

**LOWER FREDERICK TOWNSHIP BOARD OF SUPERVISORS**

Meeting Minutes  
General Meeting

November 8, 2017

Lower Frederick Township  
Municipal Building  
53 Spring Mount Road

Ron Kerwood, Vice Chairman, called the meeting to order at approximately 7:05 pm followed by the Pledge of Allegiance.

**Board of Supervisors Present:**

Ron Kerwood-Vice Chm  
Terry Sacks, Supervisor

**Township Staff Present:**

Kevin R. Tobias  
Tom Keenan, Esquire  
Carol Schuehler, PE

**Approval of Meeting Minutes**

A motion to approve the Meeting Minutes of October 3, 2017,

Motion – Mr. Kerwood

Seconded – Mr. Sacks

Approved: 2-0

**Correspondence**

Letters received from Phil Smith and Warren Jacobs which were both read aloud

**Administrative Actions**

A motion to approve the Treasurer’s Report and pay all bills

Motion – Mr. Sacks

Seconded – Mr. Kerwood

Approved 2-0

A motion to approve payment in the amount of \$339,956.41 to Lobar Inc. for construction at the sewage treatment plant.

Motion – Mr. Sacks

Seconded – Mr. Kerwood

Approved 2-0

A motion to approve Conditional Final Approval for Ragusa Tract – Resolution #2017-55

Motion – Mr. Sacks

Seconded – Mr. Kerwood

Approved 2-0

A motion to approve Amendment to Police Pension Plan – Ordinance #17-02

Motion – Mr. Sacks

Seconded – Mr. Kerwood

Approved 2-0

**Public Comment**

*Linda Jansson (Simmons Road):* Expressed concerns regarding perceived planning and subdivision violations for the Ragusa Tract. Ms. Jansson demonstrated 4 pages of violations and cautioned the board regarding the requirement for all necessary permits. Questions were expressed regarding

access to the site and conditional final approval. Also expressed concerns regarding traffic on Simmons Road and width of the road

*Bob Burns (102 Zieglerville Road):* Presented the board with additional signatures of those individuals who expressed interest in insuring thorough review of the Ragusa Tract and the necessity to acquire the proper permits.

*Barbara Spokins:* Expressed concerns about truck traffic on Gerloff Road and truck study with Limerick Township

*Robert Thicks (Cemetery Lane):* Concerns expressed speeding on Cemetery Lane. Speed limit issues.

*Paul Johnson (317 Main St.):* Made a request to install speed bumps in order to slow traffic. Ms. Schuler noted that there is a process to follow in order to implement.

*Lou Cromley (24 Cromley Road):* Requested that the board research the use of a traffic study to be done where there is speeding especially at the Spring Mt. Town Homes. Mr. Kerwood noted the use of traffic calming devices

*Joseph Schinski (Village Drive):* Requested that the board research the stop sign placement on Village Drive and their legal status to be enforced. Ms. Schueler noted the possibility of multi stop signs, but only can be used in conjunction if traffic counts warrant their use

*Bob Burns (Zieglerville Road):* Also expressed concern regarding the stop signs and their placement. Ms. Schueler noted that stop signs are ordained by ordinance and Mr. Kerwood stated that many of the stop signs may have issues

*Warren Jacobs (Fulmer Road):* Mr. Jacobs questioned Corp. Milligan (in attendance) about enforcement of the stop signs on Village Drive. Cpl. Milligan stated that he needs direction from the township regarding their enforcement. Cpl. Milligan stated that the signs may not meet the warrant requirements. Mr. Kerwood suggested that the township gather information from all areas. Mr. Schinski of the Home Owners Association suggested that the HOA may pay for a study

*Linda Jansson (Simmons Road):* Expressed concerns that the sewer plan construction project may be approximately 2 million dollars over budget. In addition, she also added that the plans as submitted for the Ragusa Tract need to be corrected and revise the landscaping plans, and any fines necessary are to be levied. She added that the permitting officer for conservation district should be reviewing.

*Ernie Schmidt (Silverbrook):* Explained to the board and public the history regarding the public bidding for the sewage treatment construction. Mr. Schmidt was a member of the board of supervisors at the time the project was bid. He stated that a number of engineering firms were interviewed by the board to oversee to act as project managers for the project. Upon interviews with interested engineering firms, Gannet Fleming was chosen by the board.

*Joe Grier (219 Zieglerville Road):* Expressed to the board his concern regarding speeding on Zieglerville Road. Mr. Kerwood expressed concern regarding possible stop signs. Ms. Schueler added

that stop signs would not be warranted, and would have to be followed up with a traffic study. A potential solution would be the addition of a crosswalk.

Donna Eyrh (Spring Mt. Road): Stated to the board that approximately 16,800 cars have been observed passing through this area in a five day period. Also added about the possibility of adding a traffic light at Zieglerville Road and Rte 29.

Charles Yeiser (Ryanford Rd.): Expressed his concerns as well regarding traffic. Mr. Kerwood reiterated the issue regarding traffic, and would like this issue to take on more significance in 2018. Added his concerns regarding the Ragusa Tract and actions being taken about taking down more trees and this issue has raised great concern.

Crystal Gilcrest( Gerloff Road): As a general comment, she stated that traffic in every municipality seems to be an overriding concern. Throughout every municipality, the issue of traffic and congestion has taken on added significance. Mr. Kerwood was pleased that the most recent township traffic studies have been posted on the web site.

Andy Feick (Game Farm Road): Expressed to the board his concerns regarding littering in the township, and would like the township to organize a litter pick up. Supervisor Sacks would seek to enlist the support of the fire company.

George Malick (Colonial Drive): Concerned about encroachment of the buffer zone and any trees cut down in error should be replaced. Solicitor Keenan was unsure whether this action violates any plan . Also expressed concern regarding the construction sequence in construction of the new sewage treatment plant.

Janet Ragus (Scwenk Road): Spoke to the board to voice her concerns about low flying drones flying over her property.

Brian Hill (Zieglerville Road): Raised concern about the sewer costs

#### **Fire Police:**

Supervisor Kerwood administered the oath of office to Fire Policeman William Rubert

#### **Reports**

**Solicitor:** Presented by Tom Keenan. Attached is a copy of his report. Solicitor Keenan also added that additional conditions can be added to the Ragusa Tract plan prior to construction beginning. He also added that the plans cannot be recorded and no homes can be built. Solicitor Keenan read aloud the conditions which are in place at this time. He hopes to resolve all the issues, and the developer will have area surveyed to examine the extent of infiltration to the area of limited disturbance and to repaired or restored as per the township engineer.

**Engineer:** Presented by Ms. Schuehler. Attached is a copy of her report. Sewer plant invoices to be reviewed at the next workshop meeting. In regards to the Ragusa Tract, Ms. Schueler stated that

both the conservation district and DEP have been on site. The project is still in need of satisfying the NPDES permit, E. & S. Controls and Sewage Module. The planning module needs approval prior to the E. & S. controls to be put into place. She also added that township personnel can enter the site now that the professional services agreement is in place.

**Police:** A copy of the monthly police report is attached.

**Public Works:** A copy of the Public Works monthly report is attached.

**Ambulance:** No report

**Manager:** No report

Motion to adjourn: Mr. Kerwood      Seconded: Mr. Sacks      Approved: 2-0      Time: 8:28pm

RESPECTFULLY SUBMITTED  
Kerri R. Tolson

**LOWER FREDERICK TOWNSHIP  
NOVEMBER 8, 2017  
FINANCIAL REPORT**

**GENERAL FUND**

Opening Balance	593,562.71
Late Deposit	1,337.08
Balance	594,899.79
Add voided	204.90 #3636
	540.00 #3676
Cash on Hand	595,644.69
Less Expenses October	52,721.85
Balance	542,922.84
Revenue	41,995.99
Cash on Hand	584,918.83
Expenses	112,262.10
Closing Balance	472,656.73

CD due 11/21/17 - .65% 253,340.24

CD due 11/21/17 -.65% 253,404.79

**GENERAL CAPITAL**

CD due 11/21/17 .65% 101,361.91

**Fulton Bank**

Closing Balance 201,201.67

**SAVINGS ACCOUNT** 92,679.56

Interest 11.55

Closing balance 92,682.11

**TOTAL SAVINGS** \$901,990.72

## SEWER RENT

Opening Balance	101,912.99
Voided check	500.00
cash	102,412.99
Less Expenses	7,243.00
Closing Balance	95,169.99

CD due 11/21/17 .65%	101,336.09
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CD due 11/21/17 .65%	202,723.83
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## SEWER CAPITAL

CD due 11/20/17 .65%	201,408.48
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Savings Account	246,917.16
Interest	30.79
Closing Balance	246,947.95

## VICTORY BANK

Opening Balance	218,309.14
Revenue	142,651.67
Cash on Hand	360,960.81
Less expenses	19,174.82
Closing Balance	341,784.99

TOTAL SAVINGS	\$752,416.35
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### HYDRANT FUND

Opening Balance	12,417.65
Less expenses	690.00
Closing Balance	11,727.65

### LIQUID FUEL

Balance	2,171.26
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### SAVINGS ACCOUNT

Opening Balance	42,041.16
Interest	7.16
Closing Balance	42,048.32

### ON SITE SYSTEMS

CD due 5/19/18 .65%	37,578.82
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### SAVINGS ACCOUNT

Balance	3270.56
Interest	.41
Closing Balance	3,270.97

### STORM WATER ESCROW

CD due 5/19/18 .65%	9,547.06
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### SAVINGS

Opening Balance	9,202.24
Interest	1.14
Closing Balance	9,203.38

**SOLICITOR'S REPORT NOVEMBER 8, 2017**

**LOWER FREDERICK TOWNSHIP**

OUR OFFICE ATTENDED THE BOARD OF SUPERVISORS WORK SESSION AT THE TOWNSHIP BUILDING ON OCTOBER 31, 2017 AND THE REGULAR MEETING ON OCTOBER 3<sup>RD</sup>.

OUR OFFICE DID SOME FOLLOW UP WORK FOR THE AGRICULTURAL SECURITY AREA. WE SENT THE RESOLUTION AND LANDOWNER PROPOSALS TO THE RECORDER OF DEEDS FOR RECORDING, RECEIVED AND REVIEWED CORRESPONDENCE FROM THE RECORDER OF DEEDS, AND SENT LETTERS TO SEVERAL LANDOWNERS REGARDING CORRECTIONS THAT WERE NEEDED TO THEIR PROPOSALS BEFORE THEY WOULD BE ACCEPTED FOR RECORDING. ONCE WE RECEIVE THOSE CORRECTED PROPOSALS, WE WILL BE ABLE TO RESUBMIT THE DOCUMENTS FOR RECORDING.

OUR OFFICE PREPARED A PROPOSED ORDINANCE AMENDMENT THAT WOULD ALLOW NON-RESIDENTIAL SEWER RATES TO BE SET BY RESOLUTION, CONSISTENT WITH RESIDENTIAL RATES. WE ALSO PREPARED THE LEGAL NOTICE FOR THIS PROPOSED ORDINANCE AMENDMENT.

OUR OFFICE RESEARCHED ACT 172, WHICH AUTHORIZES MUNICIPALITIES TO GIVE LOCAL EARNED INCOME AND REAL ESTATE TAX BREAKS TO VOLUNTEER



FIREFIGHTERS AND EMERGENCY MEDICAL PERSONNEL, AND BEGAN PREPARING A PROPOSED ORDINANCE FOR THE TOWNSHIP TO CONSIDER.

OUR OFFICE PREPARED A DRAFT RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO PAY RECURRING TOWNSHIP BILLS ONLINE INSTEAD OF USING CHECKS.

OUR OFFICE RESEARCHED THE LEGALITY OF VIDEO RECORDING TOWNSHIP MEETINGS AND PREPARED AN OPINION OF COUNSEL ON THAT TOPIC.

OUR OFFICE RESEARCHED WHICH TOWNSHIP OFFICIALS ARE AUTHORIZED BY LAW TO SWEAR IN SPECIAL FIRE POLICE AND ADVISED THE TOWNSHIP MANAGER ON THAT SUBJECT.

OUR OFFICE PREPARED A RESOLUTION AUTHORIZING THE EMPLOYMENT OF PART-TIME POLICE OFFICER MEGHAN KATHLEEN BURNS.

OUR OFFICE REVIEWED A MASTER CASTING AGREEMENT THE TOWNSHIP RECEIVED FROM PENNDOT AND PREPARED A RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO SIGN THAT AGREEMENT

OUR OFFICE WORKED ON MULTIPLE ISSUES CONCERNING THE RAGUSA SUBDIVISION INCLUDING A DRAFT OF CONDITIONAL FINAL APPROVAL

WE WORKED ON COBLE PARK ISSUES WITH STATE BUREAU OF RECREATION  
AND CONSERVATION

OUR OFFICE REVIEWED THE DITTER SUBDIVISION

PREPARED OPINION FOR TOWNSHIP RE: RIGHT-TO-KNOW ISSUES AND  
COMPLIANCE



November 2017 Engineers Report

Ragusa Subdivision

Revised plans were reviewed and an updated review letter was issued for the Ragusa Subdivision. This project proposes 39 new single-family homes on property which fronts on Zieglerville and Schwenk Roads. The project received preliminary approval from Lower Frederick Township in March of 2008, and is being presented tonight for consideration of Final Plan approval.

54 Little Road

Our office provided construction inspection and oversight for stormwater management facilities relating to construction of a single-family home at 54 Little Road.

That concludes my report this evening. I am happy to address any questions you may have on these or other Township Engineering matters.



## LOWER FREDERICK TOWNSHIP POLICE

53 Spring Mount Road - Box 253  
Zieglerville, Pennsylvania 19492  
Telephone No.: 610-287-4434  
Fax No.: 610-287-3719  
[chiefmaxey@lowerfrederick.org](mailto:chiefmaxey@lowerfrederick.org)

**POLICE CHIEF**

*Paul E. Maxey*

### *Lower Frederick Township Police Department Activity Report* *October 2017*

Gentleman:

- ✦ During the month of October there were 147 incidents requiring police assistance.
- ✦ 116 incidents were responded to by the Lower Frederick Township Police Department.
- ✦ 31 incidents were handled by the Pennsylvania State Police in our absence.
- ✦ The Police Department received checks totaling the amount of \$96.16 from various sources throughout Montgomery County. This money represents fines and restitution paid by defendants in criminal and traffic related matters.

Respectfully Submitted,

*Paul E. Maxey*  
Paul E. Maxey  
Chief of Police

**PUBLIC WORKS REPORT  
NOVEMBER 2017  
DURING THE MONTH OF OCTOBER THE PUBLIC  
WORKS DEPARTMENT PERFORMED THE  
FOLLOWING WORK IN ADDITION TO ROUTINE  
OPERATIONS**

- 1. The line painting was done**
- 2. We pave with upper Frederick twp**
- 3. We patch paved on Old Gravel pike**
- 4. We put up the new signs on Gerloff, Delphi, Yerger, south  
Ryan ford roads as per yearly sign maintenance.**
- 5. Patch black top on sewer lateral repair on Woodside ave**
- 6. Painted over graffiti on Boulder and Crystal Drive**