



PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: DECEMBER 2, 2014

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

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

Dean Becker called the December 2, 2014 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m. Mr. Becker informed the public that the Board held an Executive Session prior to this meeting to discuss both a legal matter and a personnel matter.

MINUTES: The Board reviewed the meeting minutes of November 4, 2014. Janet Heacock made a motion seconded by William Patterson to approve the November 4, 2014 meeting minutes. There were no public comments on the motion. The motion was carried by a vote of 5-0.

POLICE REPORT: The Board was not in receipt of the State Police Report for November.

CORRESPONDENCE:

- **PLYMOUTH COMMUNITY AMBULANCE:** Report for November.
- **TRAPPE FIRE CO #1 AMBULANCE:** No report was received.
- **CPVRPC** – Report for November.

SOLICITOR'S REPORT: In the Executive Session, Kenneth Picardi reported on a legal matter. As to some of the other issues that Mr. Picardi has been working on, they will be discussed under agenda items later in the meeting.



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ROAD MASTER'S REPORT: Shawn Motsavage submitted to the Board his Road Master's Report dated December 1, 2014 for activities taking place during the month of November.

FIRE MARSHALL'S REPORT: John Moran Sr. submitted to the Board his Fire Marshall Report dated December 1, 2014 for activities taking place during the month of November.

CODE ENFORCEMENT REPORT: John Moran Jr. submitted to the Board his Code Enforcement Report dated December 1, 2014 for activities taking place during the month of November.

In addition to his report, Mr. Moran informed the Board on the following items:

- **Conditional Use Applications:** Mr. Moran informed the Board that he is in receipt of two Conditional Use Applications. Both applications involve disturbances to steep slopes. The first application is from the property owners located at 203 Seitz Road to allow for the installation of a shed and a fence on their property. The second application is from Joseph Horgan for lot #7 & lot #8 of the Conservancy @ Perkiomen to provide the owners of those two properties more of a yard area. Mr. Moran indicated that both Conditional Use Applications are complete and the Board needs to set public hearings for these two applications. Richard Kratz made a motion seconded by Janet Heacock to set both public hearings for Monday, January 5, 2015 at 7:00 p.m. The Conditional Use Application for 203 Seitz Road will go first and the Conditional Use Application for Joseph Horgan will go second. There were no public comments on the motion. The motion was carried by a vote of 5-0.
- **Williamson Zoning Hearing Application:** Mr. Moran informed the Board that Mr. & Mrs. Williamson have filed an appeal to the Perkiomen Township Zoning Hearing Board that challenges Mr. Moran's opinion that the neighbor's light is not a violation of the Zoning Ordinance because it does not shine directly onto the Williamson's property. A public hearing date on this matter has been set for December 23, 2014. In addition, the Williamson had filed a suit against their neighbor in District Court. Mr. Moran has been informed that James Carr of SSM has been subpoenaed in this matter. The Board discussed the need to have



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Kenneth Picardi participate in both the ZHB public hearing and the matter before Judge Augustine. Due to Mr. Carr being subpoenaed in the matter before Judge Augustine, the Board authorized Mr. Picardi be present to represent Perkiomen Township in the hearing. Next, the Board discussed Mr. & Mrs. Williamson's challenge to Mr. Moran's interpretation of the Zoning Ordinance. Since this is a challenge to Mr. Moran's interpretation of the Township's Zoning Ordinance, the Board authorized Mr. Picardi to attend the public hearing before the ZHB and support Mr. Moran and his interpretation of the Zoning Ordinance in this matter.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission held its meeting on November 18, 2014. At that meeting the Planning Commission continued its work developing a new Flood Plain Ordinance.

LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY: Richard Kratz informed the Board, that LPVRSAs hired a new manager to begin in January and the legal matter between LPVRSAs and Lower Providence Township is going to arbitration.

MANAGER'S REPORT:

1. Open Space Use: The issue and discussion of a swing set that was installed long ago on property that eventually became a part of the open space dedicated to Perkiomen Township as part of the Perkiomen Greene Development has been on-going. In making a decision at this meeting, the Board discussed the matter as it relates to how all Township-owned property should be restricted. The Board felt that an overall Township policy should be established. After this policy is established, then the Board would handle any individual situations in accordance with this policy. The Board members deliberated on the impact of property owners using Township property (or portions thereof) for the property owner's private use. The concern was the restriction in the use of Township Property, by the general public, should a resident install or store any item permanently on Township Property. The Board came to acknowledge that this was not the best use for Township Property and decided to create a policy whereby no person should have the right to permanently install anything, other than items installed by the Township, on Township Property. As a result, Janet Heacock made a motion seconded by Richard Kratz establishing a policy, effective immediately, that no person shall have or be given the right to



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permanently install, erect, plant, park, or store anything on Township property. This policy will require the removal of any infringements on Township property and will prohibit the future installation of any such items unless those items are installed by the Township. If any item is found to be located on Township property in violation of this policy, the offending party shall be notified that they have forty-five days to remove said item. There were no public comments on the motion. The motion was carried by a vote of 5-0. As it relates to the specific issue of the swing set located on Township property, the Board considered the request of the Holdsworths to keep their swing set that is located behind their home and is situated on Township property. Richard Kratz made a motion seconded by William Patterson, that in keeping with the stated policy, directed that Cecile Daniel inform the Holdsworths that their swing set be removed within forty-five days from this meeting, December 2, 2014. There were no public comments on the motion. The motion was carried by a vote of 5-0.

2. 2015 Meeting Schedule: Cecile Daniel presented to the Board the proposed meeting schedule for the year 2015. Ms. Daniel requested authorization to publish the meeting schedule. William Patterson made a motion seconded by Gordon MacElhenney authorizing Ms. Daniel to advertise the 2015 meeting schedule. There were no public comments on the motion. The motion was carried by a vote of 5-0.
3. Deputy Tax Collector: At the November meeting, the Board directed that a letter be sent to both the Perkiomen Valley School District and Montgomery County informing them of the Board's intent to authorize the Tax Collector to appoint Laurie Augustine as the Deputy Tax Collector for Perkiomen Township. Ms. Daniel sent a letter as instructed and informed both the school district and the county that this appointment was to be made at this meeting. Ms. Daniel indicated she received a call from the school district asking for an explanation, but heard nothing from the County. Richard Kratz made a motion seconded by William Patterson authorizing Dawn Johnston, Perkiomen Township Tax Collector, to appoint Laurie Augustine as her Deputy Tax Collector. This appointment shall be for the duration of Mrs. Johnston's term as Perkiomen Township's Tax Collector. There were no public comments on the motion. The motion was carried by a vote of 5-0.
4. Haldeman Road: Haldeman Road is a state road. Under certain criteria, PennDOT will discuss the possibility of turning back certain state roads to municipality ownership. PennDOT was contacted regarding Haldeman Road. The question was whether the section of Haldeman Road, which is situated in Perkiomen Township,



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would be a candidate to be turned back to the Township. Haldeman Road, according to PennDOT, would be such a candidate. Ms. Daniel explained that PennDOT submitted to the Township a list of repairs that would be funded by PennDOT as part of this turnback. Ms. Daniel explained that the Township should review the list and make its own evaluation as to the extent of the repairs to be made. Once PennDOT and the Township agree on the repairs to be made, then the Township would have to obtain three quotes based on those repairs. The three quotes would be forwarded to PennDOT for review and consideration. PennDOT would then inform the Township, based upon the quotes, how much money it would give to the Township to repair Haldeman Road as part of this turnback. The first step in this Highway Transfer Program is to approve a Resolution as to who the person would be authorizing the execution of the transfer agreement between PennDOT and Perkiomen Township. The Board discussed this turnback of Haldeman Road and directed that the Township Engineer and Township Road Master inspect Haldeman Road. This inspection will include the establishment of a list of repairs that they feel should be considered as part of this turnback. This list would then be sent to PennDOT for its review. It is Ms. Daniel's understanding, from discussions with PennDOT, that the transfer will not take place until the Township signs the Transfer Agreement. PennDOT requested the Township consider adoption of a Resolution establishing who would be the Township's representative to sign the Transfer Agreement once all the details are resolved. Richard Kratz made a motion seconded by Janet Heacock approving Resolution 2014-26, authorizing Dean Becker, as chairman, to be the person to execute the turnback back agreement on behalf of Perkiomen Township. There were no public comments on the motion. The motion was carried by a vote of 5-0.

5. School Bus Stop Sign: Ms. Daniel informed the Board that she received a request from a resident on Seitz Road regarding the installation of a "School Bus Stop Ahead Sign". Ms. Daniel informed the Board that SSM reviewed this request under Section 7B.13 of the 2009 MUTCD. Based upon that criteria, SSM felt that a "School Bus Stop Ahead Sign" was not warranted. Mr. Patterson questioned the type of school bus that is transporting these children. The regulations do not speak to the issue of the type of bus that is transporting the children, but speaks to there being "adequate sight distance." Mr. Patterson indicated he would look into the type of bus that is transporting the special needs students to determine if this request should be re-evaluated.



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6. Recycling Data Collection Agreement: Hough Associates has submitted a three-year agreement to collect the recycling data from 2015 through 2017. The cost of this agreement will continue to be the same each year as the Township has paid in the previous years. The cost is a price of \$3,000.00 per year plus 15% of the recycling performance grant awards in excess of \$9,000.00. The excess amount that would be owed to Hough Associates shall be capped at \$2,000.00. Hough Associates has worked diligently in obtaining the recycling data for Perkiomen Township, transmitting same to the PADEP, and filing the necessary 904 Recycling Performance Grant Applications; therefore, Ms. Daniel recommended the Board consider approving the three-year proposal. With the recommendation of Ms. Daniel, William Patterson made a motion seconded by Richard Kratz to approve the three year Recycling Data Collection Agreement with Hough Associates. There were no public comments on the motion. The motion was carried by a vote of 5-0.

7. Agreements: Ms. Daniel explained that in order to move forward with the updated Trust Agreements with PSATS for the Health Trust Agreement and the Unemployment Trust Agreement, the agreements must be adopted under the Intergovernmental Cooperation Act. PSATS has prepared two proposed Intergovernmental Ordinances and two advertisements for these Trust Programs. The proposed updated agreements have been reviewed by Mr. Picardi and he has no issues with the proposed revisions. PSATS is requesting Townships to have both of these Ordinances approved by the end of January, 2015. In order to meet this deadline, the Board would need to authorize the advertisement of same for consideration at the January 5, 2015 meeting. Richard Kratz made a motion seconded by William Patterson to authorize the advertisement of the Intergovernmental Cooperation Ordinance for the Health Trust Agreement and the Intergovernmental Cooperation Ordinance for the Unemployment Trust Agreement to be considered by the Board for adoption at the January 5, 2015 Board of Supervisors' Meeting. There were no public comments on the motion. The motion was carried by a vote of 5-0.

ENGINEERS REPORT: Kevin Conrad reviewed the following items:

1. Bucher Road Improvement Project: Mr. Conrad informed the Board that SSM was in receipt of Payment Application No. 2 and Change Order No. 1 from SJM Construction Company. Mr. Conrad explained that Change Order No. 1 is in the amount of \$378.58. This change order was necessary due to the configuration of the sewer lateral located in Bucher Road. Ms. Conrad explained that Payment



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Application No. 2 is in the amount of \$70,896.44. Last, Mr. Conrad informed the Board that, under the construction contract, the project has reached substantial completion. Mr. Conrad informed the Board that SSM found the change order, the request for payment to be accurate and the work completed according to the project specifications. As a result, SSM is recommending that the Board consider approval of Change Order No. 1, Application No. 2, and authorize signing the Certificate of Substantial Completion for SJM Construction Company. Upon due consideration and recommendation of SSM, William Patterson made a motion seconded by Janet Heacock to approve Change Order No. 1 in the amount of \$378.58 to SJM Construction Company. There were no public comments on the motion. The motion was carried by a vote of 5-0. Next, Richard Kratz made a motion seconded by Gordon MacElhenney to approve Payment Application No. 2 in the amount of \$70,896.44 to SJM Construction Company. There were no public comments on the motion. The motion was carried by a vote of 5-0. Last, William Patterson made a motion seconded by Janet Heacock authorizing the signing of the Certificate of Substantial Completion to SJM Construction Company. There were no public comments on the motion. The motion was carried by a vote of 5-0.

2. Betcher Road Traffic Signal Project: Mr. Conrad informed the Board that SSM was in receipt of Payment Application No. 3 from Telco Inc. in the amount of \$6,608.65. In addition, Mr. Conrad informed the Board that the project has reached substantial completion. Mr. Conrad informed the Board that SSM found the request to be accurate and the work completed according to the project specifications. As a result, SSM is recommending that the Board consider approval of Application No. 3 and authorize the signing of the Certificate of Substantial Completion for Telco, Inc. Upon due consideration and the recommendation of SSM, Richard Kratz made a motion seconded by Gordon MacElhenney to approve Payment Application No. 3 to Telco Inc. in the amount of \$6,608.65. There were no public comments on the motion. The motion was carried by a vote of 5-0. Last, William Patterson made a motion seconded by Richard Kratz to authorize the signing of the Certificate of Substantial Completion for Telco, Inc. There were no public comments on the motion. The motion was carried by a vote of 5-0.
3. 2015 Road Project: SSM submitted a Confirmation of Services to complete the 2015 Road Project. In order to move forward SSM is request authorization. William Patterson made a motion seconded by Richard Kratz to approve the Confirmation of Services date November 20, 2014 on the 2015 Road Project and is authorized to



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commence work on this project. There were no public comments on the motion. The motion was carried by a vote of 5-0.

RECEIPTS AND EXPENDITURES: The treasurer reviewed the receipts and expenditures for the month of November. After review of same, Gordon MacElhenney made a motion seconded by William Patterson to authorize payment of the November bills. There were no public comments on the motion. The motion was passed by a vote of 5-0.

1. 2015 Perkiomen Township Budget: At the November meeting, Ms. Daniel reviewed the proposed 2015 Perkiomen Township Budget with the Board and received authorization to advertise same. At this meeting, Ms. Daniel again reviewed the highlights of the 2015 Budget (i.e. General Fund and Capital Fund Projects; Fire Tax Fund; and Liquid Fuels Fund). The proposed 2015 Perkiomen Township Budget is \$3,652,781.00 and represents no increase in taxes for any portion of the proposed budget. The 2015 Perkiomen Township Budget is broken down as follows: General Fund Budget including the Capital Fund Projects: \$2,891,758.00; Fire Tax Fund Budget: \$417,600.00; and Liquid Fuels Fund Budget: \$343,423.00. The General Fund Budget includes the cost for the payment of the recently restructured Open Space Loan. The payment of this restructured loan will be over the next three years. The General Fund Budget includes the development of recreational facilities on property located at the Township Administration Building and property purchased along Bridge Street. Within the Capital Fund Projects is the completion of the 2015 Road Project which includes the follow roads: Kagey Road; Cornwallis Way (Betcher Road to Bonnie Lane); Bonnie Lane (Cornwallis Way to curve); Greene Blvd; Ross Lane; Hamilton Road; Red Coat Road; Bayonet Court; Church Road; Liberty Alley; Westover Road; and Glendale Road. Also the Capital Fund Projects include the purchase of a new truck. The Fire Tax Fund Budget includes money that will be set aside for the future purchase of a new fire truck. The Liquid Fuels Budget covers the day to day maintenance of the Township's roads as well as the remaining monies to complete the work to be done on Green Blvd and purchase of minor pieces of road equipment. After review of the budget and discussion with the public, Ms. Daniel indicated that the Board had before it two Resolutions. The first Resolution, Resolution 2014-24 establishes the Tax Levy for Perkiomen Township for the year 2015. Ms. Daniel informed the public, that this Tax Levy represents no increase in the taxes for Perkiomen Township for the year 2015. With that, William Patterson made a motion seconded by Richard Kratz to adopt Resolution 2014-24 – establishing



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the 2015 Taxes for Perkiomen Township as follows: General Fund purposes - .35 mills and for Fire Tax purposes - .27 mills. There were no public comments on the motion. The motion was carried by a vote of 5-0. The second Resolution, Resolution 2014-25 is the adoption of the 2015 Perkiomen Township Budget. The total budget of all funds is \$3,652,781.00 and is broken down as follows: (1) General Fund: \$2,891,758.00; Fire Tax: \$417,600.00; and (3) Liquid Fuels: \$343,423.00. Gordon MacElhenney made a motion seconded by William Patterson to adopt Resolution 2014-25. There were no public comments on the motion. The motion was carried by a vote of 5-0.

NEW BUSINESS:

There was no new business before the Board of Supervisors for the month of November.

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