

LOWER FREDERICK TOWNSHIP BOARD OF SUPERVISORS

Meeting Minutes
Regular Meeting

February 7, 2017

Lower Frederick Township
Municipal Building
53 Spring Mount Road

Bob Yoder, Chairman, called the meeting to order at approximately 7:00 pm followed by the Pledge of Allegiance.

Board of Supervisors Present:

Bob Yoder, Chairman
Ron Kerwood, Vice Chairman

Supervisor Terry Sacks, Absent

Township Staff Present:

Tamara Twardowski, Manger
Carol Schuehler, Engineer
Damien Brewster, Esquire

MCATO Presentation – Mike Fox, President, MCATO and Supervisor, Montgomery Township. Montgomery County Association of Township Officials (MCATO) issued a formal invitation to the supervisors to attend their Spring Convention in February which will provide a base level of information on the topic of medical marijuana in Pennsylvania. There is also a convention in the Fall.

Approval of Meeting Minutes

A motion to approve the Meeting Minutes of January 3, 2017, Regular Meeting

Motion – Mr. Kerwood Second Motion – Mr. Yoder, Approved 2-0

A motion to approve Meeting Minutes of January 3, 2017, Re-organizational Meeting

Motion – Mr. Yoder Second Motion – Mr. Kerwood Approved: 2-0

A motion to approve Meeting Minutes of January 31, 2017, Supervisors Work Session

Motion – Mr. Yoder Second Motion – Mr. Kerwood Approved 2-0

A motion to approve the Treasurer’s report of February 2, 2017 and pay all bills.

Motion – Mr. Yoder Second Motion – Mr. Kerwood Approved 2-0

Meeting turned over to Ms. Twardowski

Reports

Engineer: Report for January presented by Ms. Schuehler

The following is an outline of items presented. For further details, please see the Township website at www.lowerfrederick.org. Click on "Meeting/Minutes" tab and select "Click here to view Monthly Reports."

- Permit Applications were submitted for removing excess fill generated by the construction of the sewer treatment plant to Colonial Park. The Colonial Park plan allows the fill material to be placed at the park and used to build a play field and parking spaces.
- Three bids were received and opened on January 30, 2017 for Regular Sludge Removal. A bid tabulation and detailed recommendation was provided to the Board. Ms. Schuehler is recommending the Board award a 3-year contract to McGovern Environmental; they were the lowest responsible bidder.
- MS4 permit renewal and Pollutant Reduction Plan (PRP) for the Goshenhoppen Creek were reviewed. Ms. Schuehler sent a report to the DEP explaining the source of impairment of the Goshenhoppen Creek, by their own documentation, was not Lower Frederick storm water. The argument was dismissed by the Central Office in Harrisburg. Two potential options for moving forward were presented and are under consideration by the Board.

Linda Jansson (Simmons Rd) and Rob Hartman (Aspen Way) Asked for clarification regarding the source of impairment of the Goshenhoppen Creek. Documentation provided by the DEP suggests the source is in Upper Frederick. The Board asked Ms. Schuehler to appeal to the DEP with the intent to place the responsibility of the PRP upon Upper Frederick. The DEP dismissed that appeal forcing Lower Frederick Township to move ahead with the PRP and pay any associated costs.

Crystal Gilchrist (Gerloff Rd.) – stated that paying preliminary engineering costs for the PRP would probably be less than litigation costs to fight the PRP.

John Rose (Big Road) Questioned if surrounding townships can collectively do one study to reduce the overall preliminary cost for the PRP. Ms. Schuehler stated that would not be possible in this situation. He also suggested the Township reach out to Bob Mensch or Marcy Toepel for support.

Chuck Yeiser (N. Ryanford Road) voiced his support in contacting Bob Mensch or Marcy Toepel.

Brian Hill (Zieglerville Road) wanted to know if taxes would be raised to pay for the PRP costs. Mr. Yoder responded that there would be no increase in taxes, payment would be made from the existing general fund. Mr. Hill also asked for clarification of the timeline to implement the PRP.

Solicitor: Report for January presented by Damien Brewster.

- Prepared an agreement concerning termination of installation & maintenance agreement for an alternative sewage system at 111 Schwenk Rd.
- Attended the Re-organization meeting of the Board of Supervisors in January.
- Filed a Board of Assessment Appeal concerning the property purchased by the Township to be used as a pump station for the new sewer plant.
- We continue to assist in the creation of an Agricultural Security Area for Lower Frederick Twp.
- Helped research the titles for properties along Riverside Ave. which may be affected by the new sewer line.
- Completed and sent necessary documents for the Department of Labor concerning the change in the Township's Building Code official.
- Researched a change in compensation for the Tax Collector in Lower Frederick Township. Prepared a resolution changing the rate of compensation from 5% to 4%.
- Reviewed some issues related to the Melbourn Hill Development.
- Attended the Supervisors Work Session

A vote to Approve Tax Collectors Compensation Resolution 17-22

Motion- Mr. Yoder

Second Motion- Mr. Kerwood

Approved- 2-0

Linda Jansson (Simmons Road). Notified the Board she has received enrollment forms from property owners in Lower Frederick Township totaling 250 acres. This is the minimum to create an independent Agricultural Security Area (ASA) separate from Upper Frederick. Enrollment will be open until February 28th, 2017. Ms. Jansson also asked for an update on Melbourne Hill Project. Ms. Twardowski responded that discussions continue between the owner of the property and Township regarding density, sewer improvement, open space and public improvements.

Pam Hartman: Had a question regarding a \$2,000,000 contribution to the sewer plant according to the Act 537 plan posted on the website. Ms. Twardowski said approved 2015 plan has recently been removed from the website; however, it could be added back. She will review the plan as she is not sure what Mrs. Hartman is referring to; however she is certain there was no plan approved that was conditioned on a \$2,000,000 contribution

Phil Smith (Gerloff Rd): Wanted to know how residents could be notified of upcoming meetings. Ms. Twardowski will attempt to post agendas on the website and Facebook in advance of meetings.

Brian Hill (Zieglerville Rd): Voiced ongoing concern for properties such as his own with failing septic systems stating the Township has to deal with this problem, it's not going away.

Doris Swanson (Salford Station Rd): Agrees with Mr. Hill and feels failing septic systems are a health issue.

Administrative - Ms. Twardowski presented

A motion to award Sludge Hauling Bid to McGovern Environmental
Motion- Mr. Yoder Second Motion- Mr. Kerwood Approved 2-0

A motion pay the first installment to the contractor at the plant *(Lobar) for \$45,297.90
Motion – Mr. Yoder Second Motion - Mr. Kerwood Approved 2-0

A motion to award plumbing contract for the sewer plant to Garden Spot Mechanical for \$159,000
contingent upon review by the solicitor and Gannett Flemming.
Motion – Mr. Yoder Second Motion - Mr. Kerwood Approved 2-0

A motion to award HVAC contract for the sewer plant to Clipper Pipe and Service for \$320,121.00
contingent upon review by the solicitor and Gannett Flemming.
Motion – Mr. Yoder Second Motion - Mr. Kerwood Approved 2-0

Joe Schinski (Village Drive): Wanted to know if the contracts for Garden Spot Mechanical and Clipper Pipe and Service were within the plumbing and HVAC budgets for the sewer plant. He also asked if there was a contingency built into the overall construction budget. Ms. Twardowski said the Plumbing and HVAC contracts were a bit higher than the engineers planned but were in line with other jobs they've seen this past year. We are still within the overall budget for the Plant. There is contingency worked into the construction budget.

Ms. Twardowski presented reports on the following departments for January:

- Ambulance
- Police
- Public Works
- Building Inspector

Copies of these reports can be accessed by visiting the Township website at www.lowerfrederick.org. Click on "Meeting/Minutes" tab and select "Click here to view Monthly Reports."

PUBLIC COMMENT

Ronald Knecht (Delphi Rd.): Voiced concern regarding the Sunrise Mill Trail Project and wanted to know if the supervisors were backing this plan. Mr. Kerwood and Mr. Yoder want to make it clear that the Board does not support condemnation of property for the Sunrise Mill Trail. If the County wants to put a trail across someone's property against their wishes, the Board will oppose that action. The Open Space Plan of Lower Frederick Township supports this position.

Crystal Gilchrist (Gerloff Rd): Wanted to know if the Board of Supervisors were in opposition to the Feasibility Study for the Sunrise Mill Trail Project. The Board is not in opposition to the Feasibility Study.

Larry Cohen (Mine Hill Rd): Attended the meeting January 12th and felt residents behaved rudely. He has offered his services to serve on the Steering Committee. He enjoys hiking the local trails and has some concerns regarding possible hunting on the Meng Sanctuary property.

Ron Knect: Expressed discontent with being notified by mail by the County Planning Commission only 30 hours prior to the meeting on January 12th. Many of his neighbors didn't receive a letter at all.

Phil Smith (Gerloff Rd): Wants residents to continue to express their opinions on the Trail Project. The Sunrise Mill Trail Project is in the planning stages with the Feasibility Study, it is not an approved Plan. He stated the County did not make this point clear in their presentation which may have been why people reacted unfavorably. Residents can contact Mike Stokes at the County with any questions or concerns.

Linda Jansson (Simmons Rd): Stated that viewing the maps at the presentation was the first time many residents were made aware of the proposed trail route. After the meeting she offered comments via the County Website and would encourage residents to do the same.

Chuck Yeiser (N. Ryanford Rd.) Wants the Feasibility Study to be completed before the Township takes a position on the Sunrise Mill Trail.

Rob Hartzman (Aspen Way): Voiced concern regarding traffic issues in Spring Mount Townhomes. People continue to ignore stop signs on Village Drive and increase driving speed to well above the speed limit. The problem is out of control and something has to be done.

The Board will put this item on the agenda for the next Supervisors Work Session to be held Tuesday, February 28th and begin working on a solution.

Ms. Twardowski stated that speed enforcement is difficult to do by our police in many areas because local departments are not permitted to use Radar. She said there is legislation currently in front of the Senate and House and advises residents to contact their senator and/or State Representative and ask them to support Radar at the Municipal level. They have been fighting this legislation for years.

With no further items the meeting was adjourned.