



## PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: MARCH 4, 2014

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

**ABSENT:** 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 March 4, 2014 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

**MINUTES:** The minutes of the February 4, 2014 Board of Supervisors meeting were approved upon motion of Richard Kratz 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 February.

### **CORRESPONDENCE:**

- **LOWER FREDERICK REGIONAL AMBULANCE CORPS** - Report.
- **PSATS BULLETIN** - Report
- **CPVRPC** - February Meeting Minutes

**SOLICITOR'S REPORT:** Kenneth Picardi requested an Executive Session to discuss two pending litigation matters. Several other items that Mr. Picardi has been working on will be discussed later on the agenda.

**ROAD MASTER'S REPORT:** Shawn Motsavage submitted to the Board his Road Master's Report dated March 1, 2014 for activities taking place during the month of February. In addition to his report, Mr. Motsavage recommended to the Board the



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purchase of a new truck. This winter has taken a toll on the Township vehicles and equipment. As a result, it was Mr. Motsavage's opinion that the Board needs to consider replacement of one of the Township's trucks now rather than waiting to consider this during the budget process. In evaluating the best choice for the money to be spent, Mr. Motsavage is recommending a truck that is a tandem axel. Mr. Motsavage is recommending this type of truck as it was his opinion the Board would be getting twice the truck for the money. Given the time of year, Mr. Motsavage's goal would be to have this truck by January, 2015. In order to meet that goal, the Board would need to make a decision over the next few months. Without objection, the Board authorized Mr. Motsavage to put together more detailed information for the Board's consideration.

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

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his Code Enforcement Report dated March 1, 2014 for activities taking place during the month of February. Also, Mr. Moran requested an Executive Session after the meeting to discuss a personnel matter.

In addition to his report, Mr. Moran informed the Board of the following:

- 340 Gravel Pike: Both Mr. Moran and Solicitor Picardi informed the Board that they received a letter from the lawyer representing the owner of 340 Gravel Pike. In the letter, the attorney indicated that his client is proposing to change the use located at this location. The change would be from a restaurant to a retail establishment which would house merchandise to be sold primarily for automobiles. In addition, the property owner is looking to construct an accessory building. The accessory building would be used to install the items purchased at the retail establishment. The information presented by the property owner indicated that no repairs or servicing of automobiles will take place on the premises. Based upon the information presented, the change in use appears to be permitted in this Zoning District and does not appear to raise any legal or zoning issues. The property owner will need to comply with the Township's Storm Water Management Ordinance.



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- **Fee Schedule** – At the February Meeting, the Board adopted an updated Fee Schedule. Since that meeting, Mr. Moran explained that he reviewed the proposed schedule and made some minor revisions and added the fees for review of items that would be covered under the Township’ Stormwater Management Ordinance. As a result, Mr. Moran is recommending adoption of this revised Fee Schedule. In consideration of adopting this revised Fee Schedule, Mr. Moran reviewed the changes that he made. Solicitor Picardi suggested that, since the Board approved Resolution 2014-7 in February, and since this new Fee Schedule is an update to the one approved in February, the new Resolution for the Board’s consideration should be identified as Resolution 2014-7A. Solicitor Picardi recommended the Board consider adoption of Resolution 2014-7A. After due consideration of the information submitted to them from Mr. Moran and Solicitor Picardi, William Patterson made a motion seconded by Janet Heacock to adopt Resolution 2014-7A establishing a revised comprehensive 2014 Fee Schedule and repealing all other existing and standing Fee Schedule Resolutions. There were no public comments on the motion. The motion was carried by a vote of 4-0.
- **Zoning Hearing Board:** Mr. Moran informed the Board that he has received an application to the Zoning Hearing Board from Joseph Horgan for Lot #7, better known as 20 Merion Lane of the Conservancy @ Perkiomen. The applicant would like to construct a home at this location. In order to do this, the Zoning Hearing Board would need to amend its original decision. In that decision the ZHB established, for certain lots, a maximum depth for the house of fifty feet from front to back. The location of 20 Merion Lane is one of the lots affected by this decision. In order to construct the proposed home on this lot, the ZHB needs to amend its decision. The public hearing on this application is set for March 26, 2014. Based upon the information submitted to the Zoning Hearing Board, the Board decided not to support or oppose the application and informed Solicitor Picardi that he need not attend this public hearing.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held their meeting on February 18, 2014 to discuss a proposed sketch plan being present by Speed Elite Training Facility for property located on Harrison Avenue behind the Landis Shopping Center.



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**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** At the February meeting, there was a discussion regarding the meter pit locations and the meters that are being used to collect the flow data in accordance with the Representative Metering Agreement. For Perkiomen Township, this discussion involved two meters. Under the Representative Metering Agreement, the flow meters are used to assess the wastewater and inflow & infiltration (I&I) flows on a representative basis from each Local Municipality and Local Municipal Authority to the Perkiomen Interceptor and eventually to the Oaks Wastewater Treatment Plant. The information that is gathered from these flow meters is used to determine whether or not the municipality and municipal authority has an excessive I&I problem. If it is determined that there is an excessive I&I problem, the municipality and municipal authority would have time to identify any defects in the system and make any repairs to the system to reduce or eliminate the I&I. If this is not completed and the excessive I&I is allowed to continue, the municipal authority would be required to purchase additional capacity from LPVRSAs and pay the yearly treatment charges. It should be noted that once the municipality and municipal authority is notified that there is an I&I problem, the Representative Metering Agreement provides for dispute resolution to the flow metering information that was collected from the meters to determine if in fact there is an I&I problem. To try and create a check and balance, the Representative Metering Agreement was developed with language that requires that there be two flow meters installed in each meter pit to measure and monitor the wastewater flow. The primary meter shall be an ultrasonic meter over a Palmer Bowles Flume. The second meter was to be an area velocity meter. At the LPVRSAs Meeting, there was a discussion regarding the operation and maintenance of the area velocity meters. According to LPVRSAs, there is an increase in the expense to operate and maintain these area velocity meters as well as an increase of time for their engineer to review the data. The direction that was given was to write a letter to the signature parties of the Representative Meeting Agreement and inform them that the LPVRSAs is going to suspend the use of the area velocity meters and depend solely on the ultrasonic meter readings. Once the Local Municipalities and Local Municipal Authorities receive this letter, it will be their responsibility to respond with any objections to what the LPVRSAs is proposing. Ms. Daniel informed the Board, that as of this date, neither the Township nor the Municipal Authority has received this letter from the LPVRSAs. Regardless, it was Ms. Daniel's opinion that both the Township and Municipal Authority should send a response objecting to what the LPVRSAs is proposing to do. It was Ms. Daniel's opinion that what LPVRSAs is proposing to do is inconsistent with the terms set forth in the Representative Metering Agreement. To wait and address



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this issue when the Township and Municipal Authority are informed by LPVRSAs that they have an I&I problem is too late. The Board discussed this with both Mr. Conrad and Ms. Daniel, after which Janet Heacock made a motion seconded by Richard Kratz to authorize Ms. Daniel to send a letter to the LPVRSAs informing them that Perkiomen Township objects to what the LPVRSAs proposes to do with suspending the use of the velocity meter and rely solely on the ultrasonic meter when established excessive I&I under the Representative Metering Agreement. This response is to be sent upon receipt of the letter received from LPVRSAs. There were no public comments on the motion. The motion was carried by a vote of 4-0.

### **MANAGER'S REPORT:**

1. Resolution 2014-8: During the review of the update to the Fee Schedule, Solicitor Picardi reviewed the compensation for the Zoning Hearing Board, the Planning Commission, the Municipal Authority, and the appointment to the UCC Board of Appeals. As the Fee Schedule was updated and reviewed, Solicitor Picardi felt that the compensation paid to the members of these Boards should be consolidated into one free-standing Resolution. For that reason, Solicitor Picardi prepared Resolution 2014-8 which consolidates and establishes the compensation for members of the Planning Commission, Zoning Hearing Board, UCC Board of Appeals and the Municipal Authority into one Resolution. After due consideration and review, William Patterson made a motion seconded by Richard Kratz to adopt Resolution 2014-8. There were no public comments on the motion. The motion was carried by a vote of 4-0.
2. Resolution 2014-3A: With the approval of the updated Fee Schedule, all prior resolutions were repealed. This action repealed the standing Resolution that the Board adopts each year which allows the Township to obtain reimbursement for those matters that involve review by the Township's professional consultants. In order to continue to be reimbursed for these expenses, the Board must adopt a new Resolution. Since the Board adopted Resolution 2014-3 in January, Solicitor Picardi felt the appropriate way to re-establish this reimbursement was by adoption of a revised resolution. Resolution 2014-3A was prepared by Solicitor Picardi for the Board's consideration. After review and due consideration of the Resolution, Janet Heacock made a motion seconded by Richard Kratz to adopt Resolution 2014-3A, requiring reimbursement to the Township for the cost of certain services performed by



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the Township's professional consultants. There were no public comments on the motion. The motion was carried by a vote of 4-0.

3. Resolution 2014-9: Budget Amendment #1 - Due to the hard winter and the change in the 2014 Road Project, Ms. Daniel prepared an amendment to the 2014 Perkiomen Township Budget that would allow the transfer of money from the unrestricted net assets to adjust certain accounts. At the present time, the Township has spent all of the money that was budgeted for dealing with snow and ice removal. Ms. Daniel reviewed a summary of the accounts that are proposed to be changed:

- For the General Fund – Account #430.183 (Road Crew Overtime) increase this account so the new limit is set at \$16,000.00; Account #438.000 (Highway & Bridges) This covers snow removal by outside contractors and disposal cost for sweeping and cleaning the streets – increase this account so the new limit is set at \$85,000.00.
- For the Capital Reserve – Account #439.000 (Highway Construction) increase this amount to complete the 2014 Road Project. This work will include the increase cost to install storm sewer in Bucher Road and transfer the work being proposed on Godshall Road from the Liquid Fuels Fund to the Capital Reserve. Increase this account so the new limit is set at \$377,704.00.
- For the Liquid Fuels – Account #431.000 (Cleaning of Streets) increase this account so the new limit to sweep the streets is set at \$10,000.00; Account #432.740 (Snow Removal) increase this account so the new limit to purchase salt and anti-skid is \$81,504.00; Account #437.000 (Repairs to Tools & Machinery) to cover, amongst other items, the needed repairs to the equipment, increase this account so the new limit is \$28,740.00; Account #438.000 (Roads & Bridges) to cover additional crack sealing and pothole repairs to increase this account so the new limit is \$47,700.00; and 439.000 (Highway Construction) since we are shifting some of the work to the Capital Reserve to reduce this account so the new limit is \$75,625.00.

Ms. Daniel informed the Board that, in developing the revised budget amounts, she first reviewed the situation on the snow and ice removal expenditures with Mr. Motsavage. The Board reviewed the numbers, and William Patterson made a motion seconded by Richard Kratz to adopt Resolution 2014-9. There were no public comments on the motion. The motion was carried by a vote of 4-0.





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

1. 2014 Road Project Issues: Mr. Conrad explained that SSM continues to work with Lower Frederick in finalizing the design work to be completed on Bucher Road/Centennial Street. SSM also continues to finalize the storm sewer work to be completed in Bucher Road/Centennial Street. SSM is in the process of finalizing the three easements that will be necessary for this storm sewer project. Once these easements are complete, the information will be forward to Solicitor Picardi for review and submission to the three property owners for consideration. Based upon the additional underground utility information, the storm sewer design needs to be revised so that the storm sewer will go under the existing sanitary sewer and water lines. In order to complete this design and bid specification, SSM recommended that subsurface testing be completed to determine the depth of rock and type of rock that exists under the surface. This information will help potential bidders provide a reasonable bid since the purpose of completing this subsurface testing is to understand where the rock can be excavated mechanically versus rock that would require blasting. Mr. Conrad presented a proposal from Enviroscan, Inc. using seismic refraction technology to make this evaluation. The amount of the proposal is \$3,720.00. The Board discussed with Mr. Conrad what this seismic refraction technology entails. After discussing this with Mr. Conrad and his recommendation to consider acceptance of the proposal, Janet Heacock made a motion seconded by William Patterson to approve the proposal from Enviroscan, Inc. to complete the seismic refraction technology on Bucher Road/Centennial Street in the amount of \$3,720.00. There were no public comments on the motion. The motion was carried by a vote of 4-0.
2. Traffic Signal: Mr. Conrad informed the Board that the design for the traffic signal at the intersection of Betcher Road, Iron Bridge Drive, and Route 113 is complete. The next step is authorization to advertise the bids so that the Board can consider awarding the project at the April Monthly Meeting. Richard Kratz made a motion seconded by William Patterson to authorize advertisement of the bids for the installation of the traffic signal at Betcher Road, Iron Bridge Drive, and Route 113. There were no public comments on the motion. The motion was carried by a vote of 4-0.



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3. **Comstar Supply:** The Township received a request from Comstar Supply to release its escrow. SSM reviewed the request and determined that there were two items remaining to be complete. As a result, Mr. Conrad informed the Board that SSM is recommended that the Board authorize a partial release in the amount of \$5,000.00. With the recommendation of Mr. Conrad, Janet Heacock made a motion seconded by William Patterson to approve Escrow Release No. 2 to Comstar Supply in the amount of \$5,000.00. 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 February. After review of same, Richard Kratz made a motion seconded by William Patterson to authorize payment of the February bills. There were no public comments on the motion. The motion was passed by a vote of 4-0.

### **NEW BUSINESS:**

4. **PSATS Convention:** The annual PSATS Convention is scheduled to be held from April 13 through April 16, 2014 in Hershey, PA. At this time, it is appears that Dean Becker, William Patterson, and Janet Heacock may be able to attend the PSATS Convention. In anticipation that their schedules will allow their attendance, Richard Kratz made a motion seconded by William Patterson to authorize the following to attend the PSATS Convention: Dean Becker, William Patterson, and Janet Heacock. There were no public comments on the motion. The motion was carried by a vote of 4-0. Each Board member will get back to Ms. Daniel before the end on March as to their attendance.

There being no further business, the meeting was adjourned upon a motion made by Richard Kratz and seconded by William Patterson. The Board then went into Executive Session with Solicitor Picardi to discuss two litigation matters.