



## **PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: NOVEMBER 5, 2013**

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**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

Chairman Gordon MacElhenney called the November 5, 2013 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

**MINUTES:** The minutes of the October 1, 2013 Board of Supervisors meeting were approved upon motion of Dean Becker and seconded by William Patterson. There were no public comments on the motion. The motion was carried by a vote of 4-0. Janet Heacock abstained as she was absent at the October Monthly Meeting.

**POLICE REPORT:** The Board reviewed the written State Police Report for the month of October. Neither comments nor discussion followed.

### **CORRESPONDENCE:**

- **PSATS** Bulletin Report
- **CPVRPC** – Meeting minutes for the October 21, 2013 meeting.
- **TRAPPE AMBULANCE & LOWER FREDERICK REGIONAL AMBULANCE CORPS** – Reports received.



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**SOLICITOR'S REPORT:** Mr. Picardi informed the Board that several of the issues he has been working on will be discussed later on the agenda. Mr. Picardi also reported that he revised a draft Ordinance establishing regulations and restrictions for the discharge of firearms in the Township. The draft Ordinance was a continuation of the discussion that occurred at the October Meeting. Mr. Picardi highlighted the changes that he made to the draft Ordinance. The Board discussed the draft Ordinance and felt that it still did not meet the objective of limiting the discharge of firearms in the Township without treading upon the legal rights of firearm owners. Consequently, the Board tabled the draft Firearms Ordinance for now. Last, Mr. Picardi informed the Board that he has been in contact with the attorney that is representing Allan Myers in the dispute over the extra wearing course and restoration materials that were used in repaving Wartman Road. Mr. Picardi requested the Board's permission to meet with representatives of Allan Myers to explore a resolution of this matter. Mr. Picardi requested that one Board member be a part of that discussion. With the request of Mr. Picardi, Dean Becker made a motion seconded by Richard Kratz to authorize the following individuals to meet with Allan Myers: Kenneth Picardi, Daniel Coghlan, Cecile Daniel, and William Patterson. 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 written Report dated November 1, 2013 for activities taking place during the month of October.

**FIRE MARSHALL'S REPORT:** John Moran Sr. submitted to the Board the Fire Marshall's Report dated November 1, 2013 for activities taking place during the month of October.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his written Report dated November 1, 2013 for activities taking place during the month of October.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held their October meeting on October 15, 2013. This meeting was a joint meeting with the Board of Supervisors in order to discuss the proposed Zoning Ordinance Amendments.

**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** Richard Kratz provided the Board members with an update on the activities of the LPVRS.



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

1. 2014 Budget: Ms. Daniel reviewed the proposed 2014 Budget with the Board so they could consider authorization to advertise same. Ms. Daniel reviewed the highlights of the 2014 Perkiomen Township Budget (i.e. General Fund and Capital Reserve Fund; Fire Tax Fund; and Liquid Fuels Fund). The proposed 2014 Perkiomen Township Budget is \$3,176,204.00 and represents no increase in taxes for any portion of the proposed budget. The 2014 budget proposes the elimination of the Street Light Taxes and the Hydrant Taxes. The expenses to cover the cost of the street lights and the hydrants will be paid from the General Fund. The incorporation of the payment of the street lights and hydrants from the General Fund will not create the need for a tax increase to cover these expenses. The proposed 2014 Budget includes the following: General Fund - \$2,374,923.00; Fire Tax Fund - \$355,650.00; Liquid Fuels Fund - \$445,631.00. The major expenses include the installation of a traffic signal at Betcher Road, Route 113, and Iron Bridge Drive; the repaving and drainage work for the area of Bucher Road that lies within the boundary of Perkiomen Township; select base repair for areas along Godshall Road; the repaving of Welsh Road (from Bridge Street to Welsh Road); repaving of Raleigh Road (from Meyers Road to Meyers Road); and the repaving of Horseshoe Road (from Raleigh Road to Raleigh Road. After reviewing the proposed 2014 Perkiomen Township Budget with the Board of Supervisors and the public, Ms. Daniel recommended the Board consider authorizing the advertising of the proposed 2014 Perkiomen Township Budget for the December Monthly Meeting. With the recommendation made by Ms. Daniel, William Patterson made a motion seconded by Janet Heacock authorizing the advertisement of the proposed 2014 Perkiomen Township Budget, which includes no increase in taxes for any portion of the proposed 2014 budget, and will be considered by the Board of Supervisors at its December 3, 2013 Monthly Meeting. There were no public comments on the motion. The motion was carried by a vote of 5-0.
2. Door to Door Solicitation Ordinance: During 2013, the Board reviewed and developed a new Door to Door Solicitation Ordinance. This Ordinance will regulate door to door solicitation and peddling within Perkiomen Township. To conduct door to door solicitation, a permit must be obtained from the Township. This Ordinance sets forth the time and place that someone can conduct door to door solicitations. Canvassers are protected under a decision of the U.S. Supreme Court, case of Watchtower Bible Society vs. Village of Stratton. The Ordinance provides the



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Canvassers should notify the Township before they conduct door to door solicitation in the Township, but the Township cannot require notification nor can we require they obtain a permit. The Ordinance creates the ability to establish a registry for those residents that desire not to have solicitors or peddlers enter upon their property. In order to be listed on this registry, the property owner must add their name to the list annually in writing. If a resident is on this list and a solicitor or peddler enters their property, the resident must notify the Township in writing as to this occurrence. The Ordinance establishes grounds for which the Township may deny a permit or may revoke a permit that has already been issued. After the proposed Ordinance was reviewed by both Mr. Picardi and Ms. Daniel, they recommended that the Board consider the adoption of Ordinance No. 214. During the review of this proposed Ordinance, the Board considered the proposal and Dean Becker made a motion seconded by Richard Kratz to adopt Ordinance No. 214. There were no public comments on the motion. The motion was carried by a vote of 5-0.

3. Recycling Data Collection: The 2014 Agreement with Hough Associates is before the Board for consideration. This Agreement authorizes Hough Associates to collect the 2013 residential and commercial recycling data and prepare the 2013, PADEP 904 Recycling Grant Application. The proposal being submitted to the Board by Hough Associates cost the same as the year 2013. It was Ms. Daniel's recommendation to approve the 2014 Agreement with Hough Associates to collect the 2013 residential and commercial recycling data and apply for the 2013 PADEP 904 Recycling Grant Application. William Patterson made a motion seconded by Dean Becker to approve the 2014 Agreement. There were no public comments on the motion. The motion was carried by a vote of 5-0.
4. Collegetown Trappe Municipal Authority Request: Ms. Daniel and Mr. Picardi reviewed with the Board the informed received from Ed Mullin, Esq., who represents Collegetown Trappe Municipal Authority (CTMA). Presently, the Collegetown Trappe Joint Public Works provides water to four Perkiomen Township properties located on Betcher Road. Perkiomen Township has been approached to consider the adoption of an Intermunicipal Ordinance and two agreements that would deal with the issues of supplying public water to these four properties. By adoption of the Ordinance and approval and execution of the two agreements, Trappe Borough and Collegetown Borough would then be able to consider turning the water service responsibilities over to CTMA as an Operating Authority. Once the transfer is completed to CTMA, the two agreements would be terminated. The Board discussed



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the proposed Ordinance and the two agreements and Dean Becker made a motion seconded by Richard Kratz authorizing the advertisement of Ordinance No. 216: An Ordinance authorizing the execution of the Intermunicipal Water Agreement and the execution of the Intermunicipal Water Service Agreement. The proposed Ordinance and both agreements will be listed for consideration by the Board at their December 3, 2013 Meeting. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**ENGINEERS REPORT:** Daniel Coghlan reviewed the following items:

1. 2013 Road Projects: Mr. Coghlan informed the Board that the 2013 Road Project is complete. Based upon the direction by the Board at the October Meeting, the contractor submitted a Change Order No. 3 which represents a reduction in the contract of \$3,500.00 to bring to an end the Bridge Street Ride Quality Issue. The contractor submitted Payment Application No. 5 in the amount of \$1,926.85. This represents the contractor's final payment for the 2013 Road Project. It was the recommendation of Mr. Coghlan to approve Change Order No. 3 and Payment Application No. 5. After discussion of the change order and payment request, Dean Becker made a motion seconded by William Patterson to approve Payment Application No. 5 to D. Malloy Paving in the amount of \$1,926.85 and Change Order No. 3 which is a reduction in the contract in the amount of \$3,500.00. There were no more public comments on the motion. The motion was carried by a vote of 5-0.
2. Wartman Road Rehabilitation Project: Mr. Coghlan informed the Board that the work being completed by Allan Myers on Wartman Road is essentially complete. Mr. Coghlan informed the Board that Allan Myers has submitted Payment Application No. 2 in the amount of \$71,050.91. This request does not include any payment for the wearing course tonnage overrun. In addition, Mr. Coghlan informed the Board that Allan Myers has submitted Change Order No. 3 in the amount of \$583.19. This change order represents a discount on the base repair work due to a very minor material deviation. Mr. Coghlan is recommending the Board approve the payment request and the change order. With the recommendation of Mr. Coghlan, William Patterson made a motion seconded by Richard Kratz to approve Payment Application No. 2 to Allan Myers in the amount of \$71,050.91 and Change Order No. 3 which is a reduction in the contract in the amount of \$583.19. There were no public comments on the motion. The motion was carried by a vote of 5-0.



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3. Bridge Street Storm Sewer Project: Mr. Coghlan informed the Board that at the October Meeting, the Board awarded the Base Bid Option B to SJM Construction Company for \$64,195.00 with the condition that the Notice to Proceed will not be issued by the Township until receipt of the PADEP General Permit. Mr. Coghlan indicated that the PADEP General Permit has been received by the Township and the Notice to Proceed with this project has been issued. It is anticipated that this project will begin during the week of November 11<sup>th</sup> and be completed by the middle of December.
  
4. Township Building Improvement Project: Mr. Coghlan informed the Board that he is in receipt of payment applications from the general contractor, the electrical contractor and the HVAC/mechanical contractor for the improvements to the Township Administration Building. For the general contractor, Change Order No. 1 from Center Point Contracting was received for a reduction in the contract of \$600.00. In addition, the general contractor has submitted Payment Application No. 1 in the amount of \$60,559.35 and Payment Application No. 2, which is the final payment, in the amount of \$3,187.33. Mr. Coghlan recommended approval of the change order and the two payment applications. Dean Becker made a motion second by Richard Kratz to approve Payment Application No. 1 in the amount of \$60,559.35 and Payment Application No. 2 in the amount of \$3,187.33 to Center Point Contracting and Change Order No. 2 which is a reduction in the general contract in the amount of \$600.00. There were no public comments on the motion. The motion was carried by a vote of 5-0. For the electrical contractor, MJF Electric, Mr. Coghlan reviewed Payment Application No. 3 in the amount of \$1,665.00. This is not the final payment for the electrical contractor. With the recommendation of Mr. Coghlan, William Patterson made a motion seconded by Dean Becker to award Payment Application No.3 in the amount of \$1,665.00 to MJF Electrical Contracting. There were no public comments on the motion. The motion was carried by a vote of 5-0. Last, Mr. Coghlan received Payment Application No. 2 which is the final payment from the HVAC/mechanical contractor, Rogers Mechanical in the amount of \$780.00. Mr. Coghlan recommended that the Board approve this payment application. Dean Becker made a motion seconded by Janet Heacock to approve Payment Application No. 2 to Rogers Mechanical Company in the amount of \$780.00. There were no public comments on the motion. The motion was carried by a vote of 5-0.



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5. Confirmation of Services: Mr. Coghlan submitted Confirmation of Services for the following projects: (1) 2014 Road Project; (2) 2014 Road Maintenance Program Update; and (3) No Parking Restriction Study. Before proceeding on these three projects, Mr. Coghlan wanted authorization to proceed with the Confirmation of Services. The Board reviewed the information and authorized SSM to proceed with the Confirmation of Services for these three projects.

**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:**

There was no new business discussed for the month of November.

### **COMMENTS FROM THE PUBLIC**

William McGovern of the Lower Frederick Regional Ambulance Corp was present at the meeting to discuss with the Board of Supervisors the financial situation of the ambulance corp. Mr. McGovern explained that the financial outlook for the ambulance corp is inadequate to cover the expenses need to provide the type of ambulance service that is needed in the area. Consequently, Mr. McGovern is appealing to the Board for additional funding for the ambulance corp. Mr. McGovern indicated that he is not looking for a decision by the Board at this meeting, but would like the Board to be aware of the financial situation and future of the ambulance corp. That being said, Mr. McGovern in hoping that the Board may consider during 2014 to increase the current donation that Perkiomen Township makes each year to the Lower Frederick Regional Ambulance Corp. The Board indicated they will take Mr. McGovern's request under advisement.

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