

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTE: JANUARY 2, 2007**

BOARD MEMBERS PRESENT: William Patterson, Chairman
Richard Kratz, Member
Gordon MacElhenney, Member
Edward Savitsky, Member
Dean Becker, Member

OTHERS PRESENT: Cecile Daniel, Township Manager
Kenneth Picardi, Township Solicitor
Pamela Stevens, Township Engineer
John Moran Jr., Code Enforcement Officer
John Moran Sr., Road Master

William Patterson called the January 2, 2007 Reorganization Meeting and Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m. The first item of business was the Reorganization Meeting.

REORGANIZATION MEETING: The reorganization meeting was turned over to Richard Kratz who acted as temporary chairman. Mr. Kratz called for nominations of Chairman. Gordon MacElhenney nominated Richard Kratz as Chairman. Edward Savitsky nominated William Patterson as Chairman. There were no other nominations. Dean Becker made a motion to close the nominations. The Secretary solicited all those in favor of William Patterson as Chairman. Edward Savitsky, Dean Becker, and William Patterson voted for William Patterson as Chairman. The Secretary then solicited all those in favor of Richard Kratz as Chairman. Richard Kratz and Gordon MacElhenney vote for Richard Kratz as Chairman. The Secretary was directed to show that William Patterson was elected Chairman by a 3 to 2 vote. The Reorganization Meeting was turned over to William Patterson. William Patterson asked for nominations for Vice-Chairman. Richard Kratz nominated Edward Savitsky as Vice-Chairman. There were no other nominations; therefore Dean Becker moved to close the nominations. The Secretary solicited all those in favor of Edward Savitsky, who was elected Vice-Chairman by a unanimous vote. The Secretary was directed to show that Edward Savitsky was elected Vice-Chairman by a 5 to 0 vote.

Holiday Schedule: The Board reviewed the proposed 2007 schedule for the paid employee holidays. The schedule will stand as approved without change.

Edward Savitsky made a motion seconded by Gordon MacElhenney to approve the following 2007 appointments that were unanimously approved:

Township Road Liaison:	William Patterson
Township Treasurer:	Cecile M. Daniel
Township Secretary:	Cecile M. Daniel

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Township Solicitor:	Yergey, Daylor, Allebach, Scheffey, & Picardi
Township Engineer:	Spotts, Stevens & McCoy
Township Fire Marshall:	John Moran Sr.
Zoning Hearing Board Solicitor:	Nancy Hopkins Wentz
Chairman of Vacancy Board:	Nancy Gaugler

There were no public comments on the motion. The motion was unanimously approved by a vote of 5-0.

Dean Becker made a motion, seconded by Edward Savitsky to approve the following Committee Appointments:

Committee Appointments:

Lower Perkiomen Valley Regional Sewer Authority – January 1, 2007
Through December 31, 2011: Edward Savitsky

Planning Commission – January 1, 2007
Through December 31, 2010: William DeMaio

Zoning Hearing Board – January 1, 2007
Through December 31, 2010: Alfred Laskey

There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

Edward Savitsky made a motion seconded by Dean Becker to close the reorganization meeting. There were no public comments. The vote was carried by a unanimous vote of 5-0.

William Patterson called the regular meeting of the Perkiomen Township Supervisors to order.

MINUTES: The minutes of the December 5, 2006 Board of Supervisors meeting were approved upon a motion made by Richard Kratz and seconded by Edward Savitsky. There were no public comments on the motion. The motion was carried by a vote of 5-0.

POLICE REPORT: The Board reviewed the PA State Police Report for November.

CORRESPONDENCE:

- CPVRPC- Minutes of their meeting for November and December
- PSATS Bulletin
- Perkiomen Valley Library – Letter regarding Library activities

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SOLICITOR'S REPORT: Kenneth Picardi reported on the following activities:
EXECUTIVE SESSIONS: Mr. Patterson informed the public that there were two executive sessions. One was held on December 21, 2006 and the other was held earlier before the January 2, 2007 meeting. Mr. Picardi indicated that the executive session held on December 21st was to discuss the appeal filed by HYK against Perkiomen Township's Zoning Ordinance and Subdivision Ordinance. Mr. Picardi indicated that the executive session held earlier was for the purposes of discussing the purchase of Development Rights for property owned by Thomas and Ann Gates on Dieber Road. Based upon that discussion, Dean Becker made a motion seconded by Gordon MacElhenney to authorize Kenneth Picardi to prepare the Sales Agreement for the purchase of Development Rights for property owned by Thomas and Ann Gates of Dieber Road. (1) T-Mobile: Mr. Picardi has been working on the final agreement between Perkiomen Township and T-Mobile; (2) Sacks: Mr. Picardi sent a letter to Michael Clement, attorney representing James O. Sacks. To date, Mr. Picardi has not received a response. (3) Schempp: Mr. Picardi is in the process of sending a letter to Fred Schempp based upon the discussion that took place with Mr. Schempp in December. (4) Mayfield Estates: Mr. Picardi informed the Board that he has received a written confirmation regarding the Developer's six month extension of the Maintenance Bond.

ROAD MASTER'S REPORT: John Moran Sr. submitted his report for December to the Board.

FIRE MARSHALL'S REPORT: John Moran Sr. submitted his December as well as his yearly report to the Board.

CODE ENFORCEMENT REPORT: John Moran Jr. submitted his December report to the Board.

PLANNING COMMISSION REPORT: The Planning Commission held their meeting on December 19, 2006. At that meeting there were two items discussed first was the Central Perkiomen Valley Regional Planning Commission and second was the Village Commercial Residential Districts.

ENGINEERS REPORT: Pamela Stevens was present to review the following items:

- **BONDS/LETTER OF CREDIT:** John Mateja was present to discuss the status of completing the one item left on the original punch list for Cranberry Phase 8. Mr. Mateja informed the Board that the work is scheduled to be completed by the end of the week. It is possible that it may not be completed in time for their deadline of January 16, 2007. As a result, Mr. Mateja requested a 60-day extension from the deadline. Dean Becker made a motion seconded Edward Savitsky to authorize a 60-day extension from January 16, 2007 to March 16,

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2007. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- **EAGLEVIEW ESTATES:** Ms. Stevens informed the Board that she was in contact with the builder of Eagleview Estates. The intent of the builder is to complete the work by the end of the week because they are not willing to extend the Maintenance Bond. Ms. Stevens will report at the February meeting the status of the repair work for this development.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of December. After review of same, Richard Kratz made a motion seconded by Gordon MacElhenney to authorize payment of the December bills. There were no public comments on the motion. The motion was carried unanimously by a vote of 5-0.

OLD BUSINESS:

- **T-MOBILE:** Nicholas Cucé and Michael Tegler were present to discuss the site plan and draft Lease Agreement for the cellular tower between Perkiomen Township and T-Mobile. The installation of the cellular tower is proposed to be adjacent to the Township Building. Mr. Cucé informed the Board that T-Mobile is interested in moving forward immediately with the installation of the cellular tower once the Board approves the agreement. As a result, T-Mobile plans to exercise the option immediately. Mr. Tegler explained that this was a Lease Agreement that will run for 29 years. Also, Mr. Tegler informed the Board that the construction used today for a cellular tower is such that the tower is constructed to be safe in time of high winds. After final review of the site plan and agreement, Gordon MacElhenney made a motion seconded by Edward Savitsky to approve the Lease Agreement between T-Mobile and Perkiomen Township for the lease of a portion of the Township Property for the construction and use of a cellular tower owned by T-Mobile and authorized the Chairman to sign the Agreement. The motion passed and the proposed agreement was approved by a 4-1 vote with Richard Kratz voting no. In this situation, Mr. Kratz is not in favor of competing with a private business owner in the Township.

NEW BUSINESS:

- **RESOLUTION 2007-1:** Depositories 2007 – Richard Kratz made a motion, seconded by Dean Becker to approve Resolution 2007-1 that for the year 2007 depositories, until otherwise designated, for Township funds shall be the Union National Bank And Trust Company, with the main office in Souderton, Pennsylvania, Harleysville National Bank And Trust Company with the main

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- office in Harleysville, Pennsylvania, and the Pennsylvania Local Government Investment Trust (PLIGIT), with the main office in Valley Forge, Pennsylvania, and United States Treasury. There were no public comments on the motion. The motion was carried by a vote of 5-0.
- **RESOLUTION 2007-2:** Special Crossing Guard – Edward Savitsky made a motion, seconded by Gordon MacElhenney to approve Resolution 2007-2 and appoint Executive Protective Services, LLC as the special crossing guard for the 2006/2007 school year. There were no public comments on the motion. The motion was carried by a vote of 5-0.
 - **RESOLUTION 2007-3:** Engineering Fees – Dean Becker made a motion seconded by Richard Kratz to approve Resolution 2007-3 and amend Resolution 89-15 to incorporate the 2007 rate schedule for Spotts, Stevens & McCoy, Township Engineer, for both the township and anyone using their services while working within the Township. There were no public comments on the motion. The motion was carried by a vote of 5-0.
 - **RESOLUTION 2007-4:** Audit 2006 – Dean Becker made motion, seconded by Richard Kratz to approve Resolution 2007-4 and under Section 917(b)(2) of the Second Class Township Code to appoint Dreslin and Company of Norristown, PA to complete the required Perkiomen Township 2006 Annual Audit. There were no public comments on the motion. The motion was carried by a vote of 5-0.
 - **RESOLUTION 2007-5:** Perkiomen Township Fire Company – Edward Savitsky made a motion, seconded by Richard Kratz to approve Resolution 2007-5 to authorize and recognize the Perkiomen Township Fire Company and to officially accord it the status of Volunteer Fire Company for Perkiomen Township. There were no public comments on the motion. The motion was carried by a vote of 5-0.
 - **ORDINANCE NO. 198:** The Lower Perkiomen Valley Regional Sewer Authority is required to renew their NPDES Permit every five year. As part of the renewal is a review by the EPA of the Regional Sewer Authority's Pretreatment Program. In conjunction with the permit is a required Pretreatment Ordinance. This Ordinance controls how the program is administered and sets forth the parameters for discharge into the sewer collection system which is eventually sent to the treatment plant. Recently the Regional Sewer Authority was required by the EPA to renew the NPDES Permit for the Oaks Wastewater Treatment Plant. In reviewing that permit, the EPA required that certain parameters need to be revised to protect the sewer collection system and the treatment plant from certain types of discharges. The Regional Sewer Authority prepared an amendment to the Township's existing Pretreatment Ordinance and is requesting that the Board

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adopt these new parameters so that the LPVRS is in compliance with their NPDES Permit as it relates to the Pretreatment Program for the Oaks Water Treatment Plant. Mr. Picardi indicated that Ordinance No. 138 also needs to be amended and therefore added in the caption of the draft Ordinance. In Mr. Picardi's opinion this was a minor change and recommended that the Board adopt the proposed Ordinance, as amended. Dean Becker made a motion seconded by Richard Kratz to adopt Ordinance No. 198 which will be An Ordinance Amending Perkiomen Township Ordinance Nos. 138, 139, and 164 collectively known as the Perkiomen Township Pretreatment Ordinance, as amended. This Ordinance provides, among other things, limits on direct and indirect contributions into the wastewater collection and treatment system on the Lower Perkiomen Valley Regional Sewer Authority, which is hereby further amended in order to maintain compliance with the applicable state and federal laws, regulations, and permits. There were no public comments on the motion. The motion was carried by a vote of 5-0.

➤ **ORDINANCE NO. 199:** The Montgomery County Recorder of Deeds is requiring a revision to the Township's Real Estate Transfer Tax Ordinance. The revision is required to ensure that the Township's Real Estate Transfer Tax Ordinance is in compliance with state law as it relates to the collection of delinquent taxes. Mr. Picardi prepared an Ordinance based upon the information supplied to him from the Montgomery County Recorder of Deeds. Mr. Picardi recommends that the Board adopt the proposed Ordinance. Gordon MacElhenney made a motion, seconded by Richard Kratz to adopt Ordinance No. 199 titled: An Ordinance amending Perkiomen Township Ordinance No. 97, known as the Realty Transfer Tax Ordinance of Perkiomen Township, by amending certain sections relating to the collection of interest on any delinquent Real estate Transfer Tax. There were no public comments on the motion. The motion carried by a vote of 5-0.

➤ **PSATS CONVENTION:** The annual PSATS Convention is scheduled to be held on April 22-25 in Hershey. Dean Becker made a motion, seconded by Richard Kratz to authorize the following people to attend: Richard Kratz, Gordon MacElhenney, Edward Savitsky, William Patterson, and Cecile Daniel. Richard Kratz was designated as the Township's voting delegate. There were no public comments on the motion. The motion was carried by a vote of 5-0. There was a discussion about asking whether or not any Planning Commission members would like to attend. This matter will be added to the Joint Meeting Agenda.

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SUPERVISORS COMMENTS – Richard Kratz had a few comments to be made:
(1) To create a Park & Recreation Ordinance and Park and Recreation Board and (2)
Change Meyers Road to Ott Road from Route 29 to Seitz Road and Change Miller Road
to Meyers Road from Route 29 to Meyers Road.

There being no further business, the meeting was adjourned upon a motion made
by Edward Savitsky and seconded by Richard Kratz.