



## LOWER FREDERICK TOWNSHIP BOARD OF SUPERVISORS

Meeting Minutes  
Supervisors Work Session

November 28, 2017

Lower Frederick Township  
Municipal Building  
53 Spring Mount Road

Bob Yoder, Chairman, called the meeting to order at approximately 7:00 pm

### **Board of Supervisors:**

Bob Yoder, Chairman – Present  
Ron Kerwood, Vice Chairman - Present  
Terry Sacks, Supervisor - Present

### **Township Staff:**

Carol Schuehler, PE - Present  
Damien Brewster, Esquire - Present  
Tom Manning, Roadmaster - Present  
Kevin Tobias, Township Manager – Present  
Paul Maxey – Chief of Police  
Roger Phillips – Gannett Fleming

### **Approval of Meeting Minutes**

A motion to approve the Supervisors General Meeting Minutes of October 31, 2017,  
Motion – Mr. Kerwood      Seconded – Mr. Sacks      Approved: 3-0

### **Correspondence**

No Correspondence

### **PUBLIC COMMENT**

*Linda Jansson (Simmons Road):* Expressed concern regarding the historical concerns on the Ragusa Tract development

### **REPORTS**

#### **Solicitor:**

Damien Brewster Esq. presented to the board proposed ordinance #2017-04 offering tax credit for volunteer fire department personnel. The credit would offer \$1,000.00 toward earned income tax and 20% credit towards property tax. Ms. Hexter asked what effect this credit will have on the budget. Mr. Kerwood responded that the impact would be less than \$10,000.00.

A motion to authorize Solicitor and Township Manager to advertise Ordinance #2017-04 offering tax credit to fire department and emergency personnel.

Motion: Mr. Yoder      Second: Mr. Mr. Kerwood      Approve 3-0

Additionally, Mr. Brewster offered a proposed resolution for the proper use of recording devices during board meetings.

Motion: Mr. Yoder      Second: Mr. Sacks      Tabled for future discussion

*Warren Jacobs* (Fulmer Road): Expressed concern regarding the issues of the individual signing in for the use of recording devices. Mr. Brewster reviewed some of the specific language of the proposed resolution. Mr. Brewster emphasized that the proposed resolution would be in full compliance of the Sunshine Act.

*Phil Smith* (Gerloff Road): Questioned specific language of the proposed resolution. Solicitor Brewster reviewed the language as stated.

*Marla Hexter* ( Mine Hill Road): Discussed with the board the use of photographic devices during the meeting. The resolution should state that the only official documentation of the meeting is produced by the township. Also she asked that some exceptions could be made to account for technical error.

*Paul Johnson* (Main St.): Discussed with the board the possible need to make a public announcement prior the start that the actual meeting is being recorded.

*Larry Cohen* (Mine Hill Road): Discussed with the board violation of the Sunshine Act. Violation of the act is a personal liability.

Solicitor Brewster read aloud the language of the proposed resolution for the use of recording devices at public meeting.

In addition, Solicitor Brewster proposed a resolution banning the use of Category 4 casinos anywhere in the township. A short discussion ensued thereafter describing the specifics of a category 4 casino.

*Warren Jacobs* (Fulmer Road): Expressed possible concerns to the placement of a casino. Chief Maxey added the negatives and positives for the placement of a casino.

Chairman Yoder discussed briefly the preparation of the proposed resolution banning the placement of a Category 4 casino in the township.

A motion was made to authorize the solicitor and manager to prepare a resolution banning the placement of a Category 4 Casino in the township.

Motion: Mr. Yoder

Second: Mr. Kerwood

Approve: 3-0

*Marla Hexter*(Mine Hill Road): Questioned the size of a category 4 casino and compared to the one in King of Prussia

Solicitor Brewster provided to the board an update on the proposed ASA area. Responses have been received by all the participants, and is awaiting the submittal from one at this time.

**Engineer:**

Ms. Schuehler presented the board with a proposed DCED grant program for small water and sewer systems. Grants are available for projects between \$30,000.00 and \$500,000.00. Engineer Schuehler proposed using the grant for manhole lining. The match is 15%. Engineer Schuehler given approval to proceed with the grant application. Ms. Schuehler stated that the sewage planning module be tabled until additional material is received.

**Ragusa Tract:**

Engineer Schuehler read aloud a letter from the Montgomery County Conservation District review letter and Cedarville Engineering review of the Ragusa Tract compliance with levels of disturbance. Engineer Schuehler informed the board that there are no violations.

Traffic Calming:

She discussed with the board as well as the formation of a traffic calming committee and the practicality with its recommendations for the install of traffic devices. The board discussed the possibility of forming this committee at the January reorganizational meeting.

Gerloff Truck Study: Limerick Township completed study. TPD prepared the study, and recommending restricting truck traffic on Gerloff Road from Neiffer Road in Limerick to Rte. 73 in Lower Frederick. These restrictions are to be added to the current traffic ordinance. A motion was discussed for an amendment to be added to the current traffic ordinance to add Gerloff Road. Joe Defresso (Gerloff Road); Expressed his concern regarding increased traffic on Gerloff Road

A motion to authorize for the solicitor to prepare and advertise an ordinance to amend the traffic ordinance to include the restriction of truck traffic on Gerloff Road.

Motion: Mr. Yoder                      Second: Mr. Sacks                      Approved: 3-0

Perkiomen Creek Watershed: Engineer Schuehler discussed with the board membership benefits of the township becoming a member of the watershed. One of the benefits of joining the group is that the watershed will assist the township in the education portion of the township’s requirements with our MS 4 program. Ms. Schuehler touted the group’s expertise and knowledge. More information is to follow.

Phil Smith (Gerloff Road): Expressed his concern regarding the imposition of tree cutting requirements and impervious coverage. He further added his concern about maintaining the rural character of the township and future impact on the area.

Linda Jansson (Minehill Road): Expressed to the board her concern proper methods utilized in performing the survey work on the Ragusa Tract. Ms. Schuehler added that the survey work was performed by contractors hired by the developers of the Ragusa Tract.

Update on Sewer Plant Construction: Engineer Roger Phillips (Gannet Fleming) distributed to the board spreadsheets on actual payments made to the engineer to date. Compared to the spreadsheets drafted by the township, the difference in \$100.00 on a 4 million dollar project. He stated to the board that construction is ahead of schedule, and actual start up may take place at the end of February or beginning of March. He also briefly discussed and reviewed with the Supervisors the change order and payment invoice process and forms. Supervisor Sacks questioned why the need for change orders and why the design did originally include these options. Engineer Phillips informed Mr. Sacks that these change orders result from the change from the old system to the new one.

Chairman Yoder called for a short recess at 8:25 PM  
Chairman Yoder reconvened the meeting at 8:27 PM

Police:

Chief Maxey provided the board with an update to the proposed PA Radar Bill. The bill currently has passed the House and is now sitting with the Senate.

*Traffic Enforcement:* The police department began with the first of many speed enforcement areas on Spring Mount Road. Most of the offenders this first enforcement detail were township

residents. Fifty six citations were issued on this first detail. Chief Maxey wanted to thank the North Coventry Police Department for the use of their 'enradd system' which electronically monitors the speed of vehicles. Chief Maxey informed the board that other areas of the township have been scouted for possible enforcement, and that most of the areas to be enforced have been identified using speed studies. Linda Jansson added that Little Road should be added to the area to be enforced.

Chief Maxey further added the enradd system can be used in conjunction with radar and that Officer Burns will serve as the Transportation Safety Officer.

Chairman Yoder recessed the regular meeting and called for an Executive Session at 8:55 PM

After a brief Executive Session, Chairman reconvened the regular meeting with no action being taken, and made a motion to adjourn.

Respectfully Submitted

Kevin R. Tobias  
Township Secretary