

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: MAY 3, 2011**

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**BOARD MEMBERS PRESENT:** Richard Kratz, Chairman  
Gordon MacElhenney, Vice-Chairman  
William Patterson, Member  
Edward Savitsky, Member

**ABSENT:** Dean Becker, Member

**OTHERS PRESENT:** Cecile Daniel, Township Manager  
Kenneth Picardi, Township Solicitor  
Chuck Frantz, Township Engineer  
John Moran Jr., Code Enforcement/Zoning Officer  
John Moran Sr., Road Master

Richard Kratz called the May 3, 2011 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

**MINUTES:** The minutes of the April 5, 2011 Board of Supervisors meeting were approved upon motion of Edward Savitsky and seconded by William Patterson. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**POLICE REPORT:** The Board reviewed the written State Police Report for April.

**CORRESPONDENCE:**

1. **TRAPPE AMBULANCE & LOWER FREDERICK REGIONAL AMBULANCE CORPS** – Report
2. **PENNYPACKER MILLS:** Letter regarding the upcoming three day Civil War history and enactment weekend – June 3 – June 5, 2011

**SOLICITOR’S REPORT:** Kenneth Picardi reported on the following items:

1. Godshall Road Bridge Project – All of the paperwork for the Mruskovic Easement has been completed and recorded. However, the Easement Agreements from Abbott and Nice remain unsigned. Mr. Picardi requested an Executive Session to discuss the matter of additional compensation and the possibility that a condemnation might still be necessary.
2. Comcast Franchise Renewal – Mr. Picardi requested an Executive Session to discuss certain terms of this Agreement.

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3. Noise Ordinance – Mr. Picardi continues to work with Mr. Moran Jr. with regard to certain revisions necessary to this Ordinance.
4. Doggy Day Care – Mr. Picardi requested an Executive Session to discuss the legal issues related to the proposal of the installation of a Doggy Day Care in the Village of Rahns.

**ROAD MASTER’S REPORT:** John Moran Sr. submitted to the Board the Road Master’s Report dated May 1, 2011 for activities taking place during the month of April. In addition to his report, Mr. Moran presented a memo dated May 3, 2011. In his memo, Mr. Moran set forth his recommendations for the 2011/2012 Material and Supply Bids for Perkiomen Township. The following was Mr. Moran’s recommendation: (1) the Equipment Bid be awarded to P.K. Moyer; Fuel Bid be awarded to Oehlert Brothers; Line Painting/Thermoplastic the bid be split as follows: Guidemark – Epoxy line based paint, Thermoplastic - Stop Bar, Thermoplastic - 6” and 24” Crosswalks; PSX – Latex line based paint, Thermoplastic – Speed Strips, Thermoplastic – Curve Arrows & Slow Bars, Thermoplastic – Chevrons for Speed Humps; Open Space/Grass Cutting Bid be awarded to Buck Enterprises; Road Materials - the bid be split as follows: Independence Construction be awarded the bid for #1 Screenings – Highway Material be awarded the remainder of the Road Materials. Snow Plowing – recommendation was to reject all bids related to snow plowing because of insufficient information in the bid specifications which resulted in conflicting bid submissions and the inability to determine what constituted the lowest responsible bid. Gordon MacElhenney made a motion seconded by William Patterson to award the 2011/2012 Material and Supply Bid as recommended by Mr. Moran. In addition, the motion included rejection of that portion of the 2011/2012 Material and Supply related to the snow plowing for the reason set forth above. The Board further authorized that the bid specifications for snow plowing be revised and re-bid. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**FIRE MARSHALL’S REPORT:** John Moran Sr. submitted to the Board the Fire Marshall’s Report dated May 1, 2011 for activities taking place during the month of April.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his Code Enforcement Report dated May 1, 2011 for activities taking place during the month of April.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission meeting scheduled for April 19, 2011 was canceled.

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**MANAGER'S REPORT:**

1. School House Run Streambank Restoration Project: On April 14, 2011, the Township was informed that Perkiomen Township did not receive the grant from the Schuylkill River Organization. During the meeting with the PA Fish and Board Commission, a recommendation was made to the Township involving the cutting of the open space along the School House Run. In order to help stabilize the area along the embankment, the recommendation was made to brush-hog this area once a year. This area includes the sewer easement which runs through the open space. Another recommendation was to look into what type of plantings could be established along this area which would further help with stabilization. Cecile Daniel explained that these plantings would have to be ones that would not affect the sewer main and if repair on the sewer main was needed, these plantings may have to be removed. Ms. Daniel requested authorization regarding the brush-hogging of the open space and the investigation of possible plantings over the sewer main. The Board discussed the cost associated with what SSM was recommending on the streambank restoration of the School House Run. The Board was concerned about the amount of money that would be needed to complete this streambank restoration; therefore, the Board discussed going to the site and inspecting the area first before making a decision whether or not to spend the money. The Board had discussed scheduling a Road Inspection. It was agreed that inspection of the area would be added to the Road Inspection. As to the request of Ms. Daniel, the Board authorized that the open space area located behind Adams Lane and School House Run (from the berm of detention basin to the edge of the School House Run) be brush-hogged once a year. The cutting area will be the detention basin to the berm of the detention basin. As to the possible plantings over the sewer main, the Board authorized Ms. Daniel to contact SSM to determine what type of plantings could be place in the ground to help stabilize the area, but not affect the sewer main.
  
2. Act 32: Act 32 created the County wide Tax Collection Committee. Recently the Tax Collection Committee (TCC) approved an agreement with Berkheimer to be the company to collect and remit the Earned Income Tax back to the municipalities on behalf of the TCC. As part of the collection process, the TCC directed the following: (1) Adoption of an Ordinance levying Earned Income Tax as part of the TCC; and (2) Adoption of a Resolution appointing a liaison between Perkiomen Township and Berkheimer. The primary purpose of the proposed Ordinance is to conform the Earned Income Tax and Net Profits Tax currently imposed to the Local Tax Enabling Act, as amended, and restated by Act 32 of 2008. The enactment of this Ordinance will not repeal the existing Earned Income Tax Ordinance adopted by Perkiomen Township under the Local Tax Enabling Act. Should any of the provisions of the existing Earned Income Tax Ordinance be in conflict with this proposed Ordinance, once adopted, the provisions of this Ordinance will control. The proposed Resolution will direct the appointment of a

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liaison between Berkheimer and Perkiomen Township. The Resolution will be considered by the Board after the Ordinance is adopted by the Board. Ms. Daniel informed the Board that the Ordinance is ready for authorization to be advertised. Edward Savitsky made a motion seconded by Gordon MacElhenney to advertise the proposed Earned Income Tax Ordinance. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**ENGINEERS REPORT:** Chuck Frantz was present to review the following items:

1. Godshall Road Bridge Replacement: Mr. Frantz informed the Board that the notice of award and associated contract documents were sent and received from Flyway Excavating. Once the Construction Agreement is executed by the Township, Flyway may begin coordinating with ConTech on fabrication of the bridge structure. Additionally, Mr. Frantz informed the Board that there was a meeting with representatives from PECO and Verizon to discuss impacts to the overhead facilities during installation of the bridge. It was determined that, for safety reasons, a temporary relocation of the overhead wires will be necessary during installation. As such, a new permanent pole and a temporary pole will be constructed in and along the Nice property to accommodate the temporary relocation. Once installation is complete, the temporary pole will be removed and the facilities will be returned to their current location. Based on conversation with PECO staff, the temporary relocation will be able to take place within the limits of the currently proposed easements on the Nice property. In order to do this work, three additional trees will need to be removed from the Nice property. PECO has tentatively slated their relocation work for the last week in June. It is anticipated that PECO will charge the Township for relocation efforts, but at this time no estimated cost from PECO for the work has been received. Verizon and Comcast have also been notified that their facilities will also need to be temporarily relocated. Verizon has indicated that there will be no cost to the Township to relocate their lines. To date, no response has been received from Comcast regarding their efforts. This relocation work will need to be completed prior to demolition of the bridge, thus Flyway will not be able to proceed with work on the bridge until early July. Based upon the present schedule and assuming average summer weather conditions, the project should be completed in early September of this year. It has been determined that Flyway will install the bridge from the South bank due to the presence of overhead wires that run across Godshall Road toward Mayberry on the North bank which would interfere with the crane during bridge installation. As a result, three (3) additional trees will need to be removed from the Abbott property near the culvert because these trees would be in the way of the crane's swing pass during installation of the bridge. The Board needs to discuss the amount of compensation the Township is willing to make to both the Abbotts and the Nices for the removal of the additional trees.
2. 2011 Roads Project – As discussed at the April Board meeting, the Board decided that the scope of the 2011 Road Project would be as follows:
  - A – Seitz Road – Kreibel frontage remaining from the 2010 project
  - B – Godshall Road – South limit of the bridge replacement project to Bridge Street
  - C – Mayberry Road – From Godshall Road to the Closure

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D – Acoma Lane – From Wartman Road to Burgess Road – As an Alternate

E – Trappe Road – From 2010 paving limit to Schoolhouse Road

F – Meyers / Ott Road – Spot repair (near cross culvert)

At this meeting, Mr. Frantz is requesting authorization to bid the 2011 Road Project with an award date set for the June 7, 2011 Board Meeting. William Patterson made a motion seconded by Edward Savitsky to authorize advertisement of the 2011 Road Project. There were no public comments on the motion. The motion was carried by a vote of 4-0.

3. Kriebel Escrow Release #1: Mr. Frantz informed the Board that he received a request from Violet Kriebel for an escrow release of \$53,525.00. Mr. Frantz reviewed the request for payment against the improvements that were installed. Mr. Frantz indicated that his recommendation is for release of all sanitary sewer related improvements. As a result, it was Mr. Frantz's recommendation to release less than the amount being requested by Mrs. Kriebel. The recommendation was to release the amount of \$38,575.00 leaving a balance of \$28,662.50. Edward Savitsky made a motion, seconded by Gordon MacElhenney to release the amount of \$38,575.00. There were no public comments on the motion. The motion was carried by a vote of 4-0. Next, the Board discussed amending the existing developer's agreement and Ms. Kriebel's request for the release of the remaining balance of \$28,662.50. The majority of this balance would cover the installation of the sidewalk and curbing. As discussed in April, Paul Minford, Mrs. Kriebel's son, indicated that this sidewalk would be a sidewalk to nowhere until such time as the Ott property or Bryan Hunsberger's property is developed. Mrs. Kriebel posted a Letter of Credit to cover the cost of installation of all the public improvements. These public improvements included the sidewalk and curbing. Due to the economy, no one is sure when the abutting properties will be developed. In the meantime, Mrs. Kriebel is required to carry the Letter of Credit for the installation of the sidewalk and curbing. The Board discussed the request of Mrs. Kriebel and Mr. Minford to revise the Developer's Agreement. This revised agreement would require that Mrs. Kriebel install the sidewalk and curbing, but only when one of the other properties is developed. In addition, the request included the Board waiving the requirement that Mrs. Kriebel continue to guarantee the funding of the installation of the sidewalk and curbing. The Board is concerned about waiving the financial guarantee requirement in the developer's agreement to cover the sidewalk and curbing as well as the cost of the engineering inspections. The Board directed Mr. Picardi to come back at the June Board Meeting with an idea as to how to revise this agreement that would protect the Township, cover the installation of sidewalk and curbing, and cover the cost of the engineering inspections.

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**RECEIPTS AND EXPENDITURES:** The treasurer read the receipts and expenditures for the month of April. After review of same, William Patterson made a motion, seconded by Edward Savitsky to authorize payment of the April bills. There were no public comments on the motion. The motion was passed by a vote of 4-0.

**NEW BUSINESS:**

1. Dunkin Donuts: Robert McGuckin, Esquire, on behalf of his client Dunkin Donuts, submitted a Conditional Use Application for the store located at 125 Gravel Pike. This Conditional Use Application is for a drive-through window. The Board discussed the timing of this application and Edward Savitsky made a motion seconded by William Patterson to set a public hearing for this Conditional Use Application for 7:00 p.m., June 28, 2011 in the Perkiomen Township Administration Building. There were no public comments on the motion. The motion was passed by a vote of 4-0.

There being no further business, the meeting was adjourned upon a motion made by Gordon MacElhenney and William Patterson.