

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: FEBRUARY 2, 2010**

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

ABSENT: Gordon MacElhenney, Member

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

Richard Kratz called the February 2, 2010 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

MINUTES: The minutes of the January 4, 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 passed by a vote of 4-0.

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

CORRESPONDENCE:

- **TRAPPE AMBULANCE** - Report
- **CPVRPC** – Dean Becker informed the Board that the Perkiomen Valley School District will be sending a representative to the Central Perkiomen Valley Regional Planning Commission Meetings. Mr. Becker also informed the Board that Leo Bagley of the Montgomery County Planning Commission was at the January Meeting of CPVRPC to discuss road projects of Regional significance.

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

1. Shopping Center - A second Conditional Use Hearing was held on January 26, 2010. At the conclusion of the public hearing, the Board unanimously approved a motion to amend the initial Conditional Use Decision. The approved amendments deal only with the entranceway to the shopping center from Route 29. A written copy of the amended Conditional Use Decision will be available at the time of the February Board meeting.

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2. **EXECUTIVE SESSION:** The Board will hold an executive session after this meeting to discuss two issues. The first issue is with regard to a meeting with the attorney representing the Fox Heath Association, and the second issue is for litigation.

3. **T-Mobile – Calabretta** – The first hearing before the ZHB was held on January 27th. Counsel for the Applicant advised the ZHB that he had three witnesses and that each of them would offer some testimony with regard to the ambiguity/interpretation issue, as well as the Variance request. The ZHB deferred to the Applicant, and the hearing commenced. The Applicant offered the testimony of Brian Lucas, of CMX Engineering, who is Site Acquisition and Development Specialist. Their second witness was Mario Calabretta, a licensed engineer and a site designer. Because time ran out, T-Mobile’s radio frequency (RF) expert did not get a chance to testify; however, he did answer some questions from the audience. The hearing was then recessed and will resume on February 24, at 7:30 p.m.

4. **Perkiomen Valley School District – Scoreboard** – The School District has filed an Application for a Variance with the Zoning Hearing Board. The District wishes to install a scoreboard that is of a size greater than that which is permitted under the Zoning Ordinance. Mr. Picardi questioned the Board regarding his need to attend this public hearing. The Board informed Mr. Picardi that he did not need to attend this public hearing.

ROAD MASTER’S REPORT: In John Moran Sr.’s absence, William Patterson submitted to the Board Mr. Moran’s Road Master’s Report dated February 1, 2010 for activities taking place during the month of January.

FIRE MARSHALL’S REPORT: In John Moran Sr.’s absence, William Patterson submitted to the Board Mr. Moran’s Fire Marshall’s Report dated February 1, 2010 for activities taking place during the month of January.

CODE ENFORCEMENT REPORT: In John Moran Jr.’s absence, Cecile Daniel submitted to the Board Mr. Moran’s Code Enforcement Report dated February 1, 2010 for activities taking place during the month of January. In addition to this report Ms. Daniel reported that Mr. Moran submitted to the Board a request from Keystone Novelties regarding permission to allow a 4th of July Tent Sale at 87 Gravel Pike from June 25 through July 5, 2010. According to Ms. Daniel, Mr. Moran informed her that Keystone Novelties has submitted to his office all information required by the Township; therefore, Mr. Moran is recommending that Board consider granting Keystone Novelties’ request. With Mr. Moran’s recommendation, William Patterson made a motion seconded by Dean Becker to approve the

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request of Keystone Novelties to hold a 4th of July Tent Sale at 87 Gravel Pike from June 25 through July 5, 2010. There were no public comments on the motion. The motion was passed by a vote of 4-0.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission held its meeting on January 19, 2010. At that meeting the Planning Commission discussed the draft Zoning Amendment regarding Small Wind Energy Systems and a Zoning Amendment regarding Outdoor Wood-Fired Boilers.

MANAGER'S REPORT:

1. Electric Charges - Suzanne Ryan of PECO Energy informed the Township that the Street Light Accounts for the Township will be increased due to the regulations passed by the PA Legislature in 2008. There was a provision added that required utilities to develop programs to help customers reduce their energy usage by 1% by May 31, 2011 and 3 % by May 31, 2013. The utilities must also help customers reduced energy demand during the 100 highest use hours each year. This must be completed by May 31, 2013. In order to pay for this, the PUC in January 2010 approved a customer rate charge to reimburse the utility companies for these programs. The result is between a 2 to 5 % increase in general service portion of the electric bill and the same impact on Street Lights & Traffic Lights. According to the information that was sent to the Township, all Street Light Accounts will be increased 1.95%. This increase is not the one that has been discussed with the caps coming off at the end of this year for electric charges.

2. Act 32 - Another meeting of the TCC was held on January 27, 2010. At that meeting the main issue that was discussed was the by-laws for the TCC. The main issue was the voting. Act 32 required that all votes, prior to the adoption of the by-laws, would be by a weighted vote. This process though could be changed if approved during the adoption process of the by-laws by the TCC. There was debate as to changing the voting process to be one where the weight of the vote would be equal to the amount of money each municipality was required to pay to operate the TCC. After much debate, the vote to change the by-laws was taken based upon the weighted vote since this voting process could not be changed as it was set forth under Act 32. Based upon the weighted voting process, the by-laws were not changed; therefore, all future voting by the TCC shall continue to be based upon the weighted vote. The next step will be to adopt an operating budget to run this TCC. It is thought that this budget would be initially around \$50,000.00 to \$100,000.00.

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3. Shopping Center - The Board held a public hearing on the Conditional Use Application filed by the applicant. This public hearing was held on Tuesday, January 26, 2010 at 7:00 p.m. The Board approved the applications with conditions. The Township Solicitor is in the process of putting together a final written decision setting forth the conditions of this approval.

4. Otts/Plank/Meyers/Seitz Project - At the January Board meeting a question was asked as to the status of the Otts/Plank/Meyers/Seitz Project. Based upon that question, contact was made with Leo Bagley of the Montgomery County Planning Commission. Mr. Bagley indicated that he was in the process of evaluating the Road Projects that were on the TIP Program. Due to the cost of the road projects on the TIP list and the amount of money on hand to do these projects, the Delaware Valley Regional Planning Commission had directed that the road projects on the TIP be evaluated. The impact to this project would have been either a reduction in the scope of the project or the removal of it from the TIP list. Contact was also made with Urban Engineers. This is the engineering firm that is working on the design project for PADOT. Urban Engineers indicated that they have preliminary approval from PADOT on the design. Urban Engineers is in the process of completing the final design. Urban Engineers' anticipated target date to complete this final design is later this year.

ENGINEERS REPORT: Chuck Frantz was present to review the following items:

- **2010 ROAD PROJECT – STATUS REPORT:** Mr. Frantz discussed with the Board the summary of the items inspected during the road field inspection. The items, as discussed were as follows:
 1. Shopping Center Expansion - Mr. Frantz informed the Board that he received a response from Wayne Droesser of Traffic Planning and Design regarding the possible connection of the Perkiomen Trail to Gravel Pike in the vicinity of the shopping center. It was TPD's opinion that the optimal location for the crossing of Gravel Pike would be at the proposed traffic light (Harrison and Gravel Pike) due to the speed of traffic on Gravel Pike compounded with the available sight distance in this area. TPD has indicated that Springhill Realty would be agreeable to providing the pedestrian signal equipment to accommodate the trail connection at the Harrison Avenue/Gravel Pike intersection but would look to the Township to provide the improvements from the trail to the intersection. Springhill Realty does not feel that their presence, nor their consultant's presence, is necessary at any future meetings which may take place with PennDOT regarding this issue. As a result, Mr. Frantz was looking to the Board for direction. Richard Kratz indicated that he would try and walk the Perkiomen Trail

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in this area and come back with his opinion regarding the concept of a possible pedestrian crossing/connection from the Perkiomen Trail to Harrison Avenue/Gravel Pike.

2. Schoolhouse / Mayberry Guiderail: Mr. Frantz informed the Board that he contacted Collinson, Inc. on January 14th and provided Collinson with the options discussed at the January meeting of the Board. Mr. Frantz received an estimate from Collinson based upon the information that was given to them from his office. That information was as follows:

- Option #1 - The cost to replace the damaged areas of guiderail on Schoolhouse (previously noted as Option #1) is \$2,000.
- Option #2 - In Collinson's opinion, Option #2 would be cost ineffective due to the small quantity, difference in guiderail type (weak vs. strong), and required transitions from wood to steel; Collinson chose not to supply an estimate for this option.
- Option #3 – Collinson supplied a unit price of \$2.00/lf to remove guiderail from Mayberry and \$11/lf to reinstall it at Schoolhouse (total of \$13.00/lf). Based on approximately 775 lf of guiderail on Mayberry Road (east of closure) that would result in an estimated cost of \$10,075 to relocate the Type 2S guiderail from Mayberry to Schoolhouse. The previous estimate for wooden guiderail installation (wood posts and rails) for Mayberry (east) was \$22/lf at an extended cost of \$17,050, bringing the total cost of Option #3 to \$27,125 plus incidentals which would push the cost closer to \$30,000. This option reflects “standard” wooden planks and posts. More decorative options (such as the Ironwood system) would result in higher material costs for the wooden guiderail. The Ironwood System was previously quoted at \$41/lf (material only).

Based upon the aforementioned information, Mr. Frantz is asking the Board as to their decision regard repairing the damaged guiderail sections along School House Road. Based upon the information received, the Board directed that Option #1 be authorized and directed that the quote from Collinson of \$2,000.00 be signed.

3. Godshall Road Bridge – Mr. Frantz reviewed a tentative timeline with the Board that ran from January, 2010 to the end of August, 2010. Mr. Frantz explained that this was a very tight schedule. The original thought was to replace the existing bridge versus repair the bridge. The original estimate to replace the bridge was less than what Mr. Frantz is now estimating this work would cost. The repair work was based upon comments received from the Bridge Report received from Penn Dot. Mr. Frantz reviewed the proposed concept of a ConTech ConSpan prefabricated bridge system. The dimensions of this proposed bridge will be a 42' span length with approximately a 26' width. The cartway will remain at the present width of 24'. Based upon the

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revised dimensions, the estimated cost to replace this bridge is now between 450,000.00 and 500,000.00. The Board discussed the cost to replace the bridge versus the cost to repair the bridge. Based upon the revised estimate to replace the bridge, the Board directed Mr. Frantz re-evaluate the expense to repair the bridge against the expense to replace it. Mr. Frantz will return at the March Meeting with information so that the Board can make a final decision as to which direction they wish to move toward. As a result, the decision to authorize the Geotech portion of replacing this bridge was placed on hold as well as the decision regarding the easements and/or right-of-way acquisition. The affect of re-evaluating the option of replacing the bridge versus repairing the bridge will put this project in to the year 2011.

- **2010 MAINTENANCE GARAGE AC REPLACEMENT SPECIFICATIONS:** Mr. Frantz informed the Board that the specifications for the 2010 Maintenance Garage AC Replacement were completed. Mr. Frantz is requesting that the Board authorize the advertising of this project for February 5th, February 11th with a bid opening of February 25th. Mr. Frantz will be prepared to make a recommendation to the Board at the March Monthly Meeting. William Patterson made a motion seconded by Edward Savitsky to authorize advertisement of the 2010 Maintenance Garage AC Replacement Project based upon the schedule presented to them by Mr. Frantz. There were no public comments on the motion. The motion was passed by a vote of 4-0.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of January. After review of same, Dean Becker made a motion seconded by William Patterson to authorize payment of the January bills. There were no public comments on the motion. The motion was passed by a vote of 4-0.

NEW BUSINESS:

- **CAPRIO:** Robert Caprio and his attorney, John Iannozzi, were present to request that the Board grant an extension of time on the Conditional Use Decision rendered by the Board of Supervisors on August 4, 2009. This Conditional Use Decision was with regard to property that Mr. Caprio owns at 539 Gravel Pike, Perkiomen Township. Under the Section 8.17.C.2.d of the Zoning Ordinance, Mr. Caprio was to submit a subdivision and/or land development plan to the Township within six months of the August 4th decision. To date, Mr. Caprio has not submitted a subdivision and/or land development application. As part of their presentation, Mr. Iannozzi explained that the Zoning Hearing Board granted a similar extension request on the variance that Mr. Caprio received for this project. Mr. Iannozzi explained that due to the economic conditions, his client was not in a position to move forward with

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the subdivision/land development project at 539 Gravel Pike. The Zoning Hearing Board granted an extension until January 2, 2011. Since the zoning relief and the Conditional Use Decision are for the same project, Mr. Iannozzi is requesting that the Board consider granting a similar extension as was approved by the Zoning Hearing Board. The Board discussed Mr. Caprio's request and Edward Savitsky made a motion, seconded by Dean Becker to approve Mr. Caprio's request to extend the deadline for filing a subdivision/land development plan. The Board of Supervisors, in accordance with Section 8.17C (2)(d), extended the deadline for filing a subdivision/land development plan until January 2, 2011. In all other respects, the original Conditional Use decision, dated August 4, 2009, is ratified and remains in full force and effect. There were no public comments on the motion. The motion was passed by a vote of 4-0.

- **MONTGOMERY COUNTY ASSOCIATION OF TOWNSHIP OFFICIALS:** The Spring Session for the Montgomery County Association of Township Officials is scheduled for Friday, February 26, 2010. The Board discussed who would be attending this meeting. Dean Becker made a motion, seconded by Edward Savitsky to authorize the attendance of William Patterson and Edward Savitsky at this meeting. There were no public comments on the motion. The motion was passed by a vote of 4-0.

- **2010 PERKIOMEN TOWNSHIP FIRE COMPANY EVENTS:** The Perkiomen Township Fire Company presented the Fire Company Events for the year 2010. The Board needs to approve these dates as required for Workman's Compensation coverage. Edward Savitsky made a motion seconded by Dean Becker to approval the 2010 Perkiomen Township Fire Company Events. There were no public comments on the motion. The motion was passed by a vote of 4-0.

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