

**LOWER FREDERICK TOWNSHIP BOARD OF SUPERVISORS**

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Meeting Minutes  
Workshop

January 30, 2018

Lower Frederick Township  
Municipal Building  
53 Spring Mount Road

Bob Yoder Chairman, called the meeting to order at approximately 7:05 pm followed by the Pledge of Allegiance.

**Board of Supervisors Present:**

Bob Yoder – Chairman  
Terry Sacks -Vice Chm.  
Terry Sacks, Supervisor

**Township Staff Present:**

Kevin R. Tobias- Township Manager  
Tom Keenan - Esquire  
Carol Schuehler, P.E  
Tom Manning – Roadmaster

Mr. Charles Yeiser presented to the audience and Board of Supervisors a short powerpoint Presentation on the Fair Districts Congressional Redistricting

**Approval of Meeting Minutes**

A motion to approve the Meeting Minutes of December 19, 2017  
Motion – Mr. Yoder No Second  
Motion to table minutes of December 19, 2017  
Motion – Mr. Yoder, Second – Mr. Sacks Approved 3-0

**Correspondence**

PA MATC – PA Municipal Administration Training Center  
Montgomery County – Norristown Public Library  
Kimmel, Lorah and Associates, LLP  
Montgomery County Planning Commission

**Administrative Actions**

No Administrative Actions

**Public Comment for Agenda Items**

Supervisor Hexter questioned the process for citizens to be added to agenda for the Board of Supervisors meeting. Chairman Yoder added that he feels the content for the agenda should be at the discretion of the manager. Supervisor Hexter further added that items of greater concern to the general public would be appropriate to be added to the agenda. After a brief discussion, the board decided that if a citizen has an item to be added to the board agenda, the interested parties are to contact the manager at least a week prior to the board meeting. Mr. Bill McGovern added

to the discussion his desire to present a power point presentation in regards to regional policing. The manager will add Mr. McGovern's presentation to the February 6, 2018.

*Bryan Hill* Had questions regarding the Ragusa Tract Development. His questions focused on the timeline for the project and when they would commence building. Because the topic was not listed on the agenda, the discussion will take place during the general public comment period.

Reports:

**Solicitor:** Presented by Tom Keenan. Attached is a copy of his report. Solicitor Keenan announced an Executive Session took place at the January 2, 2018 to discuss Personnel Matters. An additional Executive Session took place on January 12, 2018 to discuss Personnel and Litigation matters. Motion requested by Solicitor Keenan to authorize advertising Ordinance 2018-02 revising Chapter 58 for Certificates of Occupancy. Motion by Chairman Yoder, Second Vice Chairman Sacks. Approved 3-0

**Engineer:** Presented by Ms. Schuehler. Attached is a copy of her report. Request the board to advertise Ordinance 2018-03 Revision to Chapter 123 Sewers Article IV Tapping Fee€123-28 Amount of Tapping Fee. Motion by Supervisor Hexter, Second by Vice Chairman Sacks Approved 3-0. Engineer Schuehler also requested a motion to advertise the 2018 Equipment and Materials Bid. Motion by Chairman Yoder, Second by Supervisor Hexter Approved 3-0

*Bob Burns (Zieglerville Road):* Questioned the proposed development map regarding the DiSanto Tract. Engineer Schuehler stated that the application is still an active development. An extension was granted and the plan is still an open application and is governed by the zoning regulations in place at the time of submission.

*Sherry Sweikert :* Questioned the viability and time extension granted for the DiSanto Development. Engineer stated that the developer has waived the time limitation. Solicitor Keenan also commented that the State of PA. has extended the "life" of any plans filed in 2005. He further added that as a result of the plan being filed while the tract was zoned R-5, the plan follows the regulations of an R-5 district. The 90 day review period was waived.

*Linda Jansson (Simmons Road)* Made comment regarding Act 247 (Municipalities Planning Code), and the applicability of the DiSanto development and the R-5 zone. She quoted Act 54 in her argument to state that the plan is no longer active. Supervisor Hexter needed clarification as to the status of the plan. Solicitor Keenan has agreed to review the file.

Manager Tobias requested a motion be made to approve Resolution #2018-23 which is approval to apply for a PA Small Water Grant to help fund the sewer manhole lining project. Motion by Chairman Yoder, Second by Vice Chairman Sacks. Approved 3-0

**Police:** No Report

**Public Works:** No report. Manager Tobias requested a motion to approve the purchase of the new paver. Motion by Chairman Yoder, Second by Vice Chairman Sacks. Approved 3-0

*Bob Burns (Zieglerville Road)* Questioned the viability of renting a paver for road work versus the purchase of a new one.

**Manager:** Manager Tobias requested a motion be made to engage General Code for the purpose of updating the Codified Ordinances of the township with 2017 Ordinances. Price not to exceed \$1,390.00

Motion by Chairman Yoder, Second by Vice Chairman Sacks Approved 3-0

*Motion to Approve Resolution #2018-20 Establishing Observed Township Holidays for 2018*

Motion by Vice Chairman Sacks, Second by Supervisor Hexter Approved 3-0

*Motion to approve Memorandum of Understanding for the Township Manager*

Motion by Chairman Yoder, Second by Supervisor Hexter Approved 3-0

*Motion to approve Resolution #2018-22 Terms and Conditions of Employment of Township Manager*

Motion by Chairman Yoder, Second by Vice Chairman Sacks Approved 3-0

*Motion to approve Resolution #2018-21 Establishing Annual Criteria for Township Volunteer*

*Firefighter Local Tax Credit Program.* Solicitor Keenan added that the resolution (as written) is not ready for adoption. Elected officials and or appointed individuals need to meet with representatives of the fire company to determine the annual criteria for the resolution. Resolution needs to be passed by April 15, 2018. The Supervisors appointed Vice Chairman Sacks to be the appointed representative. Motion by Chairman Yoder, Second by Supervisor Hexter Approved 3-0  
Supervisor Hexter questioned the urgency of developing the criteria.

**Old Business:**

**Meng Sanctuary**

Manager Tobias made special note regarding the fine effort by Noelle Halter and her volunteers for their fine work in cleaning up the graffiti at the Meng Sanctuary. She further added a suggestion that signs be posted in the area to notify individuals that the area is under surveillance.

**Traffic Calming Committee:**

Chairman Yoder instructed Manager Tobias and Engineer Schuehler with carrying out the formation and establishment of the committee and the creation of a purpose statement.

Manager Tobias. Chairman Yoder commented that much work has already taken place in regards to the township efforts to traffic enforcement.

*Bob Burns (Zieglerville Road):* Made mention of the fact of his meeting with Chief Maxey and draft a list of proposed traffic improvement devices such as stop signs and cross walks throughout the township. Chairman Yoder also commented on the qualifications of Carol Schuehler as a traffic engineer. Mr. Burns mentioned that it may be possible to apply for funding through the MONTCO 2040 grants and the second round of funding.

**New Business:**

**Agricultural Security Board**

Supervisor Hexter made mention of the fact that she did make contact with the county to get clarification of a 'farmer'. The county defines an active farmer as someone who makes money from farming in the amount of a least \$2,000.00. The board consists of three active farmers, one resident, and a representative from the board.

*Linda Jansson (Simmons Road):* Ms. Jansson made contact with the Department of Agriculture and their comments reiterated the County of Montgomery, further adding that the potential exists to generate income. Solicitor Keenan asked if correspondence be forwarded to each member of the ASA and ask them if they would be interested in becoming members of the ASA. Supervisor Hexter inquired as to whether their property needed to be in the Agricultural Security Area to be a member of the board.

*Manager Tobias requested a motion be made to approve of Resolution #2018-21 Approving Agricultural Security Area with Modifications.* Solicitor Keenan added that the previous resolution

approving of the ASA was rejected by the county because two of the tracts belonged to a trust with various family members. None of the heirs under the trust were not reappointed to the trust. Solicitor Keenan still asked that the resolution be approved. Motion by Chairman Yoder, Second by Supervisor Hexter Approved 3-0.

The Public Meeting Attendance and Participation Policy was distributed previously to the board members. Chairman Yoder briefly provided a synopsis of the language of the proposed policy. Motion by Chairman Yoder, Second by Vice Chairman Sacks. Supervisor Hexter elaborated on the language regarding materials needed to be provided to the board and general audience. Approved 3-0

*Dan Orfe (Kratz Road):* Asked for clarification on proper procedure to announce persons wishing to speak to announce their name and street address.

**Use of Township Seal for 501 (c) (3):**

Solicitor Keenan briefly discussed with the board the advantages and disadvantages of the use of the township seal for fundraising activities. Solicitor Keenan advised that the group simply state that this is an organized group to benefit the township.

*Bob Burns (Zieglerville Road):* Had brief discussions with the Township Manager and Police Chief and was under the impression that use of the seal would not be a problem.

Chairman Yoder reiterated the comments of Solicitor Keenan and stated that use of the seal could be perceived as having a negative effect.

*Crystal Gilchrest (Gerloff Road):* Suggested that the township utilize the partnership with the Stewards of Lower Frederick to apply for grants. The seal becomes part of the application.

*Bob Burns (Zieglerville Road):* Their will be four accounts established to help fund particular projects in the township.

Manager Tobias read aloud the resignation letter of Part Time Police Officer Kurt DeForrest, and notice from the County Health Department regarding a rabid raccoon in the township.

**Public Comment:**

*Ron Kerwood (N. Gravel Pike)* Expressed concern regarding the recent resignation of the part time police officer Kurt DeForrest and reimbursement of equipment costs, particularly the cost of the vest.

*Sherry Sweikert :* Questioned Engineer Schuehler regarding potential savings for road projects and the time of year to put out for bid.

*Ernest Schmitt ( Silver Brook Drive):* Goshen Road light malfunctioning, PECO did change out the photocell; contractor for trimming of trees and questioned the validity. The contract was for three years. He particularly mentioned the tree at 42 Meng Road.

*Chuck Yeiser (Ryanford Road):* Commented on the proposed development map to be posted on the township website.

*Bryan Hill:* Questioned Engineer Schuehler on the status of the Ragusa Tract. He was informed that the project is still in the process of having their sewage facilities plan approved. The township recently received permit for pole relocation.

*Linda Jansson (Simmons Road):* Questioned the status of the comment period on the Ragusa Tract.

*Bob Burns (Zieglerville Road)* Commented that he filed a comment for the Ragusa Tract and the status of the farm house on the property.

Motion to adjourn: Mr. Yoder

Seconded: Ms. Hexter

Approved: 3-0

Respectfully Submitted

Kevin R. Tobias  
Township Secretary