



## PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: JUNE 6, 2023

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**BOARD MEMBERS PRESENT:** Adam Doyle, Chairman  
Pamela Margolis, Vice-Chairperson  
Dean Becker, Member  
Albert Campion, Member  
Gary Filzen, Member

**OTHERS PRESENT:** Cecile Daniel, Township Manager  
Richard Almquist in place of Kenneth Picardi,  
Township Solicitor  
Nicholas Szeredai, Township Engineer  
Jeffrey Thoms, SSM  
John Moran Jr., Code Enforcement/Zoning Officer  
Shawn Motsavage, Township Road Master

**CONSENT AGENDA:** Albert Campion made a motion, seconded by Dean Becker, to approve the consent agenda items as follows: a) Minutes: May 2, 2023; b) Monthly Reports: PA State Police Reports for April and May, Ambulance Report, Perkiomen Township Fire Company Report, and Fire Marshall Report; c) Financial Matters: Authorize for Payment of Bills for May in the amount of \$191,060.58 and 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:** There were no public comments made at this meeting.

### **OLD/NEW BUSINESS:**

- 14/18 Wartman Road Minor Subdivision: Brandon Dietrich was present to discuss this proposed preliminary/final minor subdivision. Brandon Dietrich is listed as the equitable owner of the property. Mr. Dietrich explained that his grandmother is the record owner of this property, which is 9.32 acres. Under this proposed minor subdivision, Mr. Dietrich intends to create two parcels. Lot 1 will be 1.15 acres and will contain the existing dwelling and barn. Lot 2 will be 8.17 acres and will be a new lot containing a new single family detached home. Access to both homes will be provided by a shared driveway off Wartman Road. This plan was reviewed at the May Planning Commission Meeting. At that meeting, the Planning Commission recommended that the Board consider approval of this preliminary/final minor subdivision with conditions and waivers as set forth under Resolution 2023-15. The Board reviewed this proposed subdivision plan and Dean Becker made a motion,

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seconded by Gary Filzen, to approve Resolution 2023-15 (conditions and waivers) as follows:

**RESOLUTION 2023-15  
PRELIMINARY / FINAL – 14 AND 18 WARTMAN ROAD SUBDIVISION**

WHEREAS, an application by Brandon Dietrich, Equitable Owner (“Applicant”), was filed with Perkiomen Township for approval of a Preliminary/Final Subdivision Plan of 14 and 18 Wartman Road; and WHEREAS, Applicant submitted revised Plans, consisting of 12 pages (the “Plan”), to the Township to address issues that were expressed by the Township during the review process.

The plans are approved as a Preliminary/Final Subdivision Plan consistent with the Perkiomen Township Subdivision and Land Development Ordinance as amended, and, Perkiomen Township Zoning Ordinance as amended (hereinafter “Subdivision Ordinance” and “Zoning Ordinance”, respectively). This approval is expressly conditional upon, and granted subject to, completion of the following:

**COMPLIANCE WITH ZONING ORDINANCE**

1. **Section 310-214.E.1** – A conservation easement shall be provided, when recommended by the Planning Commission. Based upon the May Planning Commission meeting, the Planning Commission is recommending that drainage and conservation easements be provided to preserve just the existing wooded areas. The protected areas are depicted on the Subdivision Plan dated April 24, 2023 as “Easement A” and “Easement B”. The Conservation Easement Agreement (i.e., excluding legal description or plans) will be prepared by the Township through coordination with the Township Engineer and Solicitor.
2. **Section 310-220.A** – RCCD corridor crossings or other encroachment within the riparian corridor shall be mitigated by increasing the width of the corridor as replacement for the area lost due to the encroachment or disturbance, so that the total area of the corridor (Zone 1 and Zone 2) for each applicable side of the stream or watercourse is equal to that required by Section 310-214.

The total limit of disturbance within the RCCD is 5,329-sf (i.e., 1,941-sf for sewer / 3,388-sf for driveway/ electric). Such impacted areas shall be labeled accordingly, and the total area of impact shall be noted on the plans, in square feet.

**Per Section 310-220.B**, the plans shall clearly identify the 5,329-sf RCCD expansion area, which extended beyond the limits of all Zones of the required RCCD. Such mitigation areas shall be highlighted and labeled accordingly. The proposed corridor crossing is not permitted unless adequate mitigation is depicted on the plans.

It is recommended that the Riparian Corridor Conservation District Notes on Sheet 5 be expanded to describe the 5,329-sf RCCD replacement area.

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**COMPLIANCE WITH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

1. **Section 264-16** – Financial security is required for all site improvements. The applicant provided an Engineer’s Probable Construction Cost Estimate which indicates that Financial Security shall be established in the amount of \$106,425. This includes \$93,225 for construction related items, and an additional \$13,200 for construction observation.
2. **Section 264-21.A.3** – The Plans shall be signed and dated by the Professional Land Surveyor (PLS) and Professional Engineer (PE) prior to the Township releasing the approved Plan for recording.
3. **Section 264-21.A.7.b** – The plans shall list any Zoning changes requested by Applicant. The Plans shall include a statement which clarifies the Township Code Enforcement Officer issued a Conditional Use Exemption. The following shall be noted on the plans:

**CONDITIONAL USE (EXEMPTION)**

Per **Section 310-191.A** – A Conditional Use approval from the Board of Supervisors is required when steep slopes (25% slope and greater) are proposed to be developed with underground utilities, unless otherwise expect per Section 310-195.A.

Per **Section 310-195.A**, the Township Zoning Officer may grant exemptions from the Steep Slope Conditional Use Requirements if the subject area is natural or man-made, and when the area is less than 200 square feet in area.

The Township Zoning Officer, through coordination with the Township Engineer, has granted an exemption from the Conditional Use requirement noted above, as the total disturbance proposed is less than 200 sf, and the subject disturbance area is generally isolated and only for construction of a sanitary lateral.

4. The Planning Commission has no objection to the current configuration and does not recommend any access restrictions to Koons Rd or Wartman Rd.

**COMPLIANCE WITH STORMWATER MANAGEMENT ORDINANCE**

1. **Section 247-33** – Financial security shall be provided for the construction of all stormwater management facilities. See Comment 1 under Compliance with Subdivision and Land Development Ordinance.
2. **Section 247-35** – A Stormwater Operation and Maintenance Agreement shall be executed by the Applicant and the Township. The Agreement shall be subject to review and recommendation of approval by both the Township Engineer and Township Solicitor, prior to the Township releasing the Plans for recording. That Agreement shall be recorded in Montgomery County Recorder of Deeds Office, concurrently with the approved Subdivision Plan.

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**SANITARY SEWER**

1. Evidence of compliance with PA DEP direction relative to the Planning Module shall be provided to the Township. The Planning Module Exemption Mailer must be reviewed by the Perkiomen Township Municipal Authority and approved by the PA DEP prior to the Township releasing the plans for recording.
2. Applicant will need a Ch. 94 Consistency Letter from both the Perkiomen Township Municipal Authority and the Lower Perkiomen Valley Regional Sewer Authority (LPVRSAs). This item shall be addressed prior to the Township releasing the Plans for recording.
3. Applicant will need to purchase the necessary EDU's from the PTMA and LPVRSAs. Proof of purchase of the EDU's will be required prior to the issuance of a construction / building permit.

**GENERAL**

1. A summary of all waiver requests shall be indicated on the final plans.
2. The plans shall note that "the Zoning Hearing Board granted a time extension beyond the typically required 6-month period allowed for the applicant to acquire all permits associated with the project. This extension shall expire April 19, 2025 unless extended by the Zoning Hearing Board." This note shall be added on the final plans setting forth the granting of this extension by the Zoning Hearing Board.
3. The plans shall clarify whether the owner of Lot 1 will be two individuals, husband and wife. If so, the plans shall list both names, and provide a signatory line under the Equitable Owners Certification block on Sheet 1 and under the BMP Operation and Maintenance Owner Certification block on Sheet 2.
4. The "Shared Roadway and Maintenance Agreement" is subject to the Township Solicitor's review. We recommend the following items be addressed:
  - a. The document shall be retitled to be considered a "Common Access Drive and Maintenance Agreement".
  - b. The approved plans shall ultimately be made an Exhibit to the subject agreement and such plan and agreement shall be recorded together.
  - c. The agreement shall further specify that the Township is not responsible for any portion of the private driveway.

**WAIVERS**

The Township Engineer has supported each of the waivers below and the Planning Commission did as well. Therefore, the Planning Commission is recommending that the Board of Supervisors approve the following waivers:

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1. **Section 264-19.B.1** – A waiver is requested to permit the creation of Lot 1 (i.e., a new lot) that is smaller than the minimum dimensions required by Chapter 310, Zoning.  
Per the Zoning Hearing Board Application No. 22-3, a variance was granted to permit a lot area less than Zoning requires for Lot 1.
2. **Section 264-21.A.10** – A partial waiver is requested to not depict all existing significant features 150 feet beyond the boundaries of the proposed subdivision. The applicant has submitted an aerial image of the surrounding area; however, survey data is not provided.
3. **Section 264-24.C.1** – A waiver is requested to permit Wartman Rd to remain a 25-ft cartway width when a 36-ft cartway width is required. Currently, there are no plans to widen Wartman Road.
4. **Section 264-26.A.3** – A waiver is requested to allow the depth of residential lots to be less than one nor more than 2 1/2 times their width. It is noted that Lot 2 is roughly equivalent to a lot width to depth ratio of 1:8 ratio.
5. **Section 264-26.B.3** – A waiver is requested to permit a reverse frontage lot (i.e., frontage on Wartman Rd and Koons Rd), with no 10-ft wide planting screening along the Koons Rd right-of-way limits, with no access restrictions to either road.
6. **Section 264-26.C.1** – A partial waiver is requested to permit a lot area and dimensions which are less than specified by the provisions of Chapter 310, Zoning. It is noted that the plans shall still conform to Title 25, Chapter 71, Administration of Sewage Facilities Planning Program, Rules and Regulations of the Pennsylvania Department of Environmental Protection, and §264-28 of this chapter. Per the Zoning Hearing Board Application No. 22-3, a variance was granted to permit a lot area less than Zoning requires for Lot 1.
7. **Section 264-35.C** – A waiver is required to not require curbing along Wartman Rd and Koons Rd. Currently, no curbing exists on either side of the subject property.
8. **Section 264-35.D** – A waiver is requested to not require sidewalk along Wartman Rd or Koons Rd. Currently, no sidewalk exists on either side of the subject property along both roadways.

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

- Perkiomen Township Fire Company: Brad Bonner, President of the Perkiomen Township Fire Company, was present to continue the discussion that was held previously with the Board on increasing the Fire Tax. Mr. Bonner explained the financial picture of the Fire Company. This review included the future operation and financial expenses. The original Firehouse was constructed in 1951 and an addition was built in 1995. This review included the equipment that is presently stored in the building. Under the present plan, the equipment is replaced on a rotation basis over a fifteen-year period. Based upon this review, the Fire Company is in the process of purchasing a new fire truck for delivery anticipated

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in 2025. For the Firehouse, a grant was obtained to hire a consultant to examine whether the best alternative would be to replace or renovate the existing building. A subcommittee was created. This subcommittee was represented by three members of the Fire Company, two Township Supervisors and the Township Manager. The subcommittee met to discuss the options to increase the Fire Tax so that funding could be provided to the Fire Company based upon their future needs. Presently the Fire Tax rate is 0.27 mils. After discussion of the possible options to maintaining the level of services to the Community, the Fire Company would like the Board to consider increasing the Fire Tax to 1.25 mils over a two-year period. It was Mr. Bonner's opinion that this funding level would keep the Fire Company funded at its operation level and would allow them to move ahead with the plans (which are still being developed) to either replace or renovate the existing Firehouse. The Board discussed this request and indicated that their final decision will take place during the discussion and establishment of the 2024 Budget and the creation of the Tax Levy of the Township for the year 2024.

**SOLICITOR'S REPORT:** Richard Almquist was present at the meeting and submitted to the Board of Supervisors Kenneth Picardi's written report.

**ROAD MASTER'S REPORT:** Shawn Motsavage submitted to the Board his Road Master Report dated June 5, 2023, on activities occurring during the month of May.

**CODE ENFORCEMENT REPORT:** John Moran, Jr. submitted to the Board his Code Enforcement Report dated June 1, 2023, on activities that occurred during the month of May.

In addition to his report. Mr. Moran informed the Board of the following:

- **Fireworks:** At the April and May Meetings, there was a discussion regarding the creation of an Ordinance to govern Fireworks as provided for under Act 74. John Moran indicated that Solicitor Picardi made changes to the Montgomery Township Ordinance being used as a template for the Township's Ordinance. Gary Filzen questioned how restrictive this Ordinance would be for the residents when setting off fireworks. Mr. Moran indicated that if a property owner meets the requirements in the Ordinance, which refers to Act 74, then they could be permitted to set off fireworks. Under the proposed Ordinance, a Township resident who witnessed a Fireworks Ordinance violation could file a written citizen's complaint with the Township. Moving forward, this proposed Ordinance will not be in place for this coming Fourth of July. There was a discussion whether fireworks could be allowed for a special occasion under this proposed Ordinance. Unless the state law provides for this, this cannot be added. After discussion on this subject, Gary Filzen made a motion, seconded by Pamela Margolis, to move forward with the advertisement of the

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proposed Fireworks Ordinance. There were no public comments on the motion. The motion was carried by a vote of 5-0.

- Fee Schedule: Mr. Moran explained that the Township's Fee Schedule needs to be updated. The Permit Fees that require the inspection by our Third-Party inspectors need to be updated. First, the hourly rate needs to be increased to reflect what the Township is now paying for this service. There needs to be a separate fee should there be the need for a re-inspection. Second, the demolition fee is listed twice so the duplicate needs to be removed. Third, fees were added for fireworks based on the proposed Fireworks Ordinance. Resolution 2023-16 is before the Board for consideration. This Resolution adopts the updated fee schedule as revised. Dean Becker made a motion, seconded by Albert Campion, to adopt Resolution 2023-16 which includes the 2023 Fee Schedule as revised. There were no public comments on the motion. The motion was carried by a vote of 5-0.
- Zoning Hearing Board (ZHB) Application: Mr. Moran informed the Board that the Perkiomen Valley School District (PVSD) has filed an application before the ZHB requesting a number of variances for the installation of off-premise advertisement signs at the score board located at the football stadium at 509 Gravel Pike. The ZHB approved all the variances requested by the PVSD.
- Burn Ban: As the Township's Fire Marshall, Mr. Moran informed the Board that a Burn Ban is now in place as of June 5, 2023 and will continue until further notice. Exception will be fires are permitted within an outdoor fireplace, portable outdoor fireplace, outdoor cooking grill, outdoor patio stove, chiminea, or factory-built novelty stove in which the embers are contained by a screen, cover and/or the smoke/emissions pass through a chimney.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported on the items that were discussed at the Planning Commission meeting held on May 16, 2023. The Planning Commission discussed and recommended that the Board of Supervisors approve the 14/18 Wartman Road Preliminary/Final Subdivision. The Planning Commission continued their discussion on the proposed Zoning Text Amendment for the property owned by Spring Hill Realty located along Harrison Avenue behind 841 Gravel Pike and the Landis Shopping Center.

**PARK AND RECREATION REPORT:** Kevin Motsavage update the Board on Community Day, which was held on Saturday, June 3 2023.

**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** William Patterson informed the Board that routine business was the only item discussed at the LPVRSa meeting.



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**ENGINEERS REPORT:** Nicholas Szeredai was present at this meeting and submitted his engineers' report to the Board. In addition to his written report, Mr. Szeredai discussed the following:

- Bridge Street & Route 29 Traffic Signal: Mr. Szeredai presented to the Board an Application for Payment No. 3 for the installation of the new traffic signal. This request is a partial payment application received from Marino Corporation in the amount of \$48,679.65. The work completed under this payment application was installed according to the project specification; therefore, Mr. Szeredai's recommendation was to approve this partial payment application. Dean Becker made a motion, seconded by Albert Campion, to approve partial Payment Application No. 3 to Marino Corporation for the Bridge Street & Route 29 Traffic Signal. The amount of this payment is \$48,679.65. There were no public comments. The motion carried by a vote of 5-0.
- Perkiomen Creek Tributary Floodplain Restoration (PRP): Mr. Szeredai presented to the Board an Application for Payment No. 1 and Application for Payment No. 2 for the improvements for the Perkiomen Creek Tributary Floodplain Restoration Project. These two requests were partial payment applications received from Flyway Excavating, Inc. Application for Payment No. 1 was in the amount of \$253,710.00 and Application for Payment No. 2 was in the amount of \$112,410.00. The work completed under the payment applications were installed according to the project specifications; therefore, Mr. Szeredai's recommendation was to approve the two partial payment applications. After review of the payments, Albert Campion made a motion, seconded by Gary Filzen, to approve Application for Payments No. 1 in the amount of \$253,710.00 and No. 2 in the amount of \$112,410.00. There were no public comments. The motion carried by a vote of 5-0. Next, Mr. Szeredai informed the Board that Flyway informed him that some of the plant sizes specified in the project are not available at the local plant nurseries. As a result, Flyway is requesting that they be allowed to use similar plants that would be smaller in size. Land Studies, a consultant working with SSM on this project, indicated that the same plants at a smaller size be used and the Flyway submit a credit reduction to the Township. This resulted in Change Order No. 1, which is before the Board for consideration. Change Order No. 1 is a plant size reduction credit of \$6,135.00. The Board discussed this. Dean Becker made a motion, seconded by Albert Campion, to approve Change Order No. 1 for credit of \$6,135.00 and will allow the planting of plants that are smaller than what was called for in the original specifications. There were no public comments. The motion carried by a vote of 5-0.
- Municipal Building Upgrades Project: Jeffrey Thoms was present at this meeting to discuss this project. HVAC Unit #2 is up and running. A punch list was completed on the installation of the mechanical contract. Mr. Thoms is optimistic that this project



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could be closed soon. The next project left is the South Salt Shed. Mr. Thoms had submitted a proposal to complete this design. The decision as to what is to be done with the existing salt shed has yet to be made. After looking at the condition of the existing salt shed, Mr. Thoms is recommending that use of the shed to store salt should be discontinued. Mr. Thoms opined that the shed could still be used for open-coverage storage with nothing being pushed against the walls. There is some cracking located in the south corner of the structure that he feels could be repaired by pinning the wall and stabilizing the cracks. Mr. Thoms discussed this with Shawn Motsavage. Mr. Motsavage indicated that he would prefer to keep the existing shed for the purposes of open-coverage storage. There is an issue with the designing of an addition on the south salt shed. The issue is the existing swale that channels the stormwater that comes across the parking lot to the existing basin. Unless something is done to mitigate this stormwater, there could be adverse effects over time to this addition. In considering how to mitigate this, Mr. Thoms had two options: (1) take down the third bay which is located at the end of the existing salt shed or (2) install a catch basin in the parking lot and discharge the stormwater into the existing basin. Since Mr. Motsavage would prefer to keep all three existing bays, this would drive the decision toward designing a catch basin with the storm water flowing into the existing basin. Based upon the discussion with the Board at this meeting, Mr. Thoms will proceed with mitigation of the stormwater issue by designing a catch basin to be installed in the parking lot. Regarding the Confirmation of Services submitted to the Board, Mr. Thoms did not include the cost to design this catch basin and repair the cracks in the south corner of the third bay. Mr. Thoms is going to review his proposal to see if there is sufficient money left in the original proposal for the salt bins to cover this extra work.

**MANAGER’S REPORT:** Cecile M. Daniel

- Montgomery County CDBG Program: Every three years, Montgomery County is required to identify those municipalities that wish to participate in the County’s Community Development Block Grant Program. In the past, Perkiomen Township has chosen to opt-in to this program. Montgomery County has submitted a letter asking whether Perkiomen Township wishes to continue to opt-in to the County Program. It was the recommendation of Ms. Daniel that the Township continue its Opt-In Status. The Board had no objections to this. Since there is no change to the Township’s status, the letter from Montgomery County indicated that no action is necessary on the part of the Board.
- Highland-Huber Park Phase 1: Ms. Daniel updated the Board on the Highland-Huber Park. Simone Collins filed the grant application for the PA Department of Community & Economic Development (DCED) Greenways, Trails, and Recreation Grant before the May 31, 2023 deadline. Like the grant application filed with DCNR for the same park, the Township needed to include a Commitment Letter along with the Letters of

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Support from our local State Senator, State Representative, and the Montgomery County Planning Commission. Due to the application deadline of May 31, 2023, Ms. Daniel submitted this letter so that it could be included along with the other letters in support of this grant application. Ms. Daniel requested that the Board ratify this letter. Pamela Margolis made a motion, seconded by Dean Becker, ratifying the Township's Commitment Letter that was made a part of the DCED Greenways, Trails, and Recreation Grant Application. There were no public comments. The motion carried by a vote of 5-0.

- Freedom Valley Medical Rescue: As discussed at the May Meeting, William Patterson was authorized to attend the first meeting of the Freedom Valley Municipal Advisory Committee. After attendance at this first meeting, Mr. Patterson was present at this meeting and updated the Board. The first meeting was held on May 25, 2023. Out of the eleven municipalities, eight municipalities were represented at this meeting. It was the opinion of Mr. Patterson that it was a good meeting. Presently, Freedom Valley is not providing 24/7 service. They are making changes in their personnel structure to make that happen. Their goal is to have 24/7 service at all four stations by July 1 2023. Next, there was a discussion by those present at this meeting as to the type of reports that would be received by the Municipalities. There was a change in one of the locations of the ambulance staff. The ambulance is now located in Collegeville Borough. Ursinus College is allowing Freedom to use a building they own for Freedom's staffing requirements. Mr. Patterson is not sure if this will be temporary or permanent. At the present time, the Municipal Advisory Committee will be meeting quarterly. The next meeting is tentatively set for July or August in anticipation of the municipalities working on their next year's budget. The Board discussed their future participation at these meetings. Mr. Patterson informed the Board that he would be happy to represent the Township at these meetings. Pamela Margolis made a motion, seconded by Dean Becker, to appoint William Patterson as Perkiomen Township's representative to the Municipal Advisory Committee for Freedom Valley Medical Rescue. There were no public comments. The motion carried by a vote of 5-0.
- Graduation at Perkiomen Valley School District: A request was submitted to the Township from the Perkiomen Valley School District. This request was approval for traffic control assistance for Fire Police for PVSD's High School Graduation. This graduation is scheduled for Friday, June 9 2023. Fire Police assistance is being requested from Perkiomen Township, Collegeville Borough, Lower Frederick Township, Skippack Township, and Trappe Borough. The Board discussed this request which required approval by the Board and authorization to send letters to the other municipalities requesting assistance from their Fire Police. After considering this request, Gary Filzen made a motion, seconded by Dean Becker, to approve the request to have the Perkiomen Township Fire Police provide traffic control for the upcoming Perkiomen Valley High School Graduation. Also, it authorized the Chairperson to sign

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the letters which will be sent to the other municipalities that make up the PVSD making the same request for the assistance of their Fire Police. There were no public comments. The motion carried by a vote of 5-0.

- July Meeting: Ms. Daniel informed the audience that the July Meeting, due to scheduling, will be moved to Wednesday, July 5, 2023 at 7:00 P.M.

**SUPERVISORS COMMENTS:** Pamela Margolis thanked William Patterson for the contributions he has made to the Township over the years. Gary Filzen informed the audience that this was his first Community Day that he participated in, and he enjoyed the time spent talking with everyone. Adam Doyle informed the audience that, during Community Day, he spoke with people about how they felt about living here. For those he spoke with, the feedback was mainly positive.

There being no further business, the June public meeting was adjourned upon motion made by Albert Campion and seconded by Dean Becker.

Respectfully Submitted,

*Cecile M. Daniel*

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Cecile M. Daniel  
Township Manager