



## PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: AUGUST 2, 2016

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

**ABSENT:** Dean Becker, Member

**OTHERS PRESENT:** Cecile Daniel, Township Manager  
Kenneth Picardi, Township Solicitor  
Kevin Conrad, Township Engineer  
Shawn Motsavage, Road Master

William Patterson called the August 2, 2016 meeting of the Perkiomen Township Board of Supervisors to order. Mr. Patterson informed the public that there would be an Executive Session after this meeting to discuss a Real Estate Matter.

**MINUTES:** The minutes of the July 5, 2016 Board of Supervisors meeting and the special meeting of July 20, 2016 were approved upon motion of Richard Kratz and seconded by Janet Heacock. There were no public comments on the motion. The motion carried by a vote of 4-0.

**CORRESPONDENCE:** Cecile Daniel informed the Board that the Township received the regular monthly reports.

**PUBLIC COMMENTS:** Cleveland Ott had two comments. The first comment was with regard to the use of the microphones in the meeting room. The second comment was with regard to the moving of the public comments from the end of the agenda to the beginning of the agenda. William Patterson explained that the Board received comments from others on having to wait until the end of the meeting to make a comment. It was decided to move the public comment period up to the beginning of the meeting so that anyone making a comment did not have to wait until the end of the meeting to do so. The Board wants to see how this change will work out.



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### OLD/NEW BUSINESS:

1. 74 Gravel Pike: Daniel Schempp was before the Board to request an extension of time to settle on 74 Gravel Pike. Mr. Schempp informed the Board that he was unaware that he is required to file a land development plan. Mr. Schempp indicated it could take 120 days to go through this review process. It was Mr. Schempp's request that settlement be extended for 120 days. Mr. Schempp said that he is trying to improve the property by taking down a house that is in bad shape. William Patterson commented that, when Mr. Schempp submitted his bid to purchase 74 Gravel Pike, he did not include any contingencies in the bid; therefore, the Board need not grant this extension. Richard Kratz expressed concern as to why this review would take so long and that he was concerned that this process could go beyond the extension that Mr. Schempp is requesting. Cecile Daniel explained that, after reviewing the plan being proposed by Mr. Schempp, it was determined that this plan is similar to the plan that had been submitted to the Township by the former owner, Lou DiDomencio. The major differences in the plan being proposed by Mr. Schempp are as follows: (1) unlike Mr. DiDomencio who was proposing a subdivision, Mr. Schempp is proposing a condominium style of development and (2) Mr. Schempp is proposing to connect the new twin home to the public sewer in a different manner than what Mr. DiDomenico had proposed. Mr. Schempp had discussed his sewer connection plan with the municipal authority last December. The municipal authority was okay with Mr. Schempp's concept pending certain conditions. Those conditions have yet to be met. Ms. Daniel also indicated that the plan submitted to the Township by Mr. DiDomenico was reviewed by the Township Engineer and approved by the Township, but the conditions of the plan were never finalized. Ms. Daniel stated that the plan being submitted to the Township by Mr. Schempp, although similar to Mr. DiDomenico, still needs to be reviewed by SSM Group for compliance with the Township's Stormwater Management Ordinance. Mr. Kratz raised the possibility of waiving the land development review for Mr. Schempp's plan since the previous plan of Mr. DiDomenico was already reviewed by the Township. The Board discussed waiving the land development review. The Board felt that certain conditions needed to be set forth in waiving the land development. These conditions would be to review Mr. Schempp's plan to ensure that it still complies with the Township's Stormwater Management Ordinance, that the plan and other conditions of the municipal authority be met, and that no building permit for the new twin home be issued until all conditions are satisfied. In order to meet the conditions of the municipal authority, Mr. Schempp will need to access and inspect the public sewer line located on the



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Township owned property. The Board had no problem with granting Mr. Schempp access to inspect the condition of the existing public sewer in the area of 74 Gravel Pike. Janet Heacock made a motion seconded by Richard Kratz to waive the requirement of a land development plan subject to the following: (1) On the request for an extension on the settlement of 74 Gravel Pike, the Board granted a thirty day extension. The new settlement deadline is now September 9, 2016. (2) That Mr. Schempp's plan be reviewed to ensure that it complies with the Township's Stormwater Management Ordinance, (3) Addresses the requirements of the municipal authority in allowing Mr. Schempp to connect the new twin home to the public sanitary sewer system, and (4) No building permit shall be issued until all of aforementioned conditions have been met. There were no public comments on the motion. The motion carried by a vote of 4-0.

2. Ataxia Bike Ride Fundraiser: The Freidreich Research Alliance submitted the annual request for permission to use certain Township roads for their annual Ride Ataxia. The list provided indicates use of School House Road, Kagey Road, and Wartman Road. The Certificate of Insurance with the proper endorsement has been forwarded to the Township and is acceptable. Janet Heacock made a motion seconded by Richard Kratz to grant permission to Friedreich's Ataxia Research Alliance to use certain Township roads for their annual Ride Ataxia which is schedule on October 16, 2016. There were no public comments on the motion. The motion was carried by a vote of 4-0.

**SOLICITOR'S REPORT:** Kenneth Picardi reported on the following in addition to other items to report as part of the agenda. Solicitor Picardi requested authorization from the Board to terminate the Ejectment action for 202 Gravel Pike since the property owners have voluntarily vacated the property. This action was originally filed by First Niagara Bank. Richard Kratz made a motion seconded by Janet Heacock authorizing Solicitor Picardi to terminate the Ejectment action against the former owners/occupants of 202 Gravel Pike. There were no public comments on the motion. The motion was carried by a vote of 4-0.

### **PUBLIC SAFTEY REPORTS:**

- **POLICE REPORT:** The Board was in receipt of the PA State Police Report for July.



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- **TRAPPE AMBULANCE** – Received June, 2016 Report.
- **PLYMOUTH COMMUNITY AMBULANCE ASSOCIATION** – Received June, 2016 and July, 2016 Report.
- **PERKIOMEN TOWNSHIP FIRE COMPANY:** John Moran, Jr., submitted the report of the Fire Company.
- **FIRE MARSHALL’S REPORT:** John Moran, Sr. submitted to the Board the Fire Marshall’s Report dated August 1, 2016 for activities taking place during the month of July.

**ROAD MASTER’S REPORT:** Shawn Motsavage submitted to the Board his Road Master’s Report dated August 1, 2016 for activities taking place during the month of July.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his Code Enforcement Report dated August 1, 2016 for activities taking place during the month of July.

- In addition to his report, Mr. Moran indicated that on July 19, 2016, he sent letters to the property owner and tenants of 539 Gravel Pike informing them they needed to vacate this property. The tenants submitted a letter to the Board requesting more time to vacate. Ruth George, a tenant, was at the meeting to address the Board. Mrs. George informed the Board that she and the other tenants are asking the Board to consider extending this vacate date for ninety days from the date the letter was sent to the tenants. The ninety days would extend the vacate date from the date set forth in John Moran’s letter to October 17, 2016. Mrs. George let the Board know that the tenants are living there because they cannot afford better living accommodations. The rent the tenants are paying is far less than what they can find in the area. Mrs. George informed the Board that she contacted the Red Cross, the Salvation Army, and Montgomery County, but no organization is able to help at this time. Mrs. George wanted the Board to understand that it is not that the tenants are not looking, it is just that it is not easy to find a place to live that is affordable. Richard Kratz asked what the impact would be to the Township in granting this extension and how does it expose the township. Solicitor Picardi replied that there is a certain amount of exposure to the Township. It was Solicitor Picardi’s recommendation that the tenants sign a “Hold Harmless” statement that would indemnify the Township



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should something happen prior to the tenants vacating the premises. All of the tenants would have to sign this Hold Harmless statement. Mrs. George indicated that she did not feel that signing a Hold Harmless statement would be an issue for any of the tenants. Richard Kratz made a motion seconded by William Patterson to grant a sixty-day extension of time for the tenants to vacate 539 Gravel Pike. The new vacate date would be October 17, 2016. This extension of time is conditioned on all the tenants signing a “Hold Harmless” statement to indemnify the Township in the event of any bodily injury or property damage during the tenants’ extended occupancy. There were no public comments on the motion. Richard Kratz and William Patterson voted Yes and Gordon MacElhenney and Janet Heacock voted No. The motion was tied and as a result, the motion did not pass. Janet Heacock’s concern was the length of the extension. It was Mrs. Heacock’s opinion that this extension of time was too long. Gordon MacElhenney was concerned about the increase in liability exposure to the Township. The Board discussed reducing the extension to thirty days from the original vacate date set forth in the letters the tenants received. William Patterson made a motion seconded by Richard Kratz to grant the tenants an additional thirty-day extension of time to vacate 539 Gravel Pike from the original vacate date set forth in the letters the tenants received. The new vacate date would be September 17, 2016. This extension of time is conditioned on all the tenants signing a “Hold Harmless” statement that would indemnify the Township in the event of any bodily injury or property damage during the tenants’ extended occupancy. There were no public comments on the motion. The motion was carried by a vote of 3-1. William Patterson, Richard Kratz, and Janet Heacock votes Yes and Gordon MacElhenney: No. The motion passed.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that there was a Planning Commission Meeting held on July 19, 2016, at which time, the Planning Commission continued to revise and refine the proposed Wireless Communication Ordinance for the Township.

**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** Richard Kratz informed the Board that there were no significant issues discussed at the July meeting of the LPVRS.



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**ENGINEERS REPORT:** Kevin Conrad reported on the following:

1. 2016 Road Project: Mr. Conrad presented to the Board, Application for Payment No. 2 for the 2016 Road Project. This application was in the amount of \$143,951.52. Mr. Conrad informed the Board that SSM Group found the request for payment to be accurate and the work completed was installed according to the project specification. Mr. Conrad recommended that the Board consider approval of this application for payment. Janet Heacock made a motion seconded by Richard Kratz to approve the Application for Payment No. 2 to Innovative Construction Services in the amount of \$143,951.52. There were no public comments on the motion. The motion was carried by a vote of 4-0.
2. Escrow Release: Mr. Conrad presented to the Board, an Escrow Release for 130 Betcher Road. All the stormwater improvements for this project have been installed and stabilized. Release No. 1 was release of the monies necessary to cover the expenses incurred by the Township for SSM Group to inspect the work being completed. Release No. 2 in the amount of \$38,404.92 is the payment to be made back to the property owner, William Buelow of 130 Betcher Road, for completing the stormwater improvements on his property. This will leave a remaining balance in the account of \$500.00 to cover any outstanding invoices for SSM Group. Mr. Conrad is recommending release of the \$38,404.92. Richard Kratz made a motion seconded by Janet Heacock to authorize the release of \$38,404.92 back to William Buelow of 130 Betcher Road for the stormwater improvements completed at this location. There were no public comments on the motion. The motion was carried by a vote of 4-0.
3. Traffic Study: The Traffic Study for the intersection of Route 29 & Route 113 has been finalized. The Board needs to authorize its submission to Montgomery County Planning Commission to begin the process of moving forward on adding the improvements in the Traffic Study in the next Transportation Improvement Program (TIP). Richard Kratz made a motion seconded by Janet Heacock to approve the final Traffic Study for Route 29 & Route 113 and authorized that this Traffic Study be submitted to Montgomery County Planning Commission and request that the road improvements set forth within the Traffic Study be added to the Transportation Improvement Program (TIP). There were no public comments on the motion. The motion was carried by a vote of 4-0.





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4. 202 Gravel Pike: Ms. Daniel advised the Board that John Moran Jr informed her that the pigeon droppings found on the second floor of 202 Gravel Pike needed to be tested for Histoplasmosis. Kevin Conrad told the Board that if it is determined there are fungus spores found in the bird droppings, then the removal of the bird droppings would be considered a Hazardous Waste Clean-up. If the bird droppings do not contain the fungus spores, the clean-up would follow the same procedures as a mold abatement project. At the same time, the Township also needs to test to see if there is asbestos in the building. Both of these tests need to occur before SSM Group can put together a Confirmation of Services for 202 Gravel Pike. Mr. Conrad indicated that the estimated cost to complete the tests for the Histoplasmosis and the asbestos would be approximately \$2,000.00. In order to move forward on a Confirmation of Services, the Board authorized SSM Group to complete the necessary testing for the Histoplasmosis and the asbestos.

### MANAGER'S REPORT:

1. Street Lights: Cecile Daniel informed the Board that she received a response from PECO regarding the cost to upgrade the street lights on Musket Court. According to that response, there is no charge to upgrade a street light. At this time, it is unclear whether the street lights can be increased from the existing 9500 sodium vapor lamps to the higher 25000 sodium vapor lamps. The first step in the process is to file an Application for Electric Service with PECO to upgrade the street lights to 25000 sodium vapor lamps and see what happens. Presently, there are four street lights on Musket Court, not the three as previously discussed. Janet Heacock made a motion seconded by Richard Kratz authorizing the submission of an application to PECO to upgrade four street lights along Musket Court (537 Musket Court, 561 Musket Court, Greene Boulevard & Musket Court, and Musket Court @ the cul-de-sac) from 9500 sodium vapor lamps to 25000 sodium vapor lamps. There were no public comments on the motion. The motion was carried by a vote of 4-0. Next, as discussed at the July Meeting, Ms. Daniel prepared a resolution amending the 2016 Budget to permit the purchasing of those street lights owned by PECO in Perkiomen Township and as listed in the purchase letter received from PECO. At this meeting, Ms. Daniel presented to the Board members a resolution for their consideration. The Board reviewed the resolution and Janet Heacock made a motion seconded by Richard Kratz to approve Resolution 2016-19 amending the 2016 Perkiomen Township Budget as follows: Increase Expenditure General Fund – Street Lighting: \$136,500.00; Increase other financing source - the Transfer from Street Light Account – \$62,251.00; and



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Excess of the increase in Expenditures over the increase in other financing source will be funded out of the Unreserved Fund Balance - General Fund – \$74,249.00 to purchase the PECO owned street lights in Perkiomen Township. There were no public comments on the motion. The motion was carried by a vote of 4-0.

2. Resolution: At the July Meeting, Ms. Daniel discussed with the Board establishment of a policy regarding the future financial stability of the Township. The objective would be to keep up-to-date with the remaining amount set forth in the “Unassigned” category so the Board will still have money in its accounts, but will have to begin discussing whether to reduce spending or increase taxes. Ms. Daniel recommended that the Board establish a policy that will place \$2,000,000 for other purposes and reduce the unassigned category by the same amount. This will give the Board a threshold to operate with before having to make a decision regarding future spending and increase taxes. The Board had authorized Ms. Daniel to work with the auditors in preparing a resolution establishing this policy. At this meeting, Ms. Daniel reviewed with the Board a resolution which will expand those monies that are already set aside for specific purposes. The amounts that are set aside for specific purposes in the resolution can be changed at any time by revision to the resolution that establishes this policy. The Board reviewed this resolution and Janet Heacock made a motion seconded by Richard Kratz to approve Resolution 2016-20 establishing in the General Fund Balance Sheet, Assigned Fund Balances setting forth certain amounts to be constrained by the Township to be used for specific purposes, but are not restricted or committed as follows: Fund Balances will be assigned for the following purposes: Future Capital Projects: \$1,139,016; Equipment Purchase: \$500,000.00; Contingencies and Emergencies: \$3,000,000.00. There were no public comments on the motion. The motion was carried by a vote of 4-0.
3. Crossing Guard Services: Ms. Daniel presented to the Board the agreement with Advanced Protection Company to provide Crossing Guard Services for Perkiomen Township and Perkiomen Valley School District (PVSD). These services will be provided at the intersection of Kagey Road, Forge Road, and Campus Drive. This is the same company that provided the services for the previous school year. The agreement is a one year contract and will cover the 2016/2017 school year. In addition to the Security Services Agreement, the Board needs to adopt a Resolution appointing Advanced Protection Company as the special crossing guard for the 2016/2017 school year. Both Solicitor Picardi and Ms. Daniel have reviewed the





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Security Services Agreement of Advanced Protection Company and prepared a Resolution for the Board's consideration. After review of the documents, Richard Kratz made a motion seconded by Janet Heacock to approve Resolution 2016-20 and approve the Security Services Agreement between Perkiomen Township and Advanced Protection Company, and, authorize the Chairman of the Board to execute the one-year agreement. There were no public comments on the motion. The motion was carried by a vote of 4-0.

4. Road Inspection: The Board set Road Inspection for September 17, 2016 @ 9:00 a.m.

**RECEIPTS AND EXPENDITURES:** The treasurer reviewed the receipts and expenditures for the month of July. After review of same, Richard Kratz made a motion, seconded by Janet Heacock, to authorize payment of the July bills. There were no public comments on the motion. The motion was passed by a vote of 4-0.

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