



## PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: AUGUST 5, 2014

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

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

Dean Becker called the August 5, 2014 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

**MINUTES:** The Board reviewed the meeting minutes of July 1, 2014 and amended the minutes. Richard Kratz made a motion seconded by William Patterson to approve the July 1, 2014 meeting minutes as amended. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**POLICE REPORT:** The Board receive and reviewed the State Police Report for July.

### **CORRESPONDENCE:**

- **LOWER FREDERICK REGIONAL AMBULANCE CORP:** Bill McGovern, of Lower Frederick Regional Ambulance Corp, and Thomas Trojansky of Plymouth Ambulance were present at the meeting to discuss with the Board the intent of Lower Frederick Regional Ambulance Corp (LFRAC) to merge with Plymouth Ambulance. Mr. McGovern explained that the merger would only affect the area that LFRAC currently services in Perkiomen Township and would not encroach on any other ambulance squad's area. Over the next month, Mr. McGovern will be approaching the other municipalities that LFRAC covers for ambulance service. In his update to the Board, Mr. McGovern presented a draft agreement that Plymouth Ambulance would like Perkiomen Township to consider entering into for ambulance service. Presently, there is no agreement regarding the ambulance service that LFRAC provides to Perkiomen Township. Mr. McGovern also explained that LFRAC is negotiating a separate agreement with



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Lower Fredrick Township as this is the location where LFRAC is presently housed. As a result, the relationship between LFRAC and Lower Frederick Township is more involved; therefore, the agreement between those two entities would be more multifaceted. Mr. McGovern is hopeful that Lower Frederick Township will approve their agreement. In the meantime, he hopes that the Board of Perkiomen Township will review the draft agreement he presented to the Board. The Board indicated that they would do so and then discuss the agreement at the September meeting of the Board.

- **TRAPPE FIRE CO #1 AMBULANCE:** Report for July.
- **CPVRPC - July Meeting Minutes.**
- **PSATS BULLETIN:** Report for July.

**SOLICITOR'S REPORT:** Kenneth Picardi reported that a few of the items that he has been working on will be discussed under agenda items later in the meeting. In addition, Solicitor Picardi discussed with the Board the recent decision of the Zoning Hearing Board (ZHB) regarding the Franks' Zoning Hearing Board Application. At the last public hearing, the ZHB vote unanimously to approve the Franks' variance request. Before closing the file, Solicitor Picardi wanted to make sure that the Board did not wish to appeal that decision. The Board discussed this and informed Solicitor Picardi that they will not appeal the ZHB's decision in the matter of the Frank's request for a variance.

Solicitor Picardi informed the Board that he reviewed the information that Penn Dot sent to the Township regarding its acquisition of a portion of property owned by William Meyers of 141 Miller Road. The Township is a party to this taking because of the Township's purchase of the development rights of 141 Miller Road. Since this involves a Declaration of Taking, Mr. Picardi indicated his interest in contacting Penn Dot. The Board did not have a problem with the Penn Dot offer and had no problem with Solicitor Picardi contacting Penn Dot regarding the information that was sent to the Township.

**ROAD MASTER'S REPORT:** Shawn Motsavage submitted to the Board his Road Master's Report dated August 1, 2014 for activities taking place during the month of July.

At the July Monthly Meeting, Mr. Motsavage submitted a memo regarding the issue of the replacement of mailbox/posts damaged during the winter snow storms. At the July Meeting, Mr. Motsavage presented to the Board information that he would like the Board



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to consider in creating a policy when mailboxes/posts are damaged by snow plows during winter storms. During this discussion, Mr. Motsavage recommended that the property owner submit proof of what the mailbox/post cost to be replaced. Regardless of the cost to the property owner, the amount to be paid by the Township would be capped at \$95.00. It was Solicitor Picardi's recommendation that this policy be set forth in the form of a Resolution. Solicitor Picardi was directed to prepare said resolution for the Board's consideration at this meeting. Solicitor Picardi prepared Resolution 2014-13: A Resolution of Perkiomen Township setting forth the procedures for Township Residents to seek reimbursement for damage to any mailbox caused by the Township's snowplows and limiting the Township's financial responsibility for same. The Board discussed the Resolution as drafted and William Patterson made a motion seconded by Richard Kratz to approve Resolution 2014-13. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**FIRE MARSHALL'S REPORT:** John Moran Sr. submitted to the Board his Fire Marshall Report dated August 1, 2014 for activities taking place during the month of July.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his Code Enforcement Report dated August 1, 2014 for activities taking place during the month of July.

In addition to his report, Mr. Moran discussed the following with the Board:

- **International Property Maintenance Code:** At the July Monthly Meeting Mr. Moran and Solicitor Picardi submitted to the Board a draft Ordinance that would adopt the 2012 edition of the International Property Maintenance Code as the property maintenance regulations that would govern the conditions and maintenance of all property, building and structures in Perkiomen Township. Solicitor Picardi presented Ordinance No. 220 in draft form and the Board authorized the Ordinance's advertisement for consideration at the August meeting. There were no changes to Ordinance No. 220, which will adopt the 2012 Edition of the International Property Maintenance Code and subsequent amendments as the Property Maintenance Code for Perkiomen Township; therefore, Richard Kratz made a motion seconded by William Patterson to adopt Ordinance No. 220 – Adopting the 2012 Edition of the International Property Maintenance Code and establishing the minimum regulations



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governing the conditions and maintenance of all property, buildings and structures; providing general requirements to insure that structures are safe, sanitary and fit for occupation and use; providing for the proper administration thereof; and setting forth penalties for violations. There were no public comments on the motion. The motion was carried by a vote of 5-0.

- **Gorski Associates:** Mr. Moran informed the Board that Gorski Associates has filed an application for the Zoning Hearing Board for Lot #1 of Phase 3A of the Iron Bridge Corporate Center. The variance request is to allow the use of 10,500 square foot of the proposed building on this lot to be used as an indoor athletic facility for the purpose of training cheerleaders. Mr. Moran and Solicitor Picardi asked guidance from the Board regarding Solicitor Picardi's need to participate in the public hearing on this application. The Board reviewed the application before the Zoning Hearing Board and informed Solicitor Picardi that his attendance at this public hearing was not necessary, since the Board will not be taking a position in favor or in opposition to the Application.
- **License Agreement:** The Board discussed the request of the Monostra's at the July Monthly Meeting and did not see an issue with the Monostra's request to keep that portion of the grape vines that is located on the Township Property in its present location subject to Solicitor Picardi preparing a written License Agreement stipulating the criteria under which the Monostra's can keep their grape vines on Township Property. Solicitor Picardi prepared the License Agreement and the Board found what Solicitor Picardi prepared to be satisfactory. The License Agreement was authorized to be forwarded to the Monostra's attention for review and execution.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held their meeting on July 15, 2014. At that meeting the Planning Commission discussed the following: Gorski Associates – proposed land development plan for Lot #1 of Phase 3A of the Iron Bridge Corporate Center and Flood Plain Ordinance – began work on developing a new Flood Plain Ordinance.

**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** At the July meeting of the LPVRS, there was a discussion regarding the retirement of the manager of the LPVRS and the issue of the area velocity meters which will be discussed under the Manager's Report.



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### MANAGER'S REPORT:

1. Open Space Loan: Ms. Daniel and Solicitor Picardi discussed with the Board the refinancing of the existing Open Space Loan. Solicitor Picardi prepared a draft letter to be forwarded to First Niagara. This letter requests a payoff from First Niagara for the amount owned by Perkiomen Township for the Township's Open Space Loan. The Open Space Loan was a 25 year loan. Based upon a payoff date of November 30, 2014, there would be 17 years 8 months left to pay on the loan. Ms. Daniel explained that the estimated amount owed to First Niagara, as of November 30, 2014, would be approximately \$2,400,920.00. The Township has available in the Open Space Accounts approximately \$1,500,000. Ms. Daniel discussed with the Board applying the \$1,500,000 against the outstanding amount owed on this loan and borrowing the remainder from the General Fund to pay off the loan with First Niagara. The Open Space Fund would paying back the money borrowed from the General Fund over a 3 year period; thereby reducing the length of the loan and saving money on the interest payments. Solicitor Picardi informed the Board that the first step in this process would be to send a letter to First Niagara indicating the intent of the Board to pay off this loan as of November 30, 2014. The Board discussed the conception of refinancing the Open Space Loan and Gordon MacElhenney made a motion seconded by Janet Heacock authorizing Solicitor Picardi to send the letter to First Niagara regarding Perkiomen Township's intent to pay off the Open Space Loan. There were no public comments on the motion. The motion was carried by a vote of 5-0.
2. Area/Velocity Meters: Ms. Daniel informed the Board that, at their July Meeting, the LPVRSAs discussed the possible compromise presented to them from Perkiomen Township and Perkiomen Township Municipal Authority on the Regional Authority's intent to remove the area/velocity meters from the system. LPVRSAs were receptive to the compromise as presented. LPVRSAs would like the Township and the Municipal Authority to be more specific. Based upon Kevin Conrad's recommendation the timeline that he would recommend to both the Township and Municipal Authority would be to have the area/velocity meters installed in the system is (Spring time) March 21<sup>st</sup> to June 21<sup>st</sup> and (Fall time) August 1<sup>st</sup> to November 1<sup>st</sup>. The Board was okay with Mr. Conrad's recommendation. Ms. Daniel indicated she will present the same information to the Municipal Authority at their August Meeting. If they are okay with Mr. Conrad's recommendation, then a reply to LPVRSAs will be forwarded to their attention.



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3. Community Planning Assistance: Ms. Daniel explained that the contract the Township has with Montgomery County Planning Commission for the Community Planning Assistance will expire at the end of this year. This is a 3 year contract. Ms. Daniel review with the Board the price to continue this contract for the next 3 years and the list of items to be covered during this 3 year contract. The Board discussed the cost of the 3 year contract and the items to be worked on during this period. The Board felt that they have had a good working relationship with Montgomery County Planning Commission and did not have an issue with continuing that relationship. With that, Gordon MacElhenney made a motion seconded by William Patterson to approve another 3 year Community Planning Assistance Contract with Montgomery County Planning Commission which will cover the period January 1, 2015 through December 31, 2017. There were no public comments on the motion. The motion was carried by a vote of 5-0.
  
4. Crossing Guard Services: Ms. Daniel explained that the information that was given to her was that Executive Protection Services, the company providing crossing guard services for Perkiomen Township and Perkiomen Valley School District (PVSD), no longer exists as the partnership has dissolved. Ms. Daniel was informed by Scott Clemmer, of PVSD, that the school district solicited proposals for security for the school district. Since the cost of the crossing guard services is split between the Township and PVSD, the Township has used PVSD's contract to provide the crossing guard at PVSD's school campus. Mr. Clemmer informed Ms. Daniel, that PVSD was going to go with a company known as The Security Advisors. As this is a new company, the Board reviewed a new agreement to provide crossing guard services for which the expense would be split between the Township and PVSD. The Board discussed the new agreement and Solicitor Picardi found the agreement to be satisfactory. Also, the Board felt that a letter should be sent to Executive Protection Services terminating their services, even though the understanding is that the company no longer exists. Ms. Daniel also informed the Board that if the change is made to go with The Security Advisors, the Board will need to amend Resolution 2014-2 by authorizing The Security Advisors to provided crossing guard services for Perkiomen Township. Upon review and discussion of the agreement to change the crossing guard services to Perkiomen Township, Richard Kratz made a motion seconded by Gordon MacElhenney to approve the contract between Perkiomen Township and The Security Advisors to provide crossing guard services for the Perkiomen Valley School District Campus; to send a letter to Executive Protection Services terminating their services to provide same; and adopted Resolution 2014-2A





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by replacing Executive Protective Services with The Security Advisors to provide special crossing guard services for Perkiomen Township. There were no public comments on the motion. The motion was carried by a vote of 5-0.

5. Conditional Use Decisions: The Board held two public hearings on July 8, 2014 on two Conditional Use Applications. One public hearing was for 360 LLC and the second public hearing was for the Umstead Development. The Board rendered a decision at the conclusion of each public hearing. Solicitor Picardi prepared the written decisions to memorialize the Board's conditions. The written decision will be forwarded to the respective applicants.

**ENGINEERS REPORT:** Kevin Conrad reviewed the following items:

1. Bucher Road/Centennial Street Project: Mr. Conrad explained that the contract for the Bucher Road/Centennial Street Improvement Project is ready for the Board to approve. Once the agreements are executed by the Board, the project can move forward. William Patterson made a motion seconded by Richard Kratz to approve and authorize the execution of the contract documents for the Bucher Road/Centennial Street Improvement Project with SJM Construction Company. There were no public comments on the motion. The motion was carried by a vote of 5-0.
2. 2014 Road Project: Mr. Conrad explained that the contractor for the 2014 Road Project has been waiting for the Fox Heath Homeowners Association to complete a curb replacement project. The Township has been informed that HOA's curb replacement project is finished and the Township's contractor can complete the road project. Based upon the contract documents, the contractor will not be able to meet the deadlines. The present schedule is to begin the work sometime between August 13<sup>th</sup> and 15<sup>th</sup> and finish around August 29<sup>th</sup>, weather permitting. Since the Township's contractor was delayed by the HOA's curb replacement project, the recommendation by Mr. Conrad is to consider a Change Order that would extend the substantial completion date to September 5, 2014. The Board considered the request of the contractor to extend the substantial completion date and the recommendation of Mr. Conrad. Janet Heacock made a motion seconded by Richard Kratz to approve Change Order No. 1 and extend the substantial completion date to September 5, 2014. There were no public comments on the motion. The motion was carried by a vote of 5-0.



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3. Multi-Way Stop Sign Evaluation: Mr. Conrad reviewed the letter dated July 31, 2014 regarding a multi-way stop sign evaluation that was conducted at the intersection of Kagey Road and Cranberry Boulevard. In the letter, SSM explains that the evaluation was conducted according to the criteria in the Manual of Uniform Traffic Control Devices (MUTCD) and Penn Dot Publication 212. Based upon SSM's evaluation, the investigation shows that a 3-way stop sign is not warranted at this time at the intersection of Kagey Road and Cranberry Boulevard.

**RECEIPTS AND EXPENDITURES:** The treasurer reviewed the receipts and expenditures for the month of July. After review of same, Richard Kratz made a motion seconded by William Patterson to authorize payment of the July bills. There were no public comments on the motion. The motion was passed by a vote of 5-0. Ms. Daniel also explained that this past winter affected the condition of the concrete stairs and doors located in the back of the Township Administration Building. The Township's Road Crew was able to repair some of the damage, but not the concrete stairs. Mr. Motsavage obtained a quote from a contractor to replace the existing concrete stairs and the two landings. The cost to complete this work is estimated at \$9,107.14. Mr. Motsavage informed the Board that there would be an additional expense to re-install the existing railings once the concrete work is completed. The estimated cost that Mr. Motsavage has to complete this work is \$2,000.00. The budget allows for repairs to be made to the Township Building that are unanticipated. The amount set forth in the budget is more than the combined estimates received from the contractors. Before Ms. Daniel moves forward, she wanted to make sure the Board was okay with the work. The Board discussed the information presented by Mr. Motsavage and authorized Ms. Daniel to approve the repairs to the concrete steps and landings and reinstallation of the existing railings.

### NEW BUSINESS:

1. Ataxia Bike Ride Fundraiser: Kyle Bryant of the Freidreich Research Alliance submitted the annual request for permission to use certain Township roads for the annual Ride Ataxia. The list provided from Mr. Bryant indicates use of School House Road, Kagey Road, and Wartman Road. The Certificate of Insurance with the proper endorsement has been forwarded to the Township and is acceptable. William Patterson made a motion seconded by Gordon MacElhenney to grant permission to Friedreich's Ataxia Research Alliance to use certain Township roads for their annual





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Ride Ataxia which is schedule on October 12, 2014. There were no public comments on the motion. The motion was carried by a vote of 5-0.

2. Greenwood Avenue: Ms. Daniel explained that she was in receipt of a letter from Representative Marcy Toepel's office regarding a request made from a resident in Perkiomen Township. This resident lives on Greenwood Avenue. Greenwood Avenue is situated in both Perkiomen Township and Upper Providence Township. The majority of the homes on this street are located in Upper Providence Township. The street is owned by PA Department of Transportation; therefore, it is a state road. In the letter, the request is to conduct a speed study on Greenwood Avenue. Since Greenwood Avenue is a state road, this request needs to be made to Penn Dot. The majority of the residents that reside on this street live in Upper Providence Township, therefore, the Board felt that Upper Providence Township should make the request to Penn Dot to conduct this speed study, not Perkiomen Township. The Board directed Ms. Daniel to response back to the property owner and inform them that this request should be made to Upper Providence Township as the majority of the residents that live on Greenwood Avenue live in Upper Providence Township.

### **COMMENTS FROM THE PUBLIC**

William Bushnell, on behalf of Marcy Toepel's office, was present to update the Board on the timeline of the installation of the temporary traffic signal and the bridge replacement projects for the Graterford Road Bridge and the Skippack Bridge. The anticipated let date for the bridge packages is late October. The installation of the temporary traffic signal will be the first order of business. The bridge work will not begin until 2015.

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