
BOARD MEMBERS: Mr. Scott Brown; Mr. Jeffrey Guzy; Mr. John Kennedy; Mr. Tom Kohler; Mr. Steven Malagari; Ms. Jeannette Quirus; Ms. Allison Slizofski; Mr. John Wichner

BOARD MEMBERS ABSENT: Mr. Charles Tabourn

GUESTS ATTENDING: Rob Diehl, Stantec; Star Ernst, Stantec; Jocelyn Jones, Keystone Acquisition Services Corp.; Mr. Steve McCauley, KMRD Partners, Inc. (conference call); Barbara O'Malley, MC Commissioners Office; Gretta Riley, MC Roads & Bridges

STAFF ATTENDING: Mr. Matthew Edmond; Ms. Crystal Gilchrist; Mr. Henry Stroud; Mr. Tom Landauer; Mr. Brian Phillips; Mr. Matt Popek; Ms. Denise VanBuskirk

I. Call to Order

The Montgomery County Transportation Authority (MCTA) meeting was called to order by Mr. Scott Brown, Chairman.

II. Approval of January 10, 2019 Minutes

The minutes from the January 10, 2019 MCTA Meeting were approved by the Board.

Motion: Mr. Guzy motioned and Mr. Kennedy seconded to approve the January 10, 2019 Authority Meeting minutes. The minutes were approved by all present.

III. Finance Director Report

Two (2) handouts were given to the Authority: MCTA 2019 Financial Activity; Project Payment Breakdown for February 2019

Mr. Landauer: Gave an update on the MCTA's finances; detailed the expenditures and grant revenues for 2019 through January; and reviewed the check register with the Board totaling \$31,648.36 for February. Deposits include: \$26.61 in interest for January. The expense checks, which the Board will be asked to approve later on the Agenda, are detailed on the Payment Breakdown sheet for February. Also, he received the preliminary draft of the 2018 Financial Audit conducted by Maillie, LLP which Staff is reviewing. The final report should be available for the MCTA meeting in March.

IV. Authorization to Purchase Directors and Officers Insurance for the 2019 Policy Year

Mr. Edmond: The resolution before the Board mentions a \$5,152.00 cost for the Directors and Officers Liability Insurance for March 1, 2019 – March 1, 2020, of which a copy of the policy is attached for the Board's review. Mr. McCauley of KMRD Partners, Inc., the County's

insurance broker, explained the options he researched and the different categories and providers.

Mr. McCauley: Explained that the expiring policy was at a cost of \$5,567.00 with a \$3M aggregate liability limit and a \$25,000 deductible. KMRD obtained prices from 8 different insurance carriers which he explained in detail. The quotes were based on the fund balance/net position at the end of the year which is \$1.19M compared to \$1.17M last year. The incumbent Old Republic Insurance Company offered a renewal at a decreased rate of 8% or \$466 and a decrease of \$10,000 in the self-insured deductible (retention) from \$25,000 to \$15,000. KMRD was able to negotiate with Old Republic an alternative discount option in the deductible (retention) – From \$25,000 to \$20,000 the premium cost would be \$5,090 (Option A); from \$25,000 to \$15,000 the premium cost would be \$5,152 (Option B). The coverage and terms also would remain the same. The deductible difference is \$5,000 between Options A & B.

Mr. Edmond: Summarized the options available through Old Republic vs. Greenwich and Westchester – the two other low bids. Staff recommended that Option B with Old Republic to be the best value option with a \$15,000 deductible (\$10,000 less than the prior year). The major difference between the three carriers is that Old Republic will cover claims against any Board member for two years prior to the start of this new policy term. Greenwich says they will not and Westchester was the significant highest bid out of the three carriers.

KMRD and staff have recommended that the MCTA purchase such insurance from Old Republic Insurance Company at a cost of \$5,152.00 for the 2019 policy year effective March 1, 2019 through March 1, 2020.

Motion: Ms. Slizofski motioned and Mr. Kohler seconded to approve Resolution 19.2.1 authorizing payment to Old Republic Insurance Company, through KMRD Partners, Inc., a not-to-exceed sum of \$5,152.00 to purchase the MCTA's Directors & Officers Liability Insurance for the 2019 policy year effective March 1, 2019 through March 1, 2020. The resolution was approved by all present.

V. Adopted County Capital Budget for 2019 Presentation

Mr. Edmond: The budget presentation by Mr. Dean Dortone, Montgomery County's CFO has been postponed until the March MCTA meeting.

VI. County Bridge Projects

Authorization for Property Acquisition – Eric R. and Amy B. Boyer (Parcel 2) – County Bridge 119, Davis Grove Road

Mr. Edmond/Mr. Popek: Eric R. and Amy B. Boyer own property located at 1016 Davis Grove Road, Horsham Township (Parcel 2). A portion of that property needs to be acquired for the advancement of County Bridge 119 Rehabilitation Project. Acquisition consists of 3,680 sq. ft. of temporary construction easement (TCE). A Waiver of Valuation was completed in October 2018 in the amount of \$700.00 and negotiated in administrative settlement at \$1,300.00, in lieu of condemnation. The \$1,300.00, which includes the removal

of certain trees not included in the original valuation, is supported by the MCTA's right-of-way negotiator as an appropriate settlement. A resolution is before the Board to authorize payment for acquisition of the easement as agreed upon.

Motion: Mr. Wichner motioned and Ms. Quirus seconded to approve MCTA Resolution 19.2.2 authorizing payment to Eric R. and Amy B. Boyer, a not-to-exceed sum of \$1,300.00 for the acquisition of 3,680 sq. ft. of temporary construction easement from their property located at 1016 Davis Grove Road (Parcel 2), Horsham Township to help further the implementation of the County Bridge 119 Rehabilitation Project in Horsham Township. The resolution was approved by all present.

Authorization for Property Acquisition – Lawrence R. Sims Revocable Trust (Parcel 3) – County Bridge 119, Davis Grove Road

Mr. Edmond/Mr. Popek: Lawrence R. Sims Revocable Trust owns property located at 300 Keith Valley Road (Parcel 3), Horsham Township. A portion of that property needs to be acquired for the advancement of County Bridge 119 Rehabilitation Project. Acquisition consists of 1,055 sq. ft. of temporary construction easement (TCE). A Waiver of Valuation was completed in October 2018 in the amount of \$200.00. Pursuant to PennDOT requirements, the MCTA is required to provide claimants a minimum of \$500.00, which the owner has accepted, in lieu of condemnation. A resolution is before the Board to authorize payment for acquisition of the easement as agreed upon.

Motion: Mr. Kennedy motioned and Mr. Guzy seconded to approve MCTA Resolution 19.2.3 authorizing payment to Lawrence R. Sims Revocable Trust, a not-to-exceed sum of \$500.00 for the acquisition of 1,055 sq. ft. of temporary construction easement from their property located at 300 Keith Valley Road (Parcel 3), Horsham Township to help further the implementation of the County Bridge 119 Rehabilitation Project in Horsham Township. The resolution was approved by all present.

Authorization for Property Acquisition – Edward R. Mortimer (Parcel 4) – County Bridge 119, Davis Grove Road

Mr. Edmond/Mr. Popek: Edward R. Mortimer owns property located at 1009 Davis Grove Road (Parcel 4), Horsham Township. A portion of that property needs to be acquired for the advancement of County Bridge 119 Rehabilitation Project. Acquisition consists of 370 sq. ft. of temporary construction easement (TCE). A Waiver of Valuation was completed in October 2018 in the amount of \$100.00. Pursuant to PennDOT requirements, the MCTA is required to provide claimants a minimum of \$500.00, which the owner has accepted, in lieu of condemnation. A resolution is before the Board to authorize payment for acquisition of the easement as agreed upon.

Motion: Mr. Kohler motioned and Mr. Malagari seconded to approve MCTA Resolution 19.2.4 authorizing payment to Edward R. Mortimer, a not-to-exceed sum of \$500.00 for the acquisition of 370 sq. ft. of temporary construction easement from his property located at 1009 Davis Grove Road (Parcel 4), Horsham Township to help further the implementation of the County Bridge 119 Rehabilitation Project in Horsham Township. The resolution was approved by all present.

Authorization for Property Acquisition – Horsham Township (Parcel 5) – County Bridge 119, Davis Grove Road

Mr. Edmond/Mr. Popek: Horsham Township owns certain property located at 1020 Horsham Road (Parcel 5), Horsham Township. A portion of that property needs to be acquired for the advancement of County Bridge 119 Rehabilitation Project. Acquisition consists of 6,142 sq. ft. of temporary construction easement (TCE). A Waiver of Valuation was completed in October 2018 in the amount of \$400.00. Pursuant to PennDOT requirements, the MCTA is required to provide claimants a minimum of \$500.00, which the owner has accepted, in lieu of condemnation. A resolution is before the Board to authorize payment for acquisition of the easement as agreed upon.

Motion: Ms. Quirus motioned and Mr. Kennedy seconded to approve MCTA Resolution 19.2.5 authorizing payment to Horsham Township, a not-to-exceed sum of \$500.00 for the acquisition of 6,142 sq. ft. of temporary construction easement from its property located at 1020 Horsham Road (Parcel 5), Horsham Township to help further the implementation of the County Bridge 119 Rehabilitation Project in Horsham Township. The resolution was approved by all present.

VII. Cross-County Trail Extension Project

Authorization to Reimburse Professional Services Fees – George E. & Nancy R. Conwell (Parcel 4)

Mr. Edmond/Mr. Popek: Related to the acquisition and settlement of certain property at 6001 West Valley Road (Parcel 4), Whitmarsh Township, owned by Gordon E. Conwell, Jr. and Nancy R. Conwell, claimants are eligible to be reimbursed for professional services they incurred during right-of-way negotiations up to a maximum of \$4,000.00. The Conwells submitted attorney and appraisal fees incurred during right-of-way negotiations in an amount that exceeds the maximum eligible reimbursement. A resolution is before the Board to authorize reimbursement of \$4,000.00 for the aforementioned fees incurred by the Conwells related to the Cross-County Trail Extension Project.

Motion: Mr. Kohler motioned and Ms. Slizofski seconded to approve MCTA Resolution 19.2.6 authorizing payment to Gordon E. Conwell, Jr. and Nancy R. Conwell a not-to-exceed sum of \$4,000.00 for attorney and appraisal fees incurred during right-of-way negotiations of Parcel 4 for the purpose of furthering the Cross-County Trail Extension Project in Whitmarsh Township. The resolution was approved by all present.

VIII. Lafayette Street Extension Project

Authorization for Property Sales

Mr. Edmond/Mr. Popek: Parcel 187 was acquired in whole by the MCTA through condemnation on December 22, 2011, with economic just compensation (EJC) paid on June 3, 2013, for the purpose of realigning the intersection of Ridge Pike and Diamond Avenue. A

total of 9,857 sq. ft. of Parcel 187 was not needed for the realignment and has been deemed as excess right-of-way (ROW) and an uneconomic remnant, with an associated address of 1344 East Ridge Pike, Plymouth Township. In order for the MCTA to sell the excess piece of property it followed PennDOT's rules and regulations and obtained an updated appraisal and advertised the property for sale through various public agencies. The appraisal was done a year ago and valued at \$140,000. Since there were no bids for purchase received, the MCTA then contacted the adjoining property owner, Cianciulli Family Partnership, LP. The partnership provided a bid for \$60,000.00, based on its own appraisal for the uneconomic remnant. PennDOT's District 6 ROW administrator supports the MCTA's entering into a sale of the uneconomic remnant of Parcel 187 to Cianciulli Family Partnership, LP for \$60,000.00.

Motion: Mr. Guzy motioned and Mr. Kennedy seconded to approve MCTA Resolution 19.2.7 authorizing the MCTA to sell the 9,857 sq. ft. of uneconomic remnant (Parcel 187), located at 1344 East Ridge Pike, Plymouth Township and to enter into an Agreement of Sale with Cianciulli Family Partnership, LP for the sum of \$60,000.00. The resolution was approved by all present.

Mr. Edmond: Informed the Board that the \$60,000 does not have to be paid back to the Federal Highway Administration as long as the money continues to be used for transportation projects.

Mr. Wichner: Suggested that a paper trail be established showing the process Staff followed to ensure compliance with federal and state laws in the sale of the uneconomic remnant.

IX. Chester Valley Trail Extension Project

Authorization for Property Acquisition – Maggitti, LLC (Parcel 11)

Mr. Edmond/Mr. Popek: Maggitti, LLC owns property located at 250 Hansen Access Road, Upper Merion Township (Parcel 11) a portion of which needs to be acquired for the Chester Valley Trail Extension Project. Acquisition consists of 12,763 sq. ft. of temporary construction easement (TCE). An appraisal was done in April, 2018 and reappraised in December, 2018 for \$16,100.00 which the owner has agreed to, in lieu of condemnation. A resolution is before the Board to authorize payment for acquisition of the easement as agreed upon.

Motion: Ms. Quirus motioned and Mr. Malagari seconded to approve MCTA Resolution 19.2.8 authorizing payment to Maggitti, LLC, a not-to-exceed sum of \$16,100.00 for the acquisition of 12,763 sq. ft. of temporary construction easement (Parcel 11), in lieu of condemnation, for the purpose of furthering the Chester Valley Trail Extension Project in Upper Merion Township. The resolution was approved by all present

Authorization for Condemnation – Henderson Road RR, LLC (Parcel 25)

Mr. Edmond/Mr. Popek: Henderson Road RR, LLC owns property located at E. DeKalb Pike (Parcel 25), Upper Merion Township. A brief description of the area to be condemned consists of 3,538 sq. ft. of county trail easement and 18,034 sq. ft. of temporary construction easement (TCE) from its property, for the purpose of advancing the Chester Valley Trail Extension Project. The parcel was appraised in April, 2018, and re-appraised in December,

2018 for \$23,300.00. Due to indecision of the property owner to settle, the MCTA negotiators recommended filing condemnation to hasten any delays and needed right-of-way acquisition. A resolution is before the Board for authorization to file this Declaration of Taking.

Motion: Mr. Kennedy motioned and Mr. Guzy seconded to approve MCTA Resolution 19.2.9 authorizing the filing of Declaration of Taking of Parcel 25, owned by Henderson Road RR, LLC for the purpose of acquiring 3,538 sq. ft. of county trail easement, and 18,034 sq. ft. of temporary construction easement from its property located at East DeKalb Pike,, Upper Merion Township to help further the implementation of the Chester Valley Trail Extension Project in Upper Merion Township. The resolution was approved by all present.

X. Authorization for Payment of Checks and Invoices

Mr. Popek: Reviewed the project payment breakdown for February 2019 in detail and explained the purpose of each check and invoice.

Motion: Ms. Slizofski motioned and Mr. Malagari seconded to approve the authorization for payments of checks and invoices. The motion was approved by all present.

XI. County Road, Bridge and Trail Projects Update

Mr. Popek: Gave the following project updates along with additional details:

Cross-County Trail (Erdenheim)

- 4 of 7 properties have been acquired.
- Discussions ongoing regarding the remaining 3 properties

Chester Valley Trail

- 5 of 6 properties acquired, 1 revised offer on the table (Upper Merion parcels)
- 1 in appraisal review, the other 2 in negotiations (Bridgeport parcels)

County Bridge 262 – Moyer Road, Salford

- All Appraisal Reviews for 5 properties are nearly completed

County Bridge 119 – Davis Grove Road, Horsham

- All 4 properties have been acquired with 3 approved today

County Bridge 207 – Ludwig Road, New Hanover

- Waivers of valuation will be finishing up shortly (2 properties)
- Keystone Acquisition Services is performing both waivers and negotiations

County Bridge 150 – Camp Wawa Road, Lower Salford

- APAs completed by ARS
- Appraisals and negotiator quotes to be requested for March meeting

County Bridge 274 – Henry Road, Douglass

- Waivers of valuation and negotiation contract to be awarded shortly

XII. Lafayette Street Extension Project Update

Mr. Edmond: In the next couple of weeks Allan Myers will be working on the PA American Water waterline east of DeKalb Street. PECO will be working for the next two weeks doing some of their own utility work on DeKalb Street. Signal poles for Ford and Lafayette Streets have been ordered and will take 6 months to fabricate. SEPTA bid out the quad gates for the Ford Street grade crossing. Allan Myers will be working on the north side from DeKalb Street east to Ford Street while PECO is designing new underground duct banks, which will take approximately 6 months to design and rebuild. The target date for completion of Section MGN is still the end of 2019. If not, it will be back on the original time frame of a spring of 2020 completion.

XIII. Ridge Pike Improvement Project Update – Plymouth Township

Mr. Edmond: Waiting on PennDOT to process the updated supplement with Pennoni, as well as an updated reimbursement agreement. We have right-of-way costs that have not been reimbursed. Working with Plymouth Township and Pennoni to locate laterals and figure out whether to replace the sewer line. PennDOT and the FHWA will not be partnering with the sewer project so any costs will be borne by Plymouth Township.

XIV. Ridge Pike Improvement Project Update – Whitmarsh and Springfield Townships

Crescent Avenue to Philadelphia Line Section D

Mr. Edmond/Ms. Gilchrist: Closing in on final design on this project and will be choosing right-of-way negotiators starting next week. Staff will soon be talking to property owners about issues that will arise during this project. Staff continues to work on getting permission to do the cemetery work.

Butler Pike to Crescent Avenue Status Section C

Ms. Gilchrist: Staff will be having the first public meeting regarding the project on April 30th at the Barren Hill Fire Banquet Hall at no cost to the MCTA.

XV. Other Business

Mr. Brown/Mr. Edmond: Thanked Mr. Malagari for his 6 years of service on the MCTA Board. Mr. Malagari has resigned due to his elected position as State Representative of the 53rd District. Mr. Malagari was presented with a jar of certified, filtered dirt from the Lafayette Street project.

XVI. Adjournment

A motion was made by Mr. Kohler and seconded by Ms. Slizofski to adjourn the regular meeting. The motion was approved by all present.



The next MCTA Board meeting will be March 14, 2019 at 1:00 pm.