



## PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: OCTOBER 3, 2017

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BOARD MEMBERS PRESENT: William Patterson, Chairman  
Richard Kratz, Vice-Chairman  
Janet Heacock, Member  
Dean Becker, Member

ABSENT: Gordon MacElhenney, Member

OTHERS PRESENT: Cecile Daniel, Township Manager  
Kenneth Picardi, Township Solicitor  
Mark Stabolepszy, Township Engineer  
John Moran Jr., Code Enforcement/Zoning Officer  
Shawn Motsavage, Road Master

William Patterson called the October 3, 2017 meeting of the Perkiomen Township Board of Supervisors to order at 7:00 p.m. in the Perkiomen Township Administration Building. Mr. Patterson informed the public that the Board held two Executive Sessions in September, September 12<sup>th</sup> and September 21<sup>st</sup>. Both Executive Sessions were to discuss personnel matters.

Mr. Patterson informed the public that the first order of business will be a public hearing on a Conditional Use Application 2017-2 filed by Gorski Associates, Inc., located at 1 Iron Bridge Drive. The applicant, represented by Michael Clement, presented the application through the testimony of Jerry Gorski, principal of Gorski Associates, and John Caccese, a geotechnical engineer from Earth Engineering. Application No. 2017-2 of Gorski Associates, Inc., was as follows:

1. Conditional Use approval pursuant to Article XXIV, Section 310-191.I in the IN (Industrial District). In accordance with Section 310-191.I, Conditional Uses permitted by Section 310-191.A through H shall be permitted on steep slopes of 15% to 25% when authorized by the Board of Supervisors as a conditional use in accordance with Section 310-53 of Article VIII and with the conditional use standards and criteria in Section 310-194 of Article XXIV.
2. Conditional Use approval pursuant to Article XXIV, Section 310-195.A, which provides that all structures, roads, driveways, parking areas, grading, construction and other development, and clearing of vegetation, shall be set back a minimum of 10 feet from the boundary of the Steep Slope District, unless otherwise approved as part of a conditional use application.

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Mr. Gorski explained that one building is shown as office use and will be 11,600 sq.ft. This building is being proposed for a company already doing business in the Iron Bridge Corporate Center. Of the two buildings, the first one is more time sensitive since the company would like to be in this new building by the beginning of 2018. The other building is listed as industrial use and will be 55,000 sq.ft. There is presently no proposed tenant/owner for that building.

Mr. Gorski reviewed the base plan which delineates three areas of steep slopes that are both man-made and natural and showed those steep slopes that will be disturbed and those steep slopes that will not. The light green areas delineate those natural steep slopes that are between 15% to 25% and are a part of this Conditional Use Application. The dark green areas delineate those man-made steep slopes that are between 25% to 28%, and the brown areas delineate those natural steep slopes that are 25% to 28%. The areas shown in the brown are not to be disturbed. Mr. Gorski reviewed plans labeled SK-1 and SK-2 which combines the area of the steep slopes with the location of the proposed buildings and parking lot areas. Mr. Gorski indicated that there is no proposed work along the stream corridor which is where the natural steep slopes are shown in brown. Shown on the plan is a gravel driveway which will remain and will continue further into the Iron Bridge Corporate Center. This gravel driveway will be designated and used as an Emergency Access. The area along Gravel Pike will be revised so that the slope is 3:1 slope with a retaining wall at the base of the slope. Mr. Gorski explained that he was before the Zoning Hearing Board seeking permission to disturb steep slopes greater than twenty-five percent (25%). The Zoning Hearing Board granted a variance to allow the disturbance of the man-made steep slopes up to twenty-eight percent (28%). The granting of that variance will allow the construction of a driveway for the two proposed buildings from Iron Bridge Drive. Mr. Gorski reviewed the comments in Mark Stabolepszy's letter of September 14, 2017. In that letter, there were three recommendations with which Mr. Gorski indicated he would comply. It was pointed out that the recommendation of the Planning Commission included the same three recommendations. Upon the conclusion of the public hearing and discussion of the application, Dean Becker made a motion, seconded by Richard Kratz, to approve the Conditional Use Application 2017-2 for Gorski Associates to disturb steep slopes that are between 15% and 25%, and, allowing development within the 10-foot steep slope setback area, subject to the following recommendations and conditions:

- Making sheet SK-2 (or the steep slope information contained thereon) a part of the Land Development Plan.
- Revising the Land Development Plan to contain no finished slopes greater than 33 percent.
- Listing applicable Variance and Conditional Use approval information on the Land Development Plan.

There were no public comments on the motion. The motion was carried by a vote of 4-0.

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**MINUTES:** The minutes of the September 5, 2017 Board of Supervisors Meeting were approved upon motion of Richard Kratz and seconded by Janet Heacock. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**CORRESPONDENCE:** Cecile Daniel informed the Board that she had received the following correspondence:

- PSATS Bulletin: September 2017.
- Central Perkiomen Valley Regional Planning Commission – July Meeting Minutes.
- Perkiomen Township Fire Company – Thank you letter regarding John Moran, Sr. Funeral.

**PUBLIC COMMENTS:** There were no public comments.

**OLD/NEW BUSINESS:**

1. Perkiomen Valley Library: Aileen Johnson, Branch Library Manager of the Perkiomen Valley Library, was present to update and discuss with the Board the Level of Services the library provides to residents of Perkiomen Township. Mrs. Johnson informed the Board that this was the library's 60<sup>th</sup> Anniversary. Also present were Carol Ewing, of the Perkiomen Valley Library, and Kathy Arnold-Yerger, Executive Director of the Montgomery County Norristown Public Library. Mrs. Ewing explained the building improvements that the library has been able to make to the library. Mrs. Johnson presented John Moran, Jr. with a book from the library that will be dedicated in the memory of his father, John Moran, Sr. After this discussion, the Board thanked the library representatives for their attendance and for updating the Board on the library's activities and finances. The Board welcomed the updated information and will consider the information when preparing the 2018 Perkiomen Township Budget.
2. David Gaul: Mr. Gaul was present at the meeting and was represented by his attorney, Robert J. Reilley. Mr. Reilley explained that Mr. Gaul has owned 368 Gravel Pike for some time. The property contains Mr. Gaul's roofing and auto repair businesses. The next-door neighbor, Gary Rossi, recently purchased 360 Gravel Pike so that he could relocate his automobile Repossession Business to this location. Prior to purchasing this property, Mr. Rossi requested and received Conditional Use approval so that he could relocate his business to this new location. Mr. Gaul was contacted by Mr. Rossi regarding his intention to relocate his fence to the property line between 368 Gravel Pike and 360 Gravel Pike. The reason for relocating this fence would allow Mr. Rossi to expand the parking for his business. Mr. Reilley is concerned that placing the fence on the property line could put Mr. Gaul's roofing and auto repair companies out of business because access in and out of the property would be tight. Over the years, Mr. Gaul has been maintaining the area where Mr. Rossi

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wants to move the fence. It was Mr. Gaul's belief that he was maintaining property that he owned. There have never been any issues between Mr. Gaul and his neighbors, so this issue caught him by surprise. Recently, Mr. Gaul purchased 328 Gravel Pike which is a 13,100 sq. ft. lot. This property is located on the other side of 360 Gravel Pike. Mr. Rossi has discussed with Mr. Gaul a possible solution. Mr. Rossi is willing to negotiate with Mr. Gaul the use of a portion of the backyard of 328 Gravel Pike to park some of his repossessed cars. The present plan is an area 48' x 130' or approximately 6,240 sq. ft. In exchange for this, Mr. Rossi would not relocate the fence to the property line between 360 Gravel Pike and 368 Gravel Pike. To protect both property owners, there would need to be cross easements signed and recorded. The present zoning for these properties is VCR-1. To move forward on this, Mr. Gaul would need to obtain both a variance and a conditional use. The variance would be to allow the property to be used either as a residential use or a commercial use. The zoning does not permit both a residential and a commercial use on the same property. To allow for the 6,240-sq. ft. to be used for the automobile Repossession Business, Mr. Gaul would need to obtain a Conditional Use like Mr. Rossi. Before moving forward, Mr. Reilley wanted to know the feelings of the Board on this concept. One concern was the size of the area needed by Mr. Rossi for the parking of the repossessed cars. After the easement is granted, the remaining area of the lot is not very large. Next, how long would the cars be sitting in the parking lot? The cars sitting on the property owned by Mr. Rossi appear to be staying there longer than was indicated during his Conditional Use Hearing. The Board does not want the area to start looking like a junkyard. Finally, during the Conditional Use Hearing for Mr. Rossi, some residents asked about having access through this area to the Perkiomen Trail. Mr. Gaul did not have a problem providing access to the trail, but this would need to be worked out with Mr. Rossi. This would be something that would need to be addressed in the easement agreement between the two property owners. Should Mr. Gaul move forward, there would need to be a condition that there would be no further expansion of the automobile Repossession Business on to any other properties.

**SOLICITOR'S REPORT:** Solicitor Picardi indicated that he worked on several items that are part of the meeting agenda.

**PUBLIC SAFETY REPORTS:**

- **POLICE REPORT:** The Board is in receipt of the PA State Police Report for September 2017.
- **TRAPPE AMBULANCE** – No report.
- **PLYMOUTH COMMUNITY AMBULANCE ASSOCIATION** – The Board is in receipt of the report for September 2017.
- **PERKIOMEN TOWNSHIP FIRE COMPANY:** The Board is in receipt of the August & September 2017 reports.

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- **FIRE MARSHAL'S REPORT:** The Board is in receipt of the August & September 2017 reports.

**ROAD MASTER'S REPORT:** Shawn Motsavage submitted to the Board his Road Master's Report dated October 1, 2017, for activities that happened during the month of September. In addition to his report, Mr. Motsavage reported that the new truck should be ready for delivery some time in November. Next, one of the Township's mowers should be replaced before the next cutting season. Mr. Motsavage is requesting consideration by the Board to allow him to purchase a new mower now with the money saved from the difference between the budgeted amount of the new truck and the actual purchase price. The Board discussed the request of Mr. Motsavage and found the concept of spending the remaining monies left from the purchase of the new truck on a new mower acceptable. Mr. Motsavage then requested permission to sell on MunicBid, the old 2002 550 truck which is being replaced by the new truck and the 2008 Hustler Mower. Janet Heacock made a motion, seconded by Richard Kratz, authorizing Mr. Motsavage to list on MunicBid the sale of the 2002 550 truck and the 2008 Hustler Mower. There were no public comments on the motion. The motion carried by a vote of 4-0.

**CODE ENFORCEMENT REPORT:** John Moran, Jr. submitted to the Board his Code Enforcement reports dated September 1, 2017 for activities that happened during the month of August and October 1, 2017 for activities that happened during the month of September. Also, Mr. Moran submitted his updated 2017 Property Maintenance Violation Report.

As to the two public hearings on applications for variances that were held by the Zoning Hearing Board:

- The first application was filed by Daniel Schempp for 74 Gravel Pike. The Zoning Hearing Board granted the variance request of Mr. Schempp. The Zoning Hearing Board granted an extension for fifteen months from June 20, 2017 to obtain all permits under the relief granted by the Zoning Hearing Board's Decision No. 07-10.
- The second application was filed by Dan and Adele McGuffin, of 148 Betcher Road. The Zoning Hearing Board granted the variance request of Dan and Adele McGuffin to exceed the allowed twenty percent maximum impervious coverage for residential use, to allow 21.5 percent maximum impervious coverage.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held its meeting on September 19, 2017. At this meeting, the Planning Commission discussed the Conditional Use Application filed by Gorski Associates in order that they could render a recommendation to the Board of Supervisors for the public hearing held on October 3, 2017.

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**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** Richard Kratz informed the Board that the LPVRSAs continues to work on the design for the middle section of the Perkiomen Interceptor, and the LPVRSAs will move the date and time of their meeting in 2018.

**ENGINEERS REPORT:** Mark Stabolepszy reported on the following:

1. 2017 Projects: Mr. Stabolepszy discussed with the Board the status of the 2017 Projects:
  - 2017 Road Projects: As part of the 2017 Road Project, Mr. Stabolepszy submitted for the Board's consideration Change Order No. 2. This change order included the bituminous price adjustment and cost for the extra depth milling. The result was a contract price increase of \$6,999.21. Even with this change order, Mr. Stabolepszy explained that the final project cost came in less than the bid price. SSM recommended to approve Change Order No. 2, subject to the approval of Trappe Borough Council. With the recommendation of SSM, Richard Kratz made a motion, seconded by Dean Becker, to approved Change Order No. 2 for a contract price increase of \$6,999.21, subject to the approval of Trappe Borough Council. There were no public comments on the motion. The motion carried by a vote of 4-0. Next was Payment Application No. 2 in the amount of \$27,765.81. Since this project involves work in Betcher Road, a portion of this payment is to be approved and reimbursed to Perkiomen Township from Trappe Borough. SSM reviewed the payment application and found it to be accurate, and the work covered by this application has been installed according to the project specification. SSM recommended the Board consider approval of payment of Application No. 2, subject to approval and receipt of Trappe Borough Council's payment of their portion of the work covered by this application. With the recommendation of SSM, Dean Becker made a motion, seconded by Janet Heacock, to approve Payment Application No. 2 to Reid Paving Contractors, Inc., in the amount of \$27,765.81, subject to approval and payment by Trappe Borough Council to Perkiomen Township of their portion of Payment Application No. 2. There were no public comments on the motion. The motion carried by a vote of 4-0. Prior to this project, Collegeville Trappe Joint Public Works Department installed a water line in Betcher Road. CTJPWD obtained a Highway Occupancy Permit for this work. CTJPWD is requesting release of \$9,350.00 under the HOP Agreement. Mr. Stabolepszy had no issues with the request. Dean Becker made a motion, seconded by Richard Kratz, to release to Collegeville Trappe Joint Public Works Department the amount of \$9,350.00. There were no public comments on the motion. The motion carried by a vote of 4-0.

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- Haldeman Road: The contractor for the Haldeman Road Project submitted a change order and an application for payment. Change Order No. 1 was in the amount of \$5,031.50. This change order was solely for the bituminous price adjustment. The result was a contract price increase of \$5,031.50. SSM recommended approval of Change Order No. 1. With the recommendation of SSM, Richard Kratz made a motion, seconded by Janet Heacock, to approved Change Order No. 1 for a contract price increase of \$5,031.50. There were no public comments on the motion. Next was Payment Application No. 4 in the amount of \$59,602.13. SSM reviewed the application and found it to be accurate, and the work covered by this application was determined to be installed according to the project specifications. SSM is recommending that the Board approve Payment Application No. 4. With the recommendation of SSM, Richard Kratz made a motion, seconded by Dean Becker, to approve and authorize payment of Application No. 4 to Ply-Mar Construction Company, in the amount of \$59,602.13. There were no public comments on the motion. The motion was carried by a vote of 4-0.
  
- Lodal Creek Park: Mr. Stabolepszy informed the Board that he has been negotiating with the contractor on a change order to address the extra payment for grading adjustment to the concrete walkway and a credit for the depth of the proposed railing footers. Mr. Stabolepszy presented to the Board a revised Change Order No. 1 in the amount of \$2,825.06, which is an increase in the contract price. This change order represents the final negotiations with the contractor with an increase in the contract price for the additional fill needed for the grade adjustment to the concrete walkway and a credit for the reduction in the diameter and depth for the railing footings. Mr. Stabolepszy indicated that any further negotiations in the matter would just add additional cost to this project; therefore, he was recommending that the Board approve Change Order No. 1. Due to the prior savings on the work completed to date, the total project cost, even with the change order, will not increase spending over the bid price. The Board discussed this with Mr. Stabolepszy, and Dean Becker made a motion, seconded by Richard Kratz, to approve Change Order No. 1 in the amount of \$2,825.06. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**MANAGER’S REPORT:** Cecile Daniel reported on the following items:

1. 2017 Audit: Ms. Daniel reported that she received the proposal from Dreslin and Company to complete the 2017 Perkiomen Township/Fire Company Audit. The proposal represents a \$500.00 increase in the price to complete the 2017 audit. As required by the Township Code, the intent to use Dreslin and Company to complete the 2017 Township/Fire Company audit must be advertised for 30 days. Since the Board usually makes this decision at the January Meeting, Ms. Daniel requested permission to advertise its intent to consider making this appointment at that meeting. The Board reviewed the proposal, and Richard Kratz made a motion, seconded by Janet Heacock, authorizing Ms. Daniel to advertise the Board’s intent to

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utilize the services of Dreslin and Company to complete the 2017 Perkiomen Township/Fire Company Audit at the January 2018 Board of Supervisors' Meeting. There were no public comments on the motion. The motion was carried by a vote of 4-0.

2. DCED Multimodal Transportation Grant Application: Ms. Daniel informed the Board that actions taken by the legislature in trying to fund the State's Budget caused her to review the Township's DCED Multimodal Grant Application. First, at the July meeting, a majority of the Board approved submission of a DCED Multimodal Transportation Grant Application for improvements to the intersection of Route 29 and Route 113. At the time this application was approved, the Board did not have a final estimate as to the cost to complete the required MS4 Pollution Reduction Plan. In September, the Board approved that plan which is estimated to cost the Township \$400,000 over the next five years. Second, earlier in the year, there was discussion to consider charging a fee to those municipalities that use the services of the PA State Police for police protection. Ms. Daniel apprised the Board on information that she was given on pending legislation to do just that. The present House Bill would charge a fee of \$25.00 for each person residing in the municipality, and this fee would be increased annually by the percentage growth in the Consumer Price Index for All Urban Consumers. While researching this proposed House Bill, Ms. Daniel discovered that, due to legislative action in 2016, the Legislature capped the expenditures coming from the Motor License Fund to fund the State Police beginning with the 2018/2019 Budget. The amount of money coming from the Motor License Fund is to be decreased 4% each year over the next ten years until the 2027/2028 Budget. Third, the House approved a revenue package that calls for one-time transfers from certain special funds into the State's General Fund. These transfers could affect local municipalities, as these funds may be for local projects but not yet funded. The Multimodal Transportation Fund is one of the funds listed that would be affected. Ms. Daniel believes that until a long-term solution is found to the State's Budget fiscal issues, the one-time transfers may not be one-time. With the present funding issues, imposing a fee on municipalities for services provided by the State Police could become a reality. Presently, the future is unclear when, if, and what type of effects all this will have on the financial future of the Township. Due to all this financial uncertainty, it was the recommendation of Ms. Daniel to submit a letter to DCED on the Township's Multimodal Transportation Grant Application. Ms. Daniel presented a draft letter for the Board's consideration informing DCED that, as part of the Multimodal Transportation Grant Application, Perkiomen Township has decided that it will no longer set aside the money necessary to fund the Township's local match for the proposed intersection improvements at Route 29 and Route 113. Ms. Daniel made the Board aware that sending this letter would essentially serve to disqualify the Township from this round of grant applications. The Board considered the information presented to them by Ms. Daniel, and Richard Kratz made a motion, seconded by Janet Heacock, authorizing Ms. Daniel to submit the letter to DCED on Perkiomen Township's Multimodal Transportation Grant Application. There were no public comments on the motion. The motion was carried by a vote of 4-0.



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3. Personnel Manual: The Board has before it a Personnel Manual to provide policy guidelines on personnel matters. The Personnel Manual establishes the employment policies and procedures of the Board of Supervisors in one manual. This has been an ongoing project and is ready for Board consideration. Dean Becker made a motion, seconded by Richard Kratz, to approve the Personnel Manual for the employees of Perkiomen Township. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**RECEIPTS AND EXPENDITURES:** The Treasurer reviewed the receipts and expenditures for the month of September. After review of same, Dean Becker made a motion, seconded by Richard Kratz, to authorize payment of the September bills. There were no public comments on the motion. The motion was passed by a vote of 4-0.

**SUPERVISORS COMMENTS:**

Richard Kratz informed his fellow Board members that William Patterson was chosen as an inductee to the Safety Wall of Fame for Student Transportation of America (STA). Employees are nominated by the managers of STA locations for highest criteria of safety and performance.

William Patterson informed everyone that the Board of Supervisors will hold a “Town Hall” discussion on Tuesday, October 24, 2017, at 7:00 p.m., on the selling of the Highland Tract owned by Perkiomen Township. The sale of this property will be a referendum question on the ballot at the General Election.

There being no further business, the meeting was adjourned upon a motion made by Dean Becker and seconded by Janet Heacock.