



## **PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: JULY 2, 2013**

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**BOARD MEMBERS PRESENT:** Gordon MacElhenney, Chairman  
Dean Becker, Vice-Chairman  
Richard Kratz, Member  
William Patterson, Member  
Janet Heacock, Member

**OTHERS PRESENT:** Cecile Daniel, Township Manager  
Kenneth Picardi, Township Solicitor  
Daniel Coghlan, Township Engineer  
John Moran Jr., Code Enforcement/Zoning Officer  
Shawn Motsavage, Road Master

Chairman Gordon MacElhenney called the July 2, 2013 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

**MINUTES:** The minutes of the June 4, 2013 Board of Supervisors meeting were approved upon motion of Janet Heacock and seconded by Dean Becker. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**POLICE REPORT:** The Board reviewed the written State Police Report for the month of June. Neither comments nor discussion followed.

### **CORRESPONDENCE:**

- **PSATS BULLETIN** - newsletter updating the Board on issues affecting the Township.
- **CPVRPC** – The Board review the June meeting minutes. Dean Becker informed the Board that the date for the public hearing on the Update to the Central Perkiomen Valley Regional Comprehensive Plan has been tentatively set for September or October.
- **TRAPPE AMBULANCE & LOWER FREDERICK REGIONAL AMBULANCE CORPS** – Reports received.

**SOLICITOR'S REPORT:** Mr. Picardi informed the Board that several of the issues he has been working on will be discussed later on the agenda.



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**ROAD MASTER'S REPORT:** Shawn Motsavage submitted to the Board his written Report dated July 1, 2013 for activities taking place during the month of June. In addition, Dean Becker asked for a status of the tree removal along Mayberry Road. Mr. Motsavage informed the Board that the contractor should be out within the next few weeks to remove the dead trees along Mayberry Road.

**FIRE MARSHALL'S REPORT:** John Moran Sr. submitted to the Board the Fire Marshall's Report dated July 1, 2013 for activities taking place during the month of June.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his written Report dated July 1, 2013 for activities taking place during the month of June. In addition to his report, Mr. Moran discussed with the Board the following items:

Mr. Moran informed the Board that he was contacted by a resident regarding a private display of fireworks. Mr. Moran reviewed the PA Regulations regarding this request. The information indicates that each fireworks display must be handled by a competent operator. The decision to grant a person's request to hold a display of fireworks is a decision to be made by the municipality after the Fire Chief, who for Perkiomen Township is John Moran Jr., determines whether or not the resident's fireworks display is not hazardous to property or endangers any person or persons. Mr. Moran informed the Board that he did not feel comfortable making that decision and requested support from the Board by not issuing permits for resident's request to display fireworks. The Board agreed with and supported the decision of Mr. Moran not to issue permits for resident's displays of fireworks.

Mr. Moran informed the Board that he and Mr. Picardi have been working on a new Fire Code Ordinance for Perkiomen Township. This proposed Fire Code Ordinance would be Ordinance No. 215. Both Mr. Moran and Mr. Picardi informed the Board that the intent of this Ordinance is to regulate those health, safety and welfare issues in legally existing buildings that are critical to the safe occupancy of said buildings and issues that are critical to the safety of the community. Unless otherwise specifically addressed in the Pennsylvania Construction Code Act (Act 45 of 1999), all provisions of the International Fire Code shall apply under this Ordinance. This Ordinance shall regulate and govern the safeguarding of property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, providing for the issuance of permits and collection of fees, and the regulations, provisions, penalties,



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conditions and terms of said Fire Code on file in the office of the Code Enforcement Officer of Perkiomen Township. Since the majority of the information is set forth within the publication known as the International Fire Code, Mr. Moran and Mr. Picardi summarized what the adoption of this Ordinance and by reference this International Fire Code would include. After discussing this proposed Ordinance with the Board, both Mr. Moran and Mr. Picardi recommended that the Board authorize advertisement of the proposed Ordinance No. 215. With their recommendation, William Patterson made a motion seconded by Richard Kratz to authorize advertisement of Ordinance No, 215. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING:** Cecile Daniel reported that the Planning Commission held its June meeting on June 18, 2013. The Planning Commission completed their review on the proposed changes to the Telecommunications Section of the Zoning Ordinance.

**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** Richard Kratz updated the Board members on the progress with the update to the Act 537 Plan and middle interceptor. At the June LPVRSAs meeting, William Dingman updated the LPVRSAs Board on the report prepared by Trident Environmental Consultants on the Eastern Redbelly Turtle Assessment and the report prepared by CHRS on the archaeological study. The report prepared by Trident was complete, but the report completed by CHRS was only a partial report as CHRS was only able to access four of the ten test units. At the June LPVRSAs meeting, the LPVRSAs Board authorized Mr. Dingman to forward the report of Trident Environmental to PA Fish and Boat Commission for review and comments and the report of CHRS to the PA Museum and Historical Commission for review and comments. Mr. Kratz gave copies to his fellow Board members of letters sent by Lower Providence Township to the PA Fish and Boat Commission and the PA Museum and Historical Commission on the comments made in each these two respective reports.

### **MANAGER'S REPORT:**

1. **Traffic Signal:** Ms. Daniel informed the Board that she had a conversation with Penn Dot on the request to investigate the installation of a traffic signal at the intersection of Betcher Road, Iron Bridge Drive, and Route 113. Ms. Daniel was informed that Penn Dot was in the process of evaluating the traffic counts received from the Delaware Valley Regional Planning Commission. While Penn Dot is completing this review, the Board needs to consider the adoption of a Resolution which authorizes



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and approves the filing of a Signal Application with Penn Dot for a traffic signal at this intersection. Movement on the installation of a traffic signal at this intersection will not move forward without the approval of this Resolution and Signal Application. Dean Becker made a motion seconded by Richard Kratz to approve Resolution 2013-12 and the Application for a Traffic Signal at the intersection of Betcher Road, Iron Bridge Drive and Route 113. There were no public comments on the motion. The motion was carried by a vote of 5-0. Ms. Daniel informed the Board that she is in the process of set a meeting with Penn Dot to discuss this traffic signal and will submit this application to Penn Dot at that time.

2. Ordinance Review: As a continuation of the review of the Township's Ordinance as part of the project with General Code, Ordinance No. 60 (Obscenity Ordinance) is old and outdate. According to Mr. Picardi, the regulations set forth under the Obscenity Ordinance are covered under the Pennsylvania Crimes Code and is enforced by the PA State Police; therefore, the recommendation was to include this Ordinance with ones that will be repealed and removed when the codification of the Township's Ordinances is completed and adopted. The Board discussed with Mr. Picardi the merits of keeping the Ordinance or repealing it and decided that since the same conduct is regulated by the Pennsylvania Crimes Code, the Obscenity Ordinance, Ordinance No.60, would be added to the group of Township Ordinances to be repealed and removed when the codification is completed.

**ENGINEERS REPORT:** Daniel Coghlan reviewed the following items:

1. 2013 Road Projects: Mr. Coghlan reported that the paving of Bridge Street is complete. The remaining work for this project is on Countryside Court and Longwood Road. Due to the number of rain delays during the month of June, the contractor is requesting a time extension to finish this road contract. The request is to have substantial completion on August 30, 2013 with final completion set on September 4, 2013. In addition, Mr. Coghlan informed the Board that there is a Change Order for work that needed to be completed on Bridge Street during the completion of the repair work on this road. This work involved the installation of a new type M inlet top to replace an existing one and reconstruction of a collapsed inlet wall. The amount of this Change Order would add an additional \$1,330.00 to the contract. In considering the contractor's request for an extension to the time to complete the contract, the Board discussed their concern for the paving work that was completed on Bridge Street. The final paving job appears to be uneven and not quite



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up to the Board's prior experience with this contractor. The Board considered the request of the contract extension, but felt that they could not agree to the amount of time being requested. The Board understood the impact of the rain delay in June, but felt that the remaining work should be able to be completed prior to the end of August. As a result, Dean Becker made a motion, seconded by William Patterson to approve a contract extension of substantial completion to August 23, 2013 with final completion to August 30, 2013. There were no public comments on the motion. The motion was carried by a vote of 5-0. The Board directed that Mr. Coghlan inform the contractor as to the Board's feelings regarding the work that was completed on Bridge Street and that the contractor might wish to consider being at the August Monthly Meeting. As to the Change Order for the additional work completed on Bridge Street, the Board understood the need for the additional work and William Patterson made a motion by Richard Kratz to approve Change Order No. 1 which will increase the total contract amount by an additional amount of \$1,330.00. There were no public comments on the motion. The motion was carried by a vote of 5-0. Ms. Daniel and Mr. Coghlan informed the Board, it appears that the Township installed a storm sewer pipe that ran from Bridge Street, through private property, and ended near the Lodal Creek. The resident where this pipe is located on their property contacted the Township concerned that the pipe is failing and needs to be replaced. In investigating this situation, Ms. Daniel was able to find some paperwork that indicates that this work was completed sometime in the 70s. It is unclear if there were any easements obtain to complete this work. Mr. Coghlan informed the Board that the cost to replace this storm sewer pipe and any addition repair work would be too much for a simple change order to the existing contract. As a result, the removal and replacement of this storm sewer and appurtenances, plus resolution of the necessary easements must be completed separately. The Board agreed to move forward on the situation separate to the existing road contract and to investigate what needs to be done to resolve this problem.

2. Wartman Road Rehabilitation Project: Mr. Coghlan informed the Board that Allan Myers has made a request to the Township. This request was consideration by the Board to allow the completion of the asphalt paving wearing course to be done Sunday night through Friday night between the hours of 7:00 pm to 6:00 am. All remaining items under this project will be completed during the day time hours. The present schedule for this project is to have the first round of work completed during the middle of July. The paving portion of the contract is estimated to be around the third week of August and if allowed to work at night would take about four to five days. The contractor informed the Board that night time paving of this project would



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be safer as there are fewer motorists on the road. This request is made at no additional cost to the Township. The Board discussed the request of the contractor and Richard Kratz made a motion seconded by Dean Becker to approve the request and allow Allan Myers to complete the asphalt paving wearing course portion on this project for Sunday night through Friday night between the hours of 7:00 pm to 6:00 am. There were no public comments on the motion. The motion was carried by a vote of 5-0. Next, Mr. Coghlan informed the Board two Change Orders that encompass minor adjustments to the scope of work need to be considered by the Board. Change Order No. 1 is the deletion of a type M inlet. With the deletion of this item, the contract would be reduced by \$2,800.00. Change Order No. 2 is deletion of 320 gallons of rubberized crack seal on Wartman Road for a reduction of \$6,400.00. The required crack sealing on Bridge Street will remain in the contract. Change Order No. 2 also includes the addition of 200 LF of 6" shoulder/base drain, outside paved area at certain stations, the addition of 25 LF of 6" shoulder/base drain within paved area at certain stations, the addition of 165 LF of vertical guiderail adjustment at certain stations, and the addition of 200 SY of variable depth milling. These items will add an additional \$9,651.25 to the contract price. With the combined reduction and additions in Change Order No. 2, the overall contract price will be increased by an additional \$3,251.25. The overall contract price with both Change Order No. 1 and Change Order No. 2 will be \$414,456.75. The Board discussed these change orders with Mr. Coghlan and Dean Becker made a motion seconded by Janet Heacock to approve Change Order No. 1 for decrease in the contract price of \$2,800.00 and Change Order No. 2 for an increase in the contract price of \$3,251.25 for a total contract price of \$414,456.75. There were no public comments on the motion. The motion was carried by a vote of 5-0.

3. Lodal Creek Nature Park Project: Based upon the discussion that took place at the June Monthly Meeting, Mr. Coghlan prepared a Confirmation of Services for the Lodal Creek Nature Park Project. The Confirmation of Services involves the survey of the entire property and preparing of the base plans for future park improvement projects. This scope also includes the wetlands delineation which will be important in determining the layout of the location of activities in this park. The amount to complete the items listed in this Confirmation of Services is listed at \$16,800.00. Dean Becker made a motion seconded William Patterson to authorize SSM to proceed with this Confirmation of Services for the Lodal Creek Nature Park Project for \$16,800.00. Ms. Daniel also discussed the possibility of providing additional lighting along Bridge Street where this park will be located. In order to proceed with exploring the additional lighting, Ms. Daniel would need to discuss with PECO



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Energy the location and the cost. The Board authorized Ms. Daniel to contact PECO Energy to determine where we could locate these lights and how much the additional lights along this property at Bridge Street will cost.

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

### **NEW BUSINESS:**

1. Perkiomen Valley Library: Kathy Arnold Yerger, Executive Director of the Montgomery County Norristown Public Library, Carol Ewing, Advisory Board President of the Perkiomen Valley Library, and Aileen Johnson, Branch Library Manager of the Perkiomen Valley Library were present at this meeting to discuss the Level of Services and the cost to provide those services to residents of Perkiomen Township. As part of the Perkiomen Township Budget, the Township has been making a yearly contribution to the Perkiomen Valley Library. For 2013, the Board would like to discuss with the Library Board Members its programs, expenses, and membership. Both Mrs. Yerger and Mrs. Ewing explained how much the Library has in terms of the Revenues they receive not only from the Municipal Contributions, but from Montgomery County Norristown Public Library as well as their fundraising activities. In explaining the cost associated with running the Library, Mrs. Ewing explained the added expenses that have taken place due to the damaging the Vultures have done to the roof of the building where the Library is located. According to the information presented, Mrs. Yerger informed the Board that thirty-five percent of its members come from Perkiomen Township. In addition, even though the Perkiomen Library is a branch of the Montgomery County Norristown Public Library, all donations that are given to the Perkiomen Valley Library stay with the Perkiomen Valley Library. All money received from the surrounding municipalities is donations except for Schwenksville Borough. The money received from Schwenksville Borough is based on a millage rate that is part of the Borough's tax rate. Mrs. Yerger explained the programs being offered by not only the Perkiomen Valley Library but the other Libraries that are a part of the Montgomery County Norristown Public Library system. A request was made to create a link between Perkiomen Township's web site and the Library's web site. Ms. Daniel indicated she will look in to getting this done. Mrs. Yerger informed the Board that they understand budgets are tight, but asked that the Board continue to provide a donation as the Library's funding from



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other sources, including the state, has not increased in recent years. The Board thanked them for coming and will take under advisement the information presented at this meeting when discussing the 2014 Perkiomen Township Budget.

There being no further business, the meeting was adjourned upon motion made by Dean Becker and seconded by Richard Kratz.