

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: OCTOBER 6, 2009**

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**BOARD MEMBERS PRESENT:** Edward Savitsky, Chairman  
Richard Kratz, Vice-Chairman  
William Patterson, Member  
Gordon MacElhenney, Member

**ABSENT:** Dean Becker, Member

**OTHERS PRESENT:** Cecile Daniel, Township Manager  
Kenneth Picardi, Township Solicitor  
Chuck Frantz, Township Engineer  
John Moran Jr., Code Enforcement Officer  
John Moran Sr., Road Master

**MINUTES:** The minutes of the September 1, 2009 Board of Supervisors meeting were approved upon a motion made by William Patterson and seconded by Richard Kratz. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.

**POLICE REPORT:** The Board reviewed the PA State Police Report for September.

**CORRESPONDENCE:**

- Lower Frederick Ambulance Report for September.
- Trappe Ambulance Report: Report for September.
- PSATS Alert
- Letter from Trappe Borough – RE – Betcher Road
- CPVRPC September Meeting Minutes

**SOLICITOR’S REPORT:** Kenneth Picardi reported on the following activities:

- (1) Gambone (Conservancy Subdivision) – Gambone sold the last three lots to Horgan Brothers. Gambone is moving forward with dedication of the public improvements. A new tri-party agreement between the Township, Horgan, and Gambone needs to be negotiated. This tri-party agreement will cover those items that will become the responsibility of Horgan Brothers. The agreement is still being worked out amongst the parties.

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- (2) 44 Liberty Alley – Mr. Picardi has been working with John Moran Jr. and the record property owner to try and address the Code violations.
- (3) Maple Hill Community – The Maple Hill Community Association is in the process of revising their by-laws. The proposed revised by-laws were reviewed and comments sent back to Maple Hill Community Association.
- (4) 316 Township Line Road – T-Mobile has submitted information to the Township of its intention to construct a telecommunication's tower at 316 Township Line Road (Calabretta property). The information that was submitted to the Township indicated that T-Mobile intends to construct a 125 foot silo and that the antenna and support structure would be located within the silo. Before submitting a formal application to the Township, T-Mobile would like to discuss with the Township why they feel the installation of a silo/telecommunication tower is permitted at this site. Representatives of T-Mobile will be present at the Board's October Joint Meeting.
- (5) T-Mobile – There were some outstanding issues regarding the installation of the cellular communications tower located at the Township Building. Mr. Picardi reported that all of the outstanding issues have now been satisfactorily addressed.
- (6) **EXECUTIVE SESSION:** Mr. Picardi informed the public that there will be an Executive Session immediately following this Board meeting. The purpose of this Executive Session will be to discuss a matter related to the acquisition of real estate.

**ROAD MASTER'S REPORT:** John Moran Sr. submitted to the Board his Road Master's Report dated October 1, 2009 for activities taking place during the month of September. In addition, the Board was asked what their preference would be regarding the disposal of the 1991 Chevrolet Blazer. The Blazer was replaced recently with the purchase of a new truck. It was Mr. Moran's and Ms. Daniel's recommendation that the Blazer be bid out to be sold as is. The Board directed that the Blazer be bid out to be sold as is.

**FIRE MARSHALL'S REPORT:** John Moran Sr. submitted to the Board his Fire Marshall's Report dated October 1, 2009 for activities taking place during the month of September.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his Code Enforcement Report dated October 1, 2009 for activities taking place during the month of September.

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**PLANNING COMMISSION REPORT:** The Planning Commission held their meeting on September 15, 2009. The following were the items discussed at that meeting: (1) Renninger Shopping Center: TPD submitted revised plans for the Renninger Shopping Center. These revised plans were prepared based upon the review comments received from PADOT. The revisions will affect the entrance into the shopping center, Harrison Avenue and Gravel Pike, and the public improvements proposed along Route 29 and (2) Small Wind Energy Systems: Discussion regarding the creation of regulations governing the installation of Small Wind Energy Systems.

**MANAGER'S REPORT:** Cecile Daniel reported on the following items:

- (1) **ACT 32:** Correspondence was sent to Montgomery County informing the County that the Board of Supervisors appointed myself and Roy Gaugler as the representative for Perkiomen Township to the Tax Collection Committee. A letter was received from Montgomery County informing us that Montgomery County has set the first meeting of the TCC for October 28, 2009 at 11:00 a.m.
- (2) **PERKIOMEN VALLEY SCHOOL DISTRICT:** As presented as the September Meeting, the Perkiomen Valley School District is again looking to place on the November ballot the question of increasing the rate of the Earned Income Tax while eliminating the Occupation Tax. Just a reminder that PVSD has set meeting dates with the public for October 15, 2009 at Skippack Elementary and October 21 2009 at the PV Middle School East.
- (3) **SHOPPING CENTER:** Based upon the PADOT review of the proposed improvements to be completed on Route 29, PADOT required changes to the proposed land development plan. PADOT does not want the left hand turn into the entrance of the shopping center restricted. The affect of this change will require more improvements along Route 29. The improvements will now start about 160' south of Maple Avenue. PADOT also reviewed the proposed improvements at Harrison Avenue. There were some changes made that may affect the parking spaces located at the Otts' Property. The affect of PADOT's review and changes to the proposed improvements will require an amendment to the approved Conditional Use approval. The plans and traffic study presented during the public hearings were different that what is now being proposed. The Applicant needs to request an amendment to the approved Conditional Use Approval. This will require another public hearing before the Board.

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- (4) **COMPREHENSIVE PLAN AMENDMENT:** There was a public hearing on September 22, 2009 on the amendment to the Central Perkiomen Valley Regional Planning Commission Comprehensive Plan. The Board has before it tonight the Resolution to approve this amendment.
- (5) **STATE POLICE COVERAGE:** Regarding the two bills in the House concerning payment for State Police Coverage. The first bill was HB 1500 and the second was HB 963. According to the information that I have been able to obtain, the status of these two bills has not changed. HB 1500 was voted out of Committee on July 1, 2009. The first vote was to table the bill, it lost by one vote. The second vote was to move the bill out of committee. It passed by one vote. The present bill is before the full House for consideration. HB 963 is still before the Judiciary Committee and has been since March 16, 2009. There is nothing new on this.

**ENGINEER'S REPORT:** Chuck Frantz reported on the following:

- **2009 ROAD PROJECT:** Floyd G. Hersh Inc. submitted an application for payment No. 2 in the amount of \$103,733.10 for the 2009 Road Project. Mr. Frantz reviewed the request for payment and recommended that the Board pay the amount being requested. With the recommendation of Mr. Frantz, Richard Kratz made a motion, seconded by Gordon MacElhenney to approve Payment #2 to Floyd G. Hersh Inc. in the amount of \$103,733.10. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.
- **CHANGE ORDER NOS. 2 and 3:** Next, Mr. Frantz presented to the Board Change Order Nos. 2 and 3. Change Order No. 2 was discussed and approved at the September Meeting. Change Order #2 will approve the installation of the bituminous bus stop pad at Welsh Road and Bridge Street and delete the installation of the sidewalk along Bridge Street from Arbor Lane to 659 Bridge Street as part of the 2009 Road Project. This change order resulted in a net decrease of \$11,675.00 in the 2009 Road Contract. Change Order # 3 covers the field changes made by the contractor to address the erosion and backfill modifications needed at the Seitz Road Bridge Site. These changes include, the E&S measures required by the Montgomery County Conservation District, the Geo-Tech material, and the R-6 rip-rap stone added along the bridge and the foundation to protect the culvert. This change order will result in a net increase of \$8,410.00 in the 2009 Road Contract. The net effect of these two change orders is a decrease in the 2009 Road Contract of \$3,265.00. Mr. Frantz informed the Board that they only need to approve Change Order No. 3 since Change Order No. 2 was approved in September. With the recommendation of Mr. Frantz, William Patterson made a motion, seconded by Richard

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Kratz to approve Change Order No. 3 which is a net increase in the contact of \$8,410.00. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0. Last, Mr. Frantz mentioned that the Board has previously approved a change in the date for substantial completion to October 6, 2009. The contractor contacted Mr. Frantz and informed him that due to the weather, they will reach substantial completion by October 13, 2009. According to Mr. Frantz, the only item remaining is the installation of the wearing course. It was Mr. Frantz's recommendation that the Board approve the request to revise the substantial completion date from October 6, 2009 to October 13, 2009. Based upon this recommendation, Gordon MacElhenney made a motion, seconded by William Patterson to move the substantial completion date from October 6, 2009 to October 13, 2009. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

**RECEIPTS AND EXPENDITURES:** The treasurer read the receipts and expenditures for the month of September. After review of same, Richard Kratz made a motion seconded by William Patterson to authorize payment of the September bills. There were no public comments on the motion. The motion was approved by a unanimous vote of 4-0.

**NEW BUSINESS**

- **CENTRAL PERKIOMEN REGIONAL PLANNING COMMISSION:** A public hearing was held on the proposed two amendments to the Central Perkiomen Valley Regional Comprehensive Plan. The Board has before it Resolution 2009-15 approving these two amendments. The first amendment is with regard to the Central Perkiomen Valley Regional Transportation and Community Character Study dated March 6, 2009. This will be added as Appendix B. The second amendment was changes made to Chapter 8, Future Land Use, Industrial Designated Growth Area. This Resolution is as follows:

RESOLUTION NO. 2009-15

**A Resolution Approving Amendments to the Central Perkiomen Valley Regional Comprehensive Plan**

**Whereas**, the municipalities of the Colledgeville Borough, Schwenksville Borough, Trappe Borough, Perkiomen Township, Lower Frederick Township, and Upper Frederick Township, collectively known as the Central Perkiomen Valley, have joined together for the purpose of regional planning through mutual cooperation, and

**Whereas**, after careful consideration, the municipalities of the Central Perkiomen Valley created the Central Perkiomen Valley Regional Planning Commission in July of 2001 in order to prepare a Regional Comprehensive Plan to serve as a guide for future growth and development, and

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**Whereas**, in June of 2005, after development of the Regional Comprehensive Plan by the Central Perkiomen Valley Regional Planning Commission, each of the municipalities of the Central Perkiomen Valley adopted the Regional Comprehensive Plan and authorized continuation of the Central Perkiomen Valley Regional Planning Commission to oversee implementation of said Plan, and

**Whereas**, the Central Perkiomen Valley Regional Planning Commission has determined that two amendments to the text of the Regional Comprehensive Plan are necessary in order to further establish general consistency between the plan and local ordinances, and now proposes to include as part of the Plan Amendment #1 - Appendix B: Central Perkiomen Valley Regional Transportation and Community Character Study dated March 6, 2009 and Amendment #2 - Changes made to Chapter 8, Future Land Use, Industrial – Designated Growth Area, and

**Whereas**, the planning commissions and governing bodies of the Central Perkiomen Valley municipalities having reviewed said amendments and having found them necessary and acceptable for guiding the region's growth and development, and

**Whereas**, said Amendments have been presented and considered at a public hearing.

**Now Therefore Be It Resolved** that the Board of Supervisors of Perkiomen Township does hereby adopt the aforesaid two Amendments proposed by the Central Perkiomen Valley Regional Planning Commission, and hereby agree to amend the official Central Perkiomen Valley Regional Comprehensive Plan accordingly.

William Patterson made a motion, seconded by Richard Kratz to approve Resolution 2009-15. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

- **DOG ORDINANCE:** The issue of creating an Ordinance covering the responsibility of dog owners to clean up after their dog was discussed earlier this year. A draft Ordinance was prepared by the Township Solicitor and is before the Board for discussion. The main issue is whether to exclude certain properties in the Township from being covered by this Ordinance. Some examples would be any properties owned by Montgomery County, Perkiomen Valley School District, or PECO. The present draft would cover both public property as well as private property. The Board discussed who shall be affected by this Ordinance and directed that the Township Solicitor revise the Ordinance to include, but not be limited to, property owned by the Perkiomen Valley School District and property owned by Homeowner Associations. It shall not include property owned by Montgomery County nor property owned by Philadelphia Electric Company (PECO). With that direction, Richard Kratz made a motion, seconded by William Patterson authorizing advertisement of this proposed Ordinance for the Board's November meeting. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

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- **5K RUN:** The Township is in receipt of the request made by the Colledgeville Rotary regarding the use of Township Roads for their 6<sup>th</sup> annual Rotary Run-Around. These roads would include Kagey Road, Cranberry Road, Stewart Road, Longwood Road, Forge Road, and Trappe Road. As of this date, the Township has not received the Rotary's Certificate of Insurance. To date, there have been not problems that Ms. Daniel is aware of regarding this run. Ms. Daniel recommended that the Board approve the request condition on receipt of the Certificate of Insurance. With this recommendation, Richard Kratz made a motion, seconded by William Patterson to approve the request of the Colledgeville Rotary subject to the Township receiving the Certificate of Insurance. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.
  
- **SNOW WINTER AGREEMENT:** Perkiomen Township has an Agreement with PADOT regarding snow removal for Schwenksville Road and Haldeman Road. The original agreement was for five years. The agreement before the Board is a request to continue this agreement with PADOT for an additional five years. PADOT reimburses the Township on a per mile basis for snow removal on these two streets. The amount that is reimbursed to the Township in the past has been reflective of the gasoline prices. The Township has had this agreement with PADOT for a number of years. To date, there have been no issues that Ms. Daniel or John Moran Sr. are aware of. With the William Patterson made a motion, seconded by Richard Kratz approving Resolution 2009-16, approval of this agreement between Perkiomen Township and PADOT and authorize the appropriate officials to sign the Snow Winter Agreement. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.
  
- **FIRE POLICE SERVICES:** The Board reviewed a request made by Colledgeville Borough for Fire Police Services for traffic control assistance on Wednesday, October 28, 2009 for their Halloween Parade. William Patterson made a motion seconded by Richard Kratz to approve the request of Colledgeville Borough for traffic control assistance provided by the Perkiomen Township Fire Police. There were no public comments on the motion. The motion was carried by a unanimous vote of 4-0.

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