

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2005**

BOARD MEMBERS PRESENT: William Patterson, Chairman
Richard Kratz, Member
Dean Becker, Member
Gordon MacElhenney, Member
Edward Savitsky, Member

OTHERS PRESENT: Cecile Daniel, Township Manager
Kenneth Picardi, Township Solicitor
Pamela Stevens, Township Engineer
Richard Dillon, Code Enforcement Officer

MINUTES: The minutes of the March 1, 2005 meeting were approved as presented.

POLICE REPORT: There board reviewed the PA State Police report for February.

CORRESPONDENCE:

- CPVRPC- Minutes of their meeting
- Report of the Lower Frederick Ambulance
- PSATS – Bulletin
- Abbe DeMaio - Buxmont

SOLICITOR’S REPORT: Kenneth Picardi informed the board regarding the following:

- HYK – The Commonwealth Court rendered a decision that confirmed the decision of the lower court. Basically, if HYK wants to do anything with the property they need to go to the zoning hearing board and indicate what they plan to do with their property.
- Cranberry Phase 4B – There was a meeting with representatives of the Cranberry Development and representatives of the developer regarding the issue of the open space. It was his opinion that the meeting was productive even if no decision was made at this meeting. He is hopeful that some resolution can be obtained between the parties.
- Board of Appeals – He feels that the other municipalities may not have read the proposed agreement too closely. The notion is that all seven municipalities should be on a rotation bases. His intention is to revise the agreement to address the issue of rotation and to clean up some of the inconsistencies in the agreement. He has addressed the issues with Skippack’s solicitor and they discussed changing the agreement. He was told that once the agreement is revised they will re-circulate the agreement to the other municipalities. It was his recommended that the board consider approving the agreement subject to

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2005**

making the changes and the other municipalities agree to the revised agreement. The agreement should not be signed until such time that the changes to the agreement have been made.

ROAD MASTER'S REPORT: John Moran submitted his report for March to the board.

FIRE MARSHALL'S REPORT: John Moran submitted his March report to the board.

CODE ENFORCEMENT REPORT: W. Richard Dillon submitted his March report to the board. In addition to his report Mr. Dillon reviewed a memo he prepared regarding the Uniform Construction Code. He explained that Act 45, as amended, has some major exemptions to the township requirement of building permits. It was his opinion that the three major exemptions were: Miscellaneous use structures with a building area less than 1,000 square feet, the International Property Maintenance Code, and the finished basements. Mr. Dillon informed the board that he is beginning to see issues surrounding these exemptions. All amendments to the township's ordinance that adopted the UCC must be approved by the Department of Labor and Industry. It was his suggestion that a sub-committee be put together to review this information and determine, what if anything, may be considered in amendment to the township's building code ordinance.

PLANNING COMMISSION REPORT: The planning commission held their meeting on March 15, 2005. The following item was reviewed: Review of the proposed storm water management ordinance.

ENGINEER'S REPORT: Pamela Stevens

- **2005 ROAD PROJECT** – Ms. Stevens updated the project status. The project has begun. Presently, Aqua America is correcting the water services where they are in conflict with the storm sewer line. The start date for the project will be April 11, 2005. The stack out of the project is schedule for the week before.
- **CARSON/BARR – HERITAGE BUILDING GROUP** – Escrow Release No. 2 & No. 3 – Ms. Stevens reviewed her letter of March 14, 2005 regarding a request by Heritage Building Group for an escrow release in Heritage Woods known as Escrow Release No. 2. Their request was in the amount of \$149,458.17. After review of the information received, she recommended that the board approve it. Next, Ms. Stevens reviewed her letter of March 29, 2005 regarding a request by Heritage Building Group for an escrow release in Heritage Woods known as Escrow Release No.3. Their request was in the amount of \$75,306.95. After review of the information received, she recommended that the board approve it. Upon the recommendation of Ms. Stevens, Edward Savitsky made a motion,

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2005**

seconded by Gordon MacElhenney to approve the Escrow Release No.2 (\$149,458.17) and Escrow Release No. 3 (\$75,306.95) to Heritage Building Group. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- **SCHOOL FLASHING WARNING DEVICE** – Ms. Stevens informed the board that the township received two bids for the installation of a school flasher at the intersection of Kagey Road, Campus Road, and Forge Road and to make some minor modifications to the school flashing light located on Gravel Pike. The two bids were from Miller Brothers and Lenni Electric Corporation. Of the two bids, Miller Brothers was the lowest in the amount of \$11,341.00. She reviewed the entire bid package and recommended that the board award the bid to Miller Brothers. Based upon the recommendation of Ms. Stevens, Richard Kratz made a motion, seconded by Gordon MacElhenney to award the School Flashing Warning Device Installation to Miller Brothers in the amount of \$11,341.00. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- **DIDOMENICO** – Ms. Stevens informed the board that she received the information regarding the qualifications of the person conducting the forestry analyses for the Conditional Use Decision of Louis DiDomenico. She indicated that she is familiar with the person having worked with him before. No one objected to the investigation being conducted by George Tindall.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of March. After review of same, Dean Becker made a motion seconded by Edward Savitsky to authorize payment of the March bills. There were no public comments on the motion. The motion was carried unanimously by a vote of 5-0.

OLD BUSINESS:

BOARD OF APPEALS: The board had before them Ordinance No. 186. This was an Ordinance authorizing the board of supervisors to enter into an Intergovernmental Cooperation Agreement that will create a Joint Board of Appeals under Act 45 of 1999, known as the Pennsylvania Construction Code Act. In order to enter into this agreement, this ordinance must be passed first. The ordinance was reviewed and Dean Becker made a motion seconded by Edward Savitsky to approve Ordinance No. 186. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. Next was the agreement. As Mr. Picardi explained under his report, he reviewed the agreement sent to him by Skippack's solicitor. There were some language inconsistencies. The biggest issue was to rotate the membership to allow for a rotation of the seven members. The act required that the board be made up of five members with two alternatives. He felt that he should not have a problem with revising this agreement and

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2005**

getting the other members to agree. He recommended that the approval be conditioned upon the revised agreement being approved by all seven municipalities. With the recommendation of the township solicitor, Dean Becker made a motion, seconded by Richard Kratz to approve the Intergovernmental Cooperation Agreement regarding the Regional Appeals Board subject to making the changes to the agreement and the other municipalities agree to the revised agreement. There were no public comments on the motion. The motion was passed by a unanimous vote of 5-0.

NEW BUSINESS:

- **MAYFIELD ESTATES:** William Howells, president of the Mayfield Homeowners Association, was before the board to discuss the installation of a gate at the entrance to the pump house. The Mayfield Estates Board of Directors would like something different than what is on the approved drawings. The revision to the original approval is before the board for consideration. Mr. Howells pointed out that there is a gate shown on the approved plans at the pump house. The association discussed the installation of this gate with Aqua America. The preference would be to replace this gate with three removable bollards. These removable bollards could be installed by installing a sleeve in the ground, attach steel angles to the sleeve; install bolts through the angles and the bollards to hold them in place. Also, the installation would not be in the same place as shown on the plans. Both the association and Aqua would prefer that the installation be to the right of the "T" (behind Lot 15) of the access road. There was a discussion regarding the use of the type of removable bollards. The issue was how the use of this type of bollard would affect emergency access. Mr. Patterson felt that the bollards would be better with installation of a lock and key so that they could remove the bollards. Once it was understood the relocation would not stop emergency vehicle from gaining access to the pump house, the type of bollards was not an issue. Richard Kratz made a motion seconded by Edward Savitsky to approve the revision to the approved plan to allow for the installation of three removable bollards in place of a gate and the three bollards shall be located to the right of the "T" (behind Lot 15) of the access road where it connects with the open space. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- **IRON BRIDGE CORPORATE CENTER:** Jerry Gorski and owner of lot #4 (Comstar) told the board that they would like to store material on a portion of Lot #1(Owned by Gorski Engineering). This storage would be temporary in nature. The request is a result of materials that need to be stored due to a contract Comstar has obtained with Verizon. The board needs to approve the design of the fence and screening as required under the zoning ordinance. Mr. Gorski explained that the use of their ground is month to month with a maximum of 22 months. Presently the lot has a chain link fence where there will be

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2005**

a planting of buffer around it. In consideration of the request, Gordon MacElhenney made a motion, seconded by Richard Kratz to allow on Lot 1 the chain link fence no higher than eight feet with a buffer for a 22 month period. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- **CENTRAL PERKIOMEN VALLEY REGIONAL PLANNING COMMISSION:** Like the ordinance governing the enactment of the Intergovernmental Agreement for the appeals board, the agreement governing the Central Perkiomen Valley Regional Planning Commission must follow the same authorization procedures. The first step is to advertise the ordinance regarding the Intergovernmental Agreement. Dean Becker made a motion, seconded by Richard Kratz to authorize the advertisement of Ordinance No. 188. Also, consideration of the Comprehensive Plan prepared by the Central Perkiomen Valley Regional Planning Commission must be done after a public hearing. Dean Becker made a motion, seconded by Richard Kratz to hold a public hearing on May 3, 2005 at 7:30 p.m. in the Perkiomen Township Administration Building on the Central Perkiomen Valley Regional Planning Commission Comprehensive Plan. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.
- **FIRE POLICE:** The board is in receipt of a request from Swedesburg Volunteer Fire Company for assistance from the Fire Police for traffic control. Edward Savitsky made a motion seconded by Richard Kratz to approve the request to provide assistance with traffic control for the Swedesburg Volunteer Fire Co. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.
- **BETCHER ROAD:** The only outstanding item for the Betcher Road realignment project is approval from the conservation district. As a result, the recommendation was to authorize advertisement of the Realignment Project subject to the approval of the Montgomery County Conservation District. With that recommendation, Dean Becker made a motion, seconded by Richard Kratz to authorize the Betcher Road Realignment Project subject to receipt of approval of the Montgomery County Conservation District. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.
- **MILEAGE:** The IRS has increase the per mile reimbursement for people who use their vehicles for company business. The new rate is 40.5 cents per mile. In order for this new rate to be used the board must approve it. Richard Kratz made a motion, seconded by Edward Savitsky to approve the per mile reimbursement to 40.5 cents. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: APRIL 5, 2005
SUPERVISORS COMMENTS**

Richard Kratz had a question regarding the status of removing the trees on Trappe Road near Betcher Road. Also, he informed the public that the civic association was founded to help people in need. There was a recent fire in the township that caused considerable damage. There was to be a meeting the following night to discuss how the civic association could help this family.

There being no further business, the meeting was adjourned upon a motion made by Richard Kratz and seconded by Gordon MacElhenney.