

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

Edward Savitsky called the November 4, 2008 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

MINUTES: The minutes of the October 7, 2008 Board of Supervisors Meeting were approved upon a motion made by Dean Becker and seconded by William Patterson. 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 October.

CORRESPONDENCE:

- PSATS Alert Bulletin
- Heritage Woods Subdivision – Letter from SSM regarding Lot 9 Basin.
- S. Kolunie – Letter regarding rumble strips
- Appointment – Earlier this year James Bickel resigned his appointment to the Perkiomen Township Planning Commission and accepted an appointment to the Perkiomen Township Zoning Hearing Board. This left a vacancy on the Planning Commission. The Township received 2 letters expressing interest in filling this position. One of the letters was received from Timothy Ott of 138 Bridge Street. This letter was received on July 2, 2008. The Board thought about Mr. Ott’s letter of interest and after consideration of this letter entertained a motion made by Richard Kratz and seconded by Gordon MacElhenney to appoint Timothy Ott to complete James Bickel’s term which will end on December 31, 2009. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0

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

- (1) Easement Acquisition Ken Crest: In order to avoid the payment of Real Estate Transfer Tax, the Board needs to approve a Resolution authorizing the (friendly) condemnation of this property. This Resolution authorizes the filing of a Declaration of Taking. The Sellers are in favor of this approach. Accordingly, Mr. Picardi recommended that the Board approve this Resolution. With the recommendation of Mr. Picardi, William Patterson made a motion, seconded by Richard Kratz to adopt Resolution 2008-22. There were no public comments on the motion. The motion was approved by a vote of 5-0.
- (2) Huber Property- Settlement took place on Friday, October 10, 2008.
- (3) Fontaine/Gambone – There has been no activity regarding the application before the Zoning Hearing Board.

ROAD MASTER'S REPORT: John Moran Sr. submitted his October Report to the Board. In addition to his regular report, Mr. Moran indicated that in discussing this with Cecile Daniel, he would like permission to have authorization to advertise the sale of the old backhoe. Richard Kratz made a motion, seconded by Dean Becker authorizing the advertisement of the sale of the old backhoe. 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 October Report to the Board.

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

PLANNING COMMISSION REPORT: There was no October Planning Commission meeting.

PARK & RECREATION/MUNICIPAL AUTHORITY REPORT: Cecile Daniel updated the Board on the Municipal Authority Meeting held on October 14, 2008. 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 the contractor paved School House Road and Miller Road. The guiderail along Miller Road was installed and the driveway adjustment and shoulder work was just completed. At this time, Mr. Frantz indicated that he is waiting for the contractor to submit a request for payment. In addition, Mr. Frantz is also waiting for a change order for the work that was discussed at

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the October meeting. Based upon the change order and the increase due to the bituminous escalation, the increase to the bid amount should be somewhere around \$3,500.00. Mr. Frantz anticipates that the total amount of the contract (base bid, bituminous escalation, and change order) to be approximately \$187,514.48.

- **2009 ROAD PROJECT:** Mr. Frantz informed the Board that he and William Patterson met with a perspective vendor, Modern, to look at the site where the proposed culvert work in Seitz Road is to be completed. Mr. Frantz informed the Board that Modern's culvert product would be more expensive than, Con Tech. Modern's culvert is more of a flat type of construction while Con Tech is an arch culvert. The Board needs to give Mr. Frantz direction on which type of construction they want before he can finish the design and submit information to PADEP for the necessary permits. In order to stay on schedule, the Board needs to give Mr. Frantz direction by the December Meeting.

- **AHU-1 REPLACEMENT PROJECT:** Mr. Frantz informed the Board that he received a request from Davis Modern Heating and Cooling for payment for the installation of a new HVAC unit. The amount of the request is \$13,831.00. Mr. Frantz has issued to the contractor the Certificate of Substantial Completion and recommends that the amount being requested by the contractor be paid. With the recommendation of Mr. Frantz, Dean Becker made a motion, seconded by William Patterson to authorize payment to David Modern Heating and Cooling in the amount of \$13,831.00. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- **CONSERVANCY @ PERKIOMEN – ESCROW RELEASE NO. 4:** Mr. Frantz informed the Board that he received a request from Gambone Development Company for an escrow release in the amount of \$83,615.76. After reviewing the request, Mr. Frantz found that not all of the items that Gambone was requesting release for have been completed; therefore, he is recommending that only \$61,298.16 be released. With the recommendation of Mr. Frantz, William Patterson made a motion seconded by Dean Becker to authorize the release of \$61,298.16 to Gambone Development Company. 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 October. In addition to presenting the bills for approval, Cecile Daniel reviewed the proposed 2009 Perkiomen Township Budget as follows: (1) GENERAL FUND – Budget amount of \$2,292,912.00 at a rate of .35 mills (no increase); STREET LIGHT FUND – Budget amount of \$90,174.00 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 -

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\$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); FIRE TAX FUND – Budget amount of 423,200.00 at a rate of .27 mills (no increase); LIQUID FUELS – Budget amount of 255,998.00; HYDRANT TAX FUND – Budget amount of \$53,287.00 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 budget and presentation of the bills, Gordon MacElhenney made a motion, seconded by Dean Becker to authorize the payment of the bills for the month of October and authorized advertisement of the proposed 2009 Perkiomen Township Budget for consideration for adoption at the December 2, 2008 meeting. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0. Last, Ms. Daniel submitted a proposal from Dreslin and Company to complete the 2008 Audit. Before this proposal can be signed, the Board needs to advertise its intent to use Dreslin and Company to complete the 2008 Audit. With the presentation of Ms. Daniel, Rickard Kratz made a motion seconded by William Patterson to authorize the advertisement of the intent of the Board to use Dreslin and Company to complete Perkiomen Township's 2008 Audit. There were no public comments on the motion. The motion was carried unanimously by a vote of 5-0.

- **PICONE:** David Devine Esquire was present before the Board to discuss the Zoning Hearing Board (ZHB) Application filed by his client Joseph Picone. This ZHB Application is a request for variances to allow the use of an existing structure as an Apartment. The property is located in the VCR-2 Zoning District, at the intersection of 611 Gravel Pike and Bridge Street. Mr. Devine presented pictures showing the location of the property and what his client is requesting. The Board reviewed the application with Mr. Devine. The Board explained that they are not happy with the fact the Mr. Picone converted the existing garage to an apartment before filing before the ZHB for the necessary variances. Under the Zoning Ordinance, existing non-conforming structures can only be expanded by twenty-five percent. This expansion may exceed the twenty-five percent. Next, the Zoning Ordinance only allows one principle structure on a lot. By converting the existing garage to an apartment, Mr. Picone now has two principle structures on this lot. There was some confusion regarding the lot lines because Mr. Picone actually owns two properties. The property line is shown going through the existing structure. In order to try and clean the issue of the lot lines, Mr. Devine indicated that the request for the variance to allow more than one principle structure on a lot is not only because of this conversion, but by combining the two lots into one lot, there would be two principle structures on the newly created lot (the existing pizza shop and the residence). The Board told Mr. Devine and Mr. Picone that because the Zoning Ordinance was violated, some type of penalty should be made for the violation. Mr. Picardi was directed to attend the public hearing on the ZHB application so that he could express to the Zoning Hearing Board members, how the Board felt and that if the ZHB members are willing to consider granting the variances to allow the apartment, then some

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type of financial penalty should be imposed on Mr. Picone. The Board talked about the fine being somewhere between \$500.00 and \$1,000.00. Mr. Devine understood the Board's feelings and will contact Mr. Picardi. Mr. Picardi will then inform the solicitor of the Zoning Hearing Board the opinion of the Board in this matter.

- **TRAFFIC SIGNAL:** Signal Service provides serve to the Township for its traffic lights, school zone lights, and blinking lights. The existing contract with Signal Service is about to expire. A new two year contract for renewal for the maintenance of the traffic signals, school zone lights, and blinking light maintenance has been submitted to the Board for consideration. After review of the two year contract, Ms. Daniel recommended that the Board approve this contract. With the recommendation of Ms. Daniel, William Patterson made a motion, seconded by Dean Becker to approve this two year contract between Signal Service and Perkiomen Township to maintain the Township' traffic lights, school zone lights, and blinking light. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

- **MONTGOMERY COUNTY PLANNING COMMISSION:** Perkiomen Township has an existing three year contract with Montgomery County to provide planning services to the Township. The existing three year contract expires at the end of 2008. A new three year contract is before the Board for consideration. The contract is in order and Ms. Daniel recommended that the Board approve the contract. With the recommendation of Ms. Daniel, Richard Kratz made a motion, seconded by Dean Becker to authorize by Resolution 2008-23, the Chairman of the Board to sign the new three year planning contract with Montgomery County Planning Commission to provide planning assistance to Perkiomen Township for the Contract Period of January 1, 2009 through December 31, 2011. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.

COMMENTS FROM THE PUBLIC

Michael Pastorius of Cranberry Estates expressed concern about ATVs on the PECO Corridor. These ATVs are coming from the PECO Corridor on to property owned by the Cranberry Homeowner's Association. Mr. Pastorius was asking the Board's help in this matter. The State Police have been out. Ms. Daniel indicated that she would contact PECO. Also, with regard to the recent installation of the crosswalks in the Cranberry Development, Mr. Pastorius asked whether or not crosswalk signs could be placed near these crosswalks. Ms. Daniel indicated she would look into this.

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