

**PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING
MINUTES: FEBRUARY 7, 2011**

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

ABSENT: Gordon MacElhenney, Vice-Chairman

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

Richard Kratz called the February 7, 2011 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

MINUTES: The minutes of the January 3, 2011 Board of Supervisors meeting were approved upon motion of Edward Savitsky and seconded by William Patterson. There were no public comments on the motion. The motion was carried by a vote of 4-0.

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

CORRESPONDENCE:

1. **CPVRPC** – Dean Becker requested the Board’s consideration in appointing Michael Beltz to the Central Perkiomen Valley Regional Planning Commission. Each member of the CPVRPC has two members. The voting member is a representative of the governing body and the second is the alternate. The alternate member can be a member of the municipal planning commission. Mr. Becker explained that Mr. Beltz is a member of Perkiomen Township’s Planning Commission and is interested in being considered in filling the vacancy created by the resignation of William DeMaio. Mr. Becker explained that the meeting of the CPVRPC has been moved to the third Monday of each month and is not an issue with Mr. Beltz’s schedule. As a result, Dean Becker made a motion, seconded by William Patterson to appoint Michael Beltz to be Perkiomen Township’s alternate to the Central Perkiomen Valley Regional Planning Commission. There were no public comments on the motion. The motion was carried by a vote of 4-0.

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2. **PSATS – PSATS Bulletin**
3. **TRAPPE AMBULANCE & LOWER FREDERICK REGIONAL AMBULANCE CORPS – Report**

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

1. HYK – Mr. Picardi gave HYK’s Attorney a reply to the two remaining minor issues. As of this date, Mr. Picardi has not heard back from Attorney Ober. Mr. Picardi will contact Attorney Ober in the hope of getting this Agreement in final form so that it can be placed on the agenda for the March Board of Supervisors meeting.
2. T-Mobile – Calabretta – T-Mobile filed an appeal to the Court of Common Pleas of Montgomery County. Mr. Picardi has filed a “Notice to Intervene”. Mr. Picardi also informed the Board that it is his understanding that the Fox Heath Homeowners Association has also authorized its attorney to intervene in the ongoing “cell tower” litigation. Further, Mr. Picardi assisted Cecile Daniel and ZHB Solicitor Nancy Wentz in assembling and filing the official record with the Court. There was a discussion regarding having an Executive Session during February to discuss this matter with the Board and the solicitor for the ZHB and Mr. Picardi. Ms. Daniel indicated she will check with everyone’s schedule to see if an Executive Session can be held during February.
3. Betcher Road (Shared Maintenance Agreement) – Mr. Picardi is working on the revised Agreement and will have a draft Agreement to share with Trappe Borough.
4. Godshall Road Bridge Project – Mr. Picardi has prepared the Temporary Construction Easements and the Permanent Right-of-Way and Maintenance Agreements for the three affected property owners. Mr. Picardi and Chuck Frantz will be working together to forward to the three adjacent property owners easements and related information about the bridge project.
5. Airport Hazard Ordinance – Mr. Picardi is in the process of preparation of a “Height Restriction” Ordinance with regard to the airport in Skippack, as requested/directed by the Pennsylvania Department of Transportation.
6. Comcast Franchise Renewal – Mr. Picardi is making revisions to the Cable Franchise Renewal Agreement tendered to us by a Comcast representative. Once these revisions are made, the revised agreement will be sent back to Comcast for review and comment.

ROAD MASTER’S REPORT: John Moran Sr. submitted to the Board his Road Master’s Report dated February 1, 2011 for activities taking place during the month of January.

FIRE MARSHALL’S REPORT: John Moran Sr. submitted to the Board his Fire Marshall’s Report dated February 1, 2011 for activities taking place during the month of January.

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CODE ENFORCEMENT REPORT: John Moran Jr. submitted to the Board his Code Enforcement Report dated February 1, 2011 for activities taking place during the month of January. In addition to his report, Mr. Moran reported that he is in receipt of the annual request of Keystone Novelties, LLC to hold a Tent Sale at 87 Gravel Pike from June 25 through July 5, 2011. The request is to sell items that are defined as novelties as allowed by Act 204 of 2004. The proprietor has submitted a Certificate of Insurance and a copy of a Lease Agreement with the property owners. As a result, Mr. Moran indicated Keystone Novelties has submitted to his office all the necessary information and requests authorization to send Keystone a letter granting their request of a Tent Sale. Edward Savitsky made a motion seconded by William Patterson to approve the request made by Keystone Novelties, LLC to hold a Tent Sale at 87 Gravel Pike from June 25 through July 5, 2011. There were no public comments on the motion. The motion was carried by a vote of 4-0.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission meeting scheduled for January 18, 2011 was canceled.

MANAGER'S REPORT:

1. Traffic Signal – Route 113 & Route 29: Ms. Daniel informed the Board that she has not received the Conditional Use Application from the proprietor of the Dunkin Donuts. The Conditional Use Application will be for a proposed drive-through located at the Dunkin Donuts. Chuck Frantz informed the Board that he had a telephone conversation with the proprietor's traffic engineer. The expectation was that a Conditional Use Application would be filed within the next few weeks. The review of this application will include the traffic signal at Route 113 & Route 29. Recently, the Township was in receipt of a letter from PADOT regarding the traffic signal at this intersection. In their letter, PADOT asks whether the Township is willing to pursue a slight timing adjustment. Any changes to the traffic signal may require the submission of a new Conditional Diagram. Based upon prior discussions with the traffic engineer for Dunkin Donuts, a revised Conditional Diagram is part of their application. It was decided that Chuck Frantz will review the traffic information submitted in the Dunkin Donuts' Condition Use Application and the information submitted in the letter received by the Township from Penn Dot. The Board's determination as to how to proceed with a revised Conditional Diagram on the timing and split phasing of the traffic light at Route 113 & Route 29 will be based upon the information submitted to and reviewed by Mr. Frantz.
2. Conservancy: Ms. Daniel informed the Board that three residents, who reside along Buyers Road, were present at the Municipal Authority Meeting to discuss the sewer odors coming from the sewer system that was constructed as a part of the Conservancy. The Municipal Authority Members explained what has been done, the conversations with Gambone, and what is proposed to be done in the future. The Municipal Authority is still in the process of working with Gambone to try and develop a course of action to address this issue.

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3. Noise Ordinance: The present Noise Ordinance should be reviewed. There are areas that need to be stated clearer since enforcement of this Ordinance is open to interpretation. One area that has caused continual confusion is the Exemptions Section. The current Noise Ordinance is over ten years old and should be reviewed to clear up any confusion and address issues that have arisen over the last ten years. The Board authorized both Mr. Moran and Mr. Picardi to review the Noise Ordinance and make recommended to the Board on revisions to the Ordinance.

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

1. Godshall Road Bridge Replacement: Mr. Frantz informed the Board that he has received and reviewed the installation drawings from ConTech for the replacement structure. Comments have been provided to ConTech to incorporate into the drawings. Mr. Frantz anticipates receiving final drawings during the first week of February. Revised Erosion & Sedimentation Pollution Control plans were submitted to the Montgomery County Conservation District for review. Mr. Frantz anticipates a response in early February from MCCD. The anticipated schedule is as follows:
- February 9th – SSM completes draft specifications and final site plans for review by Township staff.
 - February 22nd – Advertise bid documents
 - March 1st – Pre-bid meeting
 - March 15th – Bid opening
 - March 22nd – Discussion of add alternate items with Board at Joint Meeting, if necessary
 - April 5th – Bid Award

In order to resolve the issue on the aesthetics, Mr. Frantz recommended that the board designate one or two Township representatives (Supervisor or staff) to coordinate with SSM regarding the pattern and color of the alternate stone façade option to include in the specifications. Although these items could remain an open issue, Mr. Frantz felt that deciding these issues now will give the Board a better number on the cost of the project. The Board discussed this and agreed that Gordon MacElhenney and Dean Becker will be the Township representatives on determining the pattern and color of the alternate stone façade option.

As part of this project, Mr. Frantz reviewed a planned detour route for this project. Mr. Frantz informed the Board that his office has received preliminary feedback from PennDOT on this planned detour. PennDOT's involvement is necessary due to the traffic that will affect Wartman Road. A file copy of the detour route will be sent to PennDOT once the Board is agreeable to the planned detour. The Board reviewed the detour information and informed Mr. Frantz that the planned detour route was okay with them.

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The Board discussed having someone on location during the fabrication of the bridge structure. In place of someone being present, Mr. Frantz suggested adding the following requirements to the bid documents to handle the determination that fabrication of the bridge structure was completed according to the specifications:

- Requiring the Contractor to provide the ENGINEER with results of the tests required in Section 6 (Sheet CT8 of CT9) of the Specifications for Manufacture and Installation of CON/SPAN® Bridge Systems. Results of the required testing will document the strength of the concrete used to fabricate the structure.
- Requiring the CONTRACTOR to submit the fabricators statement of certification that the structure was completed in accordance with the approved specifications.

Lastly, Mr. Frantz informed the Board that he sent letters to each of the property owners from which an easement is required. To date, Mr. Frantz has not received any feedback from the residents. As a result, the Board directed that Mr. Frantz and Mr. Picardi forward the easement documents to the residents for consideration.

2. 2011 Roads Project – Mr. Frantz informed the Board that he will proceed with finalizing the scope and developing draft specifications for the 2011 Roads Project. Based on previous discussion with the Board, the following items would be included in the scope of the Project:
 - 1) Completion of Seitz Road overlay along the frontage of the Kreibel Development.
 - 2) Select areas of base repair and overlay of Acoma Lane from Wartman Road to Burgess Road.
 - 3) Select areas of base repair and overlay of Mayberry Road from Godshall Road to closure.
 - 4) Overlay of Godshall Road from Bridge Street to the south limit of work for the Godshall Road Bridge Replacement Project.

Mr. Frantz asked the Board if they wish to consider making changes to the scope of work due to the impact that the weather has had on the roads. At this time, the Board made no changes, but will keep that in mind as Mr. Frantz prepares the final draft specifications.

Last, as part of the 2011 Road Project, Mr. Frantz requested that the Board consider passing a resolution for inclusion of a bituminous price adjustment clause for this project similar to the Resolution passed at the January meeting for Godshall Road. With the request of Mr. Frantz, Edward Savisky made a motion seconded by Dean Becker to approve Resolution 2011-8 - Approving Price Adjustment Clause for Purchase of Bituminous Materials for Township Road Projects. There were no public comments on the motion. The motion was carried by a vote of 4-0.

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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:

1. 2011 Perkiomen Township Fire Company Events: The Board reviewed the proposed Perkiomen Township Fire Company Events for the year 2011. Upon review, Edward Savitsky made a motion seconded by Dean Becker to approve the 2011 Perkiomen Township Fire Company Events. There were no public comments on the motion. The motion was passed by a vote of 4-0.

2. Montgomery County Association of Township Officials: Ms. Daniel informed the Board that the MCATO Spring Convention is scheduled for Friday, February 25, 2011. The Board needs to authorize those officials who will be in attendance at the Spring MCATO Convention. Dean Becker made motion seconded by Richard Kratz that the following Township Officials be authorized to attend the MCATO Spring Convention: Edward Savitsky and William Patterson. 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 William Patterson and seconded by Dean Becker.