

**UPPER MERION TRANSPORTATION AUTHORITY**  
**April 8, 2015**

The members of the Upper Merion Transportation Authority met for their regularly scheduled meeting on Wednesday, April 8, 2015 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**

Michael Santillo, Chairman  
Louis Zotti, Vice-Chairman  
Marvin Meneeley, Treasurer  
Carlton Stuart, Secretary  
Tom Kohler, Assistant Secretary/Treasurer  
Greg Philips, Supervisor Liaison  
David G. Kraynik, Executive Secretary  
Edward J. O'Brien, Director of Public Works  
Nicholas Hiriak, Director of Finance  
Jack Smyth, Jr., P.E., Consulting Engineers, Boles Smyth Associates, Inc., (BSA)  
Joseph Pizonka, Esq., Pizonka, Reilley, Bello & McGrory, P.C  
Rita Ann Pfeiffer, Recording Secretary

**ABSENT:** None

Note: Prior to the scheduled agenda four residents, James Jones, Vince Agovino, Ken Luciani, and Mark McKee, were recognized. Mr. Jones, Agovini and Luciani provided their views on the SEPTA King of Prussia Rail Project. Although this matter is not within the purview of the Transportation Authority, the members listened to their comments and participated in an open discussion about the proposed rail project. The residents were informed that SEPTA is the governing body for rail/transit in Southeastern Pennsylvania and it is SEPTA's designs that are being presented at various public forums and workshops. The residents were provided with the status of the project as presented recently to the Board of Supervisors at a workshop meeting (one of four workshops that have been held to date).

The residents were encouraged to participate in the ongoing workshops sponsored by SEPTA in King of Prussia and were provided with guidance on how to access the SEPTA website at [www.kingofprussiarail.com](http://www.kingofprussiarail.com) and post their comments on the rail project. It was also suggested the residents should petition their federal legislators since they are the ones who vote on SEPTA funding.

**MEETING MINUTES APPROVAL:**

It was moved by Mr. Meneeley, seconded by Mr. Kohler, all voting "Aye" to approve the meeting minutes of March 11, 2015 as submitted. None opposed. Motion approved 5-0.

**NEW BUSINESS**

**Authorization to Execute Marino Corporation Agreement for Valley Forge Roadway Improvements – Resolution 2015-01**

Mr. Smyth stated at the last meeting the Notice of Intent to Award to Marino Corporation was authorized and issued. The Marino Corporation has since provided the signed Agreement, Certificate of Insurance, Performance Bond and Payment Bond. In lieu of the Maintenance Bond they have committed to provide a Maintenance Bond at the end of the project for the guarantee period based on conditions set forth in the Project Manual and have sent a letter to BSA to that effect which was received on April 6<sup>th</sup>.

Mr. Zotti asked if we will have retention. Mr. Smyth responded we would retain 10% until it gets to 50% payment and then it reduces to 5%. This was done with Henderson Road. Mr. Zotti asked if The 50% payment has to be backed up by their records indicating that 50% of the work was done and not on the milestone date period. Mr. Smyth responded in the affirmative and said it is dollar amount driven. Mr. Zotti asked if 5% is held until completion. Mr. Smyth responded in the affirmative. He said certain Road User Liquidated Damages requirements have been established so they complete the project in a timely manner which will be a function of the Notice to Proceed. Once the Highway Occupancy Permit is received Marino will be ready to go. The intent is to have a Pre-construction Meeting with Marino on Monday, April 13<sup>th</sup>.

Mr. Meneeley asked if the issue with the homeowner with the fence and box has been resolved. Mr. Smyth responded the right-of-way was signed and recorded after considerable efforts by the Solicitor with regard to paperwork requirements prior to issuance of the permit.

Mr. Philips asked how due diligence is done with regard to the bonding company to make sure they are a reputable company. Mr. Smyth responded the contractor provides a surety company. Mr. Philips commented in his experience at the county they would periodically check the bond ratings. Mr. Smyth responded the "teeth" is in what they are signing and the power the Authority has if they were to misrepresent themselves.

Mr. Meneeley asked if Marino has a staging area for the equipment as construction is ongoing at the community center. Mr. Smyth responded this will be discussed at the Preconstruction Meeting. It is the contractor's responsibility to determine where to put their equipment; however, they know they are not allowed to park on a state highway.

Mr. Smyth stated after the Preconstruction Meeting the contractor will be directed to provide BSA with a schedule so that the residents in the immediate area can be notified as well as pertinent information posted on the township website.

Mr. Kohler asked when it is likely for construction to start. Mr. Smyth responded they should be able to start in about two weeks with some tree removal and other landscaping items. The contractor will be in full swing in May.

#### Authority Action:

It was moved by Mr. Zotti, seconded by Mr. Meneeley, all voting "Aye" to approve Resolution 2015-01. None opposed. Motion approved 5-0.

#### **Consideration & Selection of Construction Inspection Firm for Valley Forge Roadway Improvements**

Mr. Smyth stated RFQ's were sent to two firms for construction inspection services for this project. It was specified there would be 80 full days of construction inspection in the field itself and BSA asked

for a lump sum price, a half day rate and a full day rate. It was also anticipated there would be a kick off meeting and up to three progress meetings. Materials testing of concrete and pavement is included and invoices from the contractor will be reviewed to ensure the quantities are correct. There was a substantial difference between the two prices submitted by Pennoni and Metz Engineers. Metz did the inspection for the Henderson Road project and did a very good job. Pennoni did the inspection for the Allendale Road and they also did a good job. Pennoni also did a lot of the signal inspection over the years. The materials testing with Pennoni was well thought out. They provided a stage by stage breakdown of what they are inspecting. The total cost for Pennoni was \$54,720.

Mr. Kohler asked if that is a not to exceed number. Mr. Smyth responded that is how it is written up in the motion so the motion is such that whichever firm is selected that would be the not to exceed amount. Mr. Smyth noted the budget for construction inspection was \$55,000.

#### Authority Action:

It was moved by Mr. Kohler, seconded by Mr. Stuart, all voting "Aye" to select Pennoni & Associates to provide construction inspection services for the Valley Forge Roadway Improvements for a sum not to exceed \$54,720. None opposed. Motion approved 5-0.

#### **EXECUTIVE SECRETARY'S REPORT**

Mr. Kraynik stated he and Mr. Smyth had a good meeting with Charles Rossi to discuss the Township and Authority's idea with regard to the Prince Frederick Extension since this extension would run through their property. It was noted that Mr. Rossi's reception to the idea was positive and he appreciated having the benefit of this meeting. Mr. Smyth commented that Mr. Rossi was receptive to resolving a land dispute issue with Lafayette Ambulance for a 40 foot paper street.

Mr. Smyth believes the project is going to end up having an element of land use planning associated with it to see what the property may be in the future and how the road fits in with those types of uses. This will be important from a right of way perspective.

Mr. Philips asked if that is something the Township Planner should review for potential opportunities. Mr. Kraynik responded in the affirmative. He said Mr. Loeper is aware of the project and what the township is trying to accomplish and he can take a closer look as to what the specific property impacts will be from Henderson Road to US 202.

Mr. Meneeley commented it will make the area more developable.

Mr. Kraynik stated additional discussions will be held with other affected property owners to make them aware of the township's intentions.

#### **ENGINEER'S REPORT**

**Multi-Use Trail Bridge over the Schuylkill River (SR 3051 Section C22)-Construction Phase**  
Contractor's surveyor miscalculated the footer for an abutment which resulted in the placement of the abutment footing for the River Bridge 1.3 feet offset from the proposed location. The proposed solution is to "fatten" up the abutment stem wall to allow for the center line of beams to remain at the same plan location. Status of the review and concurrence by PennDOT and Eastern Federal Lands is pending.

Mr. Zotti asked if this is in the river. Mr. Smyth responded it is an abutment off the river and not one of the piers.

#### **Church Road Bridge over SEPTA Route 100 Line**

The RSGER (soils report) for the borings was approved and minor comments on the TS&L were received today and will be addressed next week.

Mr. Philips asked for clarification about the ownership of the land upon which the rail line is set. Mr. Smyth responded BSA has submitted a request for a legal opinion of the right-of-way determination and awaiting response from SEPTA. PennDOT also reviewing.

#### **Community Center – Valley Forge Roadway Improvements**

Issues were previously discussed.

#### **Rapid Flashing Beacon**

Pre-construction meeting was held at Valley Forge National Historical Park with J. D. Eckman and the National Park Service to discuss schedule and coordination procedures. Current schedule has completion of project construction in September, 2015. Transmitted executed Purchase Order for pedestrian signal equipment to J.D. Eckman. This equipment is being purchased directly through Transportation Authority but is 100% reimbursable.

#### **Trout Creek Bridge**

PennDOT reached out through the Project Management Unit to ask for an update on milestones. Mr. Smyth wanted to raise the status of the project with the Authority to begin discussion for completing Preliminary Engineering now that PennDOT has committed to funding construction.

#### **Additional Discussion**

Mr. Philips asked if the Route 23 Trout Creek Bridge is the location of the “dog leg” left and if PennDOT is looking at cleaning up the intersection. Mr. Smyth responded in the affirmative. He said what was done through the Pro-team Session was realign the roadway with a new structure. This eliminates the substandard curve approaches, helps with the protection of traffic and eliminates the need for a detour. The idea is to build a new structure west of the existing bridge minimizing the skew as much as possible. Mancill Mill Road would then be extended to an intersection that is planned to be signalized. There would be a left turn lane for Mancill Mill.

Mr. Kohler asked if there is only one through lane going westbound. Mr. Smyth responded two lanes are proposed westbound and one through lane eastbound. One of the main objectives was to eliminate the hourglass.

Mr. Zotti asked for clarification about Beidler Road. Mr. Smyth responded it would be one direction coming towards Route 23. While the idea of a cul-de-sac is still in play the preferred option currently is the one way out.

Mr. Philips commented he would prefer to see a proposal where Beidler would join up with the cul-de-sac on the other side of Valley Forge Road.

Mr. Kohler stated if Beidler where it meets Vandenburg came out to a light it would be better than cutting it off completely.

Mr. Smyth commented a lot was done through the Authority to get through the pro-team session and the agreement was there would be no further action from the Authority side until there was commitment from PennDOT to pick up the funding from a construction standpoint. This has now been done, therefore, a Beidler Road re-analysis would be part of the upcoming Preliminary Engineering project.

Mr. Smyth said he could send an email to Mr. Kraynik to forward to the Authority members which explains the concept that came out of the Pro-Team session.

### **Turnpike Corridor Reinvestment Study**

Mr. Smyth indicated Brian O'Leary, Montgomery County Planning Commission, will discuss the corridor reinvestment study at a Board of Supervisors workshop meeting tomorrow. They are aggressively making presentations to all of the townships and have been invited to speak to the Transportation Authority at next month's meeting. We are currently awaiting his response.

Mr. Philips asked about the prospects for these slip ramp interchanges. Mr. Smyth responded the Lafayette Street ramps are now authorized, under design and moving. He said sizeable revenue numbers are coming in as a result of the concepts. One of the big new trip concepts was Henderson Road as a new interchange. The Delaware Valley Regional Planning Commission forecasted between 20,000 to 25,000 vehicles per weekday on the weekday to access the new interchange.

Mr. Zotti said he thought before moving forward all electronic tolling would have to be settled. Mr. Smyth responded that is still the case. He explained all the concepts are designed with no traditional or EZ-Pass toll plazas on the interchange ramps. All electronic tolling provides gantries mid interchange.

Mr. Kohler stated he has asked why it would be necessary to wait for the entire turnpike system to be all electronic tolling and he was told these are not like slip ramps. These are designed to have no toll facilities accompanying them. They are designed to have toll facilities in between interchanges and to go back five years later to turn them into slip ramps would be more costly.

Mr. Smyth stated it would be good to coordinate with the SEPTA Route 100 Extension Project on what they are planning for the Peco corridor since the interchange and the Route 100 extension are looking at the same corridor and to ensure one does not preclude the other.

### **SOLICITOR'S REPORT**

No report.

### **FINANCIAL REPORT**

Mr. Hiriak presented the financial report for March 2015. Have started the process to look at other financial institutions to see what other rate options are available.

### **REQUISITIONS – APRIL 2015**

Boles, Smyth Assoc., Inc.	\$ 416.61	Multi-Use Trail Connection on Port Kennedy Road for work performed 2-1-15 thru 2-28-15 INVOICE #9
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Boles, Smyth Assoc., Inc.	\$ 5,265.69	Construction Phase Svcs. For Multi-Use Trail Bridge over the Schuylkill River project for work performed for period 2-1-15 THRU 2-28-15 INVOICE #12
Boles, Smyth Assoc., Inc.	\$ 5,073.72	Final design of East Church Road Bridge Over SEPTA for work performed 2-1-15 thru 2-28-15 INVOICE #21
Boles, Smyth Assoc., Inc.	\$ 5,536.39	Relocation of N. Gulph Road (SR 3039) for work performed 2-1-15 thru 2-28-15 INVOICE #24
Boles, Smyth Assoc., Inc.	\$ 20,999.25	Transportation Engineering Consulting Services performed 12-1-14 thru 2-28-15 INVOICE #84
Upper Merion Township	\$ 3,138.59	Semi-annual interest payment for 2010 GOB
Pizonka, Reilley, Bello & McGrory, P.C.	\$ 560.00	Professional Services 3-4-15 thru 3-17-15 INVOICE #31807
21 <sup>st</sup> Century Media – Philly Cluster	\$ 312.48	Times Herald ad for bid Valley Forge Roadway Improvements Ad #506215
<b>TOTAL:</b>	<b>\$41,302.73</b>	

From the public:

Mr. Mark McKee expressed appreciation to the Board of Supervisors, Transportation Authority and Supervisor Philips for their efforts to push for a connector road between Flint Hill and River Road during the land development process of the Drummond tract for the FedEx Ground facility. Although the developer did not agree to build the road or provide grading for the ultimate road, a 40-foot access right of way was obtained. Mr. McKee asked the Transportation Authority to make another request to FedEx to grade at least their portion of the road at the time they are constructing the development. He also indicated FedEx is only donating the part they are buying from the Drummond tract and there is a missing 8-acre parcel that is still owned by Drummond which is environmentally constrained. He said it is probably going to be a hurdle if the township ever decided to build on it. Mr. McKee indicated that is why it is critical to have at least some portion of the FedEx development site at the same grade as the potential right-of-way.

Mr. Kohler asked if this Authority could go back to SunCap with a letter asking them to reconsider.

Mr. Kraynik suggested waiting to see what happens when the development starts since they may have to come back to the township for some modifications and there might be another opportunity. If an opportunity ever presents itself, we will keep pushing the idea.

Mr. Zotti asked if there are any legal constraints for the Authority to negotiate some of these issues with the developer. Mr. Kraynik indicated he would talk to the Township Solicitor and asked the Authority's Solicitor to do some research on this matter.

Authority Action:

It was moved by Mr. Meneeley, seconded by Mr. Stuart, all voting "Aye" to approve the April 2015 requisitions in the amount of \$41,302.73. None opposed. Motion approved 5-0.

**ADDITIONAL BUSINESS:**

**ADJOURNMENT**

There being no further business to come before the Authority, the meeting adjourned at 8:16 p.m.

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**DAVID G. KRAYNIK**  
**EXECUTIVE SECRETARY**

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**MICHAEL SANTILLO**  
**CHAIRPERSON**

Minutes Approved:  
Minutes Entered: