coating, painting, rehabilitation, grouting, and sealing. Mr. Bohner stated when he described this project and the work it entailed; the Valley Forge Sewer Authority representative had nothing but glowing reports saying Derstine should be more than capable of handling this project.

Mr. Philips stated the term "rehabilitation" is not quite apt and asked Mr. Bohner to provide an idea of what this project entails. Mr. Bohner responded this project will involve the painting and coating of the interior and exterior portions of the trickling filters. In order to do that, it is necessary to remove the media which can be any type of plastic or PVC or even rocks or stones that are inside the trickling filters. In the case with the Matsunk trickling filters, it is plastic media that has to be removed. Once it is removed, the contractor must go inside

and outside to inspect any type of structural deficiency such as cracking, swelling of the concrete. It will then be necessary to assess and determine, based on what the contract specification states, where the repairs need to be made. The contractor will then have to prepare the surfaces inside and outside of the trickling filter and apply interior and exterior coatings. There are certain procedures to follow in accordance with specifications after which the trickling filter media will be reinstalled which is the treatment portion of the trickling filter. The top level of media will be replaced and then put back into operation. It will be important to coordinate with operations staff to make sure they are coordinating the operation of when certain trickling filters can be taken out of service.

Mr. Philips asked how many Requests for Proposals (RFP's) went out. Mr. Bohner responded there were approximately 14 RFP's sent out with 8 bids submitted.

Mr. Philips asked the dollar range of the bids submitted. Mr. Bohner responded \$838,000 to approximately \$3.7 million.

Mr. Philips asked if Derstine was the lowest bidder. Mr. Bohner responded in the affirmative.

Mr. Philips asked if Mr. Bohner is comfortable with the reference checks and discussions he has had that Derstine can do the work. Mr. Bohner responded in the affirmative.

Mr. Philips asked for more information about the clarifications ARRO requested with regard to Derstine's bid package. Mr. Bohner responded he asked for three clarifications. The first clarification was to make sure Derstine was doing over 50% of the work to which they documented they will perform over 50% work force for this project. He also asked them to provide several additional references for corroboration. Mr. Bohner also asked Derstine for verification they were an authorized applicator for the Sika coating products and he received a letter directly from Sika Corporation to that effect.

Mr. Philips asked if the bids were opened publicly. Mr. Bohner responded in the affirmative.

Mr. Philips asked where the bids were opened. Mr. Bohner responded they were opened in the Upper Merion Township building.

Mr. Philips asked if in addition to a Bid Bond there is also a Material and Labor and Performance bond. Mr. Bohner responded in the affirmative.

Mr. Philips asked if that will be part of the contract. Mr. Bohner responded in the affirmative.

Mr. Jenaway asked about ARRO's construction management fees. Mr. Wagenmann responded that was approved at the time the Board of Supervisors approved the request to award the Matsunk Trickling Filter Rehabilitation Final Design, Bidding & Construction Management Professional Service Agreement to ARRO Consulting, Inc. [July 21, 2011]

Board Action:

It was moved by Mr. Philips, seconded by Mr. Jenaway, all voting "Aye" to approve the bid recommendation for the Matsunk Trickling Filter Rehabilitation Project. None opposed. Motion approved 5-0.

APPROVAL OF TEMPORARY CONSTRUCTION EASEMENT RE: OLD BETZWOOD BRIDGE BIKE/PEDESTRIAN TRAIL PROJECT

Mrs. Spott stated a temporary construction easement is necessary in connection with the old Betzwood Bridge (also known as the "Singing Bridge")

Bike/Pedestrian Trail project. She explained the township will grant this easement so construction can begin, building materials can be placed in the area, and construction facilitated. Once the construction is completed, the temporary easement will terminate and the township will have full use of the property once again.

Mr. Wagenmann stated the temporary easement applies to a small portion of a property the township owns below the bridge along the river. As the bridge is constructed, it will be necessary to get equipment and access to that small piece of ground.

Mr. Wagenmann provided an update on this project which has been in the planning stages for a number of years. He indicated the bicycle/pedestrian bridge will be approximately 14 feet wide. It will be designed to accommodate emergency services vehicles up to 20,000 pounds. In the event of traffic tie-ups on US 422 or if flooding should occur in West Norriton and it becomes necessary to evacuate people, single cars and pickup trucks would be able to cross the bridge. The agreement calls for the roadway in Upper Merion to be given to the township and then the township will dedicate it to the National Park Service. The National Park Service has already agreed to accept ownership of the trail portion of the roadway and will be responsible for all future maintenance and upkeep of the trail and bridge. The project is not expected to go out to bid until later this year or possibly early next year and if all goes well a 2013/2014 construction schedule is anticipated.

Board Comment:

As an avid bicycle rider and walker, Mr. Waks relayed his harrowing experience over the last ten years when crossing the narrow bridge over US Route 422. He expressed appreciation to the members of the Transportation Authority for their hard work in shepherding this project through the process.

Mr. Philips requested clarification on the location of the parcel, and Mr. Wagenmann confirmed its location on the aerial.

Board Action:

It was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to approve the temporary construction easement. None opposed. Motion approved 5-0.

2013 BUDGET GUIDELINES

Mr. Nick Hiriak, Director of Finance, presented the 2013 budget guidelines. Highlights are as follows:

- real estate rates to remain unchanged, if possible
- continuation of the township's Homestead Exclusion program on residential real property
- each department to evaluate their fees to make sure direct and indirect costs are being covered as well as to explore any new sources of fees
- continuation of the five year plan of raising the sewer rate by \$2 for the Capital Maintenance Program being put in place
- continuation of the hiring freeze in all departments
- reevaluate staff structure and shift assignments to explore any efficiencies.
- salary adjustments are by contract
- capital improvement program it is a five-year program and the 2013 program should be modeled on what was presented in years past
- Capital Funding anticipated to be somewhat limited and department heads are asked to prioritize projects for presentation to the Board of Supervisors
- equipment replacement budget will be presented to the Board of Supervisors and will be addressed when deemed absolutely necessary
- non-personnel type line item costs are to be kept at the 2012 levels, if

possible with any increases justified to the Board of Supervisors.

Mrs. Spott asked for a motion to approve the 2013 budget guidelines.

Board Comment:

For the benefit of the viewing audience, Mr. Waks asked Mr. Hiriak to explain how the budget guidelines are determined. Mr. Hiriak responded the budget guidelines came about as a result of in depth discussions during the Goals and Objectives meeting with the Board of Supervisors which was held last month.

Mrs. Spott asked for a year-to-date update on the 2012 budget. Mr. Hiriak responded the year to date budget is in line with the 2012 budget.

Mrs. Spott asked if any changes to the current course are anticipated at this point in time. Mr. Hiriak responded overall the entire revenue compared to the expenditures is falling right in line with what was projected. If there are any "bumps in the road" in specific line items, they would be addressed with other line items.

Board Action:

It was moved by Mr. Jenaway, seconded by Mr. Waks, all voting "Aye" to approve the 2013 budget guidelines as presented. None opposed. Motion approved 5-0.

APPROVAL OF BLOMSTROM CONTRACT - TRICENTENNIAL FUNDRAISING PROPOSAL

In preparation for the 300th anniversary of Upper Merion Township, Mrs. Spott stated township staff have obtained the Blomstrom proposal from Gailey Murray Communications to work with the Tricentennial Committee and township staff to do fundraising, marketing, public relations, sales fulfillment, event management and administration. Township staff have worked with Gailey Murray Communications in the past and they have been successful in generating funds for the "Concert under the Stars" and have a good working relationship with the township over the years. Mrs. Spott pointed out the fee that will be incurred with this contract is being built into the Tricentennial budget so that it will be a self-paying event.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve the Blomstrom contract as presented. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Mrs. Spott asked for a motion to approve the Accounts Payable and Payroll.

Board Action:

It was moved by Mr. Jenaway, seconded by Mr. Philips, all voting "Aye" to approve the Accounts Payable for invoices processed from July 5, 2012 to August 2, 2012, in the amount of \$641,706.22 and the Payroll for July 6, 2012 and July 20, 2012 in the amount of \$1,328,194.32 for a total of \$1,969,900.54. None opposed. Motion passed 5-0.

ADDITIONAL BUSINESS

VOTER ID

Mr. Waks discussed the new Voter ID law which has become both a Pennsylvania and national issue. According to the new state law, if the form of ID presented substantially conforms with the voter registration record, you are able to vote on Election Day. The question is what does “substantially conform” mean and how is that defined. Apparently the Judge of Elections in the precinct has a significant amount of decision-making authority as to whether or not your ID conforms.

In discussing this issue with State Representative Briggs, Mr. Waks learned there are approximately 1,400 people in Upper Merion Township whose voter ID and the way it is registered does not match their driver’s license. In order to check that your ID matches your name in the voter registration record, residents can call either State Representative Tim Briggs at 610-768-3135 or State Senator Daylin Leach at 610-768-4200. Mr. Waks also asked that this voter ID information be included in the Township E-newsletter with a link showing exactly how to check and what processes are necessary in order to make sure ID’s and the voter registration match.

Mrs. Spott asked that the voter ID information also be provided as a rolling announcement on UMGA-TV as well.

Mr. Waks pointed out it is his understanding besides seniors and minorities, one other group to be affected by the new law are married women, some of whom may still be using their maiden name in their full name or registered using their middle name.

Mrs. Kenney said she can relate to this issue since she had the same problem with her voter registration card listed the initial of her maiden name which differs from her license. Her remedy was to fill out a completely new voter registration and recommends this as a simple way to make sure the two forms of ID match.

KING OF PRUSSIA SOCCER CLUB

Mr. Philips expressed his gratitude to the King of Prussia Soccer Club for hosting the Danny Bevilacqua Memorial Tournament this past weekend. He also congratulated his son’s U-12 team who won the championship for their efforts as well as their coach, Linda Love, and all the staff and volunteers that helped raise funds for such a good cause.

From the Public:

Lydia Dan-Sardinas, Tricentennial Committee, debuted the Upper Merionopoly game and presented this item to the Board of Supervisors. The Upper Merionopoly is one of the commemorative items available for purchase to be featured as part of Upper Merion’s Tricentennial. Other items include T-shirts, a holiday item, cookbook, township history book, buttons, etc. More information can be found on the township website.

Mrs. Spott noted an Upper Merionopoly game is on display on Saturdays at the Farmers Market.

Mr. Philips stated the Tricentennial has not only reinvigorated many people who have already volunteered, but has served as a catalyst to reinvigorate the King of Prussia Historical Society.

Mrs. Kenney expressed her appreciation to Ms. Lydia Dan-Sardinas for her work on the Upper Merionopoly game as well as other volunteers who were involved with designing, promoting and obtaining sponsors for the game board.

Mr. Herbert Baiersdorfer, King of Prussia, reiterated his ongoing runoff

issues and displayed supporting photographs of his complaint. Mr. Tom Beach, Township Engineer will provide a report on the matter shortly. (Note: a recent on-site visit was held by township personnel and a few supervisors).

UPCOMING EVENTS IN TOWNSHIP

Mrs. Spott announced a number of Township meetings and events.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mrs. Kenney, seconded by Mr. Waks, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred at 8:43 p.m.

RONALD G. WAGENMANN
SECRETARY-TREASURER
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered