

## **Important News about Our Roads Maintenance Agreement with Perkiomen Township**

As most of you know from reading the online discussion forums on the Fox Heath website (that's where all the news hits first), the Fox Heath board ("board") made a written request to the township supervisors ("supervisors") to install a sidewalk or walking path along Fox Heath Blvd. That request generated a series of private meetings between the supervisors and the board to negotiate the placement and construction of a path. As part of the discussion to have the township pay for the path, the board pointed out that since we pay the same taxes as other township residents and yet must also maintain our roads, we at Fox Heath are paying more (double) for the same services as other township residents. The supervisors felt that if the township owned the Fox Heath roads, the Fox Heath HOA could then pay for the walking path instead of the township. The result of all this discussion was that the supervisors agreed that they would be willing to take dedication (ownership) of our roads. From that point on, and for the past several months, the board has been focusing our attention on pursuing a road dedication. The township asked their engineer to perform a study of our roads for their condition, what would need to be changed, when they would need to be resurfaced, etc. His report was issued and we were given a copy of the report. The township also asked their attorney to study the particulars of a road dedication, he issued a report, and we were given a copy.

After months of investigation and trying to get issues resolved, both parties have determined that the Fox Heath roads cannot be dedicated to the township because the Commonwealth of PA requires that any road the township owns must be a minimum of 33 feet wide. The roads in Fox Heath are only 26 feet wide. For some reason, the township did not require a 33 foot road width when the Fox Heath plans were approved. Therefore, the only way an actual road dedication could happen would be for every homeowner to sign a document to change their deed giving the township a right of way of 3.5 feet in front of their homes. The board realizes that getting 100% of our homeowners to do that was impossible.

Since there is no possibility of a dedication, another option was put on the table as an alternative at our last meeting between the supervisors and the board. If the township did own the roads, they would receive an annual amount of money from PA based on the length of the roads. This money comes from the state gas taxes, called a liquid fuels tax, we all pay each time we buy gas. The state then redistributes that tax money each year to the township to use for maintenance, repairs and resurfacing of township roads. Under the current rate per mile the state pays to the township, the township would receive about \$17,000 per year if they owned the Fox Heath roads. The amount varies from year to year but does not change much.

The alternative that the township has agreed to is a contractual "maintenance agreement" which states: If the Fox Heath HOA pays the township each year the equivalent amount as they would get from PA in liquid fuels tax reimbursement, the township would take over all maintenance of the Fox Heath roads, including snow plowing, repairs, maintenance such as crack fill, **and resurfacing** when needed. This would be done by a signed "maintenance agreement" contract between the Fox Heath Homeowners Association and Perkiomen Township. The contract has not yet been finalized but the supervisors have agreed to do this and we will post the agreement on the website when it is finalized. Under this agreement, the township would be responsible for all road maintenance of Fox Heath roads in the future, and to maintain them in the same way as they do any township owned roads. The agreement would cover maintenance of the road surfaces only and not the curbs or storm drains which would still be our responsibility. Nothing other than the road maintenance would be done by the township. The HOA still owns the roads, sets the speed limits, controls the placement of stops signs, regulates parking, etc.

The current Fox Heath budget for snow plowing alone is \$28,000 a year (\$11,000 more than what we would pay the township under the agreement). We have spent more than the \$28,000 budget already this year. In addition, we fund amounts each year into a "reserve for replacement" fund to pay for road resurfacing when needed. Both of these current expenses would be now replaced by a lesser amount we would pay the township.

Obviously, shifting the burden of all road maintenance from the HOA to the township provides a major cost savings to the Fox Heath homeowners now and forever in the future. For the past 17+ years, we at Fox Heath have been paying the same taxes as all the other township residents, yet we are the only community in the Township that owns its own roads and must pay all of the costs associated with that. This agreement is the best solution to minimize the inequity we have been dealing with by paying double for road maintenance. We are fast approaching the period where our roads will need resurfacing at a significant cost to the HOA estimated in the hundreds of thousands of dollars. In the past, the township seemed to be lax with their road maintenance, as any longer-term residents that remember the poor condition of Ott Road before it was resurfaced would agree. In recent years, the township has moved aggressively in repairing and maintaining township roads and, in fact, has already resurfaced Fox Heath Boulevard, which it owns.

Given the two choices we have of either keeping the burden of all the road maintenance, snow plowing, repair, and replacement costs on our homeowners, or transferring all of that to the township for a much lower annual cost, we feel that this maintenance agreement is the best option for the Fox Heath homeowners, and that the roads will be well maintained by the township in the future.

*The Fox Heath  
Board of Directors*