

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: SEPTEMBER 4, 2007**

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

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

**MINUTES:** The minutes of the August 14, 2007 Board of Supervisors meeting were approved upon a motion made by Dean Becker and seconded by Edward Savitsky. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

**POLICE REPORT:** The Board reviewed the PA State Police Reports for August. Lt. Paul Gustaitis of the PA State Police was present to answer and questions or comments from the Board or the public.

**CORRESPONDENCE:**

Central Perkiomen Valley Regional Planning Commission Minutes  
Montgomery County- Board of View Public Hearing Schedule  
Letter sent to property owner about clearing back bushes

**SOLICITOR'S REPORT:** Kenneth Picardi reported on the following: (1) T-Mobile: Still waiting for the co-location agreement between Nextel and T-Mobile. (2) Manning: Waiting for written decision from the Zoning Hearing Board. (3) HYK – Mr. Picardi requested an **Executive Session** regarding the settlement talks with HYK. (4) Land Acquisition – requested **Executive Session** to discuss land acquisition and development rights. (5) Leaf/Yard Waste – Reviewed documents and responded back to Ms. Daniel with his comments.

**ROAD MASTER'S REPORT:** John Moran Sr. submitted his report for August to the Board. In addition to his regular report, Mr. Moran requested permission to bid out the sale of the 1995 Chevy Dump Truck. This truck will be replaced with the new 2008 International Dump Truck. Edward Savitsky made a motion, seconded by Dean Becker to authorize Mr. Moran's request to bid out the sale of the 1995 Chevy Top Kick Dump Truck upon receipt of the new 2008

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: SEPTEMBER 4, 2007**

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

**FIRE MARSHALL'S REPORT:** John Moran Sr. submitted his report for August to the Board. In addition to his regular report, Mr. Moran indicated that the burning ban will continue.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted his August report to the Board.

**PLANNING COMMISSION REPORT:** The Planning Commission held their meeting on August 21, 2007. There was only one item discussed. **MCCOUCH TRACT:** This is a Final Plan application for 71 Rahns Road (Route 113). This application was filed by Betcher Road Properties for 4 lots on 3.669 acres. The plan proposed 3 new homes and 1 existing home.

**ENGINEERS REPORT:** Pamela Stevens was present to review the following items:

**2007 ROAD PROJECTS** – Local Forces Project: 2007 Road Project – Update – Ms. Stevens informed the Board that things were going well in Cranberry. Mr. Moran has completed almost most of the repair work that needs to be completed prior to the overlay portion of the road project. In anticipation of Mr. Moran's completion of this work, Ms. Stevens contacted both P.K. Moyer and Highway Materials. Ms. Stevens anticipates that the overlay portion of the project can be completed at the end of September or the beginning of October. At the August Monthly Meeting, the Board requested that Ms. Stevens prepare an engineering proposal to cover the engineering costs to obtain the necessary permits and design the rebuilding of Mayberry Road. Ms. Stevens informed the Board that the following will need to be completed as a first step: a Joint Permit between PADEP and Montgomery County Conservation District, a wetland delineation plan, survey work, a Bog Turtle Investigation and an Archaeological Investigation, and Hydrologic Report. It is estimated that this portion of the project could cost approximately \$49,000.00. Once the state and federal agencies review the information, there will be additional expenses. Based upon the review of this information and expense, the Board directed Ms. Stevens to proceed with the work authorized in June. This work included the repaving of Mayberry Road from the gate to Township Line Road, the adding of pavement marking for a walking path, and addition of guiderail along Mayberry Road from Godshall Road to the gate. Road.

**HERITAGE WOODS** – Dedication Issues (Detention Basin Lot #9) – John Maczonis from Heritage Building Group and Steven Lewis, owner of Lot #9, were before the Board to discuss the dedication of Heritage Woods to Perkiomen Township. Mr. Lewis expressed concern for his responsibility in having to maintain the detention basin located on his property. Mr. Lewis stated that after eighteen months the developer will go away and he will be responsible for maintaining

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: SEPTEMBER 4, 2007**

the detention basin. The wetlands plants that were planted, and any that will be added, need about a two growing seasons before they will take root. Mr. Maczonis explained that this basin was built as approved by the Montgomery County Conservation District (MCCD) and the PA Department of Environmental Protection (PADEP). In a meeting with the PADEP and the MCCD, the agencies indicated, in their opinion, the basin was working as approved. Regardless, they are willing to allow the developer to fill in the detention basin approximately one foot. The detention basin would be filled with a combination of fill material and sand that is most conducive to sustaining wetland plantings. Before this fill is placed, the bottom of the basin would be scarified. After this is completed the filled area would be replanted. Mr. Maczonis added that the wetland plantings they will use are more mature plantings to help deal with the insect problem. At last months meeting, Mr. Maczonis informed the Board that he would place with the Township a separate \$5,000.00 escrow. This money would cover this work. As part of the dedication paperwork submitted to the Township, Mr. Picardi informed the Board that he received a separate check for \$5,000.00. This money will be placed the Township's separate subdivision and land development account. The issue will be separating this work from the other improvements being dedicated. Mr. Lewis requested the Board consider requiring a maintenance period that goes beyond the eighteen month period as set forth in MPC. Mr. Maczonis informed that Board that his company is not willing to extend beyond the required eighteen month maintenance period. Mr. Maczonis informed the Board that he is asking permission from Mr. Lewis to have access to the property so that Heritage Building Group can do the revisions to the detention basin. Mr. Maczonis informed the Board that he would like to complete the work to the detention basin as soon as possible. Mr. Lewis informed the Board that he is willing to grant Heritage Building Group permission to go on the property and complete the tasks as set forth within Mr. Maczonis' letter of August 30, 2007. Both Mr. Picardi and Ms. Stevens recommended that the Board move to accept dedication of the roads and other public improvements. With their recommendation, Edward Savitsky made a motion to approve Resolution 2007-13 taking dedication of the roads in the Heritage Woods Development, approval of the Maintenance Agreement and acceptance of the Maintenance Bond. This approval is subject to Heritage Building Group completing the items in the detention basin as set forth within Mr. Maczonis' letter of August 30, 2007. This work shall be completed within sixty days of this date. The \$5,000.00 escrow that was posted shall be returned when it has been certified by the Township Engineer that the work has been completed as set forth in the August 30, 2007 letter. The maintenance period for the work completed in the detention basin shall be eighteen months from the date that the replanting is completed. The dedication items, and the basin replantings, shall be covered under the Maintenance Bond as submitted at this meeting and attached to the Maintenance Agreement. The Developer shall submit original signed and sealed legal descriptions to be attached to the Deed of Dedication before they can be filed/recorded. 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: SEPTEMBER 4, 2007**

**MASK TRUST RELEASE NO. 5** – Ms. Stevens informed the Board that she received a request from 15 Willow Lane and Wood Rich Construction for an escrow release in the amount of

\$13,650.38. After reviewing the request, Ms. Stevens is recommending the release of the \$13,650.38. With the recommendation of Ms. Stevens, Dean Becker made a motion seconded by Edward Savitsky to authorize the release of \$13,650.38 to 15 Willow Lane and Wood Rich Construction. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

**CRANBERRY PHASE 4B, WYNNEWOOD & BROOKSIDE DEVELOPMENTS** – Ms. Stevens reviewed the status of the Maintenance Bonds for Cranberry Phase 4B, Wynnewood Development and Brookside Development. In Ms. Stevens' memo of August 31, 2007, Ms. Stevens informed the Board that there are still some outstanding items that need to be repaired. The Maintenance Bond expires on October 4, 2007. Due to the time limitation, Ms. Stevens recommended that the Board authorize Kenneth Picardi to call the Maintenance Bonds should the developer not extend the bonds. With the recommendation of Ms. Stevens, Richard Kratz made a motion, seconded by Edward Savitsky to authorize Kenneth Picardi to issue a letter to the Bonding Company calling the Maintenance Bond on Cranberry Phase 4B if the Developer does not timely extend the existing Maintenance Bonds beyond the October 4, 2007 expiration date. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. Next, Ms. Stevens updated the Board on the Maintenance Bonds for the Wynnewood Development and the Brookside Development. In Ms. Stevens' memo of August 31, 2007, Ms. Stevens reported that the developer completed all of the items on SSM's punchlist; therefore she recommended that the Board release these bonds pending the developer paying any and all outstanding invoices owed the Township. Richard Kratz made a motion, seconded by Edward Savitsky to authorize release of the Maintenance Bonds for the Wynnewood Development and the Brookside Development pending payment by Gambone Development of any outstanding invoices owed the Township. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

**TRAFFIC LIGHT ROUTE 29 & 73** – Ms. Stevens reviewed SSM's letter dated August 31, 2007. In the letter, Ms. Stevens informed the Board that SSM investigated the traffic signal at Route 29 and Route 73 after a complaint was received on the existing conflict between the vehicular traffic and pedestrians trying to cross at the crosswalk between the two segments of the Perkiomen Trail. There is an existing hand/man, but it appears that this hand/man does not change all three legs of the intersection to red when someone activates this hand/man. In order to try and accomplish this, a letter must be sent to PADOT requesting a pedestrian crossing at this intersection. Richard Kratz made a motion, seconded by Edward Savitsky authorizing Cecile Daniel to send a letter to PADOT requesting the traffic signal permit at the intersection of Route 29 and Route 73 be revised to allow for a pedestrian phase to help aid the pedestrians in crossing Route 73 at the Perkiomen Trail.

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: SEPTEMBER 4, 2007**

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

**NEW BUSINESS:**

**101 OAK STREET:** Christine Messmer of 101 Oaks Street was present to discuss the location of her shed. Presently this shed is located in the right-of-way of Oaks Street and the front yard setback of this property. In order for the shed to stay in its current location, Ms. Messmer approached the Board of Supervisors and requested permission that the shed remain in its current location. If the Board approved this request, Ms. Messmer would need to go before the Township's Zoning Hearing Board. The Zoning Hearing Board would need to approve the location of the shed in the front yard setback. Ms. Messmer explained that over the years there has been periodic flooding in her basement. Due to the damage that has occurred to her belongings, she decided to store them in a shed on the property. According to John Moran Jr. the shed was placed in the front yard set back and the right-of-way of Oak Street. The Board reviewed a plot plan submitted by Mr. Moran showing the property and the location of the shed. Ms. Messmer felt that there was no other place on the property to place this shed. Due to an existing swale that runs along the side of the property, Ms. Messmer cannot place the shed there. Ms. Messmer indicated that should the Board decide, sometime in the future to open the road, she would remove the shed. Also, should Ms. Messmer ever sell the property and move, the shed would be removed. The Board discussed Ms. Messmer's request. It was the consensus of the Board that there be no structures in the right-of-way; therefore; Ms. Messmer will have to move the shed. As to the application for a variance, the Board has no problem with Ms. Messmer's application to the Zoning Hearing Board for a variance to allow the shed in the front yard set back, but not in the right-of-way. The Board did agree to allow Ms. Messmer to keep the shed in its present location until the Zoning Hearing Board has rendered its decision, but the shed must be moved within forty-five days of the decision of the Zoning Hearing Board. By allowing this, Ms. Messmer will only need to move the shed once.

**290 BRIDGE STREET:** Robert Rey resides at 290 Bridge Street. This home is located at the intersection of Bridge Street and Seitz Road. There is an existing fence on the property that Mr. Rey would like to extend. The existing fence is already situated in the right-of-way of Bridge Street and has been for quite some time. Mr. Rey's request is to extend the fence further into this right-of-way of Bridge Street. In addition to the approval by the Board, Mr. Rey would also need approval of the Zoning Hearing Board for a number of different variances including the fence along Bridge Street. Mr. Rey will need variances for the fence on Bridge Street as well as the proposed fence on Seitz Road. The proposed fence on Seitz Road will not be located in the Seitz Road right-of-way. Mr. Rey gave a Power Point presentation explaining in detail his request.

The Board heard and reviewed Mr. Rey's request. It was the consensus of the Board that there

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING  
MINUTES: SEPTEMBER 4, 2007**

be no structures in the right-of-way. Since the existing fence is already located in the right-of-way of Bridge Street, Mr. Rey may repair the fence and it shall be allowed to remain in its existing location. However, should Mr. Rey decide to replace this fence, then the fence must be relocated outside of the right-of-way on Bridge Street. The Board authorized Cecile Daniel to write a letter to the Zoning Hearing Board. In the letter the Board directed Ms. Daniel to inform the Zoning Hearing Board that the Board does not approve of allowing the fence along Bridge Street to be further extended into the right of way. The only thing the Board would allow Mr. Rey to do is repair the fence. If Mr. Rey's decision is to repair the fence, then the fence may stay in its present location.

**MCATO:** The Fall Convention of the Montgomery County Association of Township Officials is scheduled for September 21, 2007. Dean Becker made a motion, seconded by Richard Kratz authorizing the attendance of Edward Savitsky, William Patterson, and Cecile Daniel. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

**SUPERVISORS COMMENTS**

Richard Kratz wanted to discuss two items that relate to the Perkiomen Township Civic Association. First, there are two sets of folding tables located downstairs in the Community Room. One set was purchased when the Township Building was constructed. These tables are heavy and bulky. The other set of folding tables was purchased by the Civic Association. These folding tables are lighter and easier to use. Mr. Kratz would like permission from the other Board members to sell the heavier folding tables and purchase the lighter ones. Edward Savitsky made a motion, seconded by Dean Becker to authorize Richard Kratz to sell the existing heavy folding tables located in the Community Room and replace them with the lighter easier to use folding tables. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. Second, STA is the Bus Company that took over from Sacks Bus Company. Mr. Kratz explained that four or five times per year, STA needs a room for meetings during the day. STA is requesting permission, at no charge, to use this room for meetings with the bus drivers. The Board members were okay as long as STA provided the Township with a Certificate of Insurance adding the Township as an additional insured, and, the room is otherwise available.

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