



PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: JULY 2, 2024

BOARD MEMBERS PRESENT: Adam Doyle, Chairman
Dean Becker, Member
Albert Campion, Member
Gary Filzen, Member

ABSENT: Pamela Margolis, Vice-Chairperson

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

Adam Doyle called the public hearing to order at 6:30 pm.

PUBLIC HEARING: After opening the public hearing, Adam Doyle turned the hearing over to Solicitor Picardi. The purpose of this public hearing was to discuss the Township's purchase of 182 Trappe Road. The money to purchase this property will come from the Township's Open Space Fund. Solicitor Picardi explained that 182 Trappe Road is owned by 182 Trappe Road LLC. The size of the parcel is 11.91 acres. Over the years, there have been developers looking to develop this parcel. The most recent developer to try is 182 Trappe Road LLC. Solicitor Picardi explained that this developer abandoned that plan and contacted the Township regarding any interest on the Township's part to purchase this property as open space. Moving forward, negotiations occurred between the Township and the property owner on sale of this property. The final agreed upon price for the Township to purchase this property was \$400,000.00. As part of this hearing, Solicitor Picardi reviewed the Resolution that gives the basis as to how the purchase of this property falls within the Standards and Procedures when reviewing the purchase of this property for open space. This Resolution included a list of properties for possible purchase. The property located at 182 Trappe Road is on that list. At its June meeting, the Planning Commission (PC) discussed the purchase of this property. At that meeting, the PC's recommendation was for the Board to move forward on its purchase. Solicitor Picardi pointed out that there is a purchase agreement between the property owner and the Township for this property. This public hearing was a requirement to purchase this property. The other element to this was a discussion as to what the Township may do with this property. Solicitor Picardi explained that about three acres of the property is being farmed by the abutting property owner. This area is along the Trappe Borough/Upper

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Providence border. At the present time, the Board is willing to continue allowing the farmer to do this pending some type of lease agreement between the parties. On the other side of the property, the Township is looking to transfer the collection of yard waste (leaves and tree limbs) from the property where the Township Administration/Garage Building is located to this property. The collection of these items has grown over the years, and the space being used at the Township Building/Garage is no longer large enough to receive these items. The idea is to collect the yard waste and process it into mulch for the Township residents. Shawn Motsavage gave more details as to what would be involved with this program. Also, Mr. Motsavage indicated that the Township may be able to obtain PADEP Grants to help with the cost to starting this program. With this property being close to the Township Building/Garage, the equipment can stay there versus having to stay on site at the 182 Trappe Road property. There were residents at this public hearing whose property border this property and had questions regarding the purchase as well as the uses being proposed by the Township. Solicitor Picardi reviewed the exhibits for the record and closed the public hearing.

Adam Doyle called the public meeting to order at 7:10 pm.

182 TRAPPE ROAD: With the closing of the public hearing, the Board had before them for consideration Resolution 2024-16. This Resolution would authorize the purchase of 182 Trappe Road for \$400,000.00 plus the reasonable, necessary, and customary closing and settlement costs. The Board discussed the matter. Solicitor Picardi made mention that the report of the Planning Commission will be added as an exhibit. Dean Becker made a motion, seconded by Gary Filzen, that subsequent to receipt of the report of the Planning Commission on its unanimous support to purchase this property, that Resolution 2024-16 be approved for the acquisition of 182 Trappe Road. There were no public comments. The motion was carried by a vote of 4-0.

EXECUTIVE SESSION: Adam Doyle informed the public that the Board held an Executive Session prior to this meeting to discuss the Real Estate Matter of 182 Trappe Road.

CONSENT AGENDA: Dean Becker made a motion, seconded by Albert Campion, to approve the consent agenda items as follows: a) Minutes: June 4, 2024; b) Monthly Reports: PA State Police Reports for June, Ambulance Report, Perkiomen Township Fire Company Reports for June and Fire Marshall Report; c) Financial Matters: Authorize for Payment of Bills for June in the amount of \$265,150.68 and the Treasurer's Report to be placed on file for audit. There were no public comments. The motion was carried by a vote of 4-0.

PUBLIC COMMENTS: There were no public comments at this meeting.

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OLD/NEW BUSINESS:

- 527 & 529 Colony Drive: John Aston was present representing the property owners of 527 & 529 Colony Drive. Also, present at this meeting was Harry Snyder of 529 Colony Drive. Mr. Aston explained that this plan was a simple lot line adjustment between two property owners. There was an issue regarding the location of the existing split rail fence. The fence, as shown on the plan, is located 2.5 feet on the property owned by 527 Colony Drive. The Planning Commission's opinion was that the fence must be moved to the new property line as shown on the plan. Mr. Aston indicated that the property owner agrees to move the fence to the new property line. There were two waivers for this plan that he was requesting. These waivers are from Section 264-21.A.10 – to not require any future features within 150 feet to be shown on the plan and Section 264-34.H to not require concrete monuments or capped pins to be installed where property markers already exist. Resolution 2024-15 is before the Board for consideration. This resolution sets forth the conditions and waivers for this Lot-Line Adjustment/Minor Subdivision Plan as recommended by the Planning Commission. Ms. Daniel explained the condition regarding the existing fence. This fence is to be moved so that it is located on the property of 529 Colony Drive or along the proposed property line between the two subject properties. Once this has been completed and confirmed by the Township and all the other conditions set forth within this resolution have been addressed, the plan will be released for recording. There was a discussion with Mr. Snyder regarding the moving of this fence as it relates to the release of the plan for recording. Dean Becker made motion, second by Gary Filzen, to approve Resolution 2024-15 setting forth the conditions and waivers of the plan labeled: 527 & 529 Colony Drive – Lot Line Adjustment/Minor Subdivision, as follows:

ZONING

1. **Section 310-110.A.2** – The plan shall dimension the lot width and ensure it is consistent with the lot widths listed within the zoning compliance table for each property. It is noted that each property contains adequate lot width.
2. **Section 310-110.A.3-5** – The denoted sections reference the front, side, and rear yard setback requirements. The plan shall dimension the minimum yard setbacks and ensure such values are consistent with the zoning compliance table. It is noted that it appears all minimum setback requirements have been met.
3. **Section 310-110.C.3** – The max permitted impervious surface within the R-4 High Density Residential District is 35%. It appears the indicated impervious area associated with 527 Colony Drive is not consistent with the plan. SSM estimates the driveway, walks, and patio to be closer to 2,035-sf+/- . Additionally, there is a walkway not depicted from the driveway to the porch which shall be added to the plan. The plan and zoning compliance table shall be updated accordingly. It is noted that it appears the overall impervious coverage requirement is still met.

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SUBDIVISION AND LAND DEVELOPMENT

1. **Section 264-19.A.2** – In the case of a lot line change, new deeds with accurate legal descriptions shall be executed and recorded. New deeds with associated legal descriptions for each property shall be provided. Proof of such recordings shall be provided to the Township.
2. **Section 264-21.A.3** – The plans shall be signed and dated by the Professional Land Surveyor (PLS) prior to the Township releasing the Subdivision Plan for recording.

GENERAL

1. The existing split rail fence is primarily associated with the 529 Colony Drive property; however, based on the proposed lot line adjustment the plans depict this fence line to be 2.5-ft on the 527 Colony Drive Property. The fence shall be removed from its current location and reinstalled within the proposed property line for 529 Colony Drive. The plan shall not be released for recording until the Township confirms that the fence has been properly relocated.
2. The plan shall be updated to reflect the sidewalk / walkway from the driveway to the porch of the 527 Colony Drive property.
3. The plan shall denote who owns and who shall be responsible for maintaining the split rail fence.
4. A PA One Call Serial Number should be added to the plan.

WAIVERS

1. **Section 264-21.A.10** – The plans shall depict all existing significant features within the proposed subdivision and 150 feet beyond the boundaries of the proposed subdivision. Relief is requested to permit the limits of the survey shown be considered acceptable since the proposed lot line adjustment plan does not affect any of the neighbors. Both the Planning Commission and SSM have no objections to the Board of Supervisors approving this request.
2. **Section 264-34.H** – Concrete monuments shall be installed along the right-of-way and capped iron pins shall be accurately placed at all other locations. The Planning Commission had no objections to the Board of Supervisors approving this request as the pins found are in the correct location.

There were no public comments. The motion was carried by a vote of 4-0.

FOX HEATH HOMEOWNER’S ASSOCIATION: This matter will be tabled until the August Meeting.

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

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In addition to his report, Solicitor Picardi reported on the following:

- **Daily Bread Community Food Pantry Conditional Use:** Solicitor Picardi has prepared the written decision for the Conditional Use Application filed by the Daily Bread Community Food Pantry. At this time, he is requesting authorization for the Chairman to sign said decision so it can be forwarded to the Applicant. Gary Filzen made a motion, seconded by Albert Campion, authorizing the Chairman to sign the written Conditional Use Decision for the Daily Bread Community Food Pantry. There were no public comments. The motion was carried by a vote of 4-0.

ROAD MASTER’S REPORT: Shawn Motsavage submitted to the Board his Road Master’s Report dated July 1, 2024, for activities occurring during the month of June.

CODE ENFORCEMENT REPORT: John Moran, Jr. submitted to the Board his Code Enforcement report dated July 1, 2024, on activities that occurred during the month of June.

ENVIRONMENTAL ADVISORY COUNCIL (EAC): Ms. Daniel informed the Board that there is a vacancy on the EAC. The EAC informed Ms. Daniel that they are recommending the Board consider Christopher Uhland to fill that vacancy. Mr. Uhland was present at this meeting to answer any questions the Board had. Dean Becker made a motion, seconded by Gary Filzen, to approve the appointment of Mr. Uhland to fill the vacancy with the term running from July 2, 2024 to December 31, 2024. There were no public comments. The motion was carried by a vote of 4-0.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel informed the Board that the Planning Commission held its meeting on June 18, 2024. At that meeting the Planning Commission discussed the proposed Lot-Line Adjustment/Minor Subdivision Plan for 527 and 529 Colony Drive and the purchase of 182 Trappe Road.

PARK AND RECREATION REPORT: Kevin Motsavage was absent. Ms. Daniel informed the Board that the EAC attended the meeting to discuss their intent to apply for a Tree Vitalization Grant for tree planting at Lodal Creek Park. The Park and Recreation supports this project. The EAC will be before the Board, probably in September, regarding this application. In addition, Adam Doyle brought up the idea of looking at the playground located in Perkiomen Greene as an additional area for trees to be planted.

LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY: William Patterson was absent.

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ENGINEERS REPORT: Nicholas Szeredai was present and submitted his engineers' report to the Board.

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

1. Road Project 2024: Mr. Szeredai informed the Board that this project began on June 17th. While the Road Crew was completing the C-top replacements on Fell Lane and Dartmoor Road, a semi-collapsed stormwater inlet was found to be present. Since the contractor was in the middle of this road project, this stormwater inlet needed to be repaired. This repair consisted of the reparging of the inlet box and resulted in the need for Change Order No. 1. Currently, Mr. Szeredai has not received the formal change order. As a result, he recommended that the Board authorize a change order with the stipulation that it not exceed \$15,000.00 and be conditioned upon the review and approval of the Road Master and the Township Engineer. The Board discussed the situation and the recommendation of Mr. Szeredai. Gary Filzen made a motion, seconded by Dean Becker, to authorize Change Order No. 1 which would not exceed \$15,000.00 and would be conditioned upon the review and approval of the Road Master and Township Engineer. There were no public comments. The motion was carried by a vote of 4-0.

2. Lodal Creek Park – Stormwater Pipe Replacement Project: At the June Meeting, Mr. Szeredai informed the Board that during the construction of this project there were some unforeseen issues that were uncovered. First, while installing the 36-inch storm sewer pipe along Godshall Road, a 6-inch underdrain was discovered that no one knew about. A minor change was made to connect this 6-inch underdrain to the newly proposed inlet. Second, a water line and a fiber optic line were found when trying to install an inlet along Bridge Street (between the guiderail and Bridge Street). Since Mr. Szeredai had not received a formal change order prior to the June meeting, he recommended the Board approve a change order not to exceed \$25,000.00. Since the June meeting, the work has been completed and Change Order No. 1 was submitted by the Contractor in the amount of \$18,721.00. In addition, the Contractor submitted Payment Application No. 1 in the amount of \$77,003.10. This payment request is a partial payment, and the amount of the change order has been incorporated into the requested amount for payment. Mr. Szeredai recommended that the Board authorize Change Order No. 1 in the amount of \$18,721.00 and approve Application for Payment No. 1 in the amount of \$77,003.10 to the Contractor. The Board discussed the recommendation of Mr. Szeredai. With this recommendation, Albert Campion made a motion, seconded by Gary Filzen, authorizing Change Order No. 1 in the amount of \$18,721.00 which has been incorporated in Payment Application No. 1 in the amount of \$77,003.10. This payment request is a partial payment to Jurich, Inc. There were no public comments. The motion was carried by a vote of 4-0.

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3. Pollution Reduction Project: In anticipation of the one-year warranty period expiring on July 1st, Mr. Szeredai performed an inspection of the Stream Restoration project area. As a result of this inspection, minor items requiring repair were found. Mr. Szeredai notified Flyway, the Township's Contractor on this project, on May 31st of the needed repairs. All repairs were assumed to be covered under the one-year warranty. There was one item that was an issue between the Contractor and Mr. Szeredai. This issue involves an existing culvert on Bridge Street. There was undermining of the culvert on its downstream end. There was an area that was washing out underneath the culvert and it needed to be repaired. Flyway was asked to repair this area, which they agreed to do. The Contractor discussed the repair with Mr. Szeredai, and they agreed on the repair. Mr. Szeredai explained to the Board that he was not present when the repair work was completed. The Contractor provided Mr. Szeredai a picture of the repair. The repair was not what he was expecting but was sufficient. Mr. Szeredai requested an extended warranty extension through November to cover the undermining so he could monitor how the undermining repair holds up during a large rain event. The Contractor was not willing to extend the warranty since they felt they had made the necessary repair, and the repair was a result of large rain events which were not within their control. Mr. Szereda explained he could not force the Contractor to grant an extended warranty. Moving forward, if the undermining of the culvert reappears, the Township may need to consider some other type of repair. The only remaining item under a warranty is the plantings that were installed. This warranty ends in November.

4. Stormwater Management Ordinance: At the March Meeting, there was a discussion on changes being requested by Nick Szeredai and John Moran on the Stormwater Management Ordinance. These changes included the elimination of the Simplified Approach to the Stormwater Management for Small Projects. This approach was adopted in Appendix C in the adoption of the 2022 Stormwater Ordinance. Mr. Szeredai informed the Board that there have been a handful of stormwater applications filed with the Township using this Simplified Approach. The idea was to make it easier for a resident who was proposing a small project consisting of a proposed impervious surface between 1,500 to 3,000 square feet to obtain a Stormwater Permit. When considering this simplified approach, it was a trial-and-error means to see if it could work for the Township residents. The conclusion is that the Simplified Approach is not working. The other proposed change to the ordinance is the threshold for when a Stormwater Permit is required. Under the old Stormwater Ordinance, the need for a permit was based upon the total amount of new impervious area as it relates to the lot area of the parcel. Under the new Stormwater Ordinance, a permit is required when a 1,500 square foot area of new impervious is proposed, regardless of the overall lot area. The result is that the new Stormwater Ordinance is putting more of a burden on the residents with more permits being required. At the March Meeting, Mr. Szeredai apprised the Board of the following recommendations: (1) To amend the 2022

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Stormwater Management Ordinance by repealing the Small Project/Simplified Approach and (2) reset the values for when a permit is required as follows: (a) for a parcel that is less than ¼ acre, the Impervious Area Exemption is 1,500 square feet; (b) for a parcel that is ¼ to 1 acre, the Impervious Area Exemption is 3,000 square feet; and (c) for a parcel that is greater than 1 acre, the Impervious Area exemption is 5,000 square feet. At the March meeting, the Board authorized Mr. Szeredai and Solicitor Picardi to prepare an amendment to the 2022 Stormwater Management Ordinance based upon the recommended changes. While working on this amendment, there were three other areas that needed to be revised as they deal with the required agreements, the performance guarantees for the financial security, and the require fees that cover such items as administrative matters, plan review, inspection, and any additional work that may be required by the Township. Clarification needed to be made to these three sections due to the applicant’s interpretation of the meeting of these sections. These sections were Section 247-502: Operation and Maintenance Agreements; Section 247-503: Performance Guarantee; and Section 247-601: Fees. Mr. Szeredai informed the Board that draft Ordinance No. 243, which amends the 2022 Stormwater Ordinance was prepared and reviewed by the staff, is now ready for the Board to authorize its advertisement for consideration at the August Monthly Meeting. Dean Becker made a motion, seconded by Albert Campion, to authorize advertisement of Ordinance No. 243 for consideration of adoption at the August Monthly Meeting. There were no public comments. The motion was carried by a vote of 4-0.

MANAGER’S REPORT: Cecile Daniel reported on the following:

- EMS Survey: Ms. Daniel informed the public that she received a letter at the end of June from the Montgomery County Department of Public Safety regarding a survey on the County’s Emergency Medical Services. This letter has been placed on the Township’s web site. Embedded in the letter is a link to this survey. According to the letter, access to this survey will be available for the next couple of weeks.

There being no further business, the July public meeting was adjourned upon motion made by Albert Campion and seconded by Gary Filzen.

Respectfully Submitted,

Cecile M. Daniel

Cecile M. Daniel
Township Manager