

PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: DECEMBER 2, 2008

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

OTHERS PRESENT: Cecile Daniel, Township Manager
Kenneth Picardi, Township Solicitor
Chuck Frantz, Township Engineer
John Moran Jr., Code Enforcement Officer
John Moran Sr., Road Master (Absent)

Edward Savitsky called the December 2, 2008 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

EXECUTIVE SESSION: Chairman Savitsky announced that the Board will hold an Executive Session after this public meeting in order to discuss a personnel issue.

MINUTES: The minutes of the November 4, 2008 Board of Supervisors Meeting were approved upon a motion made by Gordon MacElhenney and seconded by Richard Kratz. There were no public comments on the motion. The motion was carried by a vote of 5-0.

POLICE REPORT: The Board reviewed the PA State Police Report for November. In addition to the monthly Police Report, Lieutenant Buckley mentioned that the Department completed speed checks on Maple Avenue, Township Line Road, Seitz Road, Ott Road, and Wartman Road. Also, the Lieutenant asked that we make the public aware that during the holiday season, with people traveling, to be extra careful in making sure that the doors and windows are lock at home and in your vehicle.

CORRESPONDENCE:

- PSATS Alert Bulletin
- Central Perkiomen Valley Regional Planning Commission – Meeting minutes for October and November
- Lower Frederick Ambulance Report – October and November
- Upper Salford Township – Letter regarding a meeting to discuss regional Park & Recreation Issues

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SOLICITOR'S REPORT: Kenneth Picardi updated the Board on the following activities:

- (1) Martin Lawsuit – A suit was filed against Perkiomen Township due to a motor vehicle accident that occurred on Township Line Road/Greenshire Boulevard. The suit was turned over to the Insurance Company.
- (2) Buddhist Temple – There was a question asked from a prospective purchaser of a property in the Township. The Real Estate Agent indicated that the buyers were Buddhists whose intent was to purchase the home and reside there. The question was the possibility of constructing a temple for Sunday worship/religious practice. Mr. Picardi informed the Board that he reviewed the zoning issues with Mr. Moran. Mr. Moran informed the Real Estate Agent on the zoning issues. At this time there has been no further response.
- (3) Fontaine/Gambone – There has been no activity regarding the application before the Zoning Hearing Board.

ROAD MASTER'S REPORT: In John Moran Sr.'s absence, William Patterson submitted Mr. Moran's November Report to the Board. In addition, Mr. Patterson submitted a memo from Mr. Moran regarding the sale of the 1993 Case 590 Construction King Loader. The sale of this piece of equipment was advertised for sale in the newspaper. There was an issue regarding the bids received. Mr. Moran conferred with Mr. Picardi on the issue of one of the bids. Based upon their discussion, Mr. Moran submitted a recommendation that the sale of the 1993 Case 590 Construction King Loader be awarded to C.D. Curtis in the amount of \$14,010.00. Gordon MacElhenney asked Mr. Picardi if, in his opinion, everything was in order. Mr. Picardi informed the Board that he worked with Mr. Moran on the bids that the Township received. Based upon Mr. Picardi's review of the information, he agrees with the recommendation that Mr. Moran submitted to the Board for consideration. With that, William Patterson made a motion, seconded by Dean Becker to approve the sale of the 1993 Case 590 Construction King Loader to C.D. Curtis in the amount of \$14,010.00 with the stipulation that the Case Loader be removed within twenty days upon notification that C.D. Curtis was awarded the bid. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

FIRE MARSHALL'S REPORT: In John Moran Sr.'s absence, William Patterson submitted Mr. Moran's November Report to the Board.

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

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PLANNING COMMISSION REPORT: There was a Planning Commission Meeting on November 18, 2008. The Planning Commission Members discussed the creation of a Zoning Amendment for Light Industrial for property owned by P.V. Associates.

PARK & RECREATION/MUNICIPAL AUTHORITY REPORT: Cecile Daniel updated the Board on the Municipal Authority Meeting held on November 11, 2008. At that meeting the Municipal Authority Members recommended that the Board adopt the new Sewer Use Ordinance which will be before the Board at the Board's December Meeting. There was no Park & Recreation Meeting.

ENGINEERS REPORT: Mr. Frantz discussed the following item with the Board:

2008 ROAD PROJECT: Mr. Frantz informed the Board that he received two requests from Bracalenete Construction, Inc. completing the 2008 Road Project. The first request from Bracalenete Construction was for Change Order No. 1 in the amount of \$1,436.98. This Change Order included the following items: (1) the construction of a new inlet and the installation of a new 12" corrugated plastic pipe, (2) the price adjustment of bituminous material, and (3) deletion of three items from the contract. With the computation of increases and decreases to the contract, the net change to the contract is an increase of \$1,436.98. Mr. Frantz informed the Board that he review the requested change order and found the amount of the increase, as well as the amount of the decrease, to be in order and recommended that the Board approve the Change Order No.1. With the recommendation of Mr. Frantz, Richard Kratz made a motion, seconded by Gordon MacElhenney to approve Change Order No. 1 in the amount of \$1,436.98. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. The second request from Bracalenete Construction was a request for payment. Bracalenete Construction submitted an application for Payment No.1 in the amount of \$187,514.48. After reviewing the request, Mr. Frantz found that everything was in order and completed according to the 2008 Road Project Contract. Based upon the review of the request, Mr. Frantz recommended that the Board pay the full amount be requested. With the recommendation of Mr. Frantz, William Patterson made a motion seconded by Richard Kratz to authorize payment to Bracalenete Construction, Inc. in the amount of \$187,514.48. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

2009 ROAD PROJECT: Mr. Frantz submitted three proposals for the Geotechnical Engineering Services that are necessary to determine the appropriate foundation requirements for the construction of the culvert in Seitz Road across the Landis Run. The three proposals are as follows: American Geotech, Inc. for an estimated fee of \$7,480.00, Alta Design Associated, Inc. for an estimated fee of \$8,740.00 to \$14,740.0, and Underwood Engineering Company for an estimated fee of \$8,775.00. Mr. Frantz reviewed all three of the proposals and recommended that the proposal from American Geotech, Inc. be approved. In reviewing the proposal with the Board, Mr. Frantz pointed out that the estimated cost is based upon the work being completed

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over a two day period. This time is estimated based upon how deep it is anticipated to complete the four borings. If the borings need to be deeper than anticipated, which will require more time, than the estimated cost could be higher. Based upon the recommendation of Mr. Frantz, Dean Becker made a motion, seconded by Richard Kratz to approve the proposal received from American Geotech, Inc. for an estimated cost of \$7,480.00. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. Next Mr. Frantz discussed the two different types of culverts for the replacement of the Seitz Road Bridge. Mr. Frantz reviewed Modern Concrete's culvert design, which is more of a traditional box culvert and the ConTech culvert design which is more of an arch culvert. Based upon the cost and installation data received from both companies, Mr. Frantz recommended that the Board go with the ConTech culvert system. In making this recommendation, Mr. Frantz informed the Board that he needs direction as to which type of construction the Board would like to see. It will be difficult to move forward and keep to the timeline without a final decision on the design. With the recommendation of Mr. Frantz, Richard Kratz made a motion, seconded by Gordon MacElhenney to move forward using the ConTech Culvert System Design or an approved equal. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

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

Cecile Daniel reviewed Resolution 2008-24. This Resolution is the proposed Tax Levy for the year 2009 for Perkiomen Township. The proposed levy is as follows: (1) GENERAL FUND – a rate of .35 mills (no increase); (2) STREET LIGHT FUNDS – with the rates as follows: Village of Rahns and Village of Graterford - .30 per front foot (no increase); Maple Hill Community - \$3.16 per front foot (no increase); Cranberry Development - \$30.23 per unit (no increase); Stephanie Lane Development - \$32.61 per unit (no increase); Perkiomen Greene Development - \$23.00 per unit (no increase); Exmoor Road - \$94.58 per unit (no increase); Barrington Estates - \$50.09 per unit (no increase); Mayfield Estates - \$39.00 per unit (no increase); Eagle View Estates - \$48.18 per unit (no increase); and Heritage Woods - \$52.62 per unit (no increase); (4) FIRE TAX FUND – a rate of .27 mills (no increase); and (4) HYDRANT TAX FUND – with the rates as follows: Aqua of Pennsylvania - \$31.13 per unit (no increase) and PA American Water Company - \$12.00 per unit (no increase). After review of the proposed 2009 Tax Levy for Perkiomen Township, Richard Kratz made a motion, seconded by Dean Becker to approve Resolution 2008-24 and set the Tax Rates for Perkiomen Township for the year 2009. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

Cecile Daniel reviewed Resolution 2008-25. This Resolution is the proposed Budget for the

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year 2009 for Perkiomen Township. The proposed Budget is as follows: (1) General Fund - \$2,292,912.00; (2) Street Light Fund - \$90,174.00; (3) Fire Tax - \$423,200.00; (4) Liquid Fuels - \$255,998.00; and (5) Hydrant Tax - \$53,287.00. During the discussion on Resolution 2008-25, Richard Kratz asked about the wage increases for the Road Crew Employees. Earlier this year, the Township was served with a notice from the PA Labor Relations Board. This notice was a formal notification informing the Board that the Road Crew Employees had petitioned the PALRB to unionize. It is the Board understands from labor counsel that the Board cannot implement a wage increase for the Road Crew when a union organizing campaign is pending and that if a union is voted in, that would be subject to the collective bargaining process. The pending Resolution states that "Budgeted wage increases for employees of the Road Crew are tentative only and subject to any obligations and limitations on the Township under the Public Employee Relations Act (also known as "Act 195"). Pending before the Board and stipulated in the Resolution is adoption of the 2009 Budget and the condition regarding the wage increase for the Road Crew Employees. Dean Becker made a motion, seconded by Gordon MacElhenney to approve Resolution 2008-25. There were no public comments on the motion. The motion was passed by a 4 (Yes) to 1 (No-Richard Kratz) vote.

NEW BUSINESS:

ORDINANCE NO. 204: Sewer Use Ordinance: The USEPA has required that the Lower Perkiomen Valley Regional Sewer Authority (LPVRSA) adopt new uniform requirements for direct and indirect contributors to the Oaks Wastewater Treatment Plant. Enforcement of these requirements is handled by adoption of an Ordinance and an agreement between Perkiomen Township and the Lower Perkiomen Valley Regional Sewer Authority. There is an existing Ordinance, Ordinance No. 138 and an agreement that govern these requirements. USEPA is requiring the LPVRSA update these requirements. Ordinance No. 204 repeals Ordinance No. 138 and puts in place these new requirements. These requirements deal with Industrial Users. The proposed Ordinance was drafted by the LPVRSA and submitted to Perkiomen Township for review and consideration. The proposed Ordinance was reviewed by David Allebach, the solicitor for the Perkiomen Township Municipal Authority and partner to Kenneth Picardi. Based upon advice of Mr. Allebach, the PTMA recommended that the Board adopt Ordinance No. 204. Mr. Picardi informed the Board that he spoke with Mr. Allebach and based upon Mr. Allebach's recommendation recommends that the Board adopt the Ordinance. With the recommendation of the PTMA and the attorneys, William Patterson made a motion, seconded by Richard Kratz to adopt Ordinance No. 204. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

COLLEGEVILLE ROTARY: Collegeville Rotary is requesting permission from the Board to use Township roads to hold their annual 6th annual Collegeville Rotary Run-Around. The roads

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that they are requesting using are: Kagey Road, Cranberry Road, Stewart Road, Longwood Road, Forge Road, and Trappe Road. A Certificate of Insurance naming Perkiomen Township as an additional insured was attached to the Rotary's request. The Board reviewed the request and Dean Becker made a motion, seconded by William Patterson to allow the Collegeville Rotary to hold their 6th annual Collegeville Rotary Run-Around on the Township Roads as listed above. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

2009 MEETING SCHEDULE – The Board reviewed the proposed meeting dates for the year 2009. Upon reviewing the dates, Dean Becker made a motion, seconded by Gordon MacElhenney authorizing advertisement of meeting dates for 2009. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0

SUPERVISORS COMMENTS

During the discussion on the proposed budget, there was discussion regarding the groups that the Township has budgeted money toward contributions for 2009. A new group added was the Food Pantry. At this time, the Board has set aside monies in the 2009 budget for this group. No final decision to spend the money has been made. In anticipation of considering this expenditure during 2009, Richard Kratz brought the issue before the public for discussion. There was discussion between the Board and residents, but no final decision was made as to contributing money to the Food Pantry during 2009.

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