

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

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

**ABSENT:** Dean Becker, Vice-Chairman

**OTHERS PRESENT:** Cecile Daniel, Township Manager  
David Allebach in place of Kenneth Picardi, Township  
Solicitor  
Chuck Frantz, Township Engineer  
John Moran Jr., Code Enforcement Officer  
John Moran Sr., Road Master

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

**MINUTES:** The minutes of the February 2, 2010 Board of Supervisors meeting were approved upon a motion made by Edward Savitsky and seconded by Gordon MacElhenney. 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 February.

**CORRESPONDENCE:**

- **LOWER FREDERICK AMBULANCE** – Report
- **TRAPPE AMBULANCE** - Report
- **PSATS** – Alert Bulletin
- **CPVRPC** – Copy of January Meeting Minutes
- **MCPC** – Cecile Daniel reported that she received information from Montgomery County Planning Commission regarding proposed minor amendments to the County's Comprehensive Plan. The selected updates include the Land Use Plan, the Community Facilities Plan (public water & public sewer), and the Transportation Section. The only item that Ms. Daniel commented on was the Land Use Plan. The plan does not show those parcels in Perkiomen Township where the Township acquired the easement to preserve the parcels' for Farmland Preservation. Ms. Daniel will contact the Montgomery County and inform them as to the missing information.

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

---

**SOLICITOR'S REPORT:** David Allebach reported the following in place of Kenneth Picardi:

1. T-Mobile – Calabretta – The second Zoning Hearing Board hearing was held on February 24th, and T-Mobile offered the testimony of a radio frequency (RF) engineer. The attorney for T-Mobile introduced a report from a Doctor Foster which concludes that there is no adverse impact to the residents from the telecommunication towers. Since there was an objection to accepting this report into the record, T-Mobile plans to have Doctor Foster at the next public hearing which is scheduled for March 24th.
2. Gambone (Conservancy Subdivision) – There are two issues:
  - (a) Tri-Party Agreement – Mr. Picardi is working with Ms. Daniel and Mr. Frantz to finalize this agreement.
  - (b) Fontaine – Gambone Dispute – Mr. Picardi is waiting for a response from the Fontaine's attorney so this aspect of the agreement can be finalized.
3. Buxmont Academy – Real Estate Tax Exemption Appeal – Mr. Picardi informed the Board that he received documentation that this matter is moving into the discovery stage. Specifically, Buxmont has served Interrogatories and document requests upon the Perkiomen Valley School District. This case is in the beginning stages, and it will be awhile before anything further happens.
4. Sacks Family Associates – An Application has been filed with the Zoning Hearing Board requesting a Variance. This variance request sought to convert an existing building to a place of worship. The address of the property in question is 70 Rahns Road (Route 113) between Iron Bridge Road and Gravel Pike. Mr. Allebach requested direction from the Board in this matter. During this discussion, John Moran Jr. explained to the Board the building that this proposed church would be using. After discussing this with the Board, the Board informed Mr. Allenbach that he may inform Mr. Picardi that he does not need to attend the public hearing or to oppose the application.

**ROAD MASTER'S REPORT:** John Moran Sr. submitted to the Board his Road Master's Report dated March 1, 2010 for activities taking place during the month of February.

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

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

---

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his Code Enforcement Report dated March 1, 2010 for activities taking place during the month of February.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held its meeting on February 16, 2010. At that meeting the Planning Commission discussed the draft Zoning Amendment regarding Wind Energy Systems.

**MANAGER'S REPORT:**

1. T-Mobile: The Zoning Hearing Board held the second public hearing on T-Mobile's Zoning Hearing Board application on February 24, 2010. During this public hearing, the attorney for T-Mobile introduced evidence to support their Zoning Hearing Application for a Telecommunications Tower. Mr. Picardi objected to the evidence submitted by Doctor Foster since he was not present for cross examination. The next public hearing is scheduled for March 24, 2010.
2. State Police Coverage: HB 1500 – The last action that Ms. Daniel was made aware of was that the bill was discussed during the budget hearing with the State Police.
3. Open Space Grants: Reimbursement from the Montgomery County Open Space Grant Program. This is to be discussed under new business.

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

- **2010 ROAD PROJECT:** At prior Monthly Meetings, the Board discussed a separation on the 2010 Road Project. The first section would be the roads to be worked on during the year 2010. The second section was the Godshall Road Bridge which is now slated to be done in 2011. In discussing the roads to be worked on during 2010, the Board had been considering that section of Mayberry Road from the gate to Godshall Road and the section of Acoma Lane from Burgess Road to Wartman Road. The harsh winter has affected certain roads in the Township. The hardest areas have been Seitz Road, a portion of Trappe Road, and a portion of School House Road. Also, there are areas along Meyers Road and Ott Road where water is seeping up through the road bed. Before the Board makes a final decision on what roads to repair this season, it was recommended that the Board authorize Mr. Frantz and Mr. Moran to inspect these roads and return to the Board with a recommendation. The Board agreed and authorized that Mr. Frantz and Mr. Moran inspect the aforementioned roads. Since both Mr. Frantz and Mr. Moran will not be

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

---

at the April Monthly Meeting, the Board discussed having this discussion at the March Joint Meeting which is scheduled for March 23, 2010.

Next the Board discussed the Godshall Road Bridge. At the February Monthly Meeting Mr. Frantz informed the Board that the cost to replace the bridge at Godshall Road will be more than what he had previously estimated. As a result the Board directed that Mr. Frantz evaluate what options the Board may have in dealing with what to do with the Godshall Road Bridge (i.e. replace it or repair it). Mr. Frantz did that and returned with three options. The first option was to consider replacing the bridge with the same type of structure that was installed when the bridge at Seitz Road was replaced. This bridge was replaced with a ConTech/ConSpan Structure. The price range for the structure, repaving and other restoration work was estimated to cost between \$390,000 to \$440,000. Mr. Frantz felt that the positives for replacing the bridge were as follows: (1) flexibility in design to improve the hydraulics and Godshall Road profile; (2) the life span of the new bridge would be 60+ years before significant repairs would be required; (3) possibility to improve the aesthetics of the bridge; and (4) the preliminary design has already been completed. As to the negatives of replacing the bridge, Mr. Frantz indicated that (1) there will be a large area that will be disturbed; (2) the work will require more easements or rights of way; and (3) slightly more involvement with the PADEP in the permitting process. The second option that Mr. Frantz looked at was just replacing the existing deck. The estimated cost to just replace the deck is between \$275,000 to \$325,000. This option will require additional design effort. The positives in going with this option includes: (1) less disturbed area; (2) will require less easements; (3) the deck will be new construction, the problem though may be the condition of the foundations. If, during the process of replacing the deck, it is determined that the foundations are in poor shape and need to be replaced, the Board will need to address the issue of the repairing or replacing the foundations before the deck can be replaced. The affects of having to repair or replace the foundations could result in rebuilding the bridge. This would extend the time needed to complete this project, involve spending more money to design the work as well as acquire any necessary permits, and add addition easements necessary to finish the project. If it is determined that the foundations are okay and that only the deck is replaced, then the life of the deck will be extended another 50-60 years, but not the foundations. Last, the replacement of just the deck would reduce the involvement of the PADEP in the permitting process. On the negative side Mr. Frantz pointed out that, in addition to the issue of the foundation, (1) there would be no flexibility in trying to improve the hydraulics; (2) the load design would be limited to the current level of (HS-20); (3) John Moran Sr. is concerned about the footer that is already exposed (this will need to be taken care of during the project if the Board chooses to go with this option); and (4) this option

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

---

may require longer closure time of the bridge. The third option was to complete only the repairs that Penn Dot listed in their bridge inspection report. Based upon recent jobs that Mr. Frantz has completed, the estimated cost to complete this option would be between \$200,000 to \$250,000. These numbers could be affected due to the additional cost to repair the beams and the cost to remove the lead based paint. On the positive side this option would include (1) less disturbance in the area; (2) less need to acquire easements; (3) less time to complete the project; (4) the bridge may not need to be closed and may be able to remain open during the work. On the negative side, the life span of the work may only extend the life of the bridge by additional 10 years. The Board discussed all three options and their cost, their positives aspects, and their negatives aspects. Based upon the information presented, the Board was inclined to move in the direction of either replacing the bridge or replacing the decking. The issues in guiding what final decision the Board may move toward is (1) the condition of the existing foundations and (2) the easements necessary for this project. In either situation, Mr. Frantz brought to the Board's attention that the Board needed to make a decision regarding the Geotechnical Proposals. At the February Monthly Meeting, Mr. Frantz discussed the five proposals that his office received to complete the geotechnical investigation on foundation requirements for the Godshall Road Bridge. Based upon the five proposals received, Mr. Frantz recommended that the Board consider awarding this proposal to Schuylkill Valley Engineering. Mr. Frantz explained that the base amount would be \$4,450.00 with an additional requirement of \$400.00 for traffic control. With the recommendation of Mr. Frantz, Edward Savitsky made a motion, seconded by Gordon MacElhenney to award the Geotechnical Engineering Services to determine the foundation requirements for the bridge at Godshall Road for a cost, not to exceed, \$5,000.00. There were no public comments on the motion. The motion was passed by a vote of 4-0. As to the easements necessary for this project, the Board directed Mr. Frantz to contact the property owners where these easements would be necessary. The Board directed Mr. Frantz to send the preliminary information to the three residents and inform them that the Board would like to meet with these residents at the Joint Meeting that is scheduled for Tuesday, March 23, 2010. At that time both the Board and Mr. Frantz will try to explain the project and the easements that would be necessary in completing this work.

- **GARAGE AC MAINTENANCE PROJECT:** Mr. Frantz informed the Board that the Township received six bids for the 2010 Maintenance Garage AC Replacement Project. The lowest bid was received from AQM of Exton, PA in the amount of \$19,440.00. Mr. Frantz informed the Board that he found the bids to be acceptable from a technical and engineering review. In his review, Mr. Frantz point out that there were some minor deficiencies in the proposal. Those minor deficiencies are as

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

---

follows: (1) items 7 and 8 on the Bid Form were not completed. These two items require that the company provide a contact person so that the Township knows who to contact should it be necessary; (2) A Bid Bond was provided, but it was not provided on the form located in the bid documents. Mr. Frantz felt these deficiencies were minor in nature and did not materially affect the amount set forth within the proposed bid; therefore; it was Mr. Frantz's recommendation that the Board award the 2010 Maintenance Garage AC Replacement Project to AQM, Inc. in the amount of \$19,440.00. With the recommendation of Mr. Frantz, Gordon MacElhenney made a motion, seconded by William Patterson to award the 2010 Maintenance Garage AC Replacement Project to AQM, Inc. of Exton, PA in the amount of \$19,440.00 and waived the minor deficiencies as discussed 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 February. After review of same, William Patterson made a motion seconded by Edward Savitsky to authorize payment of the February bills. There were no public comments on the motion. The motion was passed by a vote of 4-0.

**NEW BUSINESS:**

- **MONTGOMERY COUNTY GREEN FIELDS/GREEN TOWNS PROGRAM:**  
As part of the Montgomery County's Green Fields/Green Towns Program Declaration of Covenants, Conditions and Restrictions have to be recorded before Montgomery County will release the funds to Perkiomen Township. The Declaration of Covenants before the Board is for the Huber Property and for the Jones Property. Since the Grant Application for the Ken-Crest Property was for an easement, there would be no Declaration of Covenants necessary. The Board discussed the restrictions. There are items that have been added to the Declarations that were not made a part of the conditions when the County approved the applications. In addition, the County could add additional conditions in the future which may be of concern for the Board. The Township has owned both these two properties and the easement since 2008. Since 2008, certain conditions have come about that have changed what the Board may do with these two properties. For example, the Board is not sure what may happen with the house located on the Huber Tract; therefore, the Board does not wish to be bound by the restrictions set forth in the Declarations. Also, under the grant rules, the Township could not include the value of the existing home; therefore it was not included in the amount of money to be received for the County. Next, the Board has agreed to work with the developer of the Highlands that would allow a water line through the Huber Tract. The same could be stated for the Municipal Authority regarding a sewer line. The restrictions in the Declarations may prohibit these utilities. Regarding the Jones Tract, the Township has not been able to

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

---

acquire the adjoining lands and at this time it is unclear when, and if, the Township would be able to make that acquisition. As a result, there is no timing on the development of a park since it is unclear what form that park would take. Since it is unclear what the final decision would be by the Board in determining the future of these two properties and the easement, the Board was concerned about being bound by the Declarations and the possibility of additional conditions added at some future time. After discussing the Declarations, Gordon MacElhenney made a motion, seconded by Edward Savitsky to advise Montgomery County that Perkiomen Township is rejecting the grant funds for the Huber Tract, the Jones Tract, and the easement over the Ken-Crest Property because the Board is not willing to execute and file the Declarations against the Huber Property and the Jones Property. There were no public comments on the motion. The motion was passed by a vote of 4-0. The Board authorized Ms. Daniel to inform the developer of the Highland Development as to the restrictions the County wanted on the Huber Tract and what action the Board took in trying to keep the understanding intact between the developer and the Township.

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