

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: DECEMBER 7, 2010**

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

Richard Kratz called the December 7, 2010 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

MINUTES: The minutes of the November 2, 2010 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 vote of 5-0.

POLICE REPORT: Lieutenant Buckley of the PA State Police was present to update the Board as to the activities taking place in Perkiomen Township. First the Lieutenant reviewed the Police Reports for the months of October and November. Most of the activity in October was due to criminal mischief taking place during Halloween. Second, the Lieutenant informed the Board that there have been car break-ins happening again in the Fox Heath Development. Third, the Lieutenant informed the Board that during the holidays, speed enforcement will be increased.

CORRESPONDENCE:

- **PSATS** – Alert Bulletin
- **CPVRPC** – November Meeting Minutes
- **TRAPPE AMBULANCE** – Copy of Trappe Ambulance Report

SOLICITOR’S REPORT: Kenneth Picardi reported on the following:

1. Mr. Picardi informed the Board that an agreement in principle has been reached with HYK on the Zoning Appeal and the Validity Challenge HYK filed against Perkiomen Township. The final agreement is not on the agenda for this meeting, but it was Mr. Picardi’s intention to have the agreement ready for the Board’s consideration at the January or February meeting. During the December Meeting, Mr. Picardi advised the audience that the Township is close to entering into

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an overall settlement Agreement with HYK. In anticipation of the settlement, Mr. Picardi will communicate same to the Rahns resident that he previously communicated with directly on this issue.

2. Gambone (Conservancy Subdivision) – The Township just received a formal request for the release of all escrow monies and the offer of dedication of all public improvements. Since this request was submitted under the PA Municipal Planning Code, the request will be processed under the timeline set forth within the Code. Presently, the major issue is the sewer odor issue which is being discussed between Gambone and the Perkiomen Township Municipal Authority.

3. Fox Heath (Private Roads) – The Road Maintenance Agreement has been put in final form and has been executed by the Fox Heath HOA. Representatives of the Fox Heath HOA and Stefan Richer, their attorney, were present to discuss the agreement negotiated on the issue of the future maintenance of the streets by the Township. During the negotiation of this maintenance agreement, it was determined that the streets do not have sufficient right of way width to become Township roads. As a result, the Township would not be able to receive Liquid Fuels Money from the state for these roads. The township solicitor and Stefan Richer negotiated an agreement whereby the township would maintain the roads and in exchange the Fox Heath HOA would pay to the township the equivalent monies that the Township would have received from the state for the Liquid Fuels. Under this agreement, the township would maintain the roads and plow the roads as the township does for other developments within the township. During the Board’s consideration of this issue, Cleveland Ott questioned the Board regarding the possibility of negotiating a similar agreement on Grater Avenue. It was pointed out to Mr. Ott that, regardless of the right-of-way issue, the roads in the Fox Heath Development were constructed to the township’s construction standards. Since there are other private roads in the township, the Board will need to establish criteria as to when they will consider negotiating a similar agreement with other parties. One of the criteria will be whether the roads were constructed to the township’s construction standards, current condition of the road, volume and use by Township residents, access to other Township or State roads, etc. The issue before the Board at this meeting was whether or not the Board was willing to enter into an agreement with the Fox Heath HOA to maintain and plow the roads in the Fox Heath Development. The Board discussed the agreement and Edward Savtisky made a motion seconded by Dean Becker to approve the Road Maintenance Agreement between the Fox Heath Homeowner’s Association and Perkiomen Township by having Solicitor Picardi prepare a Resolution approving the Agreement and authorizing the Chairman to execute same. There were no more public comments on the agreement or the motion. The motion was passed by a vote of 5-0.

4. Highland Manor Tax Appeal – Mr. Picardi reviewed for the Board the tax appeal matter that was filed by Highland Manor Associates, L.P. for property owned in Perkiomen Township. Highland Manor Associates filed an appeal with the Montgomery County Board of Assessment Appeals to the assessment set for their property by the Board of Assessment. This appeal was filed in 2007. An agreement has been reached on what the new assessment will be. The impact of this new assessment will affect the taxes paid by Highland Manor Associates from 2007 forward. As a result, Highland Manor Associates is entitled to reimbursement for their overpayment of real estate taxes paid based upon the new assessed value. For Perkiomen Township, the amount

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owned back to Highland Manor Associates is \$1,555.44. This payment would be made in a lump sum payment. After reviewing the final settlement and order, Mr. Picardi recommended that the Board approve the stipulation and approve his signing of the final document on behalf of Perkiomen Township. With the recommendation of Mr. Picardi, Dean Becker made a motion, seconded by Gordon MacElhenney to approve the Final Settlement and Order for Highland Manor Associates that will require Perkiomen Township to reimburse \$1,555.44 for the overpayment of taxes paid by Highland Manor Associates L.P. and authorize Kenneth Picardi, as the Township Solicitor, to sign the final Settlement and Order on behalf of Perkiomen Township. There were no public comments on the motion. The motion was passed by a vote of 5-0.

5. T-Mobile – Calabretta – The hearings have concluded, the record has been closed, and the parties have submitted their legal Briefs in support of their respective positions. The Zoning Hearing Board is expected to announce its decision on Wednesday, December 8, 2010.

ROAD MASTER’S REPORT: John Moran Sr. submitted to the Board his Road Master’s Report dated December 1, 2010 for activities taking place during the month of November. In addition to his report, Mr. Moran requested permission from the Board to sell the old cinder spreader. William Patterson made a motion seconded by Edward Savitsky authorizing the request of Mr. Moran to sell the old cinder spreader. There were no public comments on the motion. The motion was carried by a vote of 5-0.

FIRE MARSHALL’S REPORT: John Moran Sr. submitted to the Board his Fire Marshall’s Report dated December 1, 2010 for activities taking place during the month of November.

CODE ENFORCEMENT REPORT: John Moran Jr. submitted to the Board his Code Enforcement Report dated December 1, 2010 for activities taking place during the month of November. In addition to his report, Mr. Moran updated the Board as to the public hearing set for December 8, 2010 for property located at 851 Limerick Road.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission for November 16, 2010 was canceled.

MANAGER’S REPORT: Cecile Daniel reported on the following:

1. 2011 Budget – Ms. Daniel informed the Board the 2011 Perkiomen Township Budget was advertised and ready for the Board’s consideration. In considering the 2011 Perkiomen Township Budget, the Board needs to consider two Resolutions. The first Resolution is Resolution 2010-11. This Resolution will set the Tax Rate for 2011 for the real property in Perkiomen Township. The second Resolution is Resolution 2011-12. This Resolution is the adoption of the Perkiomen Township Budget. Ms. Daniel reviewed each fund (i.e. General Fund and Capital Reserve; Street Light Fund; Fire Tax Fund; Liquid Fuels Fund; and Hydrant Fund). The proposed budget includes the money for the replacement of the Godshall Road Bridge. It also includes doing road work on Mayberry Road, Godshall Road to Bridge Street, and the upper portion of Acoma Lane

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(Burgess Road to Wartman Road). Ms. Daniel explained that 2011 will bring the removal of the electric caps which will increase the electric costs. At this time, it is unclear as to what affect the removal of the rate caps will have on the rates charges by PECO Energy on the Street Light Accounts since those charges are a flat rate based upon the type of street lights in that district. There is money in the reserves which should be sufficient to cover any rate increases for the year 2011. Moving forward these rate increases may necessitate increases in the Street Light Taxes for 2012. The need to increase the Street Light Taxes in 2012 will depend upon the financial impact the rate increases will have on the remaining reserve balance. The proposed budget reflects the impact of the economy in that the revenues have been reduced or remained the same in such areas as the Real Estate Tax, the Real Estate Transfer Tax, and the Earned Income Tax. The proposed budget shows no transfer in the reserve account. A decision could be made later in 2011 to transfer money into the reserve account depending upon where the Township stands financially. It was Ms. Daniel recommendation for the Township, that the Board not raise any taxes in the General Fund; the Street Light Fund; the Fire Tax Fund; and the Hydrant Tax Fund. It was Ms. Daniel's recommendation to consider setting the Tax Rate for 2011 by the approval of Resolution 2010-11. With the recommendation of Ms. Daniel, Dean Becker made a motion to approve Resolution 2010-11 setting the following: (1) Tax rate for General Purposes, the sum of .35 mills; (2) For Fire Tax purposes, the sum of .27 mills; (3) For Street Light purposes - Rahns, the sum of .30 per front foot; (4) For Street Light purposes - Graterford, the sum of .30 per front foot; (5) For Street Light purposes - Maple Hill Community, the sum of 3.16 per front foot; (6) For Street Light purposes - Cranberry Development, the sum of 30.23 per unit; (7) For Street Light purposes - Stephanie Lane Development, the sum of 32.61 per unit; (8) For Street Light purposes - Perkiomen Greene Development, the sum of 23.00 per unit; (9) For Street Light purposes - Exmoor Road, the sum of 94.58 per unit; (10) For Street Light purposes - Barrington Estates, the sum of 50.09 per unit; (11) For Street Light purposes - Mayfield Estates, the sum of 39.00 per unit; (12) For Street Light purposes - Eagle View Estates, the sum of 48.18 per unit; (13) For Street Light purposes - Heritage Woods Development, the sum of 52.62 per unit; (14) For Hydrant Tax purposes - Aqua of Pennsylvania, the sum of 31.13 per unit; (15) For Hydrant Tax purposes - PA American Water Co., the sum of 12.00 per unit. There were no public comments on the motion. The motion was passed by a vote of 5-0. Next, Ms. Daniel recommended that the Board consider approval of Resolution 2010-12 which is adoption of the Perkiomen Township Budget. With the recommendation of Ms. Daniel, William Patterson made a motion seconded by Gordon MacElhenney to approve Resolution 2010-12, adoption of the Perkiomen Township Budget as follows: Perkiomen Township Budget for all funds is proposed at total revenues/expenditures: \$3,123,263.00. This amount is broken down as follows: General Fund - \$2,298,687.00; Street Light Fund - \$101,172.00; Fire Tax - \$353,250.00; Liquid Fuels - \$305,642.00; and Hydrant Tax - \$64,512.00. There were no public comments on the motion. The motion was carried by a vote of 5-0.

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ENGINEERS REPORT: Chuck Frantz reported on the following items:

1. 2010 Road Project Application Payment #2 – Mr. Frantz informed the Board that he received a request from Reading Site Contractors for Payment #2 in the amount of \$2,083.85. This application is payment for the 1% retainage that was held until the vegetation came back in the disturbed areas where the work was completed for the 2010 Road Project. Mr. Frantz reviewed the request and recommended that the Board approve Payment Application #2 in the amount of \$2,083.85. With the recommendation of Mr. Frantz, Dean Becker made a motion seconded by William Patterson to approve Payment #2 to Reading Site Contractors in the amount of \$2,083.85. There were no public comments on the motion. The motion was passed by a vote of 5-0.

2. Godshall Road Bridge Replacement: At the November Meeting, the Board directed that Mr. Frantz evaluated options for the final configuration and appearance of the new Godshall Road Bridge. Based upon discussion with guiderail installers, concrete suppliers, Bill Gray of ConTech and Supervisor MacElhenney, Mr. Frantz prepared information for the Board's consideration for this meeting. First, Mr. Frantz informed the Board that there was a site meeting conducted with Supervisor MacElhenney and Bill Gray from ConTech to discuss both the Seitz Road and Godshall Road Bridges. The primary purpose of the meeting was to provide an opportunity for Bill Gray to look at the finish of the inside face of the parapet walls of the Seitz Road bridge and provide some insight as to the uneven appearance of the finish. Based on Mr. Gray's evaluation of the finish, he offered to have Terre Hill (fabricator of the structure) smooth out the finish and have a staining contractor address the discoloration issues at no cost to the Township. Mr. Gray will coordinate with SSM on a schedule for completing the work. Supervisor MacElhenney agreed to be on site with the staining contractor to approve the color of the stain. Next, Mr. Frantz informed the Board that Mr. Gray indicated that there was an installation of a ConTech structure that was installed with a cultured stone application. A site visit was made to view the bridge. Mr. Frantz presented to the Board pictures that were taken of the use of cultured stone for the parapet walls. As a reminder, cultured stone is approximately 4" to 5" in depth and the pieces are applied individually similar to a mason stone wall. The cost for a cultured stone application is in the range of \$25 to \$30 per SF. If the cultured stone option is approved for the Godshall Road Bridge, Mr. Frantz recommended that only the parapet walls have the cultured stone, not the wing walls. The cost of the cultured stone on the parapet walls would be an additional cost of approximately \$20,000 to \$25,000 to the cost of replacement of the Godshall Road Bridge.

In place of using parapet walls, Mr. Frantz obtained information on the use of structure-mounted guiderail. There were three options that Mr. Frantz investigated: (1) Steel Guiderail, (2) Wooden Guiderail, and (3) Steel-backed Timber (Ironwood System). The steel guiderail is the only type of structure-mounted guiderail system that is recognized by PennDot. According to the information presented to the Board from Mr. Frantz the structure-mounted steel guiderail could cost approximately \$325/LF. Based upon the amount of guiderail needed for this project, the steel guiderail could cost an additional \$27,000.00 to the project. Added to this would be the need for a transitional section of guiderail between the structure mounted guiderail and the

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existing guiderail. This would add an additional \$3,000.00; therefore, the cost of the steel mounted guiderail could be approximately \$30,000.00. Next, Mr. Frantz looked into using wooden guiderail. Presently wooden guiderail is not recognized by PennDot as a standard for bridge construction. Although the Township is not using Liquid Fuel's money for this bridge, Mr. Frantz informed the Board that this bridge will require future inspection due to the span of the bridge. As a result, the future PennDot Bridge Inspection Reports may note this as something that is not in accordance with PennDot's Standards. Mr. Frantz also informed the Board the wooden guiderail deteriorates faster than steel; therefore, the wooden guiderail will require more maintenance. In terms of strength, the wooden guiderail is weaker than the steel guiderail. In addition, the Board would need to replace approximately 250 LF of existing steel guiderail with the wooden guiderail should the decision be made to use the wooden guiderail. The cost of the wooden guiderail is approximately \$40/LF. The cost to install the length of wooden guiderail would be approximately \$27,000.00. This amount would be added to the replacement of the 250 LF of existing steel guiderail which would be approximately \$10,000.00. The total expense for this wooden guiderail alternative could be approximately \$37,000.00. The third guiderail system discussed was the steel-back timber (Ironwood System). PennDot does not address this type of guiderail system, but the Federal Highway Administration does. This option is a balance between the steel and wooded guiderail system since it utilizes the strength of the steel with the aesthetics of the wood. The cost of using this structure-mounted system is approximately \$400/LF. Based upon the amount of needed guiderail, the cost would be \$33,000.00. The use of this option would require the replacement of the 250 LF of existing steel guiderail. The cost to replace this section would add an additional \$32,000.00 to the project since the cost to replace this section of guiderail would be \$125.00/LF. After adding the required end treatments, the cost to install the steel-back timber guiderail option would be approximately \$70,000.00.

Next, Mr. Frantz discussed with the Board incorporating a concrete admixture during the fabrication of the pre-cast structure. The addition of the admixture would help in slowing down the environmental effects of nature on the concrete. This mixture creates a non-soluble crystalline formation which creates a permanent water-tight seal in the concrete. Should the concrete become chipped over time, this water-tight seal will help reduce the effects of the freeze-thaw cycles. The approximate cost to add this admixture would be approximately \$3,000.00.

In moving forward Mr. Frantz requests direction from the Board regarding the design of the bridge structure.

- 1) Parapet walls versus structure mounted guiderail;
- 2) If parapet walls, desired aesthetic option (formliner versus cultured stone), if any;
- 3) Type of guiderail to be installed / reinstalled, may consider bid alternates.

After discussion of the cost to use all guiderail versus the parapet, Gordon MacElhenney made a motion, seconded by Edward Savitsky to design the Godshall Road Bridge using the parapet walls. There were no public comments on the motion. The motion was carried by a vote of 5-0. As to #2, the aesthetics of the parapet walls, both Mr. Frantz and Mr. MacElhenney explained that the cultured stone, in addition to

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being more aesthetically pleasing, adds a protective layer against the environmental effects such as road salt. Mr. Frantz explained that he could ask Mr. Gray for a detail sheet showing the parapet walls with the culture stone. By including this detail in the bid documents, the use of culture stone could be bid out as an alternate. The Board authorized that the Godshall Road Bridge be bid with plain concrete parapet walls, similar to the Seitz Road Bridge. The alternative to the bid would be to add the cultured stone to the parapet walls. As to #3, the Board authorized that the guiderail be bid using steel guiderail and the wooden guiderail as an alternate. With adding #2 and #3 as alternatives, the Board can be in a better position to decide whether the actual costs of the alternatives are financially reasonable.

- 4) Inclusion of concrete additive (waterproofing) – Edward Savitsky made a motion, seconded by Gordon MacElhenney to add the concrete admixture to the concrete during the fabrication of the pre-cast structure. There were no public comments on the motion. The motion was carried by a unanimous vote of 5-0.
- 5) SSM representation during fabrication – As to whether or not a representative from SSM should be present during the fabrication of the pre-cast structure, the Board discussed this and determined that having a SSM representative present was not necessary.

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 passed by a vote of 5-0.

NEW BUSINESS:

1. Lower Frederick Regional Ambulance Corp: William McGovern was present to discuss the financial issues that are impacting the Lower Frederick Regional Ambulance Corp. Mr. McGovern reviewed the history of the ambulance corp. In his review of the financial issues, Mr. McGovern explained that up until 1989 the ambulance corp was 100% volunteers. Since that time, Montgomery County, instituted the “911 System”, which required the ambulance services to be fully staffed and on the road within four minutes of receiving an emergency. This has created a need to hire more employees versus depending upon volunteers. Another impact has been the training requirements for both the employees and the volunteers. Mr. McGovern reviewed with the Board the financial reports for the years 2007, 2008, and 2009. For the year 2010, Mr. McGovern reviewed with the Board the contributions received not only from Perkiomen Township, but other municipalities and others. Presently, Perkiomen Township has been making a \$5,000.00/year contribution. Based upon the projected needs of the ambulance corp, Mr. McGovern is requesting the Board consider increasing this contribution to \$15,000.00/ year. By increasing the annual contribution, the ambulance corp is trying to keep the quality of the employees the ambulance corp has and provide for continued training. In the future, Mr. McGovern would like to try and create a capital budget

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because the life of an ambulance vehicle is about five years before it needs to be replaced. Based upon the current fleet of ambulances the ambulance corp currently owns, a new ambulance will be needed in another two years. The Board listened to Mr. McGovern's presentation and informed him that they would take his request under consideration.

2. 2011 MEETING SCHEDULE: The Board reviewed the proposed Public Meeting schedule for 2011. After reviewing the dates, Edward Savitsky made a motion, seconded by Gordon MacElhenney to authorize advertisement of the 2011 Meeting Schedule Dates. There were no public comments on the motion. The motion was carried by a vote of 5-0.

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