

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: JUNE 1, 2010**

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

ABSENT: Dean Becker, Vice-Chairman

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

Richard Kratz called the June 1, 2010 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

MINUTES: The minutes of the May 4, 2010 Board of Supervisors meeting were approved upon a motion made by Edward Savitsky and seconded by William Patterson. There were no public comments on the motion. The motion was passed by a vote of 4-0.

POLICE REPORT: The Board reviewed the PA State Police Report for May. Trooper Josh Hulstine of the PA State Police was present to respond to Board's request that someone from the Skippack Barracks attend the June Board Meeting so that the Board could be updated as to the incidents taking place within the Township.

CORRESPONDENCE:

- **PERKIOMEN VALLEY LIBRARY & LOWER FREDERICK AMBULANCE** – Report & Thank you donation. In addition representatives from the Perkiomen Valley Library were present to thank the Board personally and to drop off material on the Library for the Board's information.
- **TRAPPE AMBULANCE** - Report
- **PSATS** – Alert Bulletin
- **CPVRPC** – Copy of April Meeting Minutes.
- **MONTGOMERY BAR ASSOCIATION** – Letter regarding the issue of Unauthorized Practice of Law. Kenneth Picardi will review this as to the impact, if any, on the Township's Zoning Applications.

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

1. Gambone (Conservancy Subdivision) - The issues still remain the same from the previous month.
2. T-Mobile – Calabretta – The fourth Zoning Hearing Board hearing was held on Wednesday, May 26, 2010. The driveway access to the Calabretta property is via a License Agreement with the Fox Heath Homeowners Association (HOA). The HOA recently revoked Calabretta’s License Agreement. Essentially, this means that Mr. Calabretta has no access to his property. As a result of this development, T-Mobile asked for a continuance so that T-Mobile can re-open their case to address this issue. The ZHB reluctantly agreed and the next public hearing is scheduled for Thursday, June 10, 2010.
3. Betcher Road (Shared Maintenance Agreement) – Revisions have been received from Trappe Borough on the agreement and are being reviewed by Mr. Picardi and Ms. Daniel.
4. Buxmont Tax Assessment Appeal – At the end of May, Mr. Picardi received and reviewed information from Buxmont with regard to this appeal.
5. Mason – Our Code Enforcement Officer issued a citation to Mrs. Mason for failure to cut her grass and weeds. Mr. Picardi appeared before District Justice Augustine, with John Moran, Jr., and presented sufficient evidence to establish an Ordinance violation. The Judge withheld a decision in the case, but instructed Mrs. Mason, her tenant, and her attorney, to get the grass cut and the property cleaned up. It is expected that the matter will be relisted in July, and that a fine will be issued to Mrs. Mason, the amount of which will depend on her efforts to comply with the applicable Township Ordinance between now and the next hearing date.
6. Sacks/STA Bus Company (Gorski) – On behalf of STA, Gorski has filed an Application with the Zoning Hearing Board. A public hearing is set for June 30, 2010. Mr. Picardi requested direction from the Board in this matter. The Board discussed the Zoning Hearing Board Application and decided not to take a formal position. However, The Board did direct that Mr. Picardi be in attendance and act as the “eyes” and “ears” of the Board.

ROAD MASTER’S REPORT: John Moran Sr. submitted to the Board his Road Master’s Report dated June 1, 2010 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, 2010 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, 2010 for activities taking place during the month of May.

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PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that there was no Planning Commission held during the month of April.

MANAGER'S REPORT:

1. Perkiomen Greene Open Space: First, at the end of April, there were approximately seven dead/diseased trees removed from the open space located behind the homes on Cornwallis Way near the School House Run. Due to the topography of the area, the contractor felled the trees in place toward the open space. The open space in this area is located on a slope. A request has been made to have additional trees removed from the open space. Some of the residents have asked that the trees that were taken down be removed. In response to the request of the residents, Cecile Daniel and John Moran, Sr. inspected this area. Access to this area was not easy due to the sloping of the topography. Upon inspection, Ms. Daniel and Mr. Moran saw that there were dead trees that had come down not only from the trees the Township took down but from trees that Mother Nature already had taken down. Second, an inspection was completed by Spotts, Stevens & McCoy on the detention basins in the Perkiomen Greene Development. The report indicated maintenance work that needs to be completed in these basins. Some of the basins have begun to turn themselves into wet basins; therefore, the Board needs to be cognizant on how they are maintained. This work is necessary as part of the Township MS4 Reporting. The Board discussed both items. Regarding the first item, the Board discussed the expense to remove the trees that were taken down as well as any other trees that may need to be taken down due to the health of the tree. Regarding the second item, the Board discussed what may be necessary to deal with the issues in the detention basins. The Board directed Chuck Frantz to take a look into both of these issues and separate the issues into two parts. The first part will be dealing with taking care of the trees in the wooded area located behind Cornwallis Way. This part may need to be tackled by splitting the issue into two pieces. The first piece would be dealing with the trees that were taken down and the second piece would be dealing with the trees that may need to come down due to the health of the tree. The second part will be to deal with what needs to be done to maintain the detention basins in the Perkiomen Greene Development.
2. EXECUTIVE SESSION: Cecile Daniel requested an Executive Session after the meeting because there were some personnel issues that she needed to review with the Board.

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3. FEMA Snow Assistance: In May, the Township was contacted by Montgomery County to submit expenses incurred for the major snow storm that took place in February. Based upon the dates give to the Township, a request for reimbursement for \$46,291.36 was submitted to the County.
4. Senate Bill 1357: This bill would create a boundary commission to review and make recommendations on changing local government borders. This bill is before the Senate Local Government Committee.
5. T-Mobile: Mr. Picardi informed the Board that the latest ZHB T-Mobile Public Hearing was held May 26, 2010. On that date, the Township was informed that the Fox Heath HOA had revoked the licensing agreement on the driveway for the Calabretta Property. As a result, Mr. Calabretta has filed a Penn Dot Highway Occupancy Permit Application for a new driveway for his home located on Township Line Road. Before Penn Dot will issue this permit, they want a letter from the Township indicating that they are aware of Mr. Calabretta's request and location of the proposed driveway. Chuck Frantz inspected the location with both John Moran, Sr. and John Moran, Jr. Mr. Frantz reviewed with the Board his finding and indicated this in a letter dated June 1, 2010. Mr. Frantz informed the Board that the letter sets forth his observations but the final decision is Penn Dot's as to whether a Highway Occupancy Permit will be issued for this driveway. The Township's letter will be forwarded to Penn Dot as an acknowledgement that the Township is aware of Mr. Calabretta's request. The Board understood and the letter will be sent to Penn Dot.
6. Seasonal Farmer's Market: Cecile Daniel made the Board aware that the Montgomery County Health Department is requiring permits for seasonal farmer vendors.
7. Letters: A letter was sent to Penn Dot regarding the Plank Road Realignment Project and the Graterford Road Bridge. This letter was based upon the discussion that took place at the May Monthly Meeting regarding the status of the Plank Road Realignment Project and the Graterford Road Bridge. Next a letter was sent to State Senator John Rafferty's office on a request to write a letter to PADOT requesting that PADOT take another look at the timing and split phasing of the traffic signal at Route 113 & Route 29. The Board had a copy of the letter before it would be sent to Senator Rafferty.

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ENGINEERS REPORT: Chuck Frantz reported on the following items:

1. 2009 Road Project: Floyd G. Hersh, Inc. submitted an application for payment No.4 (Final Payment) in the amount of \$1,550.63 for the 2009 Road Project. Mr. Frantz reviewed the request for payment and recommended that the Board pay the amount being requested. In addition, Mr. Frantz reminded the Board that the one-year maintenance period will expire on October 8, 2010. With the recommendation of Mr. Frantz, William Patterson made a motion, seconded by Edward Savitsky, to approve Payment #4 to Floyd G. Hersh, Inc. in the amount of \$1,550.63. There were no public comments on the motion. The motion was passed by a vote of 4-0.

2. Kagey Road/Stewart Road Sump Pump/Icing Issue: Property owners on Stewart Road (628, 630, & 632) were at the May meeting to discuss with the Board the sump pump discharge that is affecting Kagey Road. Mr. Frantz was directed by the Board at the May meeting to place a design One Call and obtain information regarding the utilities in the area of Kagey Road where the work is being proposed. Mr. Frantz explained that the scope of the project involves the installation of an 8” base drain (two to three feet deep) to be located in the paved cartway of Kagey Road. This base drain would tie into the inlet box located near Regents Road. In addition, there will be four 8” “wyes” installed off of the 8” base drain and from there four 8’ length of stub pipe at 3”inch diameter for the residents on Stewart Road to connect into. The project will include removal and replacement of portions of the existing sidewalk on Kagey Road so that the stub pipes can be installed off of the base drain. There would be four 3” check valves located at the end of the stub pipes. Based upon the scope of this project, Mr. Frantz estimated the cost to be somewhere between \$25,000.00 to \$30,000.00. The Board discussed the scope of the project. The issue was that portion of the scope that went beyond the installation of the base drain and the “wyes”. The area of the installation of the four stub pipes, the four check valves and the sidewalks lie within the right-of-way of Kagey Road. Based upon the location of this work, it was agreed that the scope of work would entail all that Mr. Frantz explained. The next issue that was discussed was whether to close this section of Kagey Road while this work was being completed or allow for one lane only. Due to the location of the project on Kagey Road, as it connects into Wartman Road, it was agreed that the road should be closed and the traffic detoured. Mr. Frantz estimates that the project should take about two weeks providing there are no problems. With the decision being made to close Kagey Road at Wartman Road,

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Mr. Frantz will need to contact Penn Dot since Wartman Road is a state road. Mr. Frantz estimated that it would take him two to three weeks to prepare the necessary documents for bidding. Once the project has been put out to bid, the residents will be notified so that they can stake out where the “wyes” should be located. At this time the Board authorized Mr. Frantz to proceed with bidding out the project as discussed.

3. Miscellaneous Road Projects: Mr. Frantz informed the Board that he reviewed the four miscellaneous road projects. These four projects were completing permanent restoration of two areas of trench work associated with sewer line repairs (Markley Road and Centennial Street Cul-de-sac) and two areas of driveway modifications (111 Centennial Street and 110 Regents Road). Based upon his review of the Township’s recently approved Material and Supplies contracts, Mr. Frantz determined that the equipment and materials contract which the Township entered into with P.K. Moyer and Highway Materials is in place for this particular type of work. Upon discussion with the Township Solicitor and Authority Solicitor, it was further determined that although portions of the payment for the work will be the responsibility of the Authority (two trench restoration areas), the Township may use their equipment and material contract to complete all work included, provided the Authority submits a written request asking the Township to administer the work and bill the Authority for the portion they are responsible for. Mr. Frantz discussed with the Board the run off problem associated with 111 Centennial Street. This issue was brought to the Township’s attention by a complaint received from a neighbor. The runoff from 111 Centennial Street enters the roadway through the driveway and deposits sediment along the side of the road on adjacent properties. Mr. Frantz investigated different enforcement channels regarding this issue including Township Ordinances and DEP regulations of which neither apply as the runoff is not a product of construction activity nor can it be characterized as an illicit discharge. Based upon this analysis, Mr. Frantz informed the board that the property owner at 111 Centennial Street should make modifications to his driveway area such that the water entering the roadway from his property does not deposit sediment on Centennial Street. The Board directed Mr. Frantz to contact the property owner at 111 Centennial Street and inform him of this problem.

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

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NEW BUSINESS:

There was no new business for the month of June.

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