



## **PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: APRIL 1, 2014**

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

**OTHERS PRESENT:** Cecile Daniel, Township Manager  
David Allebach (in place of Kenneth Picardi),  
Township Solicitor  
Kevin Conrad, Township Engineer  
John Moran Jr., Code Enforcement/Zoning Officer  
Shawn Motsavage, Road Master

Dean Becker called the April 1, 2014 Board of Supervisors Meeting to order in the Perkiomen Township Administration Building at 7:00 p.m.

**MINUTES:** The minutes of the March 4, 2014 Board of Supervisors meeting were approved upon motion of Gordon MacElhenney and seconded by William Patterson. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**POLICE REPORT:** The Board did not receive the written State Police Report for March as of the date of this meeting.

### **CORRESPONDENCE:**

- **LOWER FREDERICK REGIONAL AMBULANCE CORPS** - Report.
- **CPVRPC** - March Meeting Minutes

**SOLICITOR'S REPORT:** David Allebach reported on the following:

- Perkiomen Valley School District has filed an application before the Zoning Hearing Board to add additional signage at and near the football stadium. John Moran Jr. explained that the area of 184 square feet of new signage is being proposed. This signage is the result of an agreement between PVSD and "Superior Credit Union". This signage constitutes off-premises commercial advertising and requires both variances and special exceptions. Hence, the PVSD application before the Zoning



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Hearing Board for multiple variances and special exceptions. Mr. Moran explained that the proposed signage would not be visible to the adjacent property owners nor Route 29 since the signage will be along Campus Drive which is internal to the school campus. The question before the Board is whether to send legal representation to the Zoning Hearing Board to support or oppose this application. After due consideration of the PVSD's application, the consensus of the Board was to take no action on this application; therefore, Solicitor Picardi will not be required to attend the ZHB hearing on this matter.

- Wartman Road – Solicitor Allebach presented to the Board for consideration the settlement agreement and mutual release in the matter between Allan A. Myers and Perkiomen Township. Dean Becker explained that this matter involved the dispute between the parties of payment for the excess asphalt materials and corresponding additional roadway shoulder adjustments and backfilling and driveway adjustments. The amount of the money that Allan A. Myers is claiming in this dispute is fifty-eight thousand seven hundred forty-seven dollars and thirty-six cents (\$58,747.36). On March 21, 2014, a mediation session was held on this matter which ended in a Memorandum of Understanding to resolve this dispute. This Memorandum of Understanding was agreed to between the parties and the mediator. Under this Memorandum of Understanding, Perkiomen Township agrees to pay to Allan A. Myers the sum of twenty-seven thousand five hundred dollars (\$27,500.00) and consider approval of a Settlement Agreement and Mutual Release at this meeting. After review and discussion on this mutual release and settlement agreement, Gordon MacElhenney made a motion seconded by Janet Heacock to approve the payment to Allan A. Myers of twenty-seven thousand five hundred dollars (\$27,500.00) and approval and execution of the Settlement Agreement and Mutual Release. There were no public comments on the motion. The motion was carried by a vote of 5-0.
- Solicitor. Allebach requested an Executive Session to discuss a real estate matter.

**ROAD MASTER'S REPORT:** Shawn Motsavage submitted to the Board his Road Master's Report dated April 1, 2014 for activities taking place during the month of March.



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In addition to his report, Mr. Motsavage discussed with the Board consideration of the 2014-2015 materials, supplies, line painting and open space mowing bids that were received on March 25, 2014. Mr. Motsavage recommended the following in his memo of April 1, 2014: for the Equipment Bid: P.K. Moyer & Sons; for the Line Painting/Thermoplastic: Traffic & Safety Signs; for Open Space/Grass Cutting: Buck Enterprises; for Road Materials – the award is split between Highway Material & Independence Construction based upon the price bid for each particular item listed in the bid. The Board review the memo of Mr. Motsavage and the breakdown attach to his memo. After due consideration of the information submitted, William Patterson made a motion seconded by Richard Kratz to award the 2014-2015 materials, supplies, line painting and open space mowing as follows: P.K. Moyer – Equipment; Traffic & Safety Sign – Line Painting/Thermoplastic; Buck Enterprises – Open Space Mowing; Road Materials – split between Independence Construction & Highway Materials. There were no public comments on the motion. The motion was carried by a vote of 5-0.

**FIRE MARSHALL’S REPORT:** In his absence, William Patterson presented to the Board, John Moran Sr.’s Fire Marshall Report dated April 1, 2014 for activities taking place during the month of March.

**CODE ENFORCEMENT REPORT:** John Moran Jr. submitted to the Board his Code Enforcement Report dated April 1, 2014 for activities taking place during the month of March.

In addition to his report, Mr. Moran discussed the following with the Board:

- **UCC Board of Appeals Member:** At the February Monthly Meeting, Mr. Moran discussed with the Board the agreement that Perkiomen Township entered into that created a joint Board of Appeals under the UCC. At the February meeting, the Board authorized Mr. Moran to contact individuals as possible Perkiomen Township representatives to this UCC Board of Appeals. Two of the individuals are interested in serving on this UCC Board of Appeals when needed. The two individuals are John Lucey and Steve Myers. Since this UCC Appeals Board only sits when there is an application filed, it is unclear when Perkiomen Township’s representative would be needed. As a result, the Board discussed appointing one person as the primary representative and the other as an alternate representative. William Patterson made a motion seconded by Janet Heacock to appoint John Lucey as Perkiomen Township’s



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primary representative and Steve Myers as Perkiomen Township's alternate representative. There were no public comments on the motion. The motion was carried by a vote of 5-0.

- **Conditional Use Application:** John Moran informed the Board that the Zoning Hearing Board approved the application of Joseph Horgan for Lot #7, 20 Merion Lane at the public hearing that was held on March 26, 2014. In order to move forward with the construction of this home at Lot #7 of the Conservancy @ Perkiomen, Mr. Moran informed the Board that Mr. Horgan needed to file a Conditional Use Application. Said application has been filed and is complete for the Board to set a date to hold a public hearing on this Conditional Use Application. Janet Heacock made a motion seconded by Richard Kratz to set a public hearing date for the Conditional Use Application filed by Joseph Horgan for Lot #7, 20 Merion Lane of the Conservancy @ Perkiomen for Tuesday, May 6, 2014 at 7:00 p.m. on the Perkiomen Township Administration Building. 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 their meeting on March 18, 2014 to discuss a proposed sketch plan being present by Speed Elite for property located on Harrison Avenue behind the Landis Shopping Center.

**LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY:** At the March meeting of the LPVRS, there was no further discussion regarding the meter pit locations and the meters that are being used to collect the flow data in accordance with the Representative Metering Agreement.

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

1. Municipal Authority Appointment: The Board received a letter from William Bushnell requesting consideration by the Board to fill a vacancy on the Perkiomen Township Municipal Authority. The Board reviewed the letter and William Patterson made a motion seconded by Gordon MacElhenney to appoint William Bushnell to fill the vacancy on the Perkiomen Township Municipal Authority. This term on the PTMA will run from May 1, 2014 through December 31, 2018. There were no public comments on the motion. The motion was carried by a vote of 5-0.



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**ENGINEERS REPORT:** Kevin Conrad reviewed the following items:

1. 2014 Road Project Issues: Mr. Conrad explained that SSM continues to work on finalizing the 2014 Road Project. On the work to be completed for Bucher Road/Centennial Street Project, SSM is working with Solicitor Picardi to obtain easements from three property owners along Bucher Road. These easements are necessary for the installation of the storm sewer which will be a large part of this project. It is uncertain when these three easements will be obtained. The remaining portion of the 2014 Road Project involves the repaving of Welsh Road, Horseshoe Road, and two sections on Trappe Road. The current cost estimate for this work, broken down into two segments, is as follows: 2014 Road Repaving Project: \$260,000.00 and Bucher Road Improvements Project including the storm sewer work: \$190,000.00. Since it is uncertain as to when the easements for the storm sewer work in Bucher Road will be obtained and the repaving specifications of the remaining roads are complete, the recommendation of Ms. Daniel and SSM was to split the 2014 Road Project into two projects. The repaving of Welsh Road, Raleigh Road, Horseshoe Road, and the two segments in Trappe Road would be labeled the 2014 Road Project and the Bucher Road and storm sewer installation will be labeled the Bucher Road Improvements Project. By splitting the project in two, the repaving of those streets as listed can move forward and be completed while, the acquisition of the easements for the storm sewer work in Bucher Road can be obtained. The matter for this meeting is to consider splitting the originally proposed 2014 Road Project in to two projects and authorize advertisement of the bidding of the repaving portion of the project. The hope is that all aspect of the Bucher Road Project will be completed by the May Meeting so that the Board could authorize advertisement of that project at that meeting. The Board considered the recommendation and Gordon MacElhenney made a motion seconded by William Patterson to split the originally proposed 2014 Road Project in to two projects: 2014 Road Project and the Bucher Road Improvements Project. Next, to authorize the advertisement of the 2014 Road Project for the repaving of the roads as listed so that this project can be awarded at the May Meeting of the Board of Supervisors. There were no public comments on the motion. The motion was carried by a vote of 5-0.
2. Traffic Signal: At the March Meeting, the Board authorized the advertisement of the installation of a traffic signal at the intersection of Betcher Road, Iron Bridge Drive, and Route 113. The bids were opened on March 26, 2014 and reviewed by SSM. After review of the two bids received, SSM is recommending the Board consider



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awarding the installation of this traffic signal to Telco, Inc. of Reading, PA in the amount of \$132,173.00. Mr. Conrad informed the Board that Telco's bid was reviewed for technical and administrative compliance and found to be complete with no deficiencies. With the recommendation of SSM, Richard Kratz made a motion seconded by William Patterson to award the installation of the traffic signal at Betcher Road, Iron Bridge Drive, and Route 113 to Telco, Inc. of Reading, PA in the amount of \$132,173.00. There were no public comments on the motion. The motion was carried by a vote of 5-0.

3. Lodal Creek Nature Park: The Board was in receipt of the Confirmation of Services from SSM to complete a conceptual plan for the Lodal Creek Nature Park. Before moving forward on this conceptual plan, Ms. Daniel requested the Board consider approval of the Confirmation of Services. The Board reviewed what work was to be completed under the Confirmation of Services and William Patterson made a motion seconded by Gordon MacElhenney to approve the Confirmation of Services and move forward on the conceptual plan for the Lodal Creek Nature Park. There were no public comments on the motion. The motion was carried by a vote of 5-0.

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

### **NEW BUSINESS:**

There were no items for discussion under New Business.

There being no further business, the meeting was adjourned upon a motion made by William Patterson and seconded by Janet Heacock. The Board then went into Executive Session with Solicitor Allebach to discuss a real estate matter.