



PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: APRIL 5, 2022

BOARD MEMBERS PRESENT: Vivian Schoeller, Chairman
Adam Doyle, Vice-Chairman
Albert Campion, Member
Pamela Margolis, Member
Dean Becker, Member

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

Chairperson Vivian Schoeller called the meeting to order at 7:00 pm.

CONSENT AGENDA: Ms. Daniel informed the Board that she did not receive the PA State Police Report for March, but she did receive the report for February. Also, she did not receive any of the Ambulance Reports, so they were removed from the Consent Agenda. Albert Campion made a motion, seconded by Adam Doyle, to approve the Consent Agenda items as follows: a) Monthly Meeting Minutes of March 1, 2022, the PA State Police Report for February, Perkiomen Township Fire Company, and Fire Marshall Reports; b) Financial Matters: Authorize for Payment of Bills for the month of March in the amount of \$110,948.47 and that the Treasurer's Report to be placed on file for audit. There were no public comments. The motion carried by a vote of 5-0.

PUBLIC COMMENTS:

Perkiomen Valley Library: Aileen Johnson from the Perkiomen Valley Library was present to update the Board to the activities of the library. These activities included the Library's Summer Reading Program, the Pre-School Story Time Activities, the Hot Spots Today Program for two weeks using WIFI, the digital check out, etc. There are still some structural/physical issues with the building that the library is dealing with.

Speeding on Bridge Street: Erin Conlen attending the meeting to discuss the issues of racing and speeding on Bridge Street that continue since her attendance at the February meeting. Ms. Conlen has called the State Police, but the problem of speeding still exists. There was an issue with the Township's speed monitor device. When the monitor gets repaired, it will be placed on Bridge Street. Ms. Conlen stated that she has three issues of

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2022**

concern: (1) the drivers coming from the Perkiomen Valley High School; (2) the speeding on Bridge Street, and (3) the cars cutting through the church parking lot to Church Road to avoid the traffic light at Bridge Street, Route 29, and Graterford Road.

OLD/NEW BUSINESS:

- 395 East 7th Avenue: John Campion is the applicant for the development that was approved located at 395 East 7th Avenue. This was a 2-lot subdivision with one lot having an existing home which is located in Trappe Borough. The second lot is the new lot and is located in Perkiomen Township. This subdivision is part of a bigger 4-lot development that was approved in 1984. The first lot of the original development was never improved and remains with the existing 395 East 7th Avenue Property. Mr. Campion's 2-lot subdivision split this property into two lots. As part of that 1984 development, a common driveway was approved. As part of the approval of the new 2-lot subdivision, there was a condition concerning the maintenance of this driveway which requires this new lot to participate in the existing maintenance agreement. Mr. Campion informed the Board that all four of the property owners reviewed and signed off on the new maintenance agreement for the common driveway. Mr. Campion is in the process of trying to get this agreement recorded and complete all the remaining conditions so that the plan can be recorded before the end of April, 2022.
- PSATS Convention: The annual PSATS Convention is scheduled to be held from April 24 through April 27, 2022 in Hershey, PA. Pamela Margolis expressed interest in attending this convention. Ms. Daniel gave to the Board the information that was received from PSATS regarding the business meeting that will be held as part of this convention. The Board needed to authorize Mrs. Margolis' attendance at this convention. Albert Campion made a motion, seconded by Adam Doyle authorizing Pamela Margolis attendance at the PSATS Convention and appointed her as the voting delegate for Perkiomen Township. There were no public comments. The motion carried by a vote of 5-0.

SOLICITOR'S REPORT: Kenneth Picardi was present at the meeting and submitted his written report to the Board of Supervisors. In addition:

- 401 Wartman Road Subdivision: As part of the approval of the 401 Wartman Road Subdivision, the applicant will provide public sewer for the two new lots. The plan is to connect to the public sewer that is in Upper Providence Township. To facilitate this, there was a condition that requires an Intermunicipal Agreement between Upper Providence Township, Perkiomen Township, and Perkiomen Township Municipal Authority. The draft agreement was previously reviewed by the Township Municipal Authority and will be on their April Meeting Agenda for consideration. This same agreement is now before the Board of Supervisors for consideration. Dean Becker indicated that the Agreement should include language that clarifies the terms EDU

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2022**

(Equivalent Dwelling Unit), and I&I (Infiltration Inflow). Solicitor Picardi had no issues with the agreement or with Mr. Becker's suggested revision. After a discussion on the agreement, Pamela Margolis made a motion, seconded by Adam Doyle, to approve the Intermunicipal Agreement, subject to spelling out the terms EDU and I&I and any final edits made by the Perkiomen Township Municipal Authority Solicitor. There were no public comments. The motion carried by a vote of 5-0.

- Verizon Cable Franchise Agreement: Solicitor Picardi informed the Board that Verizon has not signed the Franchise Agreement because of Paragraph 12.3. That paragraph contains language that includes a liquid damage clause that was not in the original franchise agreement. Representatives of the Cohen Law Group, the legal firm the Board used to negotiate the new franchise agreement, indicated that Verizon has never paid liquidated damages. As a result, this is an issue with Verizon. Cohen is recommending that Paragraph 12.3 be removed from the Verizon Cable Agreement so the agreement can move forward. Solicitor Picardi agreed with the Cohen Law Group's recommendation and felt that this was not a critical clause. With the recommendation of Solicitor Picardi, Dean Becker made a motion, seconded by Adam Doyle, to remove Paragraph 12.3 from the Verizon Cable Agreement. There were no public comments. The motion carried by a vote of 5-0.

ROAD MASTER'S REPORT: Shawn Motsavage submitted to the Board his Road Master's Report dated April 5, 2022, for activities occurring during the month of March.

- Materials and Supplies: The bids received for the annual Materials and Supply Contracts were opened on March 31, 2022. Mr. Motsavage reviewed the bids received and recommended the Board consider awarding the following in his memo of April 4, 2022: Materials and Supplies – Highway Materials, Inc.; Open Space/Grass Cutting - Buck Enterprises and Landscaping; Equipment Bid – NO BIDS were received; Line Painting – A-1 Traffic Control Products, Inc., and Thermo-plastic – Alphaspace Control, Inc. There was a discussion on the matter of receiving no bids for the Equipment. Does this mean that the Township can reach out to a vendor should there be a need to rent a piece of equipment, or, does the Equipment Bid need to be rebid? Solicitor Picardi will investigate and notify Mr. Motsavage. Adam Doyle made a motion, seconded by Pamela Margolis, to award the 2022-2023 Material and Supply Bid per Shawn Motsavage's recommendations, excluding the Equipment Bid. There were no public comments. The motion carried by a vote of 5-0.
- 2010 John Deere Tractor: Mr. Motsavage informed the Board that he placed for auction on Municibid.com, the sale of the 2010 John Deere 5105M Tractor and attachments. The auction ran from March 7, 2022 to April 4, 2022. The final bid received was from Scott Etter for \$44,700.00. The Board discussed the bid received from Scott Etter of Quality Tractor. Both Mr. Motsavage and Solicitor Picardi recommended moving forward on selling the John Deere Tractor. Pamela Margolis made a motion, seconded

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2022**

by Albert Campion, to award the sale of the 2010 John Deere 5105M Tractor with Alamo Flail Mower & 563 Self Leveling Loader to Scott Etter of Quality Tractor for \$44,700.00. There were no public comments. The motion carried by a vote of 5-0.

CODE ENFORCEMENT REPORT: John Moran, Jr. submitted to the Board his Code Enforcement report dated April 1, 2022, for activities that occurred during the month of March.

In addition to his report Mr. Moran reported on the following:

- **Conditional Use Application:** Mobile Lifts LLC is a tenant at 104 G.P. Clement Drive. Mobile Lifts submitted a Conditional Use Hearing Application to the Township to run a Bucket Truck Rental Office and the installation of buckets on manufacturer supplied cab chassis. Since this is a Conditional Use Application, Mr. Moran informed the Board that the application is complete, therefore a public hearing on this application needs to be set. Albert Campion made a motion, seconded by Adam Doyle, to set a public hearing for Tuesday, May 3, 2022 at 6:30 p.m. There were no public comments. The motion carried by a vote of 5-0.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission held its meeting on March 15, 2022. At that meeting, the Planning Commission discussed the Small Wireless Facilities Ordinance. The regulations for these facilities are being created under the Small Wireless Facilities Act (Act 50). The regulations will establish standards for siting, design, permitting, maintaining the use of Small Wireless Facilities in the right-of-way. Ms. Daniel wants to further discuss this matter with the Planning Commission next month.

PARK AND RECREATION REPORT: Kevin Motsavage submitted to the Board his monthly report for Park and Recreation Committee. The only item Mr. Motsavage wanted to report is that the Committee recommended that the foot bridge located in the Lodal Creek Park and spans the Lodal Creek should not be replaced. This foot bridge was impacted by the last two Tropical Storms (Isaias and Ida). The cost to replace this bridge would be expensive; therefore, the recommendation was to not replace it. To remove the damaged bridge, the Township will need to obtain a permit from the PADEP to enter the Lodal Creek. The estimated cost to have SSM proceed with and obtain this permit is \$20,000.00. The Board discussed this process. Pamela Margolis made a motion, seconded by Albert Campion, authorizing SSM to proceed with obtaining the necessary PADEP Permit to remove the foot bridge across the Lodal Creek for an estimated cost of \$20,000.00. There were no public comments. The motion carried by a vote of 5-0.

LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY: William Patterson informed the Board that the Regional Sewer Authority discussed the Middle Interceptor. The date for the completion of the Middle Interceptor is July 2022. The

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2022**

Regional Sewer Authority has applied to FEMA for reimbursement for the meters that need to be replaced due to damage caused by Tropical Storm Ida.

ENGINEERS REPORT: Nicholas Szeredai was present at this meeting and submitted his engineer's report to the Board. In addition to his report, Mr. Szeredai reported on the following:

- 2022 Road Project: Mr. Szeredai informed the Board that Shawn Motsavage informed him that there was an inlet that needs to be replaced on Buyers Road because of its failing condition. As a result, Mr. Szeredai reached out to the contractor for a price. This was presented to the Board as a change order to the contract for a price of \$6,800.00. The Board reviewed the request for the change order. Albert Campion made a motion, seconded by Pamela Margolis, to approve Change Order No. 1 in the amount of \$6,800.00 and authorized the Township Manager to sign said Change Order. There were no public comments. The motion carried by a vote of 5-0.
- Stormwater Management Ordinance: Mr. Szeredai informed the Board that the Planning Commission completed its review of the proposed Stormwater Management Ordinance at the March meeting and passed it on to the Board for consideration. The next step will be to advertise this Ordinance for adoption. Under the PA DEP MS4 permit requirements, this Ordinance must be adopted by September 30, 2022. Unless the Board had any issues, Mr. Szeredai recommended that the Board authorize the Township Solicitor and Township Manager to advertise this Ordinance for adoption. The Board discussed with Mr. Szeredai the major elements of the Ordinance. This new Stormwater Management Ordinance will replace the Township's existing one. Pamela Margolis made a motion, seconded by Adam Doyle, authorizing the Township Manager and Township Solicitor to advertise the new Stormwater Management Ordinance for adoption. There were no public comments. The motion carried by a vote of 5-0.

MANAGER'S REPORT: Cecile M. Daniel

- Appointments: With the recent adoption of the Ordinance which increases the number of members on the Planning Commission, Diane Melville submitted a letter of interest to fill one of the openings. This appointment would be from April 2022 through December 2024. Adam Doyle made a motion, seconded by Albert Campion, to appoint Diane Melville to the Perkiomen Township Planning Commission for that term. There were no public comments. The motion carried by a vote of 5-0. Next, was the Park & Recreation Committee. Vivian Schoeller submitted her resignation to the Park & Recreation Committee. A resident has stepped forward indicating interest in being appointed to this committee. Albert Campion made a motion, seconded by Adam Doyle, to accept the resignation of Vivian Schoeller from the Park & Recreation Committee. The motion was carried by a vote of 4: Yes (Albert Campion, Adam Doyle,

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2022**

Vivian Schoeller, and Dean Becker) and 1: No (Pamela Margolis). Ms. Daniel informed the Board that she received an e-mail from Jeanne Helmar. Ms. Helmar, of Maple Hill, indicated she was interested in being appointed to the Park & Recreation Committee. Adam Doyle made a motion seconded by Albert Campion to appoint Jeanne Helmar to complete the term of Vivian Schoeller to the Park & Recreation Committee. The motion was carried by a vote of 4: Yes (Albert Campion, Adam Doyle, Vivian Schoeller, and Dean Becker) and 1: Abstained (Pamela Margolis).

- Agreement: Ms. Daniel reviewed for the Board the monies to be received from the American Rescue Fund. The first payment was received in 2021 and the second payment will be received later in 2022. The first payment will be used by the Municipal Authority to make repairs to the sanitary sewer system. The Municipal Authority has been working on a plan to complete these repairs. Should the cost of the work exceed the amount of money coming from the Rescue Fund, the Municipal Authority would take the remaining money from their Sewer Fund to complete the repairs. Ms. Daniel explained to the Board the two projects the Municipal Authority is proposing under the Coronavirus Relief Fund Recipient Agreement between the Municipal Authority and the Township. The two projects would be the Bridge Street Sewer Basin Repairs Project: \$261,332.61 and the Landis Creek Streambank Stabilization Project: \$217,006.00. The second payment will be used to complete the Township's Pollution Reduction Plan under the Township's MS4 Program. Under the Coronavirus Relief Fund Agreement, the Municipal Authority will be stepping into the shoes of the Township in complying with all of the requirements of the US Treasury Department. Ms. Daniel also informed the Board that this agreement and projects would also be on the Municipal Authority's April Agenda for approval. After discussing the information as presented, Dean Becker made a motion, seconded by Albert Campion, to approve the Coronavirus Relief Fund Recipient Agreement and the attached two applications setting forth what projects these funds would be used for. There were no public comments. The motion carried by a vote of 5-0.
- Letter of Support: Ms. Daniel informed the Board that she received a telephone call from the Montgomery County Planning Commission. Montgomery County is in the process of apply to DCNR for a Community Conservation Partnership Program Grant and the County is requesting a Letter of Support from the Township. This grant involves funding for the acquisition of three properties in Perkiomen Township. These three residential properties are located along Route 113 and abut the Perkiomen Trail and the County Open Space. These three properties suffered damage from Hurricane Ida. If the grant is approved, the County would acquire the properties and remove the existing structures. In conversations with the County Planning Commission, there was a discussion on protecting the Township's ability to acquire right-of-way along these properties for the improvement of the intersection of Route 29 and Route 113. The County indicated it is willing to work with the Township as it relates to this right-of-

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2022**

way, so that this area does not become encumbered by the grant easement covenants. After discussing this, the Board authorized that the Township Manager submit a Letter of Support to the County to be included with their application.

- Closing a Portion of a Public Road: A resident has requested the closing a portion of a Township Road for a private event. The Township has no written policy regarding the closing of a Township Road. The Board discussed whether they were willing to consider creating a policy that would allow this. It was decided to create a committee that would be made up of the following Township officials: Fire Marshall, Fire Chief, Township Manager, and Township Solicitor. John Moran, Township Fire Marshall will head this committee. This committee will report back at the next Board meeting.
- Spring Hill Realty, Inc: Ms. Daniel informed the Board that she has not received the traffic study from Spring Hill Realty related to its requested rezoning, and a zoning text amendment, for property located on Harrison Avenue located behind the Landis Shopping Center.

There being no further business, the April public meeting was adjourned upon motion made by Dean Becker and seconded by Pamela Margolis.

Respectfully Submitted,

Cecile M. Daniel

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Township Manager