



PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: MAY 7, 2013

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

ABSENT: Gordon MacElhenney, Chairman

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

Dean Becker called the May 7, 2013 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

MINUTES: The minutes of the April 2, 2013 Board of Supervisors meeting were approved upon motion of Janet Heacock and seconded by Richard Kratz. There were no public comments on the motion. The motion was carried by a vote of 4-0.

POLICE REPORT: Since the Board did not receive the March Police Report by the April Monthly Meeting, the Board reviewed the written State Police Report for both March & April at this meeting.

CORRESPONDENCE:

- **CPVRPC** – April meeting minutes.
- **TRAPPE AMBULANCE & LOWER FREDERICK REGIONAL AMBULANCE CORPS** - Reports.
- **PSATS** – News Bulletin
- **PA STORMWATER COALITION** - Update on Stormwater Coalition Activities

SOLICITOR'S REPORT: Mr. Picardi informed the Board that several of the issues he has been working on will be discussed during the agenda. Also, a copy of the appeal filed by Genevieve Carlton on the decision rendered by the Zoning Hearing Board on the



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Kashuba Zoning Application was sent to his attention earlier in the day. Since this appeal was filed against the Zoning Hearing Board, the ZHB attorney will have primary responsibility for handling this appeal. In order for the Township to have standing in this matter, the Board needs to authorize the filing of a Notice of Intervention by Mr. Picardi. This Notice needs to be filed in the Montgomery County Court of Common Pleas. The Board discussed this matter and Richard Kratz made a motion seconded by William Patterson authorizing Kenneth Picardi to file that Notice and to enter his appearance in the matter of the appeal filed in Montgomery County Court of Common Pleas by Genevieve Carlton on the decision rendered by the Zoning Hearing Board on the Kashuba Zoning Application. There were no public comments on the motion. The motion was carried by a vote of 4-0.

ROAD MASTER'S REPORT: Shawn Motsavage submitted to the Board his written Report dated May 1, 2013 for activities taking place during the month of April.

- In addition to his report, Mr. Motsavage asked whether or not there should be signs posted at the Township Administration Building informing the public that the property is being monitored by video cameras. Mr. Picardi informed both the Board and Mr. Motsavage that there is no requirement that said signage be posted on the Township premises notifying and warning the public of the video cameras. That being said, Mr. Picardi still recommended that the Board consider installing these signs as a prevention measure. The Board discussed this and authorized Mr. Motsavage to install signs as a notification and a warning to the public that the Township Administration Building and surrounding property is being monitored by video cameras.
- Selling of 2001 Chevy Truck - Mr. Motsavage informed the Board that he discussed with the Perkiomen Valley School District, the purchase of the 2001 Chevy HD Extended Truck, plow, and spreader. The Township recently purchased a new truck and associated equipment to replace this 2001 Chevy truck and equipment. Mr. Motsavage is in receipt of information from the PVSD that they are willing to purchase the truck and equipment for a price of \$7,000.00. Based upon the condition of the truck and equipment, Mr. Motsavage felt that the purchase price was acceptable and recommended that the Board accept the offer of the PVSD. With the recommendation of Mr. Motsavage, William Patterson made a motion, seconded by Richard Kratz to accept the offer of the Perkiomen Valley School District to purchase the 2001 Chevy HD Extended cab 4WD Truck, 8.5 Fisher Power Angle Plow, and a Swenson Salt Box Spreader for



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\$7,000.00. There were no public comments on the motion. The motion was carried by a vote of 4-0.

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

CODE ENFORCEMENT REPORT: John Moran Jr. submitted to the Board his written Report dated May 1, 2013 for activities taking place during the month of April. In addition to his report, Mr. Moran reported the Zoning Hearing Board (ZHB) held a public hearing on an application filed by the Pennsylvania Live Steamers. This ZHB Application was for variances from Article 12, Section 12.4.A.3 and Article 8, Section 8.7.E and Article 7 to allow for the installation of a prefabricated shed to be located in the required front yard setback area. Mr. Moran informed the Board that the ZHB approved that application.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission held its April meeting on April 16, 2013. The Planning Commission is continuing its work on various updates to the Township's Zoning Ordinance as well discussed the update to the Central Perkiomen Valley Regional Comprehensive Plan.

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. Mr. Kratz informed the Board that at the April Meeting of the LPVRSa a discussion was had regarding which alternative would be the best choice for the location of the middle interceptor. The members of the LPVRSa voted and chose Option 1C (Lower Providence Township side) of the Perkiomen Creek. The next step should be to receive a draft report from the LPVRSa on the update to the Act 537 Plan and the middle interceptor.

MANAGER'S REPORT:

1. Prevailing Wage legislation: Two proposed pieces of legislation have been introduced that would reform the existing Prevailing Wage Act. HB 796 would raise the threshold for compliance with the Prevailing Wage Law from the current \$25,000 to \$100,000 and HB 665 would amend the Prevailing Wage Law to exempt maintenance projects from compliance with the act and would address the issue created by the



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courts decision in the Youngwood Case. HB 665 would define maintenance to include: replacement in kind or to comply with Penn Dot criteria of guide rails, curbs, pipes, and line painting; paving of up to 3.5 inches, including milling and related work to raise existing paved shoulders to a new grade, patching of cement concrete surfaces; widening of existing alignment which does not result in additional lanes or new shoulders; and bridge cleaning, resurfacing and minor nonstructural repairs. PSATS would like to see and will work to raise the limit in HB 796 to \$185,000. PSATS is seeking support for these two pieces of Prevailing Wage Legislation. This request is similar to the request PSATS made in 2012. At that time, the Board passed a resolution in support of reforming the Prevailing Wage Act. Presently before the Board is Resolution 2013-11 urging the PA General Assembly to enact meaningful prevailing wage reform. Janet Heacock made a motion seconded by Richard Kratz adopting Resolution 2013-11 urging the PA General Assembly to consider and pass meaningful prevailing wage reform. There were no public comments on the motion. The motion was carried by a vote of 4-0.

2. General Code: Cecile Daniel reported on the first step toward codifying the Township's Ordinances. The first step was the Organizational Analysis, the Code Organization, and Disposal List Questionnaire submitted to the Board from General Code. This step requires answers by the Board to questions submitted to them from General Code. Ms. Daniel ran down the questions and responses as follows:
 - (a) Approval of the Table of Contents - In evaluating the format General Code has used for other municipalities, Ms. Daniel did not see any problem with continuing the form presented to the Board by General Code.
 - (b) Disposition List: In reviewing the information, it appeared that the only Ordinance missing was Ordinance No. 199. Ms. Daniel will supply General Code another copy.
 - (c) Missing Adoption Dates: There were three Ordinances that did not have adoption dates. Of the three, Ordinance No. 43 was never adopted. Ms. Daniel will supply the dates for the other two Ordinances. Ordinance No. 56 was used twice, one of the two was never adopted and the other one was repealed by passage of Ordinance No. 165. Ms. Daniel will relay this information to General Code.
 - (d) Building Construction - Ordinance No. 103 & Ordinance No. 105 was repealed by the adoption of the Uniform Construction Code in Ordinance No. 180. As to Ordinance No. 55 which is the Fire Prevention Code, both John Moran Jr. & Kenneth Picardi are working on a new Fire Prevention and Code Ordinance.
 - (e) Solid Waste - Of the five Ordinances listed, Ms. Daniel indicated that Ordinances No. 23, 54, 133, and 207 should be included in the codification while Ordinance No. 27 should not. This may change as the review of the Ordinances progresses.
 - (f) Outdated Legislation - Ms. Daniel reviewed with



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Mr. Picardi the existing Township Ordinances. Some of the Ordinances are outdated or were repealed by the passage of other Ordinances. A preliminary list was prepared to be submitted to General Code as a starting point. Ms. Daniel explained that this is the beginning of this process which could take up to two years to complete. The Board did not have a problem with this beginning and was okay with the initial responses prepared by Ms. Daniel to be forwarded to General Code on the Organizational Analysis, the Code Organization, and the Disposal List Questionnaire.

3. **Ordinances:** At the April Board Meeting, there was a discussion regarding update of the existing Solicitation/Peddlers Ordinance. During the month both Ms. Daniel and Mr. Picardi prepared a new Ordinance for the Board to review and consider. This draft identifies the following: canvasser and canvassing, peddler and peddling, and solicitor and soliciting. Permits will be required for peddlers and solicitors, but not canvassers as the activities of the canvassers are protected by a U.S. Supreme Court case known as Watchtower Society vs. Village of Stratton. The Ordinance creates a No Solicitation Registry that allows residents to submit, in writing, their request to be placed on this list. It also requires all complaints alleging violation of this Ordinance by submitted to the Township in writing. The Solicitation Permit would be for thirty days for the hours of 9:00 A.M. to 8:00 P.M. or sunset whichever is sooner. There would also be no Solicitation allowed on Sundays. There was a discussion regarding background checks and it was agreed that they would be good for one year. The fee for the Solicitation Permits would be set forth in a separate Resolution. At this time, there were some minor changes that still need to be made; but Ms. Daniel request consideration by the Board to authorize advertisement of the new Solicitation Ordinance. With the request of Ms. Daniel, William Patterson made a motion seconded by Richard Kratz to authorize advertisement of a new Door to Door Solicitation Ordinance. There were no public comments on the motion. The motion was carried by a vote of 4-0.

Next was a discussion on the new Fire Prevention and Protection Code that Kenneth Picardi and John Moran Jr. are working on. At this time, Mr. Picardi indicated that there is still work that needs to be completed. Last, Ms. Daniel informed the Board there is an existing Ordinance regarding the construction of sidewalks and curbing, but no Ordinance on their maintenance. The Board discussed the idea of having such an Ordinance on the maintenance of the curb and sidewalks in the Township. Kenneth Picardi and Cecile Daniel were authorized to put a draft together for the Board's review.



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4. Township Building Alterations: The final plans and documents for the alterations to the Township Administration Building are complete and ready for advertisement. Ms. Daniel requested authorization to advertise this project so that the award of this project would be on the agenda for the Board's June Meeting. William Patterson made a motion seconded by Janet Heacock to authorize advertisement of the Township Building Alterations Project. There were no public comments on the motion. The motion was carried by a vote of 4-0.

5. Lodal Creek Nature Park: Ms. Daniel presented a sketch plan of the proposed Lodal Creek Nature Park. The Park & Recreation Board has been working with the Montgomery County Planning Commission on a sketch of this proposed park. Based upon the Plan, the park would probably be developed into two phases. The first phase of the park would include trails, a multi-purpose recreational area which would include a basketball court area, children play area, bathrooms, parking area, trees, and work on the Riparian Corridor. The second phase would include developing a trail and nature system on the hill. Since this would require two foot bridges across the Lodal Creek, permitting for this part of the project would take time. In order to move forward on this park, the sketch must now go to the Township Engineer. The Board directed Daniel Coghlan to prepare a Confirmation of Services first before given the go ahead on this project.

6. Tax Structure for 2014: Cecile Daniel expressed consideration by the Board in transferring the Hydrant and Street Light Fund expenses over to the General Fund. By moving the expenses to the General Fund, payments for the hydrants to PA American Company and Aqua of PA and payments for the street lights to PECO Energy would come from the General Fund. The result would be elimination of these assessments from the Township Tax Structure. In order to consider the financial impact, contact needs to be made to the Fox Heath Homeowners Association and Greenshire Homeowners Association as both of these associations pay directly to PECO Energy for their street lights. Ms. Daniel requested permission from the Board to contact both Homeowners Associations and request information on the amount they pay to PECO Energy for the street lights in these two developments. The Board directed that Ms. Daniel contact the two Homeowners Associations and request this information.



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ENGINEERS REPORT: Daniel Coghlan reviewed the following items:

1. 2013 Road Projects: As part of the 2013 Road Project, the Homeowners Association (HOA) for the Townhouse section of Cranberry Estates (Countryside Court & Longwood Road) contacted the Township. The reason for their contacting the Township was to discuss the possibility of installing curbing along certain segments of Countryside Court and Longwood Road. The reason for the HOA request was based upon the following: keeping people from parking their cars on the grass, safety and drainage issues, and better protection of the macadam. Both Daniel Coghlan and Shawn Motsavage met with the HOA and walked Countryside Court and Longwood Road to see where these curbs would be installed. After this meeting, Mr. Coghlan did not see a problem and sent to the HOA a detail of how the curbing should be constructed and installed. Time was an issue, as the Township had just awarded a contract to D. Malloy Paving to repave Countryside Court and Longwood Road. In trying to make this work for the HOA and the Township, the HOA contacted D. Malloy Paving to obtain a quote to complete this curb work prior to the repaving of these two roads. Since the HOA would be paying for the installation and maintaining these curbs, the Township would need to enter into a Curb Installation and Maintenance Agreement. Anthony Stevenson of the HOA was present at this meeting to answer questions from the Board. Mr. Stevenson informed the Board that the HOA Board had approved the quote they received from D. Malloy Paving. As to the agreement, Mr. Picardi informed the Board that he received a draft agreement from the HOA's legal counsel which he feels needs some minor changes. At this time, Mr. Picardi did not feel there was a reason why the Board could not approve the request of the HOA to allow them to install the curbing along certain sections of Countryside Court and Longwood Road (as designated by Daniel Coghlan) as long as the agreement is finalized and the money posted for this curbing prior to D. Malloy Paving beginning the paving project for Countryside Court and Longwood Road. The Board discussed the request and Richard Kratz made a motion seconded by Janet Heacock to approve the request of the Cranberry Townhouse Homeowners Association to install curbing along certain sections of Countryside Court and Longwood Road prior to the commencement of paving of these two streets by D. Malloy Paving, the review and approve of the Curb Installation and Maintenance Agreement by Kenneth Picardi, and the posting of monies to cover the expenses of installing the curbs. There were no public comments on the motion. The motion was carried by a vote of 4-0.



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2. Wartman Road Rehabilitation Project: Mr. Coghlan informed the Board that nine bids were received for the Wartman Road Rehabilitation Project. The lowest bid received was from Allan A. Myers, L.P. of Worcester, PA in the amount of \$414,005.50. Mr. Coghlan reviewed the bid, found it to be technically and administratively complete, and recommended the Board approve the award to Allan A. Myers. The Board discussed Mr. Coghlan's recommendation and William Patterson made a motion seconded by Richard Kratz to award the Wartman Road Rehabilitation Project to Allan A. Myers of Worcester, PA in the amount of \$414,005.50. There were no public comments on the motion. The motion was carried by a vote of 4-0.

3. Bridge Street & Seitz Road Intersection: As requested by the Board, Mr. Coghlan evaluated the traffic controls at the intersection of Seitz Road and Bridge Street. Based upon that evaluation, Mr. Coghlan is recommending the installation of a large double arrow sign to be installed along Bridge Street, opposite of Seitz Road. In addition, a "T" symbol should be erected along Seitz Road 200' from the intersection. Attached to this sign should be a 15 mph advisory sign and a "SLOW" legend placed along the pavement of Seitz Road telling the traveling public to slow down and proceed at 15 mph because of the "T" intersection which is located in 200 feet. Once these traffic controls are installed, Mr. Coghlan recommends monitoring the situation for three months to see how these traffic controls impact the area to help the traveling public negotiate the intersection of Seitz Road and Bridge Street. The Board discussed with Mr. Coghlan these proposed traffic controls. Mr. Coghlan would like the Board to authorize proceeding with these improvements. Depending upon their impact, further evaluation may or may not be necessary. Janet Heacock made a motion seconded by Richard Kratz authorizing Daniel Coghlan to proceed with installation of his proposed traffic controls at the intersection of Seitz Road and Bridge Street. There were no public comments on the motion. The motion was carried by a vote of 4-0.

4. Road Issues: 110 Regents Road: Mr. Coghlan discussed the water issue at 110 Regents Road. Based upon his evaluation this is a groundwater problem. The groundwater is flowing across the driveway at this location. Mr. Coghlan discussed with the property owner working with his downstream neighbors to install a pipe in the backyard of these properties. At this time, the other neighbors do not have the same groundwater problem that is being experienced at 110 Regents Road; therefore, they may not be prepared to be of assistance. The Board discussed this issue with



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both Mr. Coghlan and Mr. Picardi. It was their opinion that this was a private issue as it is a groundwater problem. The Board directed that Mr. Coghlan contact the property owner of 110 Regents Road and relay this to them.

5. 2012 Road Project: The contractor of the 2012 Road Project has completed the outstanding work items that remained for this project. Mr. Coghlan informed the Board the work covered by Payment Application No. 5 is complete and has been installed according to the project specifications. For this reason, Mr. Coghlan is recommending the Board approve Payment Application No. 5 in the amount of \$96,336.05. After review of the application, Richard Kratz made a recommendation seconded by Janet Heacock to approve Payment Application No. 5 to Floyd G. Hersh in the amount of \$96,336.05. There were no public comments on the motion. The motion was carried by a vote of 4-0.

RECEIPTS AND EXPENDITURES: The treasurer read the receipts and expenditures for the month of April. After review of same, Janet Heacock 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 4-0.

NEW BUSINESS:

For the month of April, there was no New Business.

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