



PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: MARCH 3, 2020

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

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

William Patterson called the March 3, 2020 meeting of the Perkiomen Township Board of Supervisors to order at 7:00 p.m. in the Perkiomen Township Administration Building.

EXECUTIVE SESSIONS: William Patterson informed the public that the Board held two Executive Sessions: February 25, 2020 (information session on the Township Survey) and March 3, 2020 (information session on the incident that took place on Hamilton Road).

CONSENT AGENDA: Dean Becker made a motion seconded by Vivian Schoeller to approve the consent agenda items as follows: a) Minutes: February 4, 2020; b) Monthly Reports: PA State Police Reports for February, Ambulance Reports, Perkiomen Township Fire Company and Fire Marshall Reports; c) Financial Matters: Authorize Payment of Bills for February in the amount of \$134,831.90 and the Treasurer's Report to be placed on file for audit. There were no public comments on the motion. The motion was carried by a vote of 5-0.

CORRESPONDENCE: Cecile Daniel informed the Board that she received the following correspondence:

- ❖ Lower Frederick Township: Thank you letter for hosting a Stormwater Presentation for local residents.
- ❖ PSATS News Bulletin: February 2020.

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PUBLIC COMMENTS: Loretta Fitzgerald, of 935 Hamilton Road, was in attendance to discuss with the Board the serious incident that took place at her neighbor's home at 937 Hamilton Road on February 3, 2020. Ms. Fitzgerald expressed her concern that her neighbor, Ken Boakye, rents out one or more rooms in his home. She explained to the Board what took place next door on that date. Her question was how can he be allowed to do this? Ms. Fitzgerald had come into the Township Building previously and had asked the same question. At that time, she was informed that what Mr. Boakye was doing was permitted under the definition of "Family". At that time, Ms. Fitzgerald did not further pursue the issue, but this recent incident compelled her to follow through with her inquiry. Ms. Fitzgerald stated her belief that the individuals Mr. Boakye rents to are, in fact, "transient". Ms. Fitzgerald stated that the individuals renting rooms from Mr. Boakye over the years would stay sometimes a few days, sometimes a few weeks, and sometimes a few months. Ms. Fitzgerald felt that Mr. Boakye was running a "Boarding House/Rooming House" and, based upon that use, was violating the parking requirements set forth in the Zoning Ordinance. The Board discussed the matter and acknowledged the ordeal that Ms. Fitzgerald has endured. The Board also expressed its reservations about an interpretation or an enforcement action that could then adversely affect many Township residents who rent or lease all or a portion of their home. In order to establish how this situation may be different, Ms. Fitzgerald and other neighbors in attendance were advised to file a Citizen's Complaint Form with the Township and to provide as much information as possible about the number and duration of each tenant at the Boakye property over the last several years.

OLD/NEW BUSINESS:

1. Birchwood Association: Patrick McDonnell, Esquire, representing the Birchwood Homeowners Association, was before the Board to discuss a small area that was widened along the south side of Bridge Street near its intersection with Seitz Road. In 1997, Walter Kerr, of the Birchwood Homeowners Association, requested the Township to install a 100-ft. paved shoulder area to provide parents with a safe place to pull off the road and wait for their children, since the school bus stop was right in that area. Although the Board did not vote to approve the request, it was Ms. Daniel's recollection that the paving of this portion of Bridge Street was done as part of the Township road project the following year. The paved area is in the right-of-way of Bridge Street. Mr. McDonnell indicated this area is no longer a bus stop, and the Birchwood Homeowners Association would like to remove the blacktop and return the area to grass. Mr. McDonnell indicated the Homeowners Association is looking for indemnification from the Township, as it is the Township that maintains the widened area. Solicitor Picardi informed the Board that it had no obligation to remove the paved shoulder area, and, that this seemed more like a private dispute between the management of the HOA and several Birchwood residents. The Board asked if there was anything structurally wrong with the paved area. Road Master

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Shawn Motsavage stated there was not. Several residents of Birchwood were also present at the meeting. These residents park on this paved area and requested that the paved area not be removed. The Board discussed the request and questioned the logic of removing paving that was in good condition. Both Vivian Schoeller and Albert Campion recused themselves because they live in the area of the Birchwood Association proximate to the paved area at issue. Upon deliberating the matter, Dean Becker made a motion, seconded by Adam Doyle, to deny the request. The motion passed by a vote of 3-0 with Vivian Schoeller and Albert Campion abstaining.

2. Intersection of Route 29 & Route 113: In 2016, Perkiomen Township considered applying for a Multi-Modal Grant with the PA Department of Community & Economic Development (DCED). The application request was based upon a traffic study the Township completed. The traffic study developed three possible options for different road improvements for this intersection. When the Multi-Modal Application was developed, Option 3 was chosen. At that time, the Board decided not to apply for the Multi-Modal Grant. This matter has now come up again before the Board for discussion. The DCED Multi-Modal Grant is open between March 1, 2020 and July 31, 2020 and the Board discussed moving forward with an application. In looking at the proposed road improvements, the Board agreed that now Option 2 would be a better choice. This option is the most expensive option of the three options as it involves more property acquisition to complete the public improvements. Following a discussion, it was agreed that the Township would submit a Multi-Modal Grant application for the implementation of Option #2 at an estimated cost of \$3,100,000.
3. Montgomery County Association of Township Officials: The Board received notification of MCATO's Spring Convention that is scheduled to be held on Friday, March 6, 2020. Due to everyone's schedule, no one will be able to attend.
4. Township Line Road: Dean Becker informed the Board that there was a meeting on February 20th with representatives of Limerick Township concerning traffic issues on Township Line Road. Limerick Township said they would install their speed indicator device on Township Line Road to monitor and inform drivers how fast they are traveling. The last traffic study completed on Township Line Road went from Limerick Road to the entrance of Route 422. This study was completed about 20 years ago and listed suggested road improvements along this roadway. Not every recommendation of the study has been completed. At the February meeting, there was a discussion on completing an update to this traffic study. The study area would be smaller (from Graterford Road/Wartman Road to Meyers Road/Cemetery Road). The study would look at the impact of the road improvements that were made and those improvements that may still be warranted. TPD, the engineer for Limerick Township, was asked to prepare a cost estimate for this study. The concept would be

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to split the cost between the Limerick and Perkiomen Township. At this time, Mr. Becker informed his fellow Board members that he is awaiting the traffic study proposal.

5. **PSATS Convention:** The annual PSATS Convention is scheduled to be held from May 3 through May 6, 2020 in Hershey, PA. Dean Becker made a motion seconded by Vivian Schoeller authorizing William Patterson to attend the PSATS Convention. There were no public comments on the motion. The motion was passed by a vote of 5-0.

SOLICITOR’S REPORT: Solicitor Picardi was present and submitted his written report to the Board of Supervisors. Some of the items in his report will be discussed later in the agenda. The one item that he requested direction on was “Emotional Support Animals”. Solicitor Picardi explained his findings from the preliminary research he had completed on this topic and questioned whether the Board wanted him to proceed with preparing the necessary documents to regulate “Emotional Support Animals.” The Board discussed the information and authorized Solicitor Picard to work with John Moran, Jr. in developing proposed “Emotional Support Animals” Regulations/Ordinance amendments.

ROAD MASTER’S REPORT: Shawn Motsavage submitted to the Board his Road Master’s Report dated March 2, 2020, for activities occurring during the month of February. In addition to his report, Mr. Motsavage requested permission to advertise for Materials and Supplies Bids for 2020. Vivian Schoeller made a motion seconded by Adam Doyle authorizing Shawn Motsavage to so proceed. There were no public comments on the motion. The motion was carried by a vote of 5-0.

CODE ENFORCEMENT REPORT: John Moran, Jr. submitted to the Board his Code Enforcement report dated March 1, 2020, for activities that occurred during the month of February.

In addition to his report, Mr. Moran informed the Board that he is in receipt of a Zoning Hearing Application from Michael & Alexandra Cavaliere of 218 Forge Road. This application seeks a variance from the front yard setback requirements. The Cavalieres live on a corner lot and would like to construct an addition to their home. This addition would intrude into the front yard setback. The Board reviewed the application and decided to take no position. Solicitor Picardi will relay this decision to the ZHB Solicitor.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission held its meeting on February 18, 2020. At that meeting, the Planning Commission discussed the sketch plan for Springhill Realty. The proposed sketch plan is for the 20.86 ± acres located along Harrison Avenue. The

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Planning Commission had a lot of questions regarding this proposal. The applicant indicated they will review the Planning Commission's comments and may resubmit a revised proposal.

PARK AND RECREATION REPORT: Mr. Motsavage updated the Board on recent Park and Recreation Activities.

LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY: Dean Becker informed the Board on the status of the installation of the Middle Interceptor.

ENGINEERS REPORT: Nicholas Szeredai reported on the following:

1. 2020 Road Project: Mr. Szeredai presented to the Board the signed contract documents from Allan Myers for the 2020 Road Projects. According to Mr. Szeredai everything is in order and ready for the Board to authorize the Chairman to sign the agreement. Dean Becker made a motion seconded by Alan Doyle authorizing the Chairman to sign the Road Project Agreement between Perkiomen Township and Allan Myers., L.P. There were no public comments on the motion. The motion was carried by a vote of 5-0. As discussed at the February Meeting, the bid was roughly fourteen percent higher than what was budgeted for this project. The difference was \$60,647.00. This will require an amendment to the 2020 Budget. Ms. Daniel prepared Resolution 2020-11. The purpose of this Resolution will be to transfer unencumbered funds from the Unreserved Fund Balance to the Capital Road Maintenance/Construction account to complete the 2020 Road Project. The amount of the transfer is \$60,647.00. Vivian Schoeller made a motion seconded by Albert Campion to approve Resolution 2020-11. There were no public comments on the motion. The motion was carried by a vote of 5-0.

MANAGER'S REPORT:

1. Environmental Advisory Council (EAC): At the February Meeting, the Board discussed the creation of an Environmental Advisory Council and authorized Solicitor Picardi to prepare the Ordinance creating an EAC. Solicitor Picardi drafted said Ordinance which is now before the Board for authorization for advertisement. The Board reviewed the drafted Ordinance. Dean Becker made a motion seconded by Vivian Schoeller authorizing the advertisement of Ordinance No. 234: An Ordinance Creating an Environmental Advisory Council. There were no public comments on the motion. The motion was carried by a vote of 5-0.
2. Tax Collector Request: Perkiomen Township Tax Collector, Dawn Johnston, requested consideration by the Board to pay for the cost of her attendance at a PA Department of Commerce and Economic Development (DCED) class for tax collectors. According to Mrs. Johnston, this class will count toward her required

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continuing education credits. The cost of the class is \$80.00 and is scheduled to be held on April 9th. According to Solicitor Picardi, the Township can agree to pay for the cost of the class in whole or in part. The Board discussed Mrs. Johnston's request. Adam Doyle made a motion seconded by Vivian Scholler to pay \$80.00 for the PA DCED Continuing Education Class for the Tax Collector, Dawn Johnston. There were no public comments on the motion. The motion was carried by a vote of 5-0.

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

Respectfully Submitted,

Cecile M. Daniel

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Township Manager