



PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: MAY 2, 2017

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

ABSENT: Dean Becker, Member

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

CONDITIONAL USE HEARING: Douglas Gifford, Esquire, appeared before the Board of Supervisors to present the Conditional Use Application of RMS Holding, LLC. Gary Rossi, partner of RMS, testified on his Conditional Use Application for a proposed use at 360 Gravel Pike. Mr. Rossi explained that RMS stands for Recovery Management Systems. Presently, his company rents property located in Norristown. Mr. Rossi explained that it is the intent of RMS to purchase 360 Gravel Pike, instead of renting, for his business. During his presentation, Mr. Rossi pointed out the following facets of his company.

- RMS only repossesses vehicles for financial institutions such as banks and credit unions. Mr. Rossi indicated that he is not in the business to repossess or pick-up wrecked vehicles, nor to tow vehicles in need of repair.
- Most of the vehicles that are repossessed are only two to three years old.
- RMS just transports the vehicles, they do not make any repairs on the vehicles they repossess.
- The repossessed vehicles remain on the property from two to fourteen days. If the vehicle is still on site after fourteen days, they are then usually taken to auction.
- On average, there can be forty to fifty vehicles being stored on the property. The number of vehicles on the property at any one time is a function of the size of the property combined with the ability to move the vehicles around the lot in an efficient manner.

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- It is Mr. Rossi's intention to relocate the existing a six-foot chain link fence around the property and add fence slats in the chain link and to install a sixteen-camera security system. This fence will be located on all four sides of the property. Mr. Rossi explained that he is going to use both diagonal and vertical slats in the fence. The diagonal slats would create a tighter fit; thereby, preventing anyone from seeing the vehicles from outside the fenced in area. The vertical slats would create a looser fit; thereby, allowing some visibility into the fenced in area. There are property owners on both sides of this property with the Perkiomen Trail to the rear of the property. Based upon the discussion with the Planning Commission, the horizontal slats will be installed on the area of the fence that is located along the side and rear of the property, these slats shall be diagonal to screen the vehicles from the surrounding properties. For the fence along the front of the property, the slats shall be installed vertically to provide some visibility for security purposes.
- The repossessed vehicles will only be stored inside the fence. There is a garage located on the property, but Mr. Rossi indicated that he is not looking to store the vehicles in the garage unless the vehicles are very expensive or if it is a motorcycle.
- The only repairs made to any vehicles will be those made to vehicles that are owned by RMS Holdings and critical to the functioning of the business (e.g. tow trucks, flatbeds, vans). While repairing the company's vehicles, oil from these vehicles will be collected in appropriate barrels. When full, RMS has a company that will come and remove the barrels. The oil barrels will be stored in the garage, not outside.
- The office hours will be Monday through Friday, 9:00 a.m. to 4 p.m. It is during this time that customers come to reclaim their vehicles. Currently, Mr. Rossi indicated he has two-full time employees and two-part time employees. Mr. Rossi indicated that, during the repossession of a vehicle, the workers allow the owners to remove their belongings from the vehicle, and he explains the repossession process.
- The hours of operation for repossessions are twenty-four/seven. On any one night, there can be six to seven vehicles that are picked up. The tow trucks are operated by two-man crews. Two vehicles are picked up at a time. Based upon the number of vehicles picked up during each quick pick-up, Mr. Rossi indicated that these quick pick-ups could happen three or four times during the night. In turn, this means that the tow trucks would be dropping off vehicles at this location three or four times during the night. Mr. Rossi indicated that each drop off takes about ten to fifteen minutes. It is Mr. Rossi's expectation that noise will not be an issue as: (1) there are no back-up beepers on the tow trucks or flatbed trucks and (2) there is very little noise from the tow truck and flatbed truck engines. The only noise that would be heard is from the opening and closing of the gate.

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- There is existing lighting on the property. Presently, Mr. Rossi does not intend to change the lighting. It is possible that this could change depending upon the future conditions. At the Planning Commission meeting, it was pointed out to Mr. Rossi by John Moran, Jr. that any changes to the lighting, or additional lighting, would be required to comply with the lighting requirements set forth under the Zoning Ordinance.

After discussing with the applicant, the facets of what the company does and how it functions, as well as the possible purchase of the property located next door to 360 Gravel Pike, Richard Kratz made a motion seconded by Janet Heacock to approve the Conditional Use Application 2017-1 of RMS Holdings with the recommendations and conditions of the Planning Commission as approved and written at their meeting held on April 18, 2017, and which are as follows:

- No limit to the number of vehicles as the size of the property, combined with the ability to move the vehicles in an efficient manner, will dictate how many vehicles can be stored on site at any one time.
- No time limit on the length of time a vehicle can remain on the premise. Since the objective is to move the vehicles to make room for others as other vehicles are repossessed.
- Vehicles shall only be parked or stored inside the fence or within the garage.
- Repairs shall only be made to vehicles that are owned by the business and are necessary to the daily functioning of the business (e.g. tow truck, flatbed trucks, vans).
- No back-up beepers shall be used unless required by Federal or State Regulations.
- A fence shall be installed around the property. For the area of the fence located along the side and rear of the property, the slats shall be installed diagonally to screen the vehicles from the surrounding properties. For the area of the fence along the front of the property, the slats shall be installed vertically to provide some visibility for security purpose.

There were no public comments on the motion. The motion was carried by a vote of 4-0.

MINUTES: The minutes of the April 4, 2017 Board of Supervisors meeting were approved upon motion of Richard Kratz and seconded Janet Heacock. There were no public comments on the motion. The motion was carried by a vote of 4-0.

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

- Letter from Montgomery County informing the Township that the Montgomery County Farmland Preservation Program has an application in the Township. Under this program, the County is in the process of having this farm appraised for possible consideration to purchase a conservation easement.
- Letter from Pennsylvania American Water informing the Township that the Company has filed an application with the Public Utility Commission for a rate increase.

PUBLIC COMMENTS: There were no public comments.

OLD/NEW BUSINESS:

1. Central Perkiomen Rotary Club: The Central Perkiomen Rotary Club is holding its annual fair at the beginning of June. As part of this event, the Rotary will conduct a firework display on June 9, 2017, with a rain date of June 10, 2017. The Rotary needs to obtain a permit, as well as obtain approval from the Board of Supervisors, before fireworks can be included. There is a fee associated with this permit. The Rotary is requesting permission to have fireworks on the dates stated and request the Board waive the permit fee. The Township is in receipt of and is satisfied with the required application and Certificate of Insurance. This request is an annual request of the Central Perkiomen Rotary Club. Janet Heacock made a motion, seconded by Richard Kratz, to approve the request of the Central Perkiomen Rotary Club to allow fireworks as part of the fair for June 9, 2017, with a rain date of June 10, 2017, and, waive the permit fee of \$100.00. There were no public comments on the motion. The motion was carried by a vote of 4-0.

SOLICITOR'S REPORT: Solicitor Picardi informed the Board that there are two pending applications before the Zoning Hearing Board. The first application is from William Daley for property owned at 628 Grater Avenue. Mr. Daley is proposing to remove an existing dilapidated shed (10x10) and replace it with a new and larger shed (12 x 24). The shed would be located within the side yard setback. Mr. Daley is requesting a variance from the side yard setback so that this shed could be located five feet from the side yard property line instead of the required fifteen feet. The Board discussed this application with Solicitor Picardi and John Moran Jr. The Board informed Solicitor Picardi that it was not necessary for him to attend the public hearing before the Zoning Hearing Board on this application, as the Board will take no position on this application. The second application is from Gorski Association. Gorski Associates is requesting a variance from the steep slope provisions in the Township's Zoning

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Ordinance for property they wish to develop in the Iron Bridge Corporate Center. The area of steep slopes that are a part of this application are along Gravel Pike. The Board discussed this application with Solicitor Picardi and John Moran Jr. It was pointed out that Gorski Associates would also be before the Board of Supervisors for a Conditional Use Application on those steep slopes that would be fifteen to twenty-five percent and are in the same area as the steep slopes that are a part of this application. The Board informed Solicitor Picardi that it was not necessary for him to attend the public hearing before the Zoning Hearing Board on this application, as the Board will take no position on this application.

PUBLIC SAFETY REPORTS:

- **POLICE REPORT:** The Board is in receipt of the PA State Police Report for April 2017.
- **TRAPPE AMBULANCE** – The Board is in receipt of the reports for the months of February 2017 and March 2017.
- **PLYMOUTH COMMUNITY AMBULANCE ASSOCIATION** – The Board is in receipt of the reports for the months of March 2017 and April 2017.
- **PERKIOMEN TOWNSHIP FIRE COMPANY:** John Moran Jr. submitted the report of the Fire Company.
- **FIRE MARSHAL’S REPORT:** John Moran, Sr. submitted to the Board the Fire Marshal’s Report dated May 1, 2017 for activities taking place during the month of April.

ROAD MASTER’S REPORT: Shawn Motsavage submitted to the Board his Road Master’s Report dated May 1, 2017 for activities taking place during the month of April.

CODE ENFORCEMENT REPORT: John Moran Jr. submitted to the Board his Code Enforcement Report dated May 1, 2017 for activities taking place during the month of April.

In addition to his written report, Mr. Moran informed the Board that the Zoning Hearing Board approved the application of Karl McKeever of 816 Limerick Road.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission held its meeting on April 18, 2017. At that meeting, the Planning Commission reviewed the Conditional Use Application of RMS Holding, LLC and made the recommendation referred to above.

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

ENGINEERS REPORT: Kevin Conrad reported on the following:

1. 2017 Projects: Mr. Conrad informed the Board as to the status of the 2017 Projects:
 - 2017 Road Projects: SSM marked out the base repair and limits of work on Barley Sheaf Lane and Brighton Road. Due to the condition of Barley Sheaf Lane, it was determined to do a full width milling since the surface conditions showed no base failure. Barley Sheaf Lane was finished on April 18th and Brighton Road is expected to be completed on or about April 28th.
 - 2017 Highway/Pedestrian Access Projects: The curb ramps on Brighton Road were substantially completed on April 26th and the work to be completed in Cranberry Boulevard should be started soon thereafter.
 - Hazardous Mitigation and Demolition Project: The Asbestos Abatement was completed at the property located at the intersection of Routes 113 and 29.
 - Haldeman Road: This project is expected to begin early June.
2. Lodal Creek Park: Mr. Conrad informed the Board that there was a pre-construction meeting on this project. It is anticipated that the ADA concrete walkway would be installed in early May.

MANAGER'S REPORT: Cecile Daniel reported on the following:

1. Tax Credit Issue: In February of 2016, the Board considered the issue of tax credits for residents who live in Perkiomen Township, but work out of state and pay local income taxes where they work. In 2016, the Board established a policy based on a Resolution being consideration by the Montgomery County Tax Collection Committee (MCTCC). At the same, House Bill 245 was under consideration in the legislature. House Bill 245 was intended to clarify certain provisions that affected Pennsylvania residents working out of state and establish procedures on tax credits that were amended under Section 317 of Act 32. House Bill 245 would have helped provide clarity and consistency to this tax credit issue. House Bill 245 passed the legislature, but was vetoed by Governor Wolf on November 4, 2016. Governor Wolf contended that this bill amended the definition of Earned Income by expanding the tax credit for out-of-state earned income taxes beyond the base rate of the Local EIT. With the veto of House Bill 245, the MCTCC adopted a new Resolution that rescinds the Resolution adopted on March 16, 2016. The Resolution of the MCTCC now

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limits the out-of-state tax credit to the base rate of the Local EIT. With this change in the Resolution of the MCTCC and the action of Governor Wolf to limit the tax credit for out-of-state earned income taxes, the Board discussed and considered clarifying the February 2016 policy so as to be consistent with the recent developments. Janet Heacock made a motion seconded by Richard Kratz that out-of-state tax credits be limited to the Township's taxpayer's base rate of the Township's Earned Income Tax, and shall not include the Township's Open Space Earned Income Tax, unless subsequent changes in legislation expand a Township's taxpayer's ability to claim such out-of-state credits. There were no public comments on the motion. The motion was carried by a vote of 4-0.

2. Cranberry Estates Traffic Calming: A meeting of the Township Traffic Calming Committee (TTCC) and the Neighborhood Traffic Calming Committee (NTCC) was held on Wednesday, April 26, 2017. At that meeting, the TTCC and the NTCC reviewed the results of the survey. 72.44% of the property owners in the project area, that responded to the survey, felt that the Township should implement the traffic calming measures described in the survey. The options shown in the survey are the ones that were authorized by the Board of Supervisors at the February Meeting: for the concept plans for the western section of Cranberry Boulevard - Option 1 (one traffic circle and two speed humps) and for the eastern side of Cranberry Boulevard – Figure 3 (two speed humps). Since the results of the survey showed 72.44% approval rate, the TTCC and the NTCC recommended that the Board grant final approval to the concept plans for the western section of Cranberry Boulevard - Option 1 and for the eastern side of Cranberry Boulevard – Figure 3. The Board discussed final approval and discussed moving forward with the implementation of the final traffic calming measures. Based upon Mark Stabolepszy's letter of February 3, 2017, the estimated cost for the 2 speed humps in the eastern side of Cranberry Boulevard is \$15,000 and the estimated cost for the 1 traffic circle and 2 speed humps in the western side of Cranberry Boulevard is \$35,000. Thus, the estimated total cost for the construction of these traffic calming measures is \$50,000. This work will require engineering and public bid documents. After discussion of the recommendation of the TTCC and the NTCC, Richard Kratz made a motion seconded by Janet Heacock to authorize SSM to prepare plans for the installation of traffic calming measures that will include the following: for the western section of Cranberry Boulevard - Option 1 (one traffic circle and two speed humps) and for the eastern side of Cranberry Boulevard – Figure 3 (two speed humps). There were no public comments on the motion. The motion was carried by a vote of 4-0.

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RECEIPTS AND EXPENDITURES: The treasurer reviewed the receipts and expenditures for the month of April. After review of same, Janet Heacock made a motion, seconded by Richard Kratz, 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.

There being no further business, the meeting was adjourned upon a motion made by Richard Kratz and seconded by Janet Heacock.