



PERKIOMEN TOWNSHIP BOARD OF SUPERVISORS MONTHLY MEETING MINUTES: AUGUST 2, 2022

BOARD MEMBERS PRESENT: Vivian Schoeller, Chairman
Adam Doyle, Vice-Chairman
Albert Campion, Member
Pamela Margolis, Member

ABSENT: Dean Becker, Member

OTHERS PRESENT: Cecile Daniel, Township Manager
Kenneth Picardi, Township Solicitor
Nicholas Szeredai, Township Engineer
John Moran Jr., Code Enforcement/Zoning Officer
Jeff Thoms, SSM Structural Engineer
Shawn Motsavage, Township Road Master

Chairperson Vivian Schoeller called the meeting to order at 7:00 pm. then turned the meeting over to Kenneth Picardi to conduct the public hearing for proposed Ordinance No. 240. Solicitor Picardi informed the public that this Ordinance amends Perkiomen Township's Zoning Ordinance. This amendment is the result of the passage of PA Act 50 known as the Wireless Facilities Deployment Act which requires that existing Ordinances inconsistent with Act 50 need to be amended. Due to the Township's recent passage of the Small Wireless Facilities Ordinance, changes need to be made to the existing provisions of the Township's Zoning Ordinance. This Ordinance will amend Chapter 310 by doing the following: amending Section Chapter 310, §310-200 the definition of the term "Wireless Communication Facility"; repeals Chapter 310, §310-203 "Wireless Communication Support Structures in the Right-of-Way"; and repeals Chapter 310, §310-206 "Wireless Communications Antenna and Accessory Equipment in the Right-of-Way". Both Chapter 310, §310-203 and Chapter 310, §310-203 will be replaced by the provisions set forth in the recently adopted "Perkiomen Township Small Wireless Facilities Ordinance of 2022". The Board of Supervisors considered the information presented at the public hearing. After discussing the proposed Zoning Amendment, Pamela Margolis made a motion, seconded by Albert Campion, to adopt Ordinance No. 240. There were no public comments on the motion. The motion was carried by a vote of 4-0.

Upon the conclusion of the public hearing, Solicitor Picardi turned the meeting back over to Chairperson Schoeller.

Chairperson Schoeller informed the public that the Board held an Executive Session prior to this public meeting to discuss matters related to personnel.

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CONSENT AGENDA: Adam Doyle made a motion, seconded by Pamela Margolis, to approve the Consent Agenda items as follows: a) Monthly Meeting Minutes of July 5, 2022, the PA State Police Report for June 2022, the Ambulance Report, Perkiomen Township Fire Company, and Fire Marshall Reports; b) Financial Matters: Authorize for Payment of Bills for the month of July in the amount of \$448,221.59 and that the Treasurer's Report to be placed on file for audit. There were no public comments. The motion carried by a vote of 4-0.

PUBLIC COMMENTS: There were no public comments.

OLD/NEW BUSINESS: Ataxia Bike Ride Fundraiser: The Freidreich Research Alliance submitted a request asking for permission to use certain Township roads for its annual Bike Ride Ataxia which is to be held on September 24, 2022. The list includes Schoolhouse Road, Kagey Road, and Wartman Road. Solicitor Picardi reviewed the Certificate of Insurance and found the information to be acceptable. Adam Doyle made a motion, seconded by Albert Campion, to approve the Special Events Permit Application and the event request of Freidreich Ataxia. This approval authorizes the issuance of said Event Permit by John Moran. There were no public comments. The motion carried by a vote of 4-0.

SOLICITOR'S REPORT: Solicitor Picardi submitted his written report to the Board of Supervisors. In addition:

- Appraisals: Solicitor Picardi updated the Board on the status of the appraisals for two properties located at the intersection of Route 29 and Route 113. Solicitor Picardi requested an Executive Session be held immediately following this meeting to discuss these Real Estate matters.
- Duck Inn: Solicitor Picardi informed the Board that there is nothing new to report.

ROAD MASTER'S REPORT: Shawn Motsavage submitted to the Board his Road Master's Report dated August 1, 2022, for activities occurring during the month of July. In addition to his report, Mr. Motsavage requested authorization to advertise the Snow & Ice Removal Bids for 2022/2023. Pamela Margolis made a motion, seconded by Adam Doyle, authorizing said advertisement. There were no public comments on the motion. The motion carried by a vote of 4-0.

CODE ENFORCEMENT REPORT: John Moran, Jr. submitted to the Board his written Code Enforcement report dated August 1, 2022, for activities that occurred during the month of July.

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In addition to his report, Mr. Moran reported on the following:

- Residential Closing of a public road. This matter had been discussed previously by the Board. The subcommittee met to develop a draft policy creating Rules and Regulations that cover the request of a resident to close a Township Road for a block party. Mr. Moran reviewed the rules set forth in the draft policy. Perkiomen Township will provide four barricades and two road closed signs for approved Block Parties. A deposit check or money order made out to Perkiomen Township in the amount of \$500.00 for the use of the barricades and signs is required and must be submitted with the application. If approved, barricades and signs can be picked up on the Friday before the scheduled Block Party at the Perkiomen Township Public Works Garage between 9AM and 3PM. The barricades and signs shall be returned within two business days following the Block Party. If the barricades and signs are not timely returned or are damaged, lost, or stolen, the \$500.00 deposit shall be used to cover costs of replacement. Also, Mr. Moran reviewed the Application for a Block Party Permit and Road Closure. Mr. Moran explained that the street must remain open to all residents that live on the street and to all emergency and delivery trucks. The Board of Supervisors considered the information presented by Mr. Moran. Adam Doyle made a motion, seconded by Albert Campion, to approve the Rules and Regulations for Block Parties and Road Closures and the Application for Block Party Permit and Road Closure. There were no public comments on the motion. The motion carried by a vote of 4-0.
- Fire Investigation Training: Mr. Moran requested permission to attend the Fire Investigation Training taking place in State College, PA. This is a three-day Conference being offered by the Pennsylvania Association of Arson Investigators. This conference will be held from October 24 through October 26, 2022. The Board discussed this request. Adam Doyle then made a motion, seconded by Albert Campion, to approve Mr. Moran's request and will cover the following expenses: registration, hotel room, mileage, and meals for the three-day conference. There were no public comments on the motion. The motion carried by a vote of 4-0.

PERKIOMEN TOWNSHIP PLANNING COMMISSION MEETING: Cecile Daniel reported that the Planning Commission held its meeting on July 19, 2022. The first matter discussed was the amendment to the Township's Zoning Ordinance for certain sections of the Telecommunication Regulations located within the Zoning Ordinance. This matter was discussed at the start of this meeting. The second matter was the Small Wireless Facility Design Manual. As part of the Small Wireless Facilities Ordinance, there is language on having a Design Manual when installing these facilities in the Right-of-Way. The Planning Commission reviewed this draft manual and suggested some revisions. The revised manual will be further discussed at the next Planning Commission Meeting.

PARK AND RECREATION REPORT: Kevin Motsavage reminder to everyone that the electronic recycling and shredding events are scheduled for September 10, 2022.

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LOWER PERKIOMEN VALLEY REGIONAL SEWER AUTHORITY: William Patterson informed the Board that on August 8, 2022, the Regional Authority issued the Substantial Completion for the Middle Interceptor. He also informed the Board that the emergency generator for the Regional Sewer Authority has a two-and-a-half-year delivery timeline.

ENGINEERS REPORT: Nicholas Szeredai was present at this meeting and submitted his engineer's report to the Board. In addition to his report, Mr. Szeredai reported on the following:

- 2022 Bridge Maintenance Project: Mr. Szeredai informed the Board that SSM issued the Notice of Award to CMR Construction Inc for the Cranberry Boulevard and Godshall Road Bridges Stream Channel Restoration and Bridge Repairs Project. Currently, SSM is awaiting the return of the signed contract documents. Mr. Szeredai recommended that the Board accept the agreement and authorize the Chairperson to sign it pending review by the Township Solicitor, Township Manager, and Township Engineer. With the recommendation of Mr. Szeredai, Pamela Margolis made a motion, seconded by Adam Doyle, to approve the agreement between Perkiomen Township and CMR Construction Inc of Bethlehem, PA. In addition, the Chairperson is authorized to sign this agreement pending review and approval of the Township Solicitor, Township Manager, and Township Engineer. There were no public comments on the motion. The motion carried by a vote of 4-0.

- 2022 Road Projects: Mr. Szeredai informed the Board that SSM issued the Substantial Completion Notice to Innovative Construction Services Inc. for the 2022 Road Project. The issue surrounding the single ADA ramp located on Brewster Road has been resolved between the contractor and SSM. This ADA ramp will be replaced by the contractor. The contractor presented to the Township an application for partial payment. SSM reviewed the application which is in the amount of \$318,488.62. This request does not include the cost to replace the ADA ramp and the five percent retainage but does include the PennDOT Bituminous Price Adjustment. Mr. Szeredai reviewed the payment requested and found it to be accurate. As a result, he is recommending that the Board approve Payment Application No. 1. There was a discussion regarding the ADA ramp that still needs to be replaced. The Board of Supervisors considered the information presented to them by Mr. Szeredai. Adam Doyle made a motion, seconded by Albert Campion, to approve the payment of Application No. 1 to Innovative Construction Services, Inc. in the amount of \$318,488.62. There were no public comments on the motion. The motion carried by a vote of 4-0.

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- Bridge Street Stream Restoration – PRP Project: Mr. Szeredai informed the Board that SSM issued a Notice of Award to Flyway Excavating, Inc. for the Perkiomen Creek Tributary Floodplain Restoration Project. The contract documents were received by Mr. Szeredai and found to be accurate and complete. The estimated timeline to begin this project is April of 2023. Mr. Szeredai informed the Board that this project will be coordinated with Montgomery County under the MontCo 2040 Implementation Grant. Mr. Szeredai recommended the Board approve this agreement and authorize the Chairperson to sign it. With the recommendation of Mr. Szeredai, Pamela Margolis made a motion, seconded by Albert Campion, to approve the construction agreement between Perkiomen Township and Flyway Excavating, Inc of Mount Joy, PA for the Perkiomen Creek Tributary Floodplain Restoration Project and authorized the Chairperson to sign said agreement. There were no public comments on the motion. The motion carried by a vote of 4-0.

- 817 Limerick Road Subdivision: The Montgomery County Conservation District accepted the NPDES Permit Notice of Termination for the 817 Limerick Road Subdivision. With this notification, Mr. Szeredai informed the Board that all outstanding items have been completed. It was the recommendation of Mr. Szeredai to release the escrow of \$5,000.00 that the Township has been holding and to close this project. Based upon the recommendation of Mr. Szeredai, Albert Campion made a motion, seconded by Adam Doyle, to release the final escrow of \$5,000.00 for the 817 Limerick Road Subdivision to Atlas Broadband Solutions and to close this project. There were no public comments on the motion. The motion carried by a vote of 4-0.

- Update: Mr. Szeredai informed the Board of two issues. The first issue was the work that was performed by a resident in the Wynnewood Development. This work included the planting of two personal gardens within the Township’s open space. Mr. Szeredai explained that one of the garden areas is in a relatively flat area. The second garden area was installed benched into the swale with a small timber wall. The noted swale is designed to carry stormwater to a detention basin in this open space. Mr. Szeredai is concerned about the negative impact these gardens may have on the swale and the detention basin which serves the Wynnewood Community. Mr. Szeredai informed the Board that a letter is being prepared that will be sent to the resident to notify them that they need to remove the gardens. The Board briefly discussed this matter. The second issue is the stormwater management basin located at the end of Centennial Street in the Village of Rahns and was part of the Centennial Street Subdivision. This plan was approved in 2002 before the Township had a Stormwater Management Ordinance and before we begin using agreements to govern the maintenance of such basins. There is a note on the subdivision plan that requires the owner of Lot 12 to maintain this basin. Based upon this note, Mr. Szeredai completed an inspection and is of the opinion that the property owner is not maintaining the basin. Mr. Szeredai informed the Board that a letter will be sent to the property owner of Lot 12. This letter is intended to notify the

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property owner that maintenance needs to be performed on this basin to ensure that it is functioning as designed. The Board briefly discussed this matter.

- Municipal Building Upgrades: Jeffrey Thoms updated the Board on the Municipal Building Upgrades. The project is about seventy-five percent complete and about fifty percent of the contract time has passed. The windows should be replaced by the second or third week of September, and the HVAC units should be here by mid-October. For the doors, delivery of the FRP door for the Maintenance Building is not expected until December. A duct leakage test was completed that showed leakage in the system. Mr. Thoms requested that the contractor submit a proposal which would resolve the duct leakage issue. The cost to remediate this issue will be paid from the allowance under the mechanical contract.
- Payment Applications: There were three payment applications submitted to the Township for the Municipal Building Upgrades Project. The first two were received from Uhrig Construction, Inc. These applications were as follows: application for Payment No. 3 in the amount of \$279,635.01 and application for Payment No. 4 in the amount of \$79,176.87. The third application for payment came from the electrical contractor, MJF Electrical Contracting, Inc. This application for Payment No. 1 is in the amount of \$11,947.00. Uhrig Construction, Inc. Payment No. 3 covers the work completed as of June 30, 2022. Mr. Thoms reviewed the application, found it to be accurate, and recommended that the Board approve the payment. With the recommendation of Mr. Thoms, Adam Doyle made a motion, seconded by Albert Campion, to approve Application for Payment No. 3 to Uhrig Construction in the amount of \$279,635.01. There were no public comments on the motion. The motion carried by a vote of 4-0. Uhrig Construction, Inc. Payment No. 4 covers the work completed as of July 31, 2022. Mr. Thoms reviewed the application, found it to be accurate, and recommended that the Board approve the payment. With the recommendation of Mr. Thoms, Adam Doyle made a motion, seconded by Albert Campion, to approve Payment No. 4 to Uhrig Construction, Inc in the amount of \$79,176.87. There were no public comments on the motion. The motion carried by a vote of 4-0. MJF Electric Contracting, Inc Payment No. 1 covers the work completed as of July 23, 2022. Mr. Thoms reviewed the application, found it to be accurate, and recommended that the Board approve the payment. With the recommendation of Mr. Thoms, Adam Doyle made a motion, seconded by Albert Campion, to approve Payment No. 1 to MJF Electrical Construction, Inc. in the amount of 11,947.00. There were no public comments on the motion. The motion carried by a vote of 4-0.
- Salt Bins: Mr. Thoms reviewed with the Board what he found in his investigation of the damage assessment he completed on the structural condition of the support walls of the salt bins located on the east side of the parking lot. One of the things found is cracking in the south wall of the salt bins. Mr. Thoms feels that further investigation needs to be made to understand what kind of reinforcing exists in this wall. He

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recommends concrete scanning to determine what type of reinforcing exists within the existing walls. From there, this information will be used to prepare a design on strengthening these walls. In addition, Mr. Thoms noticed the leaning of the walls of the salt bins. As part of this investigation, Mr. Thoms reviewed the original design for the foundation of the salt bins. The salt bins were not designed the way he would have designed them. It was his opinion that the walls need to be strengthened to support the amount of salt being placed in the bins. As part of this investigation, Mr. Thoms informed the Board that there does not appear to be any indication of any imminent danger. As a preventive measure, however, Mr. Thoms would like to reduce the loading on the walls. Mr. Thoms has discussed with Shawn Motsavage the re-distribution of the salt located in the bins. Moving forward, Mr. Thoms is putting together a proposal for concrete scanning of the walls and will submit a Confirmation of Services to design a plan to strengthen and repair the walls of the salt bins which will be submitted for the September meeting.

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

- Budgetary Expenditure Considerations: Ms. Daniel informed the Board that there have been legislative changes made to the use of open space funds. These changes expand the Township's ability to use those funds for maintenance of our open space. One of the items that Ms. Daniel is considering is replacing lawn mowers that are used to maintain the Township's open space. Due to the increase in the cost to repair these lawn mowers, Ms. Daniel has been discussing with Shawn Motsavage the cost of replacing them. The money to cover this expense would come from the Open Space Fund. Presently, Ms. Daniel is looking to replace just one of the mowers this year with the intention of replacing another mower next year. The estimated cost to purchase a mower this year could be around \$20,000.00. Ms. Daniel will return at the September Meeting with a quote for the Board's consideration for a new mower. The second item Ms. Daniel would like to obtain a quote from Simone Collins to update the Township's Open Space Plan in 2023. The Township's Open Space Plan was last updated in 2006. Since then, the Township has purchased additional properties and developed other area of its open space. It was Ms. Daniel opinion that the 2006 plan should be updated. An update to the Open Space Plan could also be paid for from the Open Space Fund. The Board was okay with reaching out to Simone Collins to request a quote to update the Township's Open Space Plan.
- Personnel: Ms. Daniel informed the Board that there will be a change with the processing of the payroll for Township employees and elected officials. The payroll responsibilities will be added to work being completed by the Township's Bookkeeper. As a result, Ms. Daniel is recommending that Kimberly Myers yearly pay be increased to \$62,000. With the recommendation of Ms. Daniel, Albert Campion made a motion, seconded by Adam Doyle, to raise Kimberly Myers yearly pay to \$62,000. There were no public comments on the motion. The motion carried by a vote of 4-0.

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- Spring Hill Realty, Inc: Ms. Daniel informed the Board that she has not received the traffic study from Spring Hill Realty related to its requested rezoning and zoning text amendment, for property located on Harrison Avenue, behind the Landis Shopping Center. Since there has been no activity on this for quite some time, this item will be removed from the agenda

There being no further business, the August public meeting was adjourned upon motion made by Albert Campion and seconded by Pamela Margolis.

Respectfully Submitted,

Cecile M. Daniel

Cecile M. Daniel
Township Manager