



PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: APRIL 3, 2018

BOARD MEMBERS PRESENT: Dean Becker, Chairman
Vivian Schoeller, Member
Janet Heacock, Member
Gordon MacElhenney, Member

ABSENT: William Patterson, Vice-Chairman

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

Dean Becker called the April 3, 2018 meeting of the Perkiomen Township Board of Supervisors to order at 7:00 p.m. in the Perkiomen Township Administration Building.

MINUTES: The minutes of the March 6, 2018 Board of Supervisors meeting were approved upon motion of Janet Heacock and seconded by Vivian Schoeller. There were no public comments on the motion. The motion was carried by a vote of 4-0.

CORRESPONDENCE: Cecile Daniel informed the Board that she had received/sent the following correspondence:

- PSATS Bulletin – March 2018.
- Central Perkiomen Valley Regional Planning Commission – January Meeting minutes.
- PSATS: 2018 Proposed Resolutions and Nominations Report: Vivian Schoeller will attend the 2018 PSATS Conference April 22 – 25. Resolutions on policy will be review and considered at this conference. In anticipation of voting on these resolutions at this conference, PSATS submitted them to their member Township’s for review. Of the resolutions, Ms. Schoeller requested clarification on two. After discussing these two resolutions, Ms. Schoeller felt prepared for the conference.

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PUBLIC COMMENTS: There were no public comments.

OLD/NEW BUSINESS:

1. **AQUA PA:** Brennan Kelly of AQUA was present to discuss with the Board, AQUA's request to open Betcher Road. According to Mr. Kelly, the reason for opening Betcher Road is to make a temporary emergency interconnection into the CTJPW Water System. This connection is being made so that AQUA can have a temporary emergency interconnect to ensure reliable water supply to residents while AQUA takes the Cranberry Storage Tank out-of-service to paint it. It is anticipated that the temporary interconnection will be in place for 3-months while the tank painting is completed. Mr. Kelly explained where the interconnection would be made from the waterline that CTJPW installed in Betcher Road to the fire hydrant located at Cornwallis Way and Betcher Road. The Board was not pleased with this request and expressed concern because Betcher Road was just recently repaved. Mr. Kelly explained that the process for restoring Betcher Road calls for milling and overlaying thirty feet in the northbound lane. As Betcher Road was recently repaved, the Street Opening Ordinance requires a penalty in addition to the permit cost. The Street Opening Ordinance also requires that AQUA provide an escrow to cover the repair work. The Township Engineer calculated both the escrow as well as the penalty charge. Based upon this calculation, the amount of the penalty would be \$3,229.20. The Board discussed payment of the penalty versus using the penalty amount to expand the area to be repaired. If the Board was willing to consider expanding the area to be restored, Mr. Motsavage felt this area should now be approximately a distance of sixty feet in the northbound lane. The Board was unhappy about the opening of Betcher Road but recognized that they have been asking AQUA for the past two years to repair/repaint the Cranberry Storage Water Tank located on Northridge Road in the Cranberry Development. Having discussed the request, Janet Heacock made a motion seconded by Vivian Schoeller to allow the issuance of a Highway Occupancy Permit to AQUA for the opening of Betcher Road to allow a temporary emergency interconnection to ensure reliable water supply to the residents while AQUA takes the Cranberry Storage Tank out of service for maintenance subject to the following conditions:
 - ❖ AQUA shall pay the required permit fee for the Highway Occupancy Permit.
 - ❖ The area to be restored in Betcher Road shall be expanded equal to the amount of the cash penalty. Representatives of AQUA shall meet with Shawn Motsavage to discuss the area to be restored.

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- ❖ Based upon the area to be restored, the Township Engineer shall revise the required cash escrow to be posted by AQUA. This escrow shall be posted prior to the issuance of the Highway Occupancy Permit, and Aqua will not be required to pay the penalty sum to the Township.
- ❖ AQUA shall reimburse the Township for the inspections completed by the Township Engineer to ensure that the work is completed according to the Highway Occupancy Permit.

There were no public comments on the motion. The motion was carried by a vote of 4-0. Mr. Kelly indicated that the work to the Cranberry Storage Water Tank and one other water tank AQUA owns is scheduled to begin in May 2018.

SOLICITOR'S REPORT: Solicitor Picardi reported that he had two items to discuss with the Board in addition to his written report. The two items were as follows:

- ❖ Crown Castle: At the March meeting, Solicitor Picardi was authorized to contact an attorney in Daniel Cohen's office to ascertain their willingness to assist the Board in negotiating a lease extension on the Telecommunication Tower located on Township Property. Based upon Solicitor Picardi's conversation with Attorney Frega, it is anticipated that it will take approximately ten hours at \$225.00/ hour to discuss the following issues: extending the term of the lease for an additional twenty years and the Right of First Refusal. Although the ten hours is an estimate, Solicitor Picardi requested approval for a sum not to exceed \$5,000.00 to negotiate these matters with Crown Castle. Vivian Schoeller made a motion seconded by Janet Heacock authorizing Solicitor Picardi to work with Daniel Cohen's office regarding the agreement that Perkiomen Township has with T-Mobile/Crown Castle on the Telecommunication Tower located on Township Property on the issues of the extension of the term of the lease and the Right of First Refusal. This authorization is not to exceed a sum of \$5,000.00. There were no public comments on the motion. The motion was carried by a vote of 4-0.
- ❖ Drones: Next, Solicitor Picardi discussed the draft Ordinance that he presented on the regulations of drones in the Township. There was a discussion on the draft Ordinance. Ms. Daniel pointed out that the FAA Regulations, Small UAS Rule part 107, requires drones to be registered. Ms. Daniel specified that the registration fee is five dollars and is valid for three years. This registration requires that the drone be labeled with the registration numbers issued by the FAA. There was a discussion on whether to require drones to be registered with the Township, since they must be registered with the FAA. It was decided that the drones would not have to be register with the Township, but the owner must supply the Township with a copy of the FAA registration. The draft Ordinance

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was not finalized at this meeting. It was agreed to review the draft Ordinance again before moving forward one way or the other. One factor in considering this Ordinance is the use of drones to harass other residents. This matter was to be added to the May agenda for further discussion.

PUBLIC SAFETY REPORTS:

- **POLICE REPORT:** The Board is in receipt of the PA State Police Report for March 2018.
- **TRAPPE AMBULANCE** – The Board did not receive a report.
- **PLYMOUTH COMMUNITY AMBULANCE ASSOCIATION** – The Board did not receive a report.
- **PERKIOMEN TOWNSHIP FIRE COMPANY:** The Board is in receipt of the report for March 2018.
- **FIRE MARSHAL’S REPORT:** The Board is in receipt of the report for March 2018.

ROAD MASTER’S REPORT: Shawn Motsavage submitted to the Board his Road Master’s Report dated April 3, 2018, for activities occurring during the month of March.

In addition to his report, Mr. Motsavage present to the Board a memo dated March 29, 2018, where he made a recommendation on the awarding of the 2018-2017 Materials, Supplies, Line Painting, and Open Space Mowing Bids. In his memo, Mr. Motsavage recommended that the Equipment Bid be awarded to P.K. Moyer & Sons; Line Painting – There were no bids received; Thermoplastic – There were no bids received; Road Materials and Supplies, award the stone portion of the bid to Highway Materials, Inc.; and the asphalt and cold patch potion of the bid to Allan Myers; Open Space Mowing to be awarded to Buck Enterprises and Landscaping. The Board reviewed the memo and discussed the recommendation with Mr. Motsavage. Gordon MacElhenney made a motion seconded by Janet Heacock to award the 2018-2019 Materials, Supplies, Line Painting, and Open Space Mowing Bids based upon the recommendation of Shawn Motsavage in his memo dated March 29, 2018: Equipment Bid: P.K. Moyer & Sons; Materials and Supplies, stone portion of bid: Highway Materials, Inc.; asphalt and cold patch: Allan Myers; and Open Space Mowing: Buck Enterprises and Landscaping. There were no public comments on the motion. The motion was carried by a vote of 4-0.

CODE ENFORCEMENT REPORT: John Moran, Jr. submitted to the Board his Code Enforcement report dated April 1, 2018, for activities that occurred during the month of March. Richard Kratz questioned the status of the property located at 320 Gravel Pike, Vince Tulio. Mr. Moran informed the public that Mr. Tulio has a hearing before Judge Augustine on the Property Maintenance Code violations.

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- ❖ Next, Mr. Moran informed the Board that RJ Springer Construction is moving forward with the construction of a new home at 407 Wartman Road. As part of the development of this lot, RJ Springer proposes to install a rain garden in compliance with Perkiomen Township's Stormwater Management Ordinance. In addition, the Ordinance requires RJ Springer to enter into the Township's standard Stormwater Facilities Maintenance and Project Improvements Agreement. RJ Springer is requesting that the Board allow Mr. Moran to issue the Building/Construction Permit with the condition that this agreement be executed prior to the issuance of the Use & Occupancy Permit for this new home. Ms. Daniel recommended that the Board not approve this request as the agreement, which requires an escrow, should be in place prior to the issuance of a Building/Construction Permit. The Stormwater Facilities Maintenance and Projects Improvements Agreement is the Township's standard agreement. This agreement will be between Perkiomen Township and RJ Springer Construction. The escrow amount to cover those improvements as shown on the building permit plan and covered under the agreement is the only item that still needs to be finalized. It was Ms. Daniel's recommendation that the Board consider approving the agreement with RJ Springer subject to the final approval of Kenneth Picardi, Mark Stabolepszy, and herself. The Board discussed the matter. Vivian Schoeller made a motion seconded by Janet Heacock to approve the Stormwater Facilities Maintenance and Project Improvements Agreement with RJ Springer Construction for 407 Wartman Road subject to final approval of the agreement by Kenneth Picardi, Mark Stabolepszy, and Cecile Daniel. 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 held its meeting on March 20, 2018. At that meeting, the Planning Commission discussed the draft Stormwater Management Ordinance.

PARK AND RECREATION REPORT: The Park and Recreation Committee reviewed options on the installation of a new playground at the Lodal Creek Park. Both Vivian Schoeller and Cecile Daniel reviewed the preferred option of the Park and Recreation Committee with the Board. Ms. Schoeller explained the layout of the playground and where it will fit in the park. Ms. Daniel explained that the Township will be piggybacking on the state contract under COSTARS to construction this playground. The Department of General Services revised the COSTARS Special Terms and Conditions to allow assembly, installation, and construction activities as part of this contract. This revision was made with clarification. If the total amount of the project is over \$25,000.00, then prevailing wages must be paid. A quote was received from

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General Recreation for this playground. Due to the cost of the project, prevailing wages will have to be paid. Ms. Daniel contacted SSM to obtain those rates. With this information, the quote from General Recreation was submitted separating the installation and the cost of the equipment for option #1, the preferred option. In addition, John Moran made Ms. Daniel aware that this playground must comply with certain accessibility requirements. Ms. Daniel has been working with both SSM and General Services on those requirements. Ms. Daniel explained that a path will be installed between the new basketball courts and this playground. SSM has shown the new playground far enough away to try and keep the slope under five percent. The macadam area along the basketball court would be included as part of the path to the playground. The quote does not include the cost to install this pathway to the playground as the final details still need to be determined. Mr. Moran also made Ms. Daniel aware that the Township will need to obtain a building/contraction permit for the playground and path. The amount of the quote to purchase the equipment and install this playground, option #1 is \$83,761.20. Gordon MacElhenney expressed concern on the public use of this park. Mr. MacElhenney was concerned about the damage that could be caused by person(s) to the facilities in this park. To move forward, Ms. Daniel requested that the Board approve the bid with General Recreation in the amount of \$83,761.20 and the waiving of the building/construction permit fee for the installation of the playground and the pathway to the playground. Janet Heacock made a motion seconded by Vivian Schoeller to approve the quote received from General Recreation to purchase the equipment and install the playground in the Lodal Creek Park at a cost of \$83,761.20. This quote does not include the cost to install the path to the playground. The motion also included the waiving of the building/construction permit fee for the playground and pathway to the playground. There were no public comments on the motion. The motion was carried by a vote of 3 – Yes: Dean Becker, Janet Heacock, and Vivian Schoeller – 1 – No: Gordon MacElhenney.

LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY: Richard Kratz informed the Board that there were no new items discussed at the March LPVRS meeting.

ENGINEERS REPORT: Kevin Conrad reported on the following:

1. 2018 Perkiomen Township Road Projects: Mr. Conrad informed the Board that the 2018 Paving Projects is scheduled to begin mid-April and the 2018 Microsurfacing Projects is scheduled to begin in June.

MANAGER'S REPORT:

1. SR4044 Road Project: Ms. Daniel explained that Jon Goehler, Project Manager on the SR 4044 Project, submitted a proposal to PennDOT to replace the post and panel wall along Route 29 with a soil nail wall and sculpted finish. Mr. Goehler submitted

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to the Township the proposed geological finish with different color options. The Board is being asked to choose the color from the information provided and approve both the color and the proposed geological finish. The Board was okay with the type of geological finish and discussed the different colors. It was difficult to ascertain which color would look best as the color samples were printed on paper and not as a product sample. Based upon the colors presented, the Board was leaning toward a medium or dark brown earth blend. Before making a final decision, the Board will request to see product samples of these colors. Ms. Daniel will relay this request to Mr. Goehler.

FINANCIAL REPORT/RECEIPTS AND EXPENDITURES: The treasurer presented to the Board, the March Financial Report and reviewed the receipts and expenditures for the month of March. Gordon MacElhenney then made a motion seconded by Janet Heacock to approve the March Financial Report and to authorize the payment of the March bills. There were no public comments on the motion. The motion carried by a vote of 4-0.

SUPERVISORS COMMENTS:

Dean Becker informed the public that on Wednesday, March 28th, there was a meeting in Lower Frederick Township regarding the topic of Regional Police. Representatives from Perkiomen Township, Lower Frederick Township, Upper Frederick Township, Upper Salford Township and Schwensville Borough were in attendance at this meeting.

There being no further business, the meeting was adjourned upon a motion made by Vivian Schoeller and seconded by Gordon MacElhenney.