



## **PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: JANUARY 4, 2016**

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**BOARD MEMBERS PRESENT:** William Patterson, Chairman  
Richard Kratz, Vice-Chairman  
Dean Becker, 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 January 4, 2016 Reorganization Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m. The first item of business was the Reorganization Meeting.

### **REORGANIZATION MEETING:**

The reorganization meeting was conducted by Dean Becker who acted as temporary chairman. Mr. Becker called for nominations for the position of Chairman. Gordon MacElhenney nominated William Patterson as Chairman which was seconded by Richard Kratz. Mr. Becker asked if there were any other nominations for Chairman. There being none, the nominations were closed upon a motion made by Janet Heacock and seconded by Richard Kratz. The Secretary was directed to let the Minutes show that William Patterson was elected as Chairman by a vote of 5-0. Mr. Becker then turned the reorganization meeting over to Chairman Patterson. Mr. Patterson asked for nominations for Vice-Chairman. Dean Becker nominated Richard Kratz as Vice-Chairman which was seconded by Janet Heacock. Mr. Patterson asked if there were any other nominations for Vice-Chairman. There being none, the nominations were closed upon a motion made by Dean Becker and seconded by Janet Heacock. The Secretary was directed to let the Minutes show that Richard Kratz was elected as Vice-Chairman by a vote of 5-0.

**Holiday Schedule:** The Board reviewed the proposed 2016 Holiday Schedule for the paid full time employees. The 2016 Holiday Schedule was approved upon a motion made by Richard Kratz and seconded by Dean Becker. There were no public comments on the motion. The motion was approved by a vote of 5-0.



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William Patterson read the staff reappointment for the year 2016. Janet Heacock made a motion seconded by Richard Kratz to approve the following 2016 staff appointments:

Township Road Liaison:	William Patterson
Township Treasurer:	Cecile M. Daniel
Township Secretary:	Cecile M. Daniel
Township Solicitor:	Yergey, Daylor, Allebach, Scheffey, & Picardi
Township Engineer:	SSM Group, Inc.
Township Fire Marshall:	John Moran Sr.
Zoning Hearing Board Solicitor:	McGrory & Wentz LLP
Chairman of Vacancy Board:	Nancy Gaugler

There were no public comments on the motion. The motion was approved by a vote of 5-0.

Next, Cecile Daniel recommended that the Treasurer's Bond be increased to 5,000,000.00. Dean Becker made a motion seconded by Richard Kratz to set the Treasurer's Bond at \$5,000,000.00 for the year 2016. There were no public comments on the motion. The motion was carried by a vote of 5-0.

William Patterson read the committee appointments for the year 2016. Richard Kratz made a motion seconded by Dean Becker to approve the following committee appointment:

- Zoning Hearing Board: John R. Moyer – Three-year appointment – Term will run from January 1, 2016 through December 31, 2018.
- Municipal Authority: John T. Moran Sr. – Five-year appointment – Term will run from January 2016 through December 31, 2020.
- Planning Commission: Nancy Gaugler – Four-year appointment – Term will run from January 1, 2016 through December 31, 2019.
- Park & Recreation: Pamela A. Gural-Bear – Five-year appointment – Term will run from January 1, 2016 through December 31, 2020.

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



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The 2016 Reorganization meeting was closed upon a motion made by Richard Kratz and seconded by Dean Becker.

### **BOARD MEETING:**

William Patterson then called the regular meeting of the Perkiomen Township Board of Supervisors to order. Mr. Patterson informed the public that the Board held an Executive Session on December 14, 2015 for the purpose of discussing a real estate matter and litigation matters and informed the public that there would be an Executive Session after this meeting to discuss a personnel matter.

**MINUTES:** The minutes of the December 1, 2015 Board of Supervisors meeting were approved upon motion of Richard Kratz and seconded by Dean Becker. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**POLICE REPORT:** The Board reviewed the written State Police Report for November & December.

### **CORRESPONDENCE:**

- **TRAPPE AMBULANCE** – November Report.
- **PLYMOUTH COMMUNITY AMBULANCE ASSOCIATION** – October, November, & December Reports
- **PSATS BULLETIN** – November Report

**SOLICITOR'S REPORT:** In the Executive Session, Kenneth Picardi updated the Board regarding the real estate matters concerning 202 Gravel Pike & 74 Gravel Pike and issues related to litigation matters.

Next, Solicitor Picardi presented a draft No Parking Ordinance based upon the discussion the Board had previously on adding additional streets to the Township's No Parking Ordinance. The streets and no parking limitations that are a part of this draft No Parking Ordinance are as follows: Adams Lane – West side - Entire length except for outside edge of cul-de-sac; Brandywine Road - South/West side - Entire length of road on the side without sidewalk; Commons Lane – West side - Entire length except for outside edge of cul-de-sac; Countryside Court – West side - Entire length; Forge Road -



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South/East side- Entire length of road on the side without sidewalk; Hamilton Road – South side - Entire length except for outside edge of eyebrow; Longwood Road – East side - Entire length of road on the side with sidewalk; Wartman Road Eastbound side - Entire length except from 360 feet west of Cranberry Blvd. (the current Kiddie Academy driveway) to Cranberry Blvd.; Wartman Road Westbound side - Entire length except from Lincoln Road to Buyers Road. The areas of the no parking were based upon information given to the Board by SSM Group. Upon review of the information presented to the Board by Solicitor Picardi, Dean Becker made a motion seconded by Richard Kratz to authorize advertisement of Ordinance No. 226, No Parking Ordinance. 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 January 1, 2016 for activities taking place during the month of December.

**FIRE MARSHALL’S REPORT:** John Moran Sr. submitted to the Board his Fire Marshall’s Report dated January 1, 2016 for activities taking place during the month of December.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his Code Enforcement Report dated January 1, 2016 for activities taking place during the month of December.

In addition to his report, Mr. Moran informed the Board that the Zoning Hearing Board held two Zoning Hearings in December. Application No. 2015-6 is an application of the PA Live Steamers to allow for the expansion of a non-conforming building in excess of the allowed twenty-five percent and for a reduction of the side yard setback of thirty feet. Mr. Moran informed the Board that the Zoning Hearing Board approved the application of the PA Live Steamers. Application No. 2015-7 is an application of Jeff Megonigal of 674 Gravel Pike, requesting a variance to allow him to keep a newly constructed deck in the front yard setback. Mr. Moran informed the Board that the Zoning Hearing Board approved the application of Mr. Megonigal.

Mr. Moran updated the Board on the status of those property owners he has sent letters to regarding the Township’s Property Maintenance Code.



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**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held its meeting on December 15, 2015. At that meeting the Planning Commission reviewed the comments received from the Montgomery County Planning Commission on the Township's draft Floodplain Ordinance. Ms. Daniel informed the Board that, based upon the comments made at the December Planning Commission, a response letter and changes to the draft Floodplain Ordinance were sent back to the Montgomery County Planning Commission for review. As of this meeting, Ms. Daniel has not received any response from the MCPC regarding this resubmission. Ms. Daniel informed the Board that the deadline given to the Township from FEMA to have the new Floodplain Ordinance in effect is March 6, 2016. In order to meet this date, Ms. Daniel is recommending the Board consider adoption at their February 23, 2016 meeting.

**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** Richard Kratz informed the Board that there were no critical issues discussed at the December meeting of the LPVRS.

**ENGINEERS REPORT:** Kevin Conrad reported on the following:

1. 2016 Road Projects: Mr. Conrad informed the Board that the bid specifications for this project will be completed over the next few weeks. One of the items the Board needs to consider for adoption is the resolution covering the Price Adjustment Clause for the purchase of bituminous material for this project. This is a standard resolution the Board considers each year when preparing the bid documents for the Road Project. The reason for this resolution is due to the fluctuations in the cost of bituminous materials resulting in the unpredictability of the cost and availability of bituminous materials from local suppliers which can result in contractors either not bidding on Township road projects, or, leads contractors to submitting high bids in order to insulate themselves from adverse market conditions between the time the contract is bid and the time the project materials are required to be used. PennDOT has established a method of dealing with such increases or decreases in prices for roadway materials. This method is commonly referred to as an "Escalator/De-Escalator Clause" and is set forth in detail in PennDOT publication 408 Section 110.04. Gordon MacElhenney felt that there should be no price adjustment clause in the road contract. Due to the fluctuations in the price, Mr. MacElhenney felt the price of the bituminous materials should be set by what a contractor sets forth in his/her bid with no ability to adjust this price. The Board considered Resolution 2016-9 and



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Dean Becker made a motion seconded by Richard Kratz to adopt Resolution 2016-9 and include an Escalator/De-Escalator Clause for bituminous material as part of the 2016 Road Project Proposal. There were no public comments on the motion. The motion was carried by a vote of 4-1 with Gordon MacElhenney voting no.

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

1. Haldeman Road: Ms. Daniel presented to the Board the Transfer Agreement received from PennDOT on the matter of turning back the ownership of Haldeman Road from the state to Perkiomen Township. The amount set forth in this agreement that Perkiomen Township will receive from PennDOT to repair Haldeman Road is \$315,500.00. The overall engineering estimate that was determined by SSM Group for Haldeman Road was \$572,500.00. The money received from PennDOT is to cover the repaving of this roadway. According to SSM Group, there is drainage work that should be completed as part of this project. The engineering estimate to complete the drainage work is \$257,000.00. If the Board moves forward with taking over the future ownership of Haldeman Road, both SSM Group and Ms. Daniel recommended that the Board authorize this drainage work be included when Haldeman Road is repaved. Once PennDOT is in receipt of the signed Transfer Agreement from the Township, then PennDOT will send to Perkiomen Township a check in the amount of \$315,500.00. Once received, the Township has two years to use this money to complete this work. The Board discussed approving the Transfer Agreement for Haldeman Road. Dean Becker questioned how the Township will be able to sustain the future expenses needed to maintain Haldeman Road. William Patterson stated that his opinion regarding taking over Haldeman Road had not changed from previous comments he has made regarding this matter. Richard Kratz felt that the money needed to take care of Haldeman Road would come from General Fund of the Township just as it would happen when maintaining any Township road. According to Mr. Kratz, this area of the Township is home to about sixty properties. It was Mr. Kratz's opinion that these property owners, like others in the Township, deserve the same attention. In addition, Mr. Kratz and Janet Heacock pointed out that Haldeman Road was once owned by Perkiomen Township. Supposedly during the depression, federal money could only be used to repair a road if the state owned the road. In order to repair Haldeman Road, the Township transferred its ownership to the state. At this time, Mrs. Heacock was of the opinion that the Township can do a better job of maintaining this road. Gordon MacElhenney felt that Perkiomen Township was in a better position to maintain this road and felt that, due to the location of the road, there may be some historical importance as to its location with



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Pennypacker Mills. During this discussion, Cleveland Ott questioned why the Township was considering this turnback. After debating the issue of the turnback of Haldeman Road from PennDOT to Perkiomen Township, Gordon MacElhenney made a motion seconded by Richard Kratz to add the \$257,000.00 to complete the drainage work as recommended by SSM Group and to approve and authorize the Transfer Agreement of Haldeman Road from PennDOT to Perkiomen Township. There were no other public comments on the motion. The motion was carried by a vote of 3: Yes (Richard Kratz, Janet Heacock, and Gordon MacElhenney) and 2: No (Dean Becker and William Patterson).

2. SR4044 Project, Section MG1: As part of the SR4044 Project, PennDOT submitted to the Township a Sidewalk Maintenance Agreement. This agreement covers three areas that are a part of the SR4044 Project. The first area is the ADA handicapped ramp that is located on the east side of Township Line Road and where Meyers Road will be relocated. This handicapped ramp will be part of the traffic signal that will be installed at the intersection of Township Line Road, Cemetery Road, and Meyers Road. The second area is the sidewalk along Meyers Road where Phase 4A of the Fox Heath Development is located. This agreement covers a portion of the sidewalk along Meyers Road. Under this agreement PennDOT is passing the responsibility to maintain a section of this sidewalk to the Township. The third area is the crosswalk that will be located across Ott Road from Bauman Road to Miller Road. Solicitor Picardi informed the Board that he reviewed the agreement and that he would like to discuss this agreement with PennDOT before the Board approves it. Solicitor Picardi is hoping to see if PennDOT will soften some of the language in the agreement. The Board agreed that Solicitor Picardi should contact PennDOT regarding this proposed Sidewalk Agreement.
3. Daily Bread Food Pantry: At the November Meeting representatives of the Daily Food Pantry were present to provide background information and discuss with the Board their future goals. One of the goals was the installation of an access ramp to the building they are renting at 360 Gravel Pike. During the discussion on the alterations being made to the building, there was a discussion about waiving the building permit fee. Since the discussion in November, the Daily Bread Food Pantry submitted a building permit application to add an access ramp on the south side of the building and a door to the rear of the building for better access. According to John Moran Jr. the fee for this building permit, which includes the \$4.00 state fee, is \$144.00. The decision for the Board is consideration of waiving this building permit fee for the Daily Bread Food Pantry. After due consideration of the request by the Daily Bread Food Pantry, Dean Becker made a motion seconded by Richard Kratz to



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waive the building permit fee of \$144.00 for the Daily Bread Food Pantry for the installation of an access ramp on the south side of the building and a door to the rear of the building. There were no public comments on the motion. The motion was carried by a vote of 5-0.

4. Rain Garden: Ms. Daniel updated the Board on the Rain Garden Project. Krista Scheirer informed Ms. Daniel that a portion of the rain garden will encroach onto a portion of the PECO Energy property that abuts the Township's Property. During the designing of the rain garden by the engineers for the Conservation District, it was determined that a portion of this rain garden would be on property owned by PECO Energy. The rain garden cannot be moved away from this property due to the underground gas/petroleum pipeline that goes through the Township's Property near where the rain garden is being proposed. In order for the Township to install that portion of the rain garden on PECO property, the Township will need to complete and submit an application and enter into a Licensing Agreement with PECO. According to information sent to Ms. Daniel, PECO will waive their fee. Before the Board is the Application for Licensing for PECO Energy Company Property. Ms. Daniel explained that this is just the application to receive the Licensing Agreement from PECO to move forward with this rain garden project. Richard Kratz made a motion seconded by Janet Heacock to approve the Application for Licensing, authorize the Township Manager to sign the application, and send said application to PECO Energy Company. There were no public comments on the motion. The motion was carried by a vote of 5-0. When the License Agreement is received, the Board directed that it be given to the Solicitor for review and revision, as necessary.
5. Banyacsky: Ms. Daniel informed the Board that she received an application from Suzanne Banyacsky of 800 North Limerick Road to permit her to become a part of the Agricultural Security District in Upper Providence Township. Ms. Daniel let the Board know that, in 1996, Perkiomen Township was requested by four residents to be a part of the Agricultural Security District that was being created in Upper Providence Township. That request was approved because Perkiomen Township could not create its own Agricultural Security District as there was insufficient acreage to meet the requirements in the Act. It appears that Mrs. Banyacsky is making the same request as these previous property owners as the application came to Ms. Daniel via Upper Providence Township. Before consider Mrs. Banyacsky's request, the Board directed that Solicitor Picardi review the requirements of the Agricultural Security Act and report back to the Board the advantages/disadvantages of a property being included in an Agricultural Security District. This issue will be place on the February agenda for discussion.



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

### **NEW BUSINESS:**

1. Resolution 2016-1 through Resolution 2016-3: In consideration of adoption of these resolutions in one motion, Dean Becker made a motion seconded by Richard Kratz to approve the following Resolutions: (1) Resolution 2016-1: Depositories 2016 shall be the Univest National Bank and Trust Company, with the main office in Souderton, Pennsylvania, and the Pennsylvania Local Government Investment Trust (PLIGIT), with the main office in Valley Forge, Pennsylvania, and United States Treasury. (2) Resolution 2016-2: Special Crossing Guard – During 2016, the company providing the special crossing guard services for Perkiomen Township was Advanced Protection Company. (3) Resolution 2016-3: Engineering & Legal Fees – to incorporate the 2016 rate schedule for SSM Group, Inc., Township Engineer and Yergey, Daylor, Allebach, Scheffey & Picardi, Township Solicitor, for both the township and anyone using their services while working within the Township. There were no public comments on the motion. The motion was passed by a vote of 5-0.
2. Resolution 2016-4: Deals with the Audit for 2015 under Section 917(b)(2) of the Second Class Township Code to appoint Dreslin and Company of Norristown, PA to complete the required Perkiomen Township 2015 Annual Audit including the Perkiomen Township Fire Company. Janet Heacock made a motion seconded by Richard Kratz to approve Resolution 2016-4 and approve the Dreslin and Company Proposal to complete the 2015 audit for Perkiomen Township. There were no public comments on the motion. The motion was carried by a vote of 5-0.
3. Resolution 2016-5: Perkiomen Township Fire Company authorizing and recognizing the Perkiomen Township Fire Company and to officially accord it the status of Volunteer Fire Company for Perkiomen Township. Janet Heacock made a motion seconded by Richard Kratz to approve Resolution 2016-5. There were no public comments on the motion. The motion was carried by a vote of 5-0. After approval of this Resolution, John Moran Jr., as the Perkiomen Township Fire Chief, presented a request to the Board to create an Ordinance that would allow the Perkiomen



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Township Fire Company the ability to recover their costs in using certain Fire Company supplies during emergency situations. This Ordinance would allow the Fire Company to bill the person's insurance company to recover these expenses.

Mr. Moran explained that the Fire Company would need to create and adopt a fee schedule; thereby establishing the cost per item that the insurance company would be billed. Solicitor Picardi could prepare an Ordinance for the Board's consideration, if this is something the Board was willing to consider. Before considering such a request, the Board asked Mr. Moran how much it was costing the Fire Company to providing said supplies. Mr. Moran was unsure as to what that amount was. Richard Kratz suggested that a better method, instead of adopting an Ordinance, may be to cover these expenses by either giving the money to the Fire Company or increasing the mileage rate for the Fire Company. Before considering any alternative, the Board wanted to know how much the Fire Company was spending. The Board requested that Mr. Moran provide this information at their February meeting, and, authorized the Solicitor to prepare a draft of the proposed Ordinance for review and discussion at the February meeting.

4. Resolution 2016-6: Recognition of Trappe Ambulance and Plymouth Community Ambulance to provide Emergency Services to the resident of Perkiomen Township. Richard Kratz made a motion seconded by Dean Becker to adopt Resolution 2016-6. There were no public comments on the motion. The motion was carried by a vote of 5-0.
5. Resolution 2016-7: Is the fee schedule for Perkiomen Township for the year 2016. Dean Becker made a motion seconded by Richard Kratz to adopt Resolution 2016-7 and the 2016 Fee Schedule for Perkiomen Township. There were no public comments on the motion. The motion was carried by a vote of 5-0.
6. Resolution 2016-8 & Resolution 2016-10: Resolution 2016-8 is the disposition of certain public records. Resolution 2016-10 is the appointment of John Moran, Jr. as the Township Building Code Official and the appointment of Code Inspections, Inc. as the third party agency to perform inspections of commercial development properties and coverage for residential services as needed and requested by the Township. Richard Kratz made a motion seconded by Dean Becker to approve Resolution 2016-8 & Resolution 2016-10. There were no public comments on the motion. The motion was carried by a vote of 5-0.



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7. 111 Centennial Street & General Painting: As part of the approval of the Subdivision Plan for 111 Centennial Street and the Land Development Plan for General Painting, there exists a condition that requires approval of a Stormwater Facilities Maintenance Project and Improvements Agreement. The agreements for both projects have been reviewed by Solicitor Picardi and are ready for the Board's consideration. The only difference is that the final escrow amount for the agreement of General Painting has yet to be determined. In all other respects the agreements are complete. Ms. Daniel recommended that the Board consider approval of both agreements, but for the agreement for General Painting there should be a condition that the agreement is subject to finalizing the escrow amount of this agreement. Ms. Daniel also stated that for 111 Centennial Street Subdivision the agreement is with the developer, F.M. Development Company and for General Painting the agreement is with the property owners, Robert & Joan Miller. The Board looked over the two agreements and Richard Kratz made a motion seconded by Dean Becker to approve the Stormwater Facilities Maintenance Project and Improvements Agreement as follows: (1) with F.M. Development Company for the subdivision of 111 Centennial Street and (2) with Robert & Joan Miller for the land development plan for General Painting subject to the final escrow numbers being determined for the agreement with Robert & Joan Miller. There were no public comments on the motion. The motion was carried by a vote of 5-0.
  
8. PSATS Convention: The annual PSATS Convention is scheduled to be held from April 17 through April 20, 2016 in Hershey, PA. At this time, it is unclear if anyone will be able to attend the PSATS Convention due to schedules. It was decided that the Board members will let Ms. Daniel know whether or not they can attend this convention once they know their schedules; therefore, she will keep this on the agenda until the deadline for the PSATS Convention.

### SUPERVISORS COMMENTS

Richard Kratz mentioned that he has been working with others in looking into the history of Perkiomen Township. Mr. Kratz said that the group is beginning with the Revolutionary War and moving forward in time from there. As part of this investigation, Mr. Kratz has been able to obtain assistance from Kutztown University in conducting ground penetrating radar on property the Township owns on Township Line Road. Moving forward Mr. Kratz would like to involve Township residents in this project. In



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particular, Mr. Kratz would like to find out if there are any historical artifacts residents would like to donate to the Township.

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