

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: MAY 4, 2010**

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

Richard Kratz called the May 4, 2010 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m. Mr. Kratz informed the public that there was an Executive Session held in on April 15, 2010. This Executive Session was for the purpose of discussing personnel matters with the Road Crew.

MINUTES: The minutes of the April 6, 2010 Board of Supervisors meeting were approved upon a motion made by Dean Becker and seconded by Gordon MacElhenney. There were no public comments on the motion. The motion was passed by a vote of 5-0.

POLICE REPORT: The Board reviewed the PA State Police Report for April. Also, the Board requested the Township Manager contact the Lieutenant at the Skippack Barracks to request that he, or someone from the Skippack Barracks, attend the June Board Meeting.

CORRESPONDENCE:

- **LOWER FREDERICK AMBULANCE** – Report
- **TRAPPE AMBULANCE** - Report
- **PSATS** – Alert Bulletin
- **CPVRPC** – Copy of March Meeting Minutes.

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

1. Gambone (Conservancy Subdivision) - The issues still remain the same from the previous month.
2. T-Mobile – Calabretta – The fourth Zoning Hearing Board hearing was held on Wednesday, April 28 and served to bring T-Mobile’s case-in-chief to an end. The next hearing is scheduled for Wednesday, May 26, at which time he expects to present the Township’s case.

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3. Betcher Road (Shared Maintenance Agreement) – Revisions have been received from Trappe Borough on the agreement and are being reviewed by Mr. Picardi and Ms. Daniel.
4. Buxmont Academy – Tax Exemption Appeal – No new developments.
5. Stormwater Management Ordinance – Mr. Picardi is working with Ms. Daniel and Kent Morey (of SSM) on updating the Township’s current Stormwater Management Ordinance and to make same compliant with current statewide regulations.
6. Coshin – Mr. Coshin of 30 Cedar Road submitted a request to the Zoning Hearing Board for a variance and special exception. The application is a request to construct a garage on Mr. Coshin’s property. Mr. Picardi requested direction from the Board as to their position on the application. The Board informed Mr. Picardi that they had no position and that he did not need to attend the public hearing on the Coshin application.

ROAD MASTER’S REPORT: John Moran Sr. submitted to the Board his Road Master’s Report dated May 1, 2010 for activities taking place during the month of April. In addition to his report, Mr. Moran reviewed the bids that were received for the May 2010/May 2011 Materials and Supplies. During his review, Mr. Moran explained that the bid for the street sweeper was the same hourly rate for both vendors. Mr. Moran informed the Board that he had past experience working with P.K. Moyer, but no experience working with R&S Sweeping. It was Mr. Moran’s recommendation that the equipment bid, including the street sweeping, be awarded to P.K. Moyer; the fuel bid be awarded to Oehlert Brothers; line painting/thermoplastic be awarded to PSX except the Epoxy Based Paint; this should be awarded to Guidemark; open space/grass cutting be awarded to Buck Enterprises; highway materials be awarded to Highway Materials; and snow plowing be awarded to Russo Landscaping and Buck Enterprises. Upon the completion of Mr. Moran’s report, Edward Savitsky made a motion, seconded by Dean Becker to award the May 2010/May 2011 Materials and Supply Bid in accordance with the recommendation set forth above by John Moran Sr. There were no public comments on the motion. The motion was passed by a vote of 5-0.

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

CODE ENFORCEMENT REPORT: In John Moran Jr. absence, Cecile Daniel submitted to the Board Mr. Moran’s Code Enforcement Report dated May 1, 2010 for activities taking place during the month of April.

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PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that there was no Planning Commission held during the month of April.

MANAGER'S REPORT:

1. House Bill 2431: HB 2431 was recently introduced to amend the Pennsylvania Constitution. If passed this bill would alter the structure of local government in Pennsylvania. Municipalities would be under the jurisdiction of the county. The county would determine what type of duties the municipalities would perform. This bill is currently before the House Local Government Committee.
2. Sign: Tammy Campli lives at 145 Kagey Road. Mrs. Campli has requested consideration by the Board to install a sign indicating the presence of a child (her daughter), who is Visually Impaired. The information regarding the sign requirements and the request was given to the Board for consideration. Edward Savitsky made a motion seconded by Gordon MacElhenney to approve the request of Tammy Campli and to install the Visually Impaired Child Sign. There were no public comments on the motion. The motion was passed by a vote of 5-0.
3. Recycling: Cecile Daniel updated the Board as to the status of working with Ryan Ingham of Hough Associates and Nancy Larkin of Barnside Farm Compost Facility on the establishment of a Leaf and Waste Program for Perkiomen Township.
4. Violet Kriebel: The Township is in receipt of the revised and updated Letter of Credit received from First Niagara (formerly Harleystown Bank).

ENGINEERS REPORT: Chuck Frantz reported on the following items:

1. 2010 Road Project: On April 29, 2010 eight bids were received and opened for the 2010 Road Project. Mr. Frantz informed the Board that the lowest bidder was Joseph E. Sucher & Sons of Eddystone, PA and the second lowest bidder was Reading Site Contractors of Pottstown, PA. Mr. Frantz explained that there were technical deficiencies in the bid received from Joseph E. Sucher & Sons. First, there were miscalculations in the bid. The appropriate corrections were made in the calculations and the total bid amount was corrected. The corrected amount did not change the fact that Joseph E. Sucher & Sons was the lowest bidder. Second, the required bid bond form was not completed according to the bid specifications. The information that was submitted on the form submitted by Joseph E. Sucher & Sons appeared to be sufficient. Third, the bid package was to be submitted in

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triplicate and the bid submitted by Joseph E. Sucher & Sons was in a single copy. All the other bidders complied with the triplicate requirement of the bid specifications as discussed at the pre-bid meeting and made clear as to what was expected. During the opening of the bids, a bidder who attended the opening questioned the issue of Joseph E. Sucher & Sons not complying with the bid specifications. Mr. Frantz informed the Board that he reviewed the second low bid submitted by Reading Site Contractors. Mr. Frantz informed the Board that he has worked with Reading Site Contractors before and has had no problems with the work that Reading Site Contractors completed. Mr. Frantz found all the paperwork to be complete and found no deficiencies in the Reading Site Contractors' bid. Mr. Frantz broke down the two bids as follows: (1) Joseph E. Sucher & Sons submitted a bid in the amount of \$232,253.00 with the alternative bid being in the amount of \$300.00. (2) Reading Site Contractors submitted a bid in the amount of \$244,568.70 with the alternative bid being in the amount of \$3,225.00. It was Mr. Frantz's recommendation that if the Board chose Joseph E. Sucher & Sons the Board would need to waive the technical deficiencies and that both the base bid and the alternate bid should be awarded. If the Board chose to award the road contract to Reading Site Contractors, Mr. Frantz recommended that the Board award the base bid but not the alternate bid because the amount of money for the alternate is on the high side for the amount of work to be completed. The Board discussed the concerns that they had with the deficiencies in the Joseph E. Sucher & Sons Bid. Based on the poor condition of their bid package, the aforesaid bid deficiencies, and since neither the Township Engineer nor the Township had any experience working with Joseph E. Sucher & Sons, the Board was concerned about the risk involved in awarding the contract to this company. With that in mind, Edward Savitsky made a motion seconded by Gordon MacElhenney to award the 2010 Road Project to Reading Site Contractor in the amount of \$244,568.70. This award does not include the alternative bid. This portion of the project will be handled separately at a later date. The Board felt that Reading Site Contractors was the lowest responsible bidder because the company provided the appropriate bid bond as set forth within the bid documents, the bid was provided in triplicate as required by the bid documents, and the Township Engineer's favorable past experience with that bidder. There were no public comments on the motion. The motion was passed by a vote of 5-0.

2. 500 Northridge Road: Donald and Susan Fetzer are the owners of 500 Northridge Road. Mr. Fetzer was present to discuss with the Board resolution of certain issues related to the clear sight triangles that are affecting his property. Mr. Frantz explained that 500 Northridge Road is a corner property; therefore, the property is affected by the clear sight triangle located at Northridge Road and Longwood Road and the clear sight triangle located at Longwood Road and Wartman Road.

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The first issue discussed was with regard to the 150' clear sight triangle at the intersection of Longwood Road and Wartman Road. Mr. Frantz informed the Board that along the Longwood Road side of the Fetzer's property, there are evergreen trees that have grown into the 150' clear sight triangle of Longwood Road and Wartman Road. Mr. Fetzer explained that he plans to remove the four evergreen trees along Longwood Road and replace them with other types of trees and install these trees up on the hill. The problem is the relocation of the trees does not keep all the trees outside of the 150' clear sight triangle at Longwood Road and Wartman Road. Mr. Fetzer wishes to plant new trees for privacy along this portion of his property. Based upon existing conditions of 150' clear sight triangle, three of the four evergreens would need to be removed. With relocation of the trees two of the four trees could not be replanted at the 150' clear sight triangle. If the Board reduced this clear sight triangle to 75' none of the trees would have to be removed. Based upon the road layout, it was Mr. Frantz's recommendation that the clear sight triangle could be reduced, but only down to 100' clear sight triangle. Mr. Frantz explained that the clear sight triangle was different from the measurement of sight distance. Mr. Frantz did not feel that the reduction in the clear sight triangle would negatively affect the sight distance at Longwood Road and Wartman Road. Mr. Fetzer requested the Board consider reduction of the clear sight triangle regardless of his removing the evergreen trees and replacing the other trees at a new location. Mr. Frantz did not see an issue with Mr. Fetzer's request with the condition that the clear site triangle be reduced from 150' to 100' since this reduction did not affect the sight distance at Longwood Road and Wartman Road. With the recommendation of Mr. Frantz, William Patterson made a motion seconded by Edward Savitsky approving a reduction in the clear sight triangle at Longwood Road and Wartman Road from 150' to 100' and that Mr. Fetzer will replace the existing evergreen trees further up on his property with new trees. There were no public comments on the motion. The motion was passed by a vote of 5-0.

The next issue was with regard to the existing hedge row along Wartman Road. According to Mr. Frantz, even with the reduction in the clear sight triangle at Longwood Road and Wartman Road to 100' the existing hedge row along Wartman Road is a violation under the Township's Subdivision and Land Development Regulations. Under the SALDO Requirements, if any landscaping is located in the clear sight triangle, the height of the hedges can only be thirty inches measure from the road. The area where these hedges are located is on the top of an incline; therefore; the thirty inches would land at the base of these hedges. Mr. Frantz went on to explain that these hedges are located on property owned by the Fetzers and the Cranberry Homeowner Association. Mr. Fetzer told the Board that he would like to keep the hedges since it provides both a screen and the barrier for

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his property from Wartman Road. Based upon Mr. Frantz's investigation, the location of these hedges does not interfere with the site distance. By keeping the 100' clear site triangle all of these hedges will have to be removed. At this time Mr. Frantz has no recommendation as to a reduction in the 100' clear sight triangle for the issue of dealing with the hedge row. In addition, Mr. Frantz has indicated that he has not spoken with anyone from the Cranberry HOA. Mr. Frantz was directed to contact the Cranberry HOA regarding the situation with the hedge row and determine what, if any, reduction in the 100' clear sight triangle for the hedge row should be considered by the Board at the June Meeting.

3. Kagey Road/Stewart Road Sum Pump/Icing Issue: Property owners on Stewart Road (628, 630, & 632) were at the meeting to discuss with the Board the sump pump discharge that is affecting Kagey Road. Mr. Frantz presented pictures of Kagey Road. These pictures were in addition to the information supplied to the Board by Mark Vesci of 630 Stewart Road. The issue is the water that is ponding on Kagey Road. During the winter this water freezes and creates an icing issue on Kagey Road. Mr. Frantz explained that this area in Kagey Road is flat. The water that is ponding on Kagey Road is coming from three sources. The first source of water is the surface runoff from the private properties which, for the purposes of addressing this issue, can not be greatly altered by the Township. The second source is water that is coming from the sump pumps of the homes on Stewart Road. The third source is the water coming up through the road bed. In looking at the situation, Mr. Frantz felt that there are two possible solutions. The first option would be to direct the sump pumps uphill to the existing drainage ditch located immediately before a small culvert that crosses Kagey Road near Wartman Road. This option would require a sump pump that is strong enough the pump the water up hill. If the sump pump is not strong enough to move all of the water out of the pipe, the water may freeze in the pipe during the winter. The second option would be to extend a pipe along Kagey Road down to the existing drainage channel. This option would require more pipe than the first option, but would work better since the water is flowing down hill. As to the third source of water in this area of Kagey Road, it appears that there may be springs under the roadbed that are coming to the surface during periods when there is a high water table. In trying to deal with the situation Mr. Frantz discussed the installation of six or eight inch base drain. This base drain would run along the curb line in Kagey Road. During the installation of this base drain the Board could consider the installation of fittings. These fittings would be located in a place whereby the property owners on Stewart Road could connect their sump pump to the base drain. The base drain would then discharge either into an existing inlet or into the drainage channel at the low point along Kagey Road. Based upon his preliminary investigation, Mr. Frantz felt that there could be up to five properties along Stewart Road that would

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be involved in this project. Mr. Frantz told the Board that his next step would be to do a design one-call. This would require that the utility companies would need to mark their utilities so that he can see what conflicts may exist in this area of Kagey Road. With this information, Mr. Frantz indicated he should be able to come up with a cost estimate and preliminary design for the base drain in time for the June Monthly Meeting.

4. Godshall Road Bridge: In March the Board met with the three residents regarding the issue of replacement of the Godshall Road Bridge. At that meeting, the Board indicated they would set up another meeting after Mr. Frantz had an opportunity to meet with the residents and discuss their concerns. Mr. Frantz informed the Board that he was able to meet with two of the three residents and is trying to establish a date with the third. In the meantime, Mr. Frantz suggested that the Board set another meeting at this meeting so that he can get back to the three residents. The Board agreed to meet with these residents on May 25, 2010 after the public hearing on the Wind Energy System Ordinance. Mr. Frantz will let the residents know.

5. AQM: AQM is the contractor that was awarded the bid for the garage HVAC Work. Mr. Frantz informed the Board that he has had difficulty in obtaining the appropriate amount of insurance as required by the bid specifications. The Certificate of Insurance submitted by AQM for the project provides for excess / umbrella liability coverage in the amount of \$1,000,000 for each occurrence and \$1,000,000 in aggregate. The amount required for this type of coverage is \$2,000,000 (each occurrence) and \$2,000,000 (aggregate). AQM has indicated that they would incur additional cost in order to modify their insurance certificate to cover the required \$2,000,000 amounts. AQM feels that the \$1,000,000 is an appropriate amount for the type of work and location of the project and has asked that the Township accept the Certificate of Insurance as submitted with the \$1,000,000 amounts. The Board discussed AQM's request and upon the completion of the discussion, Edward Savitsky made a motion seconded by Gordon MacElhenney and directed that Mr. Frantz inform AQM that they must supply the Township with a Certificate of Insurance within one week of this meeting. In the Certificate of Insurance the excess liability shall be set at the required \$2,000,000.00. If said Certificate of Insurance is not received by the Township with the required amount, the award of the HVAC Work to AQM shall be denied as AQM will no longer be the lowest responsible bidder and the HVAC Work shall awarded to the second lowest responsible bidder. There were no public comments on the motion. The motion was passed by a vote of 5-0.

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

NEW BUSINESS:

- **OTT ROAD/PLANK ROAD/GRAVEL PIKE PROJECT:** Leo Bagley was present before the Board to update everyone on the issue regarding the road project to realign Ott Road/Plank Road/Gravel Pike. Mr. Bagley explained that under the draft TIP Program, the funding of this project has been split into segments. The first segment will begin at the intersection of Route 73 and Plank Road (Skipack Township) and will end just beyond the realignment with Ott Road with Plank Road (Perkiomen Township). This segment is fully funded and is scheduled to be completed between 2011 – 2014. The second segment will begin just beyond the realignment of Ott Road and Plank Road and end at Township Line Road (Limerick Township). This segment is funded and is scheduled to be completed between 2015 – 2019. Due to today’s financial constraints, money to fund this project needed to be reallocated from other sources. As a result, the funding for the replacement of the Graterford Bridge was dropped from the TIP Program. Mr. Bagley informed the Board that he had a conversation earlier with PADOT regarding the Graterford Prison and the Graterford Road Bridge. The information that was given was that the PA Department of General Services is in the process of bidding out the project for re-development and expansion of the Graterford Prison. As part of that project, the main access to the prison will be relocated from its present location on Route 29 to the new location on Route 73. Once the entrance to the prison is put in place, the Graterford Road Bridge will be closed. It was explained by Mr. Bagley that as part of the prison project, PADOT will include the expense to take down the Graterford Road Bridge. The question that was presented to Perkiomen Township was whether the Board would be willing to take over the ownership of the Graterford Road Bridge. Mr. Bagley informed PADOT that Perkiomen Township needs to see the inspection report that was completed by PADOT on the Graterford Road Bridge before any decision is made regarding the Township taking ownership of the Graterford Road Bridge. Once received, this report would then be forwarded to the Township Engineer for review and submission of their findings as to whether the Board should consider taking over ownership of the Graterford Road Bridge. As part of the discussion, the Board directed Ms. Daniel to inform PADOT that the Board understands the accelerated Plank Road Improvement Project (MPMS# 57851) by reallocating the funds committed to the Graterford Road Bridge Replacement Project (MPMS# 16097) and that before responding to the request by PADOT regarding taking over the ownership

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of the Graterford Road Bridge, the Board wants to have the PADOT Inspection Report reviewed by the Township Engineer.

- **AQUA of PENNSYLVANIA:** Bill Gordon of Aqua was present to inform that Board on the development of the second well located in the Mayfield Estates Development. In 2001 Aqua drilled two wells, Well A and Well B. Both wells were drilled and tested. Well A had a water quality problem; therefore, the decision was made not to put Well A in service. Well B was found to be acceptable and was permitted by the PADEP and has been in use since 2001. Aqua has determined that they need more water. As a result, Aqua is re-visiting the possible use of Well A. The process will require another 48 hour pump test on Well A. While this pump testing is being conducted, Mr. Gordon explained that the surrounding ten to twelve private wells will be monitored. During the initial test conducted in 2001, Well A was pumped at about three hundred gallons per minute. The result of pumping this much water showed there to be water quality issues. Mr. Gordon explained that this time Aqua only intends to pump only one hundred to one hundred fifty gallons per minute. Aqua is hoping they will not encounter any water quality issues by conducting a pumping test that is at a rate less than was previously conducted. Mr. Gordon indicated that should the Township receive any complaints during this process to please get in touch with him.

- **PERKIOMEN VALLEY FAIR:** The Central Perkiomen Rotary Club is scheduled to hold their annual carnival the first week of June, (June 1 through June 5). As they do every year, the Rotary would like to hold their fireworks on Friday, June 4, 2010. Before the Rotary can hold their fireworks, the Board must approve the request. Ms. Daniel informed the Board that she was in receipt of the Certificate of Insurance listing Perkiomen Township as an additional insured. With this information, William Patterson made a motion seconded by Dean Becker to approve the request of the Central Perkiomen Rotary Club to hold their annual fireworks on Friday, June 4, 2010. There were no public comments on the motion. The motion was passed 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 Gordon MacElhenney.