

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: OCTOBER 5, 2010**

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

Richard Kratz called the October 5, 2010 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

MINUTES: The minutes of the September 7, 2010 Board of Supervisors meeting were approved upon a motion made by Dean Becker and seconded by Edward Savitsky. There were no public comments on the motion. The motion was passed by a vote of 5-0.

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

CORRESPONDENCE:

- **PSATS** – Alert Bulletin
- **CPVRPC** – September Meeting Minutes
- **TRAPPE AMBULANCE** – Copy of Trappe Ambulance Report
- **LOWER FREDERICK REGIONAL AMBULANCE CORP** – Copy of LFRAC Report

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

OLD BUSINESS

1. 1. **HYK** – Mr. Picardi requested that two members of the Board attend a meeting with John Haines of HYK, and his attorney (Paul Ober) to review and hopefully resolve the remaining issues. Dean Becker and Gordon MacElhenney will be the Township Board Representatives to meet with HYK.

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2. LI District – The new LI District was established by Ordinance on September 28, 2010. In addition, by a separate Ordinance, the 20.9 acre parcel behind the Landis Shopping Center was rezoned “LI” on the same date.
3. Gambone (Conservancy Subdivision) – The dedication process has stalled as a result of the odor problem emanating from the sanitary sewer system. The Municipal Authority has requested that the process be put on hold in the hope that a resolution can be reached regarding the odor problem.
4. Fox Heath (Private Roads) – Township representatives Ed Savitsky, Bill Patterson, Cecile Daniel, and Mr. Picardi held a meeting with Fox Heath Homeowners Association representatives, including their attorney, Terry Clemons. The parties reviewed the draft Agreement and agreed upon a number of changes. Mr. Picardi is in the process of revising the Agreement.
5. T-Mobile – Calabretta – Mr. Picardi informed the board that the final public hearing was held on September 29th. The parties (T-Mobile, Fox Heath Homeowners Association, and the Township) now have thirty days to submit Findings of Fact, Conclusions of Law, and legal argument. Thereafter, the Zoning Hearing Board has forty-five days to render a decision. This would place the beginning of December as the end of the forty-five day period.
6. Zoning Hearing Board Applications – Mr. Picardi informed the Board that there are two applications before the Zoning Hearing Board. The first hearing is for 684 Gravel Pike, and the other is for 624 Grater Avenue. Mr. Picardi asked the Board as to whether or not he should be in attendance on behalf of the Township for either of the two public hearings. The Board indicated that Mr. Picardi did not need to be in attendance at either of these public hearings. There was also a discussion as to the application fees being charged for applicants coming before the Zoning Hearing Board. The Board directed that that these fees be reviewed.

ROAD MASTER’S REPORT: John Moran Sr. submitted to the Board his Road Master’s Report dated October 1, 2010 for activities taking place during the month of September. In addition to his report Mr. Moran submitted information to the Board regarding the replacement of a spreader for one of the Township’s trucks. In preparation of the coming winter season, Mr. Moran has been inspecting the spreader equipment. During his inspection, Mr. Moran determined that one of the spreaders needs to be replaced. As result, Mr. Moran requested quotes from vendors as to the cost to replace the spreader. When compared against the cost to repair the spreader, Mr. Moran felt that it would be better to replace the spreader versus repairing the spreader. In reviewing the cost estimates, Mr. Moran recommended that replacement of the spreader with a Swenson Stainless Steel Spreader with dual electric motors top screens and inverted “V”. The cost to purchase this piece of equipment is \$4,814.00. With the recommendation of Mr. Moran, Gordon MacElhenney made a motion, seconded by Dean Becker to purchase a new Swenson Spreader for the cost of \$4,814.00. There were no public comments on the motion. The motion was passed by a vote of 5-0.

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FIRE MARSHALL'S REPORT: John Moran Sr. submitted to the Board his Fire Marshall's Report dated October 1, 2010 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, 2010 for activities taking place during the month of September.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission for September 21, 2010 was canceled.

MANAGER'S REPORT:

1. **RECYCLING:** Cecile Daniel updated the Board on the working being completed on the Recycling Program for Perkiomen Township. During the month of September, Ms. Daniel contacted both Ryan Ingham and Mary Alice Reese (PADEP). Mrs. Reese was contacted to inform her of the changes made to the web site. On September 21st, Mrs. Reese contacted Ms. Daniel and told her that she called central office (Harrisburg) to clear Perkiomen Township for compliance. Mrs. Reese informed Ms. Daniel that the final clearance would be coming from central office (Harrisburg). At the same time Ms. Daniel contacted Ryan Ingham regarding the 904 Performance Grants. All of the paperwork that Mr. Ingham needed to file the grant application was completed and sent to Mr. Ingham. Finally, Ms. Daniel updated the Board on the Barnside Farm situation.
2. **FEBRUARY 2010 SNOW EVENT:** Ms. Daniel informed the Board that she has processed the paperwork as required by FEMA. All the requested documentation was submitted to the FEMA local representative. The tentative amount submitted is \$39,751.00. The paperwork will be sent on to the next level for this review. At some point, the Township will be informed as to the final number. When that number is finalized the reimbursement from FEMA is 75% of that number.
3. **TCC – MONTGOMERY COUNTY TAX COLLECTION COMMITTEE –** Ms. Daniel informed that Board that the Members of the Management Committee of the TCC reviewed the requests for proposals and narrowed the Tax Collection Agencies down to two Companies: Keystone Collection Group or Berkheimer Associates. Based upon the information received and site visits, the Management Committee recommended that the TCC appoint Berkheimer as the Tax Collection Agency. The reasons for the Management's recommendation were as follows:
 - Berkheimer's rate to collect the EIT and LST Taxes is 1.39% commission (This rate is less than the one we are pay presently to Berkheimer which is 2 %.) for an initial contract term of 3 years. After the initial 3 year term, the agreement could continue

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with 1 year rollovers until either party provides written notice of its intent to terminate the contract or renegotiate the terms of the current contract.

- Berkheimer already provides tax collection services to 80% of Montgomery County Municipalities (Perkiomen Township is one of those municipalities).
- Berkheimer based on their size of operation, is better able to handle the day to day operation of collecting the EIT and LST Taxes.

The TCC voted unanimously to appoint Berkheimer Associates as the Tax Collection Agency and the effective date of the contract is January 1, 2011. January 1, 2011 is an early implementation date. The law requires that the implementation of the County Wide Collection of the EIT is January 1, 2012. The Management Committee is requesting confirmation that Perkiomen Township is okay with the early implementation date. Based upon the aforementioned points, Ms. Daniel did not see any reason for not having a problem with the early implementation date of January 1, 2011. Since the Board did not object to Ms. Daniel recommendation, she will respond back to the Management Committee that Perkiomen Township is okay with the implementation date of January 1, 2011 versus January 1, 2012.

ENGINEERS REPORT: Chuck Frantz reported on the following items:

1. 2010 Road Project – Update

- Change Orders #2 – Change Order reduced the number of inlets that was a part of the road project. The number of inlets was reduced from 2 inlets to 1 inlet. The reduction in the number of inlets reduced the project costs by \$2,810.00. The bicycle grates were provided by John so the contractor provided a credit of \$732.00. The inlet was supposed to be replaced was repaired. The cost to repair the inlets was \$1,405.00. The net result of this change order with the decreases and the increase was a net decrease in 2010 Road Project the price by \$2,137.00. Mr. Frantz recommended that the Board approve Change Order #2. With the recommendation of Mr. Frantz, Dean Becker made a motion, seconded by William Patterson to approve Change Order #2. There were no public comments on the motion. The motion was passed by a vote of 5-0.
- Change Order #3 - Change order #3 was a modification to the base drain. The road project was designed such that the base drain was to be installed in the grass area located along side of the road. When getting preparing to install the base drain it was determined that there was a gas main located in the same area where the base drain was supposed to be installed. The result was the base drain needed to be moved into the cartway. The result of moving the base drain into the cartway was a change order

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- that removed 200 LF of base drain from the grass area due to field constraints (\$5,680) and replacing it with 302 LF located in the cartway (\$14,457). The net result of this change order was an increase in the 2010 Road Project by an increase of \$8,777.00. Mr. Frantz recommended that the Board approve Change Order #3. With the recommendation of Mr. Frantz, Edward Savitsky made a motion seconded by Gordon MacElhenney to approve Change Order #3. There were no public comments on the motion. The motion was passed by a vote of 5-0.
- Application Payment #1 – Mr. Frantz informed the Board that he received a request from Reading Site Contractors for Payment #1 in the amount of \$206,300.70. This amount includes change order #2 and change order #3. Also, Mr. Frantz explained that the payment includes holding 1% retaining to determine that once the vegetation has come back in the areas where the work was completed and the grass is growing. Once this determination has been made, then Mr. Frantz will return to the Board with a recommendation on the release of this 1% retainage. As to the payment request made by Reading Site Contractors, Mr. Frantz recommended that the Board approve Payment Application #1 in the amount of \$206,300.70. With the recommendation of Mr. Frantz, Dean Becker made a motion seconded by William Patterson to approve Payment #1 to Reading Site Contractors in the amount of \$206,300.70. There were no public comments on the motion. The motion was passed by a vote of 5-0.
 - Mr. Frantz discussed with the Board the schedule moving forward. Mr. Frantz informed the Board that he and John Jr. had a meeting with Mrs. Kriebel and her son, Paul. The Kriebels have settled on a contractor and will be moving forward on the improvements that are required as part of Mrs. Kriebel's Subdivision. There are some administrative steps that will need to be completed before the improvements can be installed. Due to the installation of these improvements being completed so late in the season, the remainder of the road work in the 2010 road project will not be able to be completed during the 2010 road season. Based upon this information, Mr. Frantz contacted Jason Saylor from Reading Site Contractors to discuss the completion of the remaining work. According to their conversation, Mr. Saylor is okay with closing out this contract and allowing the Township to include this work in the 2011 Road Project. To ensure that everyone is okay with the Mr. Frantz indicated he will prepare a change order #4 and remove those quantities that reflect the 800 LF of road work that was not completed. Once the change order is completed, Mr. Frantz will send it to Jason Saylor to have it signed. Once signed by Reading Site Contractors, Mr. Frantz will submit the same change order for the Board's approval. Kenneth Picardi felt that once both parties sign the change order, then the Township should be covered and not exposed should Reading Site Contractors come back at a later date and say that they should be reimbursed for the money lost by their inability to complete the 2010 Road Contract.

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2. Godshall Road Bridge: Mr. Frantz discussed with the Board the issues regarding the Godshall Road Bridge.
 - First Mr. Frantz discussed the request of the Abbots. Mr. Frantz updated the Board on the meeting that he had with the Abbotts. Mr. Frantz indicated that the replacement of the Godshall Road Bridge would require the removal of three to four trees. The Abbotts did not want to lose these trees. Mr. Frantz felt these trees would not make it through the construction. The Abbotts discussed with Mr. Frantz the possibility of the Township providing replacement trees as a landscape screening buffer between the Abbott's property and the property to the south. Mr. Frantz explained that there is an existing buffer that covers about an eighty foot area. The existing buffer area has holes in it that would need to be filled in. Based upon his analysis, it was Mr. Frantz's recommendation that the Abbotts would need about eight Norway Spruce trees to fill in the buffer area. The total cost to the Township, including purchase of the trees and installation, would be approximately \$1,700.00. The Board discussed adding trees in an area that was not directly related to the area where the work was being completed. The Board felt better if the Abbotts were asking for replacement trees in the same area where the work was being completed. Mr. Frantz explained that the four trees were located in the following areas: two trees are located outside of the right-of-way; one tree is located in the right-of-way, and one tree sits directly on the right-of-way line. The Board also discussed the point that the Township needs easements from the Abbotts for this project. The Board discussed the cost to purchase the trees versus going through contested easement proceedings. After discussing the request of the Abbotts, the Board directed that Mr. Frantz inform the Abbotts that the Township is willing to give the Abbotts a check to cover the cost to purchase and install the eight Norway Spruce trees in exchange for the easement.
 - Second, Mr. Frantz would like to send letters to the three property owners setting forth the issues that were discussed when he met with these property owners. In anticipation, Mr. Frantz prepared a memo for the Board setting forth the items that would be in these letters. Before he moves forward, Mr. Frantz wants to make sure that the Board is okay with what is in the memo. Mr. Frantz indicated that he will include in the Abbotts section the discussion that took place at this meeting regarding the trees. Under the Abbott section, the Board discussed the wall that is located near the bridge. Mr. Frantz indicated that the Abbotts would like the wall protected during the construction. Mr. Frantz explained that the construction equipment could come within five feet of this wall. As part of the contract, the contractor will be responsible to protect the wall during the construction and repair the wall should the wall be damaged during construction. The Board said to move forward with the items on the memo and send the letters to the residents.

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- Third, Mr. Frantz discussed with the Board the aesthetic issue. Mr. Frantz explained that in order to address the aesthetics a form lining is added to the facing of the headwalls. In looking into the aesthetics Mr. Frantz narrowed the options to three possible options which he reviewed with the Board. The form liner is about an inch thick. The form liner is grouted to the structure. Without this form liner, the bridge would look like the bridge that was constructed on Seitz Road. The Board discussed what the life of the form liner would be. Mr. Frantz informed the Board that he is unsure as to the life of the form liner, but it was his opinion that he does not think that the life of the form liner has the same life as the bridge, which is 75 years. The Board discussed spending money for this form liner when it may not last as long as the bridge. The Board discussed spending an extra \$40,000.00 to \$50,000.00 for the form liner. The Board has more questions regarding the life and warranty of the form liner and what examples the Board may see in the field that shows what the form liner looks like as a final product. Mr. Frantz informed the Board that he will contact Con Tech and obtain a list of bridges that have this form liner. Mr. Frantz will also discuss with Con Tech and how long they feel this form liner will last and what type of warrant comes with the form liner. In addition, Mr. Frantz will try and obtain a list of locations so that the Board can see for themselves what the form liner would look like as a final product. Mr. Frantz also informed the Board that they can also look to see how the staining process is lasting on these bridges.
3. Graterford Road Bridge: The Board discussed the request made by Penn Dot to take over ownership of the Graterford Road Bridge. SSM completed a review of the information supplied to them from PADOT as well as an inspection of the Bridge itself. The letter from SSM indicated that there are a number of repairs that are needed on the bridge. These repairs would need to be completed regardless of the bridge being used for vehicular traffic or foot traffic. There are repairs that appear to involve structural repairs. Also, Mr. Frantz pointed out that once the initial repairs were begun, there could probably be other repairs that will be necessary. Based upon PennDOT's Report, the Condition rating for this bridge is a 3, which is serious. That means there are problems to the substructure. Also, this report gives this bridge a rating of 4. Mr. Frantz added that there are drainage issues that need to be addressed since there are no drainage boxes on the bridge. Based upon SSM's report, the Board directed Ms. Daniel to contact Penn Dot and inform them that the Board is not interested in taking over the ownership of the Graterford Road Bridge.
4. AQM Inc. – Mr. Frantz received the final payment application from AQM, Inc. for the 2010 Maintenance Garage AC Replacement Project. This request was in the amount of \$972.00. Mr. Frantz informed the Board that all the punch list items were completed and recommended that the Board approve the payment. Mr. Frantz reminded the Board that, per the contract, the one year warranty period will expire on July 20, 2011. With the

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recommendation of Mr. Frantz, Dean Becker made a motion seconded by William Patterson to approve the AQM, Inc. Application Payment #2 in the amount of \$972.00. There were no public comments on the motion. The motion was passed by a vote of 5-0.

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

NEW BUSINESS:

1. Bike Ride for Ataxia Research: Friedreich Ataxia Research Alliance will hold a 10 mile, 25 mile, and 50 mile bike ride on October 10, 2010 to raise money for research. A portion of the bike ride will go through roads in Perkiomen Township. A Certificate of Insurance has been provided by the Alliance. Before PennDot grants consent for the use of any state roads, PennDot is requesting written consent from each municipality where this propose bike ride will take place. As a result, the Alliance is requesting the Board grant permission to the Alliance to use the designated roads in Perkiomen Township. Ms. Daniel informed the Board that the Alliance has submitted a Certificate of Insurance to the Township. Mr. Picardi has reviewed the Certificate and found it to be acceptable. Ms. Daniel recommended that the Board approve the request of the Friedreich Ataxia Research Alliance. With the recommendation of Ms. Daniel, Edward Savitsky made a motion, seconded by Dean Becker to approve the request of the Friedreich Ataxia Research Alliance to use certain Township roads to hold their annual bike ride on October 10, 2010. There were no public comments on the motion. The motion was passed by a vote of 5-0.
2. Traffic Signal Maintenance Contract: Signal Service has submitted the two year renewal for the Traffic Signal Maintenance Contract. This contract covers the maintenance of the Township's traffic signals, the school crossing lights, and the blinking light located on Route 73. The amount of the contract is the same as was in the previous two year contact, \$1,500.00. Ms. Daniel recommended that the Board approve the two year contact with Signal Service. With the recommendation of Ms. Daniel, William Patterson made a motion seconded by Gordon MacElhenney to approve the two year contact with Signal Service to cover the Township's traffic light, the school crossing lights, and the flashing light located on Route 73. There were no public comments on the motion. The motion was passed by a vote of 5-0.

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SUPERVISORS COMMENTS

William Patterson, on behalf of the Board, expressed a thank you to both the Road Crew and the Perkiomen Township Fire Company their work during the recent rain storm.

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