

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: NOVEMBER 7, 2006**

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

OTHERS PRESENT: Cecile Daniel, Township Manager
Kenneth Picardi, Township Solicitor
Pamela Stevens, Township Engineer
John Moran, Road Master
John Moran Jr., Code Enforcement Officer

CONDITIONAL USE HEARING: Heatherfield Realty Group has filed a Conditional Use Application for encroachment into the steep slopes for a proposed development known as the Highlands. A properly advertised public hearing was convened and Kirk Clauss made the presentation on behalf of Heatherfield Realty Group. Mr. Clauss informed the Board that his client is seeking a Conditional Use from Article 24, Section 24.5 and 24.9 of the Perkiomen Township Zoning Ordinance. Section 24.5 allows encroachment into the steep slopes for certain uses where the steep slopes are between fifteen to twenty-five percent. Section 24.9 restricts the encroachment in the ten foot buffer of the steep slope. The Board listened to the testimony of Mr. Clauss and the questions and answers. The public hearing was closed and Dean Becker made a motion seconded by Gordon MacElhenney to approve the Conditional Use Application filed by Heatherfield Realty Group subject to the following conditions: that the applicant comply with all of the comments set forth within the Township Engineer's letter dated October 10, 2006 and the Perkiomen Township Planning Commission memo dated October 31, 2006. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

MINUTES: The minutes of the October 3, 2006 meeting were unanimously approved upon a motion made by Gordon MacElhenney and seconded by Edward Savitsky.

POLICE REPORT: The Board reviewed the PA State Police Report for September.

CORRESPONDENCE:

- The Lower Frederick Regional Ambulance Report
- CPVRPC- Minutes of their meeting/Annual Report
- PSATS Bulletin
- Casey – Letter received in response to letter sent to the Casey regarding purchase of property.

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SOLICITOR'S REPORT: Kenneth Picardi informed the Board that: (1) He was in contact with T-Mobile regarding the lease option agreement for a cell tower on Township Property; (2), Regarding DeMeno/Stephanie Lane property purchase, he has received written approval from the School District concerning the waiving of the real estate school tax; (3) Caprio – the District Justice ruled in favor of the Township regarding the money now owed to the Township for engineering review fees. Since there was no appeal, he will now transfer the Judgment to Montgomery County Court of Common Pleas. (4) **EXECUTIVE SESSION** – The Township was served legal papers filed by HYK in the nature of a Zoning Ordinance and SALDO validity challenge. As a litigation matter, Mr. Picardi requested an executive session after the meeting to discuss this legal matter with the Board.

ROAD MASTER'S REPORT: John Moran submitted his report for October to the Board.

FIRE MARSHALL'S REPORT: John Moran submitted his October report to the Board.

CODE ENFORCEMENT REPORT: John Moran Jr. submitted his October report to the Board. In addition both Mr. Moran and Mr. Picardi updated the Board on a matter with the Sacks Bus Company. Mr. Moran held a meeting with James Sacks regarding the installation of a sprinkler system in Mr. Sacks' building. The issue is the requirement to install a sprinkler system in the building Mr. Sacks purchased since Mr. Sacks now proposes to store and repair buses for his bus company inside the building. Both Mr. Moran and Mr. Picardi feel that the UCC Code requires the installation of a sprinkler system. Mr. Picardi is waiting for a response from Mr. Sacks' attorney.

PLANNING COMMISSION REPORT: The Planning Commission held its meeting on October 16, 2006. The following items were discussed at the meeting: (1) The Highlands proposed Conditional Use Application, and T.H. Properties proposal for the Ott Tract.

ENGINEER'S REPORT: Pamela Stevens

- **MAYFIELD ESTATES:** Pamela Stevens informed the Board that the Maintenance Bonds for Mayfield Estates expires on January 5, 2007. Nick Conti, of Stewart & Conti, spoke with Ms. Stevens and informed her that they have fixed some of the items on the punch list. As a result, Mr. Conti would like to discuss with the Board at the December meeting reducing the amount of the Maintenance Bond. The new amount of the Maintenance Bond would cover the remaining items most of which are landscaping and cannot be replaced until Spring, 2007. Ms. Stevens informed the Board the Mr. Conti is willing to renew the bond

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for six months from the January 5, 2007 expiration. This item will be on the December Board meeting agenda.

- **CONSERVANCY @ PERKIOMEN:** Charles Davis of Gambone Development was present to discuss a grading issue for Gambone's development project located on Wartman Road & Merion Lane and is known as the Conservancy @ Perkiomen. In addition to Mr. Davis, Dane Moyer from Bursich Associates was present to review the impact of the revised grading plan that Gambone Development is proposing for some of the lots. Mr. Moyer informed the Board the regrading will not affect the roadway, the sidewalk, the sewer connections, or the detention basin. The affected lots are 1, 2, 3, 4, 5, 6, 10, 11, 12, 14, 15, 16, 17, 18, & 19. The grading on the lots will be affected by several feet. Mr. Moyer informed the Board that the regrading will not affect the drainage or the storm water management plan. None of the changes will affect the steep slopes that were already approved by previous decisions of the Board. Mr. Davis explained that Gambone Development would like to do this so that the lots are flatter than presently shown on the approved plans. Mr. Davis explained that this is an aesthetics issue by making the property flatter and more usable. Ms. Stevens informed the Board that she looked at the proposed changes and felt that the changes that Gambone Development is proposing would be positive because the regrading will create grades that are not as steep. Based upon the presentation and information provided by Mr. Moyer and Mr. Davis, Edward Savitsky made a motion seconded by Gordon MacElhenney to approve the revised grading plan for the Conservancy @ Perkiomen dated October 17, 2006, Sheet 1 and Sheet 2. There were no public comments on the motion. The motion was carried by a unanimously vote of 5-0.

- **KIDDIE ACADEMY/DAY SCHOOL:** Ms. Stevens explained that last November the Board released 50% percent of the contingency for the Kiddie Academy Project. The remainder of the escrow monies was to be held for one year to ensure that there would be no problems with the public improvements. The year has passed and there have been no problems, therefore, Ms. Stevens is recommending the release of the remaining 50%. With the recommendation of Mr. Stevens, Gordon MacElhenney made a motion seconded by Dean Becker to authorize the release of \$3,536.35 to Kiddie Academy. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- **CRANBERRY DEVELOPMENT:** Ms. Stevens informed the Board that Knickerbocker Brothers submitted payment requests for the Cranberry Boulevard Sidewalk Extension Project and the Emergency Boulevard Culvert Repair. Both projects have been completed. She and John Moran are satisfied with the work that was completed and recommended that payment for these two projects be

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made. Regarding the Cranberry Boulevard Sidewalk Extension Project, there will be a one-year maintenance period. This one-year maintenance period will run from November 10, 2006 through November 9, 2007.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of October. After review of same; Richard Kratz made a motion, seconded by Gordon MacElhenney to authorize payment of the October bills. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. In addition, Ms. Daniel presented the proposed 2007 budget. The 2007 budget proposes no increases for 2007. The total amount of the 2007 Perkiomen Township Budget for all funds is \$2,944,223.00. The proposed budget is broken down as follows: GENERAL FUND: \$2,351,310.00; STREET LIGHT FUND: \$89,357.00; FIRE TAX: \$280,820.00; LIQUID FUELS: \$170,483.00; and HYDRANT TAX: \$52,253.00. The tax levy being proposed for 2007 would be as follows: General Purposes, the sum of .35 mills; Fire Tax purposes, the sum of .17 mills; Street Light purposes - Rahns, the sum of .30 per front foot; Street Light purposes - Graterford, the sum of .30 per front foot; Street Light purposes - Maple Hill Community, the sum of 2.00 per front foot; Street Light purposes - Cranberry Development, the sum of \$14.70 per unit; Street Light purposes - Stephanie Lane Development, the sum of \$28.46 per unit; Street Light purposes - Perkiomen Greene Development, the sum of \$23.00 per unit; Street Light purposes - Exmoor Road, the sum of \$80.00 per unit; Street Light purposes - Barrington Estates, the sum of \$44.00 per unit; Street Light purposes - Mayfield Estates, the sum of \$20.36 per unit; Hydrant Tax purposes - PSWCo, the sum of \$31.13 per unit, and Hydrant Tax purposes - PA American Water Co., the sum of \$12.00 per unit. After review of the proposed 2007 Perkiomen Township Budget, Richard Kratz made a motion, seconded by Dean Becker to authorize the advertisement of the Budget for adoption at the Board of Supervisors meeting on December 5, 2006. There were some comments regarding the capital items being proposed. After discussing the comments, the Board unanimously authorized the advertisement of the proposed 2007 Perkiomen Township Budget.

OLD BUSINESS:

- **SCHOOL CROSSING GUARD – EXECUTIVE SESSION** – There was an executive session prior to this meeting to discuss the situation between Perkiomen Township and Perkiomen Valley School District on the issue of the crossing guard. Based upon the discussion at the executive session, the Board considered the issue of continuing the responsibility of the crossing guard after January 1, 2007. At this time no final decision has been made, but it appears that Executive Protective Services is willing to continue to provide crossing guard services for the Township. As a result, Dean Becker made a motion seconded by Edward Savitsky

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to continue the agreement with Executive Protective Services for crossing guard services for Perkiomen Township at the Perkiomen Valley School Campus. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

NEW BUSINESS:

- **CENTRAL PERKIOMEN VALLEY REGIONAL PLANNING COMMISSION:** The Central Perkiomen Valley Regional Planning Commission is looking to make application to the PA Department of Community and Economic Development for an assistance grant to complete a Regional Traffic Study. Dean Becker explained that the purpose of this traffic study would be to see what regional traffic problems exist and what recommendations would be made to try and address these traffic problems. This application would be made under the Land Use Planning & Technical Assistance Program. The Regional Planning Commission is looking to have available for the study, \$75,000.00. The grant request is \$37,500.00. They are looking to receive \$25,000.00 from Montgomery County and the remainder split between the six municipalities that make up the Regional Planning Commission. Based upon the calculation, this amount would be about \$2,084.00/municipality. In order for the Regional Planning Commission to file the application, they need a Resolution passed authorizing this application. The Board has before it Resolution 2006-29 which would authorize this application. Edward Savitsky made a motion, seconded by Gordon MacElhenney to approve Resolution 2006-29 which authorizes the Central Perkiomen Valley Regional Planning Commission to make an application in the amount of \$37,500 on behalf of Perkiomen Township to complete a regional traffic study. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

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