



## PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: MAY 6, 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 May 6, 2014 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

**CONDITIONAL USE HEARING:** Joseph A. Horgan filed a Conditional Use Application with Perkiomen Township. The application was a request to allow encroachment into the steep slopes so that Mr. Horgan can construct a home located at 20 Merion Lane (Lot #7) of the Conservancy @ Perkiomen. Matthew Prout, from Bursich Associates, testified that the infiltration bed/seepage pit and grading will encroach into the 10-foot setback from the steep slope boundary. Mr. Prout indicated that there will be no additional tree removal since the property was cleared previously by Gambone Development when constructing the Conservancy. Mark Stabolepszy, of SSM, reviewed the plan and submitted a review letter to the Township. It was SSM's opinion that the proposed encroachments did not detract from the goals of the steep slope regulations and recommended the application be approved subject to the condition that the construction sequence be modified to include a requirement that orange safety fence be erected at all limits of disturbance that are adjacent to steep slope areas, including those along the driveway. The Perkiomen Planning Commission discussed this Conditional Use Application at its meeting on April 15, 2014 and recommended the Board approve the Conditional Use Application with the following recommendations: that the construction sequence be modified to include a requirement that orange safety fence be erected at all limits of disturbance that are adjacent to steep slope areas, including those along the driveway and that the orange safety fence be installed prior to the construction of the new home and infiltration bed/seepage pit, grading, and any tree removal. After listening to and discussion of the Conditional Use Application 2014-01 of Joseph A. Horgan, Gordon MacElhenney made a motion seconded by William Patterson to approve Conditional Use



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Application 2014-01 of Joseph A. Horgan with the conditions that the construction sequence be modified to include a requirement that orange safety fence be erected at all limits of disturbance that are adjacent to steep slope areas, including those along the driveway, that the orange safety fence be installed prior to the construction of the new home and the infiltration bed/seepage pit and grading, comply with all other provisions of the ordinance, and that there be no addition tree clearing. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**MINUTES:** The minutes of the April 1, 2014 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 5-0.

**POLICE REPORT:** The Board receive and reviewed the written State Police Report for March and April.

### **CORRESPONDENCE:**

- **TRAPPE AMBULANCE** - Report for February, March & April.
- **CPVRPC** - April Meeting Minutes.
- **PSATS Bulletin** - March - April.
- Letter to property owner of 10 Skippack Pike.

**SOLICITOR'S REPORT:** Kenneth Picardi reported on the following:

- **Realty Transfer Tax Ordinance Amendment:** Solicitor Picardi explained that the PA State Legislature amended the Tax Reform Code of 1971 by changing the definition of "Real Estate Company". This amendment was done in order to close a loophole that allowed certain entities to avoid paying Realty Transfer Taxes. In order to be consistent with the amended State law, Perkiomen Township must amend its existing Realty Transfer Tax Ordinance. Solicitor Picardi prepared an Ordinance that will do this by amending Ordinance No. 97 by creating a new definition of "Real Estate Company" consistent with the changes made by the PA State Legislature. The proposed Ordinance is set forth as Ordinance No. 219 and Solicitor Picardi is requesting authorization by the Board to advertise the adoption of this proposed Ordinance at the June Monthly Meeting. William Patterson



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made a motion seconded by Janet Heacock to authorize the advertisement of proposed Ordinance No. 219 for consideration at the June Monthly Meeting. There was no public comment on the motion. The motion was carried by a vote of 5-0.

- **Umstead Quit-Claim Deed:** Solicitor Picardi explained that during the 1970's PennDot shifted Wartman Road to the left to its current location. When the road was shifted, it bisected two properties and created two smaller properties on the opposite side of Wartman Road. While preparing a subdivision for the Umstead Property, it was discovered that these small parcels were not a part of the Dietrich and Umstead Properties. A Quit-Claim Deed was prepared for the Dietrich and Umstead Properties so that these orphan pieces would now be a part of these properties. In order to record this information in Montgomery County, the County contacted Perkiomen Township to ask whether the Township would require a subdivision be prepared before the Quit-Claim Deed could be recorded. Solicitor Picardi explained that Wartman Road is a natural subdivision line and recommended that the Board consider waiving the requirement that a subdivision be prepared, thus allowing the recording of a Quit-Claim Deed. After discussing this issue, Richard Kratz made a motion seconded by William Patterson to authorize the Township Solicitor to prepare a letter to be sent by Perkiomen Township to Montgomery County confirming that Perkiomen Township will not require a subdivision, as Wartman Road creates a natural subdivision and that Montgomery County may proceed with the recording of the Quit-Claim Deed or Deeds as determined and/or required by the Recorder of Deeds. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**ROAD MASTER'S REPORT:** Shawn Motsavage submitted to the Board his Road Master's Report dated May 1, 2014 for activities taking place during the month of April. In addition to his report, Mr. Motsavage submitted a memo regarding the cost to replace an existing truck. The Board indicated that they would review the information and discussed it at a later date.

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



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

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

Wayne & Theresa Franks: Mr. Moran informed the Board that the Franks submitted an application with the Zoning Hearing Board. This application was for a variance. The Franks replaced their asphalt driveway with concrete driveway and increased the impervious coverage. According to Mr. Moran, the Franks increased the impervious coverage of their property by 2,527.00 sq. ft., thus the reason for a variance. If the Zoning Hearing Board does not approve this variance request, the Franks may need to remove a portion of the driveway that has already been concreted. Mr. Moran informed the Board that the area that was concreted did not violate the Township's Stormwater Management Ordinance. A public hearing on the Franks' Zoning Hearing Board Application is set for May 28, 2014. Both Mr. Moran and Solicitor Picardi were requesting direction from the Board. The Board discussed this application and the issue that the variance being requested is being made after the work has already been completed. The Board decided to take no action on this application, but authorized Solicitor Picardi to go and listen to reason(s) why this was done and report back to Board the decision of the Zoning Hearing Board. With that direction, Richard Kratz made a motion seconded by Janet Heacock to authorize Solicitor Picardi's attendance at the public hearing being held on May 28, 2014 for Wayne and Theresa Franks of 230 Bridge Street. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held their meeting on April 15, 2014. At that meeting the Planning Commission discussed the following: (1) a request by Speed Elite Training Facility to submit a letter to the Zoning Hearing Board in support of their application to be filed for this project. The Planning Commission approved a letter to be sent. A copy of the letter was given to the Board for information purposes. Since no application has been filed to date, the Board took no action nor gave direction to Solicitor Picardi on this matter. (2) Conditional Use Application for Joseph A. Horgan and (3) Gorski Enterprises - proposed sketch plan.



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**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** At the April meeting of the LPVRSa, there was discussion regarding the meter pit locations and the area/velocity meters that are being used to collect the flow data in accordance with the Representative Metering Agreement. The letter sent to Perkiomen Township from LPVRSa and authorization of a letter to be sent to LPVRSa on this matter is under the Manager's Report.

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

1. Regional Police Study: Ms. Daniel explained that she sent letters to Collegeville Borough, Trappe Borough, Schwenksville Borough, Skippack Township, and Lower Frederick Township. To date, she heard from Schwenksville, Skippack, and Lower Frederick. Of these three municipalities, only Schwenksville is willing to approve the Letter of Intent to request PADCED to complete a Regional Police Study. As of this date, she had not heard from Trappe nor Collegeville. Before the Board is the same Letter of Intent for submission to PADCED to provide technical assistance to complete a Regional Police Consolidation Study. Approval of this Letter of Intent is the first step in the process of having this study completed. If, during the month of May, Collegeville and Trappe approve the Letter of Intent then she would submit all approved Letters to the PADCED. William Patterson made a motion seconded by Richard Kratz to approve the Letter of Intent and wait to receive word from Collegeville and Trappe as to their decision on their Letter of Intent before submission of same to PADCED. There were no public comments on the motion. The motion was carried by a vote of 5-0.
2. Traffic Signal Application: Ms. Daniel explained that as part of the Route 73 Bridge Project, PennDot will be making some changes to the traffic signal that is owned by Perkiomen Township and is located at the intersection of Route 29 and Route 73. These changes will include video detection at the Route 73 (Skippack Pike) approach and a countdown man/hand and pushbuttons that will include confirmation LED and tone. As part of this process, PennDot had been requiring an Application for Traffic Signal Approval Agreements on all new traffic signals as well as existing traffic signals. Before the Board is consideration of this Application for Traffic Signal located at the intersection of Route 29 and Route 73. This application needs to be considered as it is a part of the Route 73 Bridge Repair Project. Janet Heacock made a motion seconded by William Patterson approving Resolution 2014-11 authorizing the Township Manager to submit the Application for Traffic Signal Approval to the



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Pennsylvania Department of Transportation. There were no public comments on the motion. The motion was carried by a vote of 5-0.

3. Lower Perkiomen Valley Regional Sewer Authority: At the April LPVRSAs there was a discussion regarding the proposal by the LPVRSAs to remove the area/velocity meters from the meter pits and depend solely on the ultrasonic meters to determine whether or not there is I&I coming from the sewer collection system in Perkiomen Township. This proposal is inconsistent with the Representative Metering Agreement. The proposal was discussed at an earlier meeting of the Board, but the letter indicating the intent of LPVRSAs was just received by Perkiomen Township. When discussed earlier, the Board indicated that they were not in favor of this proposal as it is inconsistent with the Representative Metering Agreement, which requires the installation of two meters in the meter pits. Based upon that discussion, Ms. Daniel prepared a draft response to be sent to LPVRSAs upon authorization of the Board. The Board reviewed the draft response and directed that Ms. Daniel forward the letter to LPVRSAs.

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

1. 2014 Road Project Issues: Mr. Conrad explained that on April 29, 2014, four bids were received for the 2014 Road Project. The bids were opened on April 30, 2014 and the lowest bid received was from Reid Paving Contractors, Inc. in the amount of \$202,386.25. Mr. Conrad informed the Board that the information submitted by Reid Paving was reviewed and found to have no deficiencies. As a result, SSM is recommending that the Board award the 2014 Road Project bid to Reid Paving Contractors. With the recommendation of Mr. Conrad, William Patterson made a motion seconded by Richard Kratz to award the 2014 Road Project to Reid Paving Contractors, Inc. in the amount of \$202,386.25. There were no public comments on the motion. The motion was carried by a vote of 5-0.
2. Bucher Road Improvement Project: Mr. Conrad informed the Board the easements have been forwarded to the three property owners affected by this project. The specifications are complete and the project is ready to be authorized for bid contingent on receipt of the signed easements. It was Mr. Conrad's recommendation that the Board move forward with authorization of this project with the condition as explained. Richard Kratz made a motion seconded by Janet Heacock to authorize the bidding of the Bucher Road Improvement Project contingent upon receiving the



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signed easements from the three affected property owners. There were no public comments on the motions. The motion was carried by a vote of 5-0. As part of this project the Board needs to consider including the price adjustment clause for the purchase of bituminous materials. This escalator/de-escalator clause for bituminous materials has been a standard in the Township's Road Projects. William Patterson made a motion seconded by Richard Kratz to approve Resolution 2014-10 – Approving the price adjustment clause for the purchase of bituminous materials for the Bucher Road Improvement Project. There were no public comments on the motion. The motion was carried by a vote of 5-0.

3. **Traffic Signal:** At the April Meeting, the Board awarded the installation of the traffic signal at the intersection of Betcher Road, Iron Bridge Drive, and Route 113 to Telco, Inc. of Reading, PA in the amount of \$132,173.00. All the bonds and paperwork is complete and Mr. Conrad recommended the Board execute the construction agreement with Telco, Inc. With the recommendation of SSM, William Patterson made a motion seconded by Richard Kratz to approve and authorize the appropriate Township Officials to enter into a construction agreement for the installation of the traffic signal at Betcher Road, Iron Bridge Drive, and Route 113 to Telco, Inc. of Reading, PA in the amount of \$132,173.00. There were no public comments on the motion. The motion was carried by a vote of 5-0.
4. **Kriebel Subdivision – Lot #4:** The Board was in receipt of a request for an escrow release for Lot #4 of the Kriebel Subdivision. SSM reviewed the request and recommended that the Board release the amount of \$10,474.10. The Board reviewed the request and Richard Kratz made a motion seconded by William Patterson to approve Escrow Release No. 1 for Lot #4 of the Kriebel Subdivision in the amount of \$10,474.10. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**RECEIPTS AND EXPENDITURES:** The treasurer reviewed the receipts and expenditures for the month of April. After review of same, Richard Kratz made a motion seconded by William Patterson to authorize payment of the April bills. There were no public comments on the motion. The motion was passed by a vote of 5-0.

### **NEW BUSINESS:**

There were no items for discussion under New Business.



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**COMMENTS FROM THE PUBLIC:** Aileen Johnson and Colleen Butler from the Perkiomen Valley Library were present to update the Board on the happenings taking place at the Library. The Board thanked them for coming and providing this update.

**SUPERVISORS COMMENTS:** William Patterson wanted to thank both the Perkiomen Township Fire Company and Road Crew for their work in dealing with the heavy rain storm that took place on May 1, 2014.

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