

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: NOVEMBER 6, 2012**

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

OTHERS PRESENT: Cecile Daniel, Township Manager
 Kenneth Picardi, Township Solicitor
 Daniel Coghlan, Township Engineer
 John Moran, Jr., Code Enforcement/Zoning Officer
 Shawn Motsavage, Road Master

PUBLIC HEARING: At 6:00 p.m., a public hearing was held before the Board of Supervisors on the proposed purchase of 19.5 acres that is presently owned by Susan Mruskovic. Present at this public hearing were Patricia Canfield, John Steele, and William Bushnell. All are residents of the Birchwood Development located across the street from this property. In discussing this purchase, the Board and these residents discussed the future maintenance of the property. The residents discussed the loitering problems that have been an issue on this property over the years. The Board discussed temporarily closing off the parking area until a long-range plan is developed for this property. In general these residents discussed the issue of having more of a police presence in the Birchwood Development. The Board felt that this issue was a bigger issue as it will affect the Township as a whole, but recognized their concern. There was a discussion regarding the hours when this park would open. Presently, the Township's Ordinance governing property owned by the Township does not include hours of operation. The Board indicated that it would have to review this point. Last, there was a discussion as to the future use of the property. Ms. Daniel indicated the Planning Commission discussed with the Board developing some type of recreation on this property. In particular, Mrs. Canfield request consideration of having input into the development of this property. Ms. Daniel informed Mrs. Canfield that she would keep her abreast of when the issue of developing this property would take place. After all the comments were received, the Board closed the public hearing. Upon closing the public hearing, Mr. Picardi asked the Board's intension regarding the agreement to purchase this property. The Board discussed moving forward on the purchase and Dean Becker made a motion seconded by Richard Kratz to approve the Agreement of Sale between Perkiomen Township and Susan Mruskovic to purchase the 19.5 for \$250,000.00 and authorized the appropriate Township Officials to execute the Agreement of Sale. There were no public comments on the motion. The motion was carried by a vote of 5-0.

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PUBLIC HEARING: Conditional Use Application - S.H. BIO-WASTE, LTD:

Mr. Picardi informed the Board that he received notification from Michael Clement, Esquire, attorney for S.H. Bio-waste LTD, that his client, S.H. Bio-Waste, LTD is withdrawing its Conditional Use Application. As a result, there is no need to reconvene or to continue the public hearing at this time.

MINUTES: The minutes of the October 2, 2012 Board of Supervisors meeting were approved upon motion of William Patterson and seconded by Richard Kratz. There were no public comments on the motion. The motion was carried by a vote of 4-0. Dean Becker abstained as he was not present at the October 2, 2012 meeting.

POLICE REPORT: The Board reviewed the written State Police Report for October.

CORRESPONDENCE:

- **CPVRPC** – Meeting Minutes for October. In addition, Dean Becker informed the Board that the CPVRPC is working on Economic Development in the Region. The CPVRPC hopes to invite a number of interested individuals at their November meeting that would bring some insight into the economic development of the region.
- **TRAPPE AMBULANCE & LOWER FREDERICK AMBULANCE** – Report
- **PSATS** – News Bulletin

SOLICITOR’S REPORT: Kenneth Picardi reported that:

1. Community Medical and Dental Center, Inc. (“CMDC”) – Mr. Picardi sent a letter to Montgomery County regarding CMDC’s request to purchase 309 Gravel Pike, Rahns, PA. As of this meeting, Mr. Picardi has not received a response from the County.

ROAD MASTER’S REPORT: Shawn Motsavage submitted to the Board his Road Master’s Report dated November 1, 2012 for activities taking place during the month of October. William Patterson gave a report to the Board as to the activities that took place during the recent hurricane (Sandy).

FIRE MARSHALL’S REPORT: John Moran Sr. submitted to the Board the Fire Marshall’s Report dated November 1, 2012 for activities taking place during the month of October.

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CODE ENFORCEMENT REPORT: John Moran Jr. submitted to the Board his Code Enforcement Report dated November 1, 2012 for activities taking place during the month of October. In addition to his report, Mr. Moran informed the Board that Zoning Hearing Board has scheduled a public hearing for November 14, 2012 on an application filed by Steven Gruchevsky of 76 Trappe Road for a variance to expand his existing shed. The Board discussed the application and agreed there were no issues with this application; therefore, they did not authorize the Township Solicitor to attend this public hearing or to otherwise oppose this application. As part of Mr. Moran's report, Mr. Patterson informed the Board that a car was accidentally driven into the side of the fire house. Mr. Moran completed a preliminary investigation into the damage, but was unsure as to the extent of the damage done to the building. In anticipation of the fire company needing a building permit to fix the damage, Mr. Patterson made a motion requesting consideration by the Board to waive the building permit fee should it be determined that one is needed to fix the building. The motion was seconded by Richard Kratz. The motion was carried by a vote of 5-0.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission held their October meeting on October 16, 2012. The Planning Commission continued its discussion on the update to the Township's Zoning Ordinance.

LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY: Richard Kratz made the Board members aware of a blog written by a resident of Lower Providence which included a history of the situation between Lower Providence and the LPRVSA. Next, Mr. Kratz gave copies of a Letter to the Editor that was written by the Supervisors of Upper Providence Township. This Letter to the Editor established Upper Providence Township's position on the middle interceptor and the update to the Act 537 Plan. Mr. Kratz felt that the Supervisors of Perkiomen should take similar action as it relates to the middle interceptor, the update to the Act 537 Plan, and allowing Graterford Prison into the LPVRSAs System. Janet Heacock made a motion seconded by Dean Becker to establish the position of the Supervisors of Perkiomen Township. The Supervisors of Perkiomen Township agree with the position taken by the Supervisors of Upper Providence Township. The Supervisors will continue to work with the LPVRSAs in complying with the PADEP's request that the Act 537 be updated. Like Upper Providence Township, Perkiomen Township is concerned about the short and long term financial burden associated with the placement and construction of the middle interceptor. Perkiomen Township will not support a plan that results in increased construction and maintenance costs associated with the construction and installation of a pumping station to serve the middle interceptor. Regarding Graterford Prison, the Supervisors support the issue of Graterford Prison being allowed to discharge the sewer flow coming from the prison into the public sewer system/treatment plant of the

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LPVRSAs. The Township Manager was authorized to send a letter to LPRVSA informing them of the position of the Supervisors of Perkiomen Township. The motion was carried by a vote of 5-0.

MANAGER'S REPORT:

1. 2012 Audit Proposal: Dreslin and Company submitted a proposal to complete the 2012 Township/Fire Company Audit. The proposal covers the audit of all Township Funds and Accounts (excluding the Municipal Authority) and the Fire Company/Fire Tax. The Township Second Class Code requires the advertisement of the Board's intent to use Dreslin and Company to complete the 2012 Township/Fire Company Audit. This advertisement must be completed 30 days prior to that consideration. Since the Board usually makes this decision at the January Meeting, Ms. Daniel is requesting authorization to advertise the Board's consideration in this matter. Dean Becker made a motion seconded by Janet Heacock to authorize the Township Manager to advertise for the January, 2013 Board of Supervisors Meeting, the consideration by the Board to have Dreslin & Company complete the 2012 Perkiomen Township/Fire Company Audit. The motion was carried by a vote of 5-0.

2. 2013 Budget: Ms. Daniel reviewed the proposed 2013 Budget with the Board so they could consider authorization to advertise same. Ms. Daniel reviewed the highlights of the 2013 Perkiomen Township Budget (i.e. General Fund and Capital Reserve Fund; Street Light Fund; Fire Tax Fund; Liquid Fuels Fund; and Hydrant Fund). The proposed 2013 Perkiomen Township Budget is \$3,345,807.00 and represents no increase in taxes for any portion of the proposed budget. The 2013 budget represents a decrease of \$30,560.00 from the 2012 Perkiomen Township Budget. The proposed 2013 Budget includes the following: General Fund - \$2,315,609.00; Street Light Fund - \$106,448.00; Fire Tax Fund - \$339,650.00; Liquid Fuels Fund - \$520,265.00; and Hydrant Tax Fund - \$63,835.00. The major expenses include repaving of Church Road (from Bridge Street to the Church Parking Lot); repaving of Bridget Street (from Wartman Road to Seitz Road); repaving of Longwood Road (from Cranberry Blvd to Wartman Road) and Countryside Court (from Cranberry Blvd to Longwood Road); completing work on Wartman Road which was a result of the turnback of Wartman Road from Penn Dot to Perkiomen Township; working with Penn Dot on a traffic signal at Betcher Road, Iron Bridge Drive, and Route 113; and alterations to the Township Administration Building. Ms. Daniel recommended the Board consider authorizing the advertising of the proposed 2013 Perkiomen Township Budget for the December Monthly Meeting. With the recommendation made by Ms. Daniel, William Patterson made a motion seconded by Richard Kratz to advertise the proposed 2013 Perkiomen Township Budget, which includes no increase in taxes for

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any portion of the proposed budget, for consideration by the Board at its December 4, 2012 Meeting. The motion was carried by a vote of 5-0.

3. Delinquent Real Estate Tax: Both Mr. Picardi and Ms. Daniel explained that Montgomery County collects the Delinquent Real Estate Taxes for Perkiomen Township. Under the Real Estate Tax Sale Law, the County charges Perkiomen Township 5% on the amount collected. Montgomery County would like to change the system and collect the Delinquent Real Estate Taxes under the Municipal Claims and Tax Liens Act. Under this system, the County would charge the 5% and attorney fees against the property for which the delinquent taxes are being collected. In order to move forward on this proposal, Montgomery County is requesting adoption of an Ordinance allowing the County to continue to collect the Delinquent Real Estate Taxes for Perkiomen and establish fees that would be charged against the property for which the delinquent taxes are owed. The County is requesting that this Ordinance be in place at the beginning of 2013. In order to do this, the Board would need to adopt this Ordinance at the December meeting. David Allebach, a partner of Mr. Picardi, is preparing a draft Ordinance for their clients. Mr. Allebach did not have the final draft completed for the November meeting, but would have it completed prior to the December Meeting. In order to have the Ordinance ready for the Board's consideration at the December Meeting, Ms. Daniel recommended that the Board authorize advertisement of the proposed Ordinance. Ms. Daniel informed the Board that as soon as she receives the final draft Ordinance, she will send it to the Board. Advertisement of the Ordinance will just give the Board the opportunity to consider passage. If the Board does not like the final draft, then the Board need not adopt the Ordinance at the December meeting. With the recommendation of Ms. Daniel, Dean Becker made a motion seconded by William Patterson to authorize advertisement of the Ordinance appointing Montgomery County to collect the Delinquent taxes for Perkiomen Township and establishing the fees to be charge to the property owner for the collection of said delinquent taxes. The motion was carried by a vote of 5-0.
4. Executive Session: There was a real estate matter that was brought to the Board's attention and needs further discussion. The Executive Session took place soon after the monthly meeting was adjourned.

ENGINEERS REPORT: Daniel Coghlan was present to review the following item:

1. 2012 Road Projects: Mr. Coghlan informed the Board that Construction for the 2012 Road Projects continues. School House Road and Trappe Road remain to be completed. The Contractor submitted Change Order No. 4 which includes a contract time extension to complete the remaining work within a clearly defined timeframe. Change Order No. 4 also includes an increase in the contract dollar amount by

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\$3,928.90 in order to account for additional excavation and subgrade preparation for the Cranberry Boulevard retaining wall plus repairs to damaged deadman anchors for the Cranberry Boulevard Bridge as discovered upon excavation for the wall. The Board discussed Change Order No. 4 on the date established to complete the 2012 Road Project Contract. Due to the amount of work remaining and the time of year, it was the recommendation of Ms. Daniel to extend the contract date to the December Monthly Meeting, December 4, 2012. Under the present change order, the date of November 22, 2012 does not appear to give the contractor sufficient time to complete the remaining work. By moving the date to December 4, 2012, Ms. Daniel hopes that the work can be completed, pending the weather. Ms. Daniel informed the Board that she is concerned with extending the contract after December 4, 2012 due to the weather getting colder. As to the other item in the change order, Mr. Coghlan recommended the Board consider approving the request of the contractor for the increase in the contract price of \$3,928.90. With the recommendations of Ms. Daniel and Mr. Coghlan, Dean Becker made a motion seconded by Richard Kratz to approve Change Order No. 4 extended the contact completion date to December 4, 2012 and approve an increase in the contract in the amount of \$3,928.90. The motion was carried by a vote of 5-0. Next, Mr. Coghlan reviewed the submission by the contractor for Payment Application No. 3 in the amount of \$82,273.76. Mr. Coghlan reviewed the request for payment and recommended that the Board approve the payment. The Board reviewed the request and with the recommendation made by Mr. Coghlan, Richard Kratz made a motion seconded by William Patterson to approve Payment Application to Floyd G. Hersh, Inc. in the amount of \$82,273.76. The motion was carried by a vote of 5-0.

2. Cranberry Boulevard Bridge Improvements: Mr. Coghlan explained that during the reconstruction of the Cranberry Boulevard retaining wall, he made a recommendation for a preventative improvement to the Cranberry Boulevard Bridge. In general, the improvement would be to assure a soil tight connection between the existing separated headwall and the concrete arch system, in order to assure zero soil loss from above the bridge. Steel plates were previously installed by the Township along the separated joint. The joint near the lower portions of the arch was not completely sealed at that time. Mr. Coghlan's recommendation was to install additional plates to assure the entire joint is sealed. This improvement is not of immediate urgency; but Mr. Coghlan feels the work should be completed during 2013 as a worthwhile preventative measure for the long term durability of the bridge and the new wall. Mr. Coghlan received a quote from Floyd G. Hersh, Inc. to complete the work for an amount of \$8,500.00. Mr. Coghlan informed the Board that he would like to pursue additional quotes and discuss this with Shawn Motsavage before making a final recommendation to the Board on this matter. The Board agreed and authorized additional quotes to be obtained by Mr. Coghlan.

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

NEW BUSINESS:

1. 5K Run: Perkiomen Township is in receipt of the annual request made by the Colledgeville Rotary to hold their annual 5K Run. This will be the Colledgeville Rotary's 9th Annual Run. As in the past, this run begins at the Perkiomen Valley School District Campus and travels across Township roads (Kagey Road, Cranberry Blvd, Stewart Road, Longwood Road, Tudor Road, Forge Road, and Trappe Road). At this time, Ms. Daniel explained that the only item outstanding is the Certificate of Insurance. Since the date for the run is not until April 6, 2013, Ms. Daniel recommended that the Board consider approval of the Colledgeville Rotary's request pending receipt of the Certificate of Insurance. With the recommendation of Ms. Daniel, Dean Becker made a motion seconded by William Patterson to approve the request of the Colledgeville Rotary to hold their 9th Annual 5K Run on April 6, 2013 pending receipt of the Certificate of Insurance naming Perkiomen Township as an additional insured. 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. 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 Richard Kratz to approve the two year contact with Signal Service to cover the maintenance of the Township's traffic lights, 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.

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