



## PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: MARCH 5, 2019

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

**ABSENT:** Gordon MacElhenney, Member

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

**MINUTES:** The minutes of the February 5, 2019 Board of Supervisors meeting were approved upon motion of Janet Heacock and seconded by Vivian Schoeller. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**CORRESPONDENCE:** Cecile Daniel informed the Board that she had received the following correspondence:

- ❖ PSATS News Bulletin: February 2019.
- ❖ Letters received from Skippack Residents concerning the temporary traffic signal at Gravel Pike and Graterford Road.

### **PUBLIC COMMENTS:**

- ❖ William Riggs of 163 Bridge Street comment was about damage caused to his mailbox by Township snowplow. Directed to speak with Shawn Motsavage regarding this matter.

### **OLD/NEW BUSINESS:**

- ❖ Traffic Signal: Dean Becker informed the public that a temporary traffic signal was installed at the intersection of Gravel Pike/Graterford Road/Bridge Street as part of the detour plan of the SR 4044 Project. When the SR 4044 Project is completed, this temporary traffic signal is scheduled to be removed. Discussions have taken place between the Township, PennDOT, Senator Mensch, and Representative Ciresi on replacing this temporary traffic signal with a permanent one. As part of these

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discussions, the Township has been exploring possible grants to pay for this permanent traffic signal and any needed road improvements. Presently, the road improvements would include the removal of the “pork chop” so that school buses could turn left onto Gravel Pike from Bridge Street. Removal of the “pork chop” would improve the turning radius at this intersection. Presently, the temporary traffic signal is owned by the contractor of the SR 4044 Project. PennDOT has indicated a willingness to purchase this temporary traffic signal from the contractor and turn it over to the Township in exchange for Township’s submission of the TE-160 Application for Traffic Signal to PennDOT. This application is the process by which PennDOT begins the evaluation for installation of a new traffic signal. Upon receipt of this application, PennDOT will contact the DVRPC to conduct traffic counts at this intersection. This information will be used in evaluating whether installation of a permanent traffic signal is warranted. The grants to install this permanent traffic signal and make the road improvements require some type of Township contribution or offset. Presently, the Township has been informed that the PA Department of Corrections may contribute \$50,000 to this offset. In addition, the Township has been discussing with the School District possible financial assistance to pay for this permanent traffic signal. Before the Board is Resolution 2019-13. This resolution authorizes the Chairman of the Board, Dean Becker, to sign and submit the TE-160 Application to Penn DOT to begin the process of a permanent traffic signal at this intersection. Ms. Daniel indicated that she has not received written confirmation that PennDOT will purchase the temporary traffic signal from its contractor and transfer its ownership to Perkiomen Township. Vivian Schoeller made a motion, seconded by William Patterson, to approve Resolution 2019-13, conditioned upon the receipt of a letter from PennDOT confirming that they will purchase the temporary traffic signal from their contractor to then transfer the ownership and maintenance of said temporary traffic signal to Perkiomen Township. There were no public comments on the motion. The motion was passed by a vote of 4-0.

- ❖ Perkiomen Township Fire Company: The Fire Company submitted to the Board its proposed 2019 Calendar of Events. Janet Heacock made a motion seconded by Vivian Schoeller to approve the 2019 Calendar of Event for the Perkiomen Township Fire Company. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**SOLICITOR’S REPORT:** Solicitor Allebach was present at the meeting in place of Solicitor Picardi. Solicitor Allebach submitted the Solicitor’s report to the Board of Supervisors.

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**PUBLIC SAFETY REPORTS:**

- **POLICE REPORT:** The Board is in receipt of the PA State Police Report for February 2019.
- **TRAPPE AMBULANCE** – No report was received by the Board.
- **PLYMOUTH COMMUNITY AMBULANCE ASSOCIATION** – The Board is in receipt of the reports for February 2019.
- **PERKIOMEN TOWNSHIP FIRE COMPANY:** The Board is in receipt of the report for February 2019.
- **FIRE MARSHAL'S REPORT:** The Board is in receipt of the report for February 2019.

**ROAD MASTER'S REPORT:** Shawn Motsavage submitted to the Board his Road Master's Report dated March 1, 2019, for activities occurring during the month of February.

**CODE ENFORCEMENT REPORT:** John Moran, Jr. submitted to the Board his Code Enforcement report dated March 1, 2019, for activities that occurred during the month of February.

In addition to his report, Mr. Moran informed the Board that he received a noise complaint from Paul Caskey of 455 Mayberry Road. This noise complaint was brought against Jeremy Kashuba and Jacquelyn Alutis of 433 Mayberry Road. The complaint centers around the barking of Mr. Kashuba's dogs. Upon notification of this complaint, Mr. Kashuba explained that his dogs were used to protect his alpacas as well as other farm animals and it is their nature to bark when they feel there is a threat to the livestock. Mr. Kashuba followed up after the conversation with written information regarding the dogs and their purpose in guarding the livestock. In addition, Mr. Kashuba included a section of the Noise Ordinance regarding exemptions for farm related activities. Mr. Moran apprised the Board that the Township's Zoning Hearing Board had rendered a decision in 2013 in which it determined that Mr. Kashuba and Ms. Alutis was engaged in an agricultural operation. Mr. Kashuba's dogs are a part of his agricultural operations and therefore would be exempt from the noise standards under the Noise Ordinance. Vivian Schoeller questioned Mr. Moran on the timing of when Mr. Kashuba and Ms. Alutis began their agricultural operation and when the person moved into the Township. The Board questioned Solicitor Allebach on whether Mr. Kashuba and Ms. Alutis were within their rights in operating the agricultural operation inclusive of the dogs. It was the opinion of Solicitor Allebach that Mr. Kashuba and Ms. Alutis were acting within their

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rights. Based upon that opinion, the Board directed Solicitor Allebach to write a letter to both property owners informing them of this finding.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held its meeting on February 19, 2019. At this meeting, the Planning Commission discussed the proposed changes to the Telecommunication Ordinance and reviewed the changes to Sign Ordinance. The Planning Commission is looking to have a joint meeting with the Board in March to review all these proposed changes.

**PARK AND RECREATION REPORT:** Cecile Daniel informed the Board that the information submitted to the Township by the contractor for payment of the playground equipment at Lodal Creek Park was reviewed by SSM. After review of the paperwork, SSM recommended that the Board approve the payment to General Recreation, Inc. in the amount of \$83,361.20. With this recommendation, William Patterson made a motion seconded by Vivian Schoeller to authorize payment to General Recreation, Inc. in the amount of \$83,361.20. There were no public comments on the motion. The motion was carried by a vote of 4-0. Vivian Schoeller informed the Board members that a meeting was held with certain staff members of the Montgomery County Planning Commission. The purpose of this meeting was to discuss activities for the Highland/Huber Properties. The MCPC staff is going to prepare a layout of activities for this park and present them to the Park & Recreation Committee. Ms. Schoeller also informed the Board that she had a telephone call from Daniel Collins, who indicated an interest in starting a basketball league at Lodal Creek Park where the Township recently installed two basketball courts. Mr. Collins also inquired about the installation of lights at the basketball courts. William Patterson mentioned that Community Day is Saturday, June 1, 2019. Something new this year will be a mascot from the Reading Phillies. The cost to add this will be \$140.00. Since this is something new, Mr. Patterson requested authorization from the Board before he proceeds with the agreement. William Patterson made a motion seconded by Vivian Schoeller to authorize William Patterson to sign the agreement for a Fightin Phils Mascot Appearance for \$140.00. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** Cecile Daniel informed the Board that there was no new information discussed at the LPVRSa meeting.

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

1. 407 Wartman Road: Mr. Conrad reported on the receipt of a request to release the escrow for the improvements made to 407 Wartman Road. All work covered under the posted escrow has been completed and Mr. Conrad is recommending the release of the escrow and close out of the project. With the recommendation of Mr. Conrad, William Patterson made a motion seconded by Janet Heacock to close out and release the escrow in the amount of \$10,810.97 for 407 Wartman Road. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**MANAGER'S REPORT:**

1. 817 Limerick Road: Two of the conditions of the approval for the 817 Limerick Road Subdivision were the Stormwater Facilities Maintenance and Project Improvements Agreement and the Conservation Easement and Declaration of Restrictions and Covenants. The Stormwater Facilities Maintenance Agreement covers the improvements that are to be installed in the three new lots to be constructed by Atlas Broadband Solutions. According to the agreement, the developer proposes to post a Letter of Credit in the amount of \$70,466.00 as the financial security. In addition, the agreement sets forth the ongoing operation and maintenance of the stormwater management facilities that are a part of this development. The draft agreement has been reviewed by the Township staff and is ready for the Board's consideration. The Board reviewed the agreement and made some minor corrections. Vivian Schoeller made a motion seconded by William Patterson to approve the Stormwater Facilities Maintenance and Project Improvements Agreement between Perkiomen Township and Atlas Broadband Solutions, Inc. There were no public comments on the motion. The motion was carried by a vote of 4-0. The Conservation Easement and Declaration of Restrictions and Covenants Agreement is intended to preserve and conserve, in a Conservation Easement area, the trees, steep slopes, the water course and other environmentally sensitive areas located in the northern portions of Lots 3 and 4. The agreement sets forth the covenants and restrictions that will govern what the present and future property owner's responsibilities and restrictions will be under this agreement. The draft agreement has been reviewed by the Township staff, Solicitor, and engineer, and is ready for the Board's consideration. The Board reviewed the agreement and made no changes. Janet Heacock made a motion seconded by Vivian Schoeller to approve the Conservation Easement and Declaration of Restriction and Covenants between Perkiomen Township and Atlas Broadband Solutions, Inc. There were no public comments on the motion. The motion was carried by a vote of 4-0.

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**TREASURER’S REPORT:** The treasurer presented to the Board, the February Financial Report showing the receipts and expenditures and the bill list for February. Janet Heacock made a motion seconded by William Patterson to approve the bill list for the month of February in the amount of \$90,945.66 and approve the February Treasurer’s Report to be placed on file for audit. There were no public comments. The motion carried by a vote of 4-0.

There being no further business, the March public meeting was adjourned upon motion made by Vivian Schoeller and seconded by William Patterson.

Respectfully Submitted,

*Cecile M. Daniel*

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Cecile M. Daniel  
Township Manager