

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES:
JUNE 2, 2009**

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

ABSENT: Dean Becker, Member

OTHERS PRESENT: Cecile Daniel, Township Manager
Kenneth Picardi, Township Solicitor
Daniel Coghlan was present in place of Chuck Frantz,
Township Engineer
John Moran Jr., Code Enforcement Officer
John Moran Sr., Road Master

MINUTES: The minutes of the May 5, 2009 Board of Supervisors meeting were approved upon a motion made by William Patterson and seconded by Richard Kratz. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.

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

CORRESPONDENCE:

- CPVRPC – Minutes of their meeting for May.
- Lower Frederick Ambulance Report for May.
- Trappe Ambulance Report: Report for April.

SOLICITOR’S REPORT: Kenneth Picardi reported on the following activities:

- (1) HYK: Mr. Picardi responded to Paul Ober – The final details of a Stipulation and Settlement Agreement are now being worked out between Mr. Picardi and Mr. Ober;
- (2) Hoffman: This matter was scheduled before the Zoning Hearing Board for May 20, 2009. Mr. Picardi was in attendance at this public hearing. The Zoning Hearing Board granted the variance with the stipulations requested by the Township. This matter will now come before the Board for Conditional Use.

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- (3) Caprio: This matter was scheduled before the Zoning Hearing Board for May 20, 2009. Mr. Picardi was in attendance at this public hearing. The Zoning Hearing Board granted the variance with the stipulations requested by the Township. This matter will now come before the Board for Conditional Use.
- (4) Dog Waste Ordinance: Per the discussion at the March meeting, Mr. Picardi has drafted an Ordinance which is now being review by the Township Manager.

ROAD MASTER'S REPORT: John Moran Sr. submitted to the Board his Road Master's Report dated June 1, 2009 for activities taking place during the month of May.

FIRE MARSHALL'S REPORT: John Moran Sr. submitted to the Board his Fire Marshall's Report dated June 1, 2009 for activities taking place during the month of May.

CODE ENFORCEMENT REPORT: John Moran Jr. submitted to the Board his Code Enforcement Report dated June 1, 2009 for activities taking place during the month of May.

PLANNING COMMISSION REPORT: The Planning Commission held its meeting on May 19, 2009. At this meeting the Planning Commission discussed the proposal by STA to construct a bus depot on property owned by P.V. Associates located on Harrison Avenue. This proposal was discussed in anticipation of a Joint Meeting with the Board of Supervisors to be held later in May. At the May Joint Meeting, the Board discussed with STA, Bryan Hunsberger of P.V. Associates and the Planning Commission the issue of constructing a bus depot on property owned by P.V. Associates on Harrison Avenue. It was decided that the Board would hold another Joint Meeting in June to finalize this discussion. The Board directed that the June Planning Commission be advertised as a Joint Meeting between the Planning Commission and Board. In addition, that Bryan Hunsberger of P.V. Associates be notified and STA be notified that the Board and Planning Commission will be discussing STA's proposal at this June 16, 2009 Joint Meeting. At this time, it appears that the Board may not be receptive to including a bus depot as a permitted use in the proposed draft LI District.

MANAGER'S REPORT:

- (1) Flood Plain Ordinance: The Township received a letter from the Montgomery County Conservation District regarding the Township's Flood Plain Maps. In this letter, MCCD informed the Township that we should be receiving, by the summer of 2009, the flood plain maps for review and comment.
- (2) Municipal Authority: The Municipal Authority is working on their I&I Program. Phase 2 has been awarded by the Municipal Authority. This project will be located in the Village of Rahns, at the Rahns Construction Site down to the Perkiomen Interceptor.

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- (3) Shopping Center: The Planning Commission continues to work on the proposed Renninger/Landis Shopping Center. In addition, there have been discussions between the Planning Commission and P.V. Associates, the owner of the remaining parcel of ground behind this shopping center. P.V. Associates is looking to try and rezone the remaining twenty acres to Light Industrial. The remaining twenty acres are presently zoned Commercial. In review of this proposed Zoning Amendment it has been determined that an amendment to the Central Perkiomen Valley Regional Planning Commission will be necessary. The CPVRPC is working on that amendment.
- (4) ACT 32: This act amends Act 511 by providing for the consolidation of the collection of the Local Earned Income Tax at the county level. The collection of the Earned Income Tax will be restructured by the creation of county wide Tax Collection Districts (TCD). The TCDs will initially be created under a Tax Collection Committee (TCC). Each Municipality and School District that collects the Earned Income Tax must appoint a delegate and alternate to this TCC. Montgomery County Commissioners are only responsible to convene the first meeting by November 15, 2009. These delegates must be appointed by September 15, 2009. The Board discussed sending letters to those municipalities that makeup the Perkiomen Valley School District and see how they proposed to deal with Act 32.

ENGINEERS REPORT: Daniel Coghlan was here in place of Chuck Frantz and presented the Engineer's Report as follows:

- **2009 ROAD PROJECT:** Mr. Coghlan informed the Board that the contractor for the 2009 Road Project, Floyd G. Hersh, Inc. has submitted all the necessary paperwork to begin this project. The Township Solicitor has reviewed the paperwork and found everything to be in order. It was the recommendation of the staff that the Board approved the construction agreement and authorizes the appropriate Township Officials to sign the agreement. With the recommendation of the staff, Richard Kratz made a motion seconded by William Patterson to approve the Construction Agreement between Perkiomen Township and Floyd G. Hersh and authorizes the appropriate Township Officials to sign the agreement. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.

- **AHU REPLACEMENT:** Mr. Coghlan informed the Board that the contractor for the 2009 AHU Replacement Project, Rogers Mechanical has submitted all the necessary paperwork to begin this work. The Township Solicitor has reviewed the paperwork and found everything to be in order. It was the recommendation of the staff that the Board approves the 2009 AHU Replacement Agreement and authorizes the appropriate Township Officials to sign the agreement. William Patterson made a motion seconded by Richard Kratz to approve the 2009 AHU Replacement Agreement between Perkiomen

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Township and Rogers Mechanical and authorizes appropriate Township Officials to sign the agreement. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.

- **HUBER PROPERTY/HIGHLAND DEVELOPMENT:** There was a meeting between the developer of the Highlands and the Township Manager and Township Engineer on May 26, 2009. Based upon this meeting and direction from the Board, Chuck Frantz reviewed the proposed layout of the water line that will run from the Highland Development through property owned by the Township (known as the Huber Property) to Township Line Road. Mr. Frantz, in a letter dated May 29, 2009, informed the Board that SSM is in favor of the alignment of the proposed water line. Mr. Frantz explained in his letter that, SSM took into consideration the possible extension of the public sewer from the Highland Development to Township Line Road. Based upon the topography of the property, the location of the water line follows the northern property line. When investigating the best location for the extension of the public sewer, the northern property line is the high point of the Huber Property. Mr. Frantz recommended that both the water line and the sewer line should be located in a thirty foot easement that should be provided along the northern property line. The water and sewer line can be located in this thirty foot easement as long as these utilities are separated by ten feet horizontally and eighteen inches vertically. In addition, the Highland will grant an easement to the Municipal Authority that will extend from Highland Way to the Huber Property. By granting the Municipal Authority this easement and locating the thirty foot easement along the northern portion of the property, the Township is preserving the Municipal Authority's ability to extend the sewer line to Township Line Road sometime in the future. Mr. Frantz pointed out that two PaDEP's Permits (GP-5 and GP-7) may be needed. The only remaining issue is the topographical data needed for the area of property that the Township recently purchased from Mrs. Labs and Mrs. Curtis (Mr. Huber nieces). When the topographical data was completed on the Huber Property, the Township did not own this piece of the Huber Property. A decision needs to be made regarding the remainder of the Huber Property so that the thirty foot utility easement can be located to Township Line Road. Richard Kratz made a motion seconded by William Patterson authorizing SSM to inform the Highland Developer that the Board is okay with the proposed layout of the water line as long as the Developer of the Highlands addresses the items set forth in Mr. Frantz's May 29th letter. In addition, the Board authorizes SSM to inform the developer it will be their responsibility to survey the area necessary for the thirty foot utility easement across the property purchased from Mrs. Labs and Mrs. Curtis so that the easement can be connected to Township Line Road. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of May. After review of same, Richard Kratz made a motion seconded by William

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Patterson to authorize payment of the May bills. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0. In addition to the Treasurer's Report there were two separate items that the Board needed to discuss. The first item was the floor located in the lobby area. Over the years the parquet floor in the lobby has taken a beating during the winter months due to wear and tear caused by the salt, snow, and dirt. The road crew has been cleaning the parquet floor as best they could after the winter season to try and mitigate the impact of the salt, snow, and dirt. Over the fifteen years that the Township Building has been occupied, the floor has never been polished or resealed. The cost to polish and reseat the parquet floor and the age and deterioration of the floor were looked at. At the same time this was considered, the alternative of replacing the floor was also looked into. Based upon the cost to complete the work to polish and reseat the parquet floor, the age and condition of the floor, the recommendation was made to consider replacing the floor with a tile floor. The installation of the tile floor would require less maintenance and the life of the floor would have more longevity than the present parquet floor. Due to the cost of the installation of this tile floor, three quotes were necessary since the estimated cost was between \$4,000.00 and \$10,000.00. The Board reviewed the three quotes received to complete this work. The lowest quote was from Weirman & Son for \$9,000.00. Mr. MacElhenney expressed concern about the quality of work Weirman & Son did based upon prior experience with this company. The Township did not have any past experience with this company; therefore; there was no legal justification to disqualify them from doing work for the Township. Other than Mr. MacElhenney's comment, there were no other comments that the staff was aware of concerning this company. William Patterson made a motion seconded by Richard Kratz to award the contract to Weirman & Son to remove the existing parquet floor and replace it with a new tile floor for the cost of \$9,000.00 condition upon having the Township Manager check with the Better Business Bureau to see if there are any complaints filed against this company. There were no public comments on the motion. The motion was carried by a 3 – Yes to 1 – No (Gordon MacElhenney) vote.

The second item was the purchase of a mower to replace one of the existing ones. One of the existing mowers is old and is continually breaking down. The purchase of this mower was going to be in next year's budget. Due to the number of repairs and the amount of time the mower is down for repairs; it will not last till next year. John Moran Sr. investigated the cost to replace this mower by purchasing a new commercial mower from the list of suppliers located on the state contract. John Moran Sr. obtained two quotes from two different vendors located on this contract. The first quote was from Hustler Turf Equipment in the amount of \$8,604.00 and the second quote was from John Deere in the amount of \$8,156.00. Mr. Moran explained the difference between the two mowers. It was Mr. Moran's recommendation that the Board consider the purchase of the Hustler Mower. Based upon the recommendation of Mr. Moran, Richard Kratz made a motion seconded by Gordon MacElhenney to award the purchase of a new mower to Hustler Turf Equipment for the price of \$8,156.00. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0. The money for this purchase will come from the equipment monies set forth in the 2009 Budget.

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OLD BUSINESS:

- **COMMITTEE APPOINTMENTS:** The Board was in receipt of letters from residents who are interested in filling vacancies on some of the Township's Committees. The following are a list of the people and committees that the Board considered: Perkiomen Township Planning Commission – Michael Beltz a four year term to run from January 1, 2009 through December 31, 2012; Perkiomen Township Park and Recreation Committee – De Yarrison and John Barnshaw a five year term for each from January 1, 2009 through December 31, 2013. After review of the Letters of Interest, William Patterson made a motion seconded by Gordon MacElhenney to appoint Michael Beltz to a four year term to run from January 1, 2009 through December 31, 2012 to the Perkiomen Township Planning Commission and to appoint De Yarrison and John Barnshaw to a five year term each to run from January 1, 2009 through December 31, 2013 to the Perkiomen Township Park and Recreation Committee. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.

NEW BUSINESS:

- **CENTRAL PERKIOMEN ROTARY CLUB:** The Perkiomen Valley Community Fair is scheduled for Tuesday, June 2, 2009 – Saturday, June 6, 2009. As the Rotary does each year, they would like to hold their fireworks on Friday, June 5th with a rain date of June 6th. The Township is in receipt of a current Certificate of Insurance naming the Township as an additional insured. Everything is in order, and Ms. Daniel recommended that the Board approve the request of the Rotary. Richard Kratz made a motion seconded by William Patterson to approve the request of the Rotary to hold their annual fireworks at the Perkiomen Valley Community Fair on Friday, June 5th with a rain date of June 6th. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.
- **MONTGOMERY COUNTY:** Montgomery County Department of Parks and Heritage Services has applied to PENNVEST for a \$208,000 grant to plant native flowers and grasses on the property where the Pennypacker home is located. This is one of four locations that Montgomery County Department of Parks and Heritage Services has listed where they are proposing to plant these native flowers and grasses. As part of their application the Department has requested a Letter of Consistency from the Township. After discussion of this request, the Board authorized the Township Manager to send this letter stating that this PENNVEST Application is consistent with the Township's Regional Comprehensive Plan.

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- **FIRE POLICE SERVICES:** The Board had before for it a request made by the PVMS East Home and School for Special Fire Police Services on Thursday, June 11, 2009 from 8:30 p.m. – 9:30 p.m./10:00 p.m. Mr. Moran Jr. informed the Board that the Special Fire Police have been notified and are available. William Patterson made a motion seconded by Richard Kratz to approve the request of PVMS East Home and School to provide Special Fire Police Services for Thursday, June 11, 2009. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.

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