

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

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

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

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

Executive Session: Richard Kratz informed the public that there was an Executive Session prior to the beginning of the meeting to discuss a personnel issue and that there will be one after this meeting to discuss a real estate matter.

MINUTES: The minutes of the May 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. Dean Becker abstained since he was not present at the meeting.

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

CORRESPONDENCE:

1. **TRAPPE AMBULANCE & LOWER FREDERICK REGIONAL AMBULANCE CORPS** – Report
2. **CENTRAL PERKIOMEN VALLEY REGIONAL PLANNING COMMISSION:**
Copies of the April and May Meeting Minutes.
3. **PSATS:** News Bulletin from PSATS

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

1. Violet Kriebel – Mr. Picardi presented a draft agreement to the Board regarding the Developer’s Agreement for Violet Kriebel. This agreement would amend the original Developer’s Agreement such that the two year requirement to install the public

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

improvements would be extended. The amended agreement would allow the public improvement to be installed as such time as any one of the following events were to occur: (a) The 20-acre parcel of ground located on the south side of Harrison Avenue and owned by PV Associates Realty, L.P. is developed; (b) Harrison Avenue is otherwise widened and/or made public; (c) The property located adjacent to the north side of Harrison Avenue and owned by the Ott's is developed; (d) Developer, her agents, heirs, administrators, executors, successors or assigns decide to install said improvements; or (e) The Township, upon 180 days advance written notice, demands that said improvements be installed. Mr. Picardi informed the Board that the amended developer's agreement still requires the posting of security for the public improvements. The Board reviewed the amended developer's agreement and Dean Becker made a motion seconded by Edward Savitsky to send the draft amended agreement to Violet Kriebel for her review and consideration. During the discussion, Mrs. Kriebel was present and asked questions on this agreement. There were no other public comments on the motion. The motion was carried by a vote of 5-0.

2. Comcast Franchise Renewal Agreement – Mr. Picardi reviewed the renewal Franchise Agreement between Comcast and Perkiomen Township. After review of the Franchise Agreement, Mr. Picardi reviewed Resolution 2011-10. This proposed Resolution will renew Comcast's current Franchise Agreement for an additional term of fifteen (15) years which is consistent with the Township's Ordinance No. 162, and authorize the Chairman of the Board of Supervisors of Perkiomen Township to execute the Cable Franchise Renewal Agreement between Comcast and Perkiomen Township. The Board considered both the renewal Franchise Agreement and Resolution 2011-10. Gordon MacElhenney made a motion seconded by Dean Becker to approve Resolution 2011-10. There were no public comments on the motion. The motion was carried by a vote of 5-0.

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

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

CODE ENFORCEMENT REPORT: John Moran Jr. submitted to the Board his Code Enforcement Report dated June 1, 2011 for activities taking place during the month of May. In addition to his report, Mr. Moran reported on the following:

- Doggy Day Care: Mr. Moran submitted a letter to Eric Swarr regarding his proposal to open a Doggy Day Care at his property located at 57 Gravel Pike, in the Village of Rahns. In his letter, Mr. Moran set forth the issues that the Township would raise and

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

request consideration by the Zoning Hearing Board should Mr. Swarr file a variance application before the Zoning Hearing Board for this proposed Doggy Day Care. To date, no application has been filed by Mr. Swarr before the Zoning Hearing Board.

- **Community Medical & Dental Center:** A Zoning Hearing Board Application has been filed by Community Medical & Dental for a variance from Section 9.2.G.1 of the Zoning Ordinance Parking Requirements. The application does not appear to address the issue regarding Liberty Alley and the possible impacts on Liberty Alley should the Zoning Hearing Board approve the variance request. Mr. Picardi requested direction from the Board regarding this application. After review of the information submitted to the Board on this Zoning Hearing Board Application, the Board authorized Mr. Picardi to attend the Zoning Hearing in order to protect the interests of the Township.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission meeting scheduled for May 19, 2011 was canceled.

MANAGER’S REPORT:

1. Betcher Road Agreement: Cecile Daniel reviewed the draft Road Maintenance Agreement for Betcher Road. This Maintenance Agreement would be between Perkiomen Township and Trappe Borough. The draft agreement has been sent to Trappe Borough for their review and comment. The agreement is before the Board for the same purpose. The maintenance of Betcher Road is broken into three segments. Segment 3 would be that section that runs along Betcher Road from Route 113 north 450.48 feet. This section of Betcher Road lies completely in Perkiomen Township; therefore; it would be Perkiomen Township’s responsibility to maintain. Segment 2 would begin at the end of Segment 3 and continue a distance of 1,237 feet. This segment would be maintained by Perkiomen Township. Segment 1 would begin at the end of Segment 2 and continue a distance of 1,298 feet to Trappe Road. This segment would be maintained by Trappe Borough. This Maintenance Agreement sets forth the maintenance responsibilities for Perkiomen Township and Trappe Borough for Segment 1 and Segment 2. For purposes of the agreement, the terms “repair” and “maintenance” shall include minor roadway repairs, including, but not limited to, patching, crack sealing, and the filling of potholes. The Maintenance Agreement does not include repaving, overlaying, and/or reconstruction of any portion of Betcher Road, which constitute major repairs. Line painting and the installation of roadway markings are activities that would try to be completed in a coordinated way between both municipalities. Since Trappe Borough does not have a Public Works Department, Perkiomen Township shall be responsible for plowing Betcher Road and invoicing Trappe Borough for their portion. The term of this Agreement is ten years, but can be terminated by either party subject to giving three months’ written notice of said termination. The Board did not express any concerns

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

about the draft agreement. No further changes will be made to the agreement until the Township receives comments from Trappe Borough.

2. Resolution 2011-9; This Resolution is with regard to the Realignment Project of Plank Road, Ott Road, Meyers Road, and Seitz Road. In this Resolution, Perkiomen Township is requesting the Department of Transportation of the Commonwealth of Pennsylvania; to take over the following described Township Road(s), (a) TOWNSHIP ROUTE 350, Seitz Road, Segment 80, a distance of 0.05 mile or 247 feet, beginning at Meyers Road (T-427) to STATE ROUTE 4014; (b) TOWNSHIP ROUTE 426, Ott Road, Segment 10, a distance of 0.43 mile or 2260 feet, beginning at Miller Road (T-433) to STATE ROUTE 0029; and (c) TOWNSHIP ROUTE 427, Meyers Road, Segments 10 and 20, a distance of 0.48 mile or 2538 feet, beginning at Seitz Road (T-350) to Miller Road (T-433). For a total distance of 0.96 miles or 5045 feet located within Perkiomen Township Montgomery County. After review of the Resolution and attached plans, Edward Savitsky made a motion seconded by Dean Becker to approve Resolution 2011-9. There were no public comments on the motion. The motion was carried by a vote of 5-0.

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

1. Godshall Road Bridge Replacement:
 - (a) Easements: Mr. Frantz informed the Board that the required paperwork for the permanent and temporary easements have been received from the Abbotts and the Nices. Both parties have agreed to adjusted compensation as a result of the extra trees that will need to be removed as a part of this project. Both Mr. Frantz and Mr. Picardi informed the Board that the permanent and temporary easements and approval of the compensation for said easements are ready for the Board's consideration. Regarding the Abbott Easement, Dean Becker made a motion seconded by William Patterson to approve the permanent and temporary easements and approve the compensation to the Abbotts in the amount of \$4,800.00. There were no public comments on the motion. The motion was carried by a vote of 5-0. Regarding the Nice Easement, William Patterson made a motion seconded by Edward Savitsky to approve the permanent and temporary easement and approve the compensation to the Nices in the amount of \$2,700.00. There were no public comments on the motion. The motion was carried by a vote of 5-0.
 - (b) PECO: During the preconstruction meetings with the contractor, SSM became aware the OSHA Safety Regulations regarding overhead cranes. The new regulations have become more restrictive as it relates to the operation of overhead cranes. The new regulations require a wider clearance for the overhead crane to move back and forth. As a result, some of the PECO Poles will need to be moved temporarily. Based upon the required work, the Township received a cost estimate from PECO for the relocation work that was discussed by Mr. Frantz at last month's meeting. PECO's estimate for engineering and construction of the relocation work is \$38,446.00. In order for this project to move forward, the PECO Poles need to be moved first. Delay in approval of the agreement will delay the Godshall Road Bridge Replacement Project. In order to keep the project moving forward, Dean Becker

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

made a motion seconded by Edward Savitsky to approve the agreement with PECO and approve the payment of \$38,446.00. There were no public comments on the motion. The motion was carried by a vote of 5-0.

- (c) Schuylkill Valley Engineering Inc. (SVEI): As previously discussed with the Board the Township will need to approve a Geotechnical Analysis contract award similar to what was done as part of the Seitz Road project. In anticipation of this need, Mr. Frantz has requested SVEI provide us with their standard rates for testing services. SVEI provided the geotechnical analysis for the Seitz Road Project. Based upon the information submitted to SSM by SVEI, Mr. Frantz is recommending that the Board use SVEI for testing services. Based on anticipated testing services and the rates provided by SVEI, Mr. Frantz estimates the cost of testing to be no more than \$4,000.00. With the recommendation of Mr. Frantz, William Patterson made a motion seconded by Gordon MacElhenney to approve the Geotechnical Analysis Contract to Schuylkill Valley Engineering Inc. for an amount not to exceed \$4,000.00. There were no public comments on the motion. The motion was carried by a vote of 5-0.
2. 2011 Roads Project – Mr. Frantz informed the Board that the 2011 Road Project Specifications were advertised, a pre-bid meeting was held on May 24th and bids were received on June 1st and opened on June 2nd. There were three bids received for the project and the apparent successful low bid was from Kehoe Construction in the amount of \$221,985.00 for the base bid and \$56,487.50 for the alternate bid – Acoma Lane. Mr. Frantz informed the Board that his conversations with the developer of 391 Wartman Road; indicate that construction of the public improvements in Acoma Lane may not happen in a timely fashion. As a result, Mr. Frantz is recommending that Board award the based bid and not the alternate bid to Kehoe Construction, Inc. for the contract price of \$221,985.00. With the recommendation of Mr. Frantz, Edward Savitsky made a motion seconded by Dean Becker to award the 2011 Road Project to Kehoe Construction, Inc. of Bridgeport, PA in the amount of \$221,985.00. The alternative bid was not chosen and will be considered for re-bidding in 2012. There were no public comments on the motion. The motion was carried by a vote of 5-0.
3. Northgate Sign Relocation: Mr. Frantz informed the Board that he was contacted by Frank DePace, property manager for Cranberry Estate regarding the possibility of relocating the “Northgate” sign located at Lincoln Road and Wartman Road. The reason for the meeting was to discuss the possibility of removing the existing “Northgate” sign and installing a new sign approximately 20’ closer to the Wartman Road / Lincoln Road intersection. By doing this, the sign would be located within the 150’ clear sight triangle required by the approved subdivision plans. During the discussion with the Board, Mr. DePace was present to answer any questions that the Board had. Both Mr. DePace and Mr. Frantz presented pictures showing the effect of reducing the 150’ clear sight triangle for the relocation of this sign. Mr. Frantz had no objection to the Board granting a reduction in the clear sight triangle from 150’ to 100’ since the existing conditions and the relocated sign will have no impact on the available sight distance for a vehicle exiting Lincoln Road. Mr. Frantz informed the Board that this reduction is consistent with recent similar reductions granted by the Board along Wartman Road, most recently at Longwood and Wartman Road. With the recommendation of Mr. Frantz, Dean Becker made a motion seconded

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

by Gordon MacElhenney to grant a waiver from Section 502.9.a.2 of the SALDO to allow a reduction in the required clear sight triangle from 150' to 100' for the relocation and installation of the "Northgate" sign at the intersection of Lincoln Road and Wartman Road. There were no public comments on the motion. The motion was carried by a vote of 5-0.

4. Kriebel Letter: Mr. Frantz informed the Board that he received a letter from Violet Kriebel regarding an engineering inspections issue and will respond to the Township with SSM's position on this matter.

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

NEW BUSINESS:

1. Central Perkiomen Rotary Club: The Perkiomen Valley Community Fair is scheduled for the June 7, 2011 - June 11, 2011. As the Rotary does each year, they would like to hold their fireworks on Friday, June 10th with a rain date of June 11th. The Township is in receipt of a current Certificate of Insurance naming the Township as an additional insured. Everything is in order, and Ms. Daniel recommended that the Board approve the request of the Rotary. Gordon MacElhenney made a motion seconded by Dean Becker to approve the request of the Rotary to hold their annual fireworks at the Perkiomen Valley Community Fair on Friday, June 10th with a rain date of June 11th. There were no public comments on the motion. The motion was approved by a unanimous vote of 5-0.

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