

**Minutes - Board of Commissioners
Upper Pottsgrove Township**

November 18, 2013

A meeting of the Board of Commissioners was held on Monday, November 18, 2013, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Dolan, Miller, Noll, Spaide and Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Township Manager Jack P. Layne, Police Chief William Moffett, Public Works Director Frank Quinter and Township Secretary Cynthia Saylor. Commissioner Taylor called the meeting to order at 7:00 P.M. There were 22 people present in the audience.

MOMENT OF SILENCE - Commissioner Taylor requested a moment of silence in honor of the men and women who have served and are currently serving our country in the armed forces.

PLEDGE OF ALLEGIANCE - Those assembled pledged allegiance to the flag.

PUBLIC COMMENT: None

REPORTS:

EMERGENCY SERVICES - Chief Moffett read the monthly Police Report and noted there was an incident involving an assault on a school bus. Chief Moffett also noted several vehicle thefts occurring in the Turnberry Farm Development. With regards to the part-time police officers; the Chief stated they are working out very well. Commissioner Dolan reported that the Fire Committee will hold their monthly meeting on Thursday, November 21, 2013.

PUBLIC WORKS REPORT - Commissioner Spaide reported that the Highway Department performed winter maintenance on the trucks, spreaders and plows; cleaned leaves and debris from storm inlets; assisted William Gift Oil Company with the removal of old heater and installation of new heater at the municipal building; installed "No Parking" signs at Farmington Avenue and Stonehill Drive; installed gate at the back entrance to Sunset Park; picked up tires and television that was dumped along Cross Road; posted "No Hunting" signs along North Hanover Street at the Open Space property; emptied all trash receptacles at open space properties. Up righted the port a potties that were knocked down on Halloween; and downloaded game cameras at trails, reviewed and relocated. Commissioner Spaide also reported that the prisoners from Montgomery County picked up trash along Route 100 and numerous roads within the township.

PARKS, RECREATION AND OPEN SPACE REPORT - Commissioner Miller reported that the Parks, Recreation and Open Space Committee met and had a very comprehensive meeting last week. He also reported that a Girl Scout troop attended their meeting and noted that he was unaware that the Girl Scouts had a program similar to the Boy Scouts. Mr. Miller advised that Girl Scout, Maggie Dallas, will be working on a project in the Township to earn her silver award and from there she can accomplish her gold award. In addition to Maggie, there is another Scout who is working on earning her gold award. Commissioner Miller stated that the members of the Board should be proud that we embrace and work along with the Scouts. Commissioner Miller provided drawings of the Prout Farm Park and Sunset Park depicting a rider panel which is located at the bottom of the sign. Mr. Miller stated the Open Space Committee discussed placing "Sprogel's Run Trailhead North" on the Prout

PARKS, RECREATION AND OPEN SPACE REPORT CONT'D - Farm Park sign and "Sprogels Run Trailhead South" on the Sunset Park sign. Commissioner Taylor noted that the Prout Farm Park is the Township's newest acquisition this year. After a brief discussion, a motion by Spaide, seconded by Noll, to purchase the rider panels for the Prout Farm Park and Sunset Park signs. All aye votes. Commissioner Miller reported that Kenneth Hamilton, from the SAVE organization (Students Against Violating the Earth) will be working as the full-time Director and will be extensively involved in the effort by the Foundation to establish a significant present and operations in Upper Pottsgrove Township. Commissioner Miller noted that the Board of Commissioners had recently approved a motion to purchase the Hilsee property where the SAVE Foundation's office and over fifteen (15) acres of open space are located. He further noted that Mr. Hamilton stated that the property purchased by the Township should be named the Althouse Arboretum. Commissioner Miller stated that the sign designating the Althouse Arboretum be revised to add – Sprogels Run Trail Link and that the proposed Fox Hill Trail sign should be revised to add Community Education Center. After discussion, a motion by Spaide, seconded by Dolan, to approve the sign designating the Althouse Arboretum to include Sprogels Run Trail. All aye votes.

SPECIAL PROJECTS REPORT - Commissioner Noll reported that the Pennsylvania State Association of Township Commissioners (PSATC) represents sixty eight (68) First Class Townships. He further reported that the Executive Committee is asking the Corbett Administration and General Assembly to address the following issues during the 2013 – 2014 Legislative Session: Binding Arbitration Reform, Firefighter Cancer Presumption Mandate, Legal Notice Advertising Modernization, Transportation Funding, Prevailing Wage Reform and Water, Sewer and Storm Water Upgrade Funding.

TOWNSHIP ENGINEER'S REPORT - A copy of the Engineer's monthly report will be posted on the bulletin board.

SOLICITOR'S REPORT - Attorney Garner reported his monthly activities are included as part of the agenda.

TOWNSHIP MANAGER'S REPORT - Mr. Layne reported that he along with Attorney Garner participated in contract negotiations with the Police Department; coordinated the preparation of the proposed 2014 Annual Budget with Matt Dallas and staff; drafted and forwarded a letter to the Montgomery County Conservation District regarding the Township's concern with the muddy water flowing into Sprogel's Run from the Crossroads Subdivision; he along with Attorney Garner met with the firm that will be taking over the digital sign operations. Mr. Layne stated that this firm, Catalyst, has much more experience in digital sign operations which expected to increase the revenue procured by the Township for this endeavor. He also reported that he drafted and forwarded a letter to the Sitko's regarding their request to have a road vacated; attended a meeting with Pottstown Area Health and Wellness Foundation that was held at Lower Pottsgrove Township; met with Senator Mensch and his Chief of Staff along with Commissioners Taylor and Miller; met with SAVE (Students Against Violating the Earth) along with Commissioner Miller and attended a meeting in Souderton; attended the Schuylkill Highlands open space workshop along with Commissioner

TOWNSHIP MANAGER'S REPORT CONT'D – Miller; participated in an ICMA web conference on economic development and participated in a Pennsylvania Department of Conservation and Natural Resources (DCNR) web conference on DCNR funding opportunities. Mr. Layne advised that the Limerick Generating Plant Drill Exercise will take place on Tuesday, November 19, 2013, between the hours of 4:00 and 8:00 P.M.

DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE A CONDITIONAL USE HEARING FOR A PROPOSED MINOR SUBDIVISION PLAN FOR 1794 GILBERTSVILLE ROAD - Commissioner Taylor stated that the Conditional Use Hearing is not necessary. Attorney Garner explained that the Conditional Use was required as part of the minor subdivision of the Althouse property. He further explained that this property is the open space acquisition that the Township will be purchasing and will not be used as a single-family residence.

DISCUSSION AND POSSIBLE ACTION RECOMMENDED BY THE AD HOC COMMITTEE REGARDING THEIR REVIEW OF THE TOWNSHIP'S EMERGENCY AMBULANCE SERVICE COVERAGE – Representatives from Goodwill Ambulance and Gilbertsville Ambulance were present at the meeting to discuss ambulance service to the Township. Commissioner Dolan explained that the Board of Commissioners approved implementing an Ad-Hoc Committee to review the Township's Emergency Ambulance Service coverage. He further explained that he along with the Police Chief, Martin Schreiber, Keith Kachel and Dennis Elliott made up the five (5) member Committee and they met several times to discuss the possibility of redistricting the ambulances. Commissioner Dolan reported that a resident expressed concern that Boyertown and Gilbertsville Ambulances were closer to his home than Goodwill Ambulance. After further discussion, it was the recommendation of the Ad-Hoc Committee for the township residents to utilize the ambulance company that is closest to their homes. Commissioner Taylor stated that the Board would further discuss this matter at the next Board meeting.

COMMISSIONER NOLL - Questioned whether residents, in the section we are looking at redistricting, who have paid their annual memberships to Goodwill and would prefer Goodwill would they be forced to use Gilbertsville Ambulance. Commissioner Dolan stated that Gilbertsville Ambulance is honoring memberships from Goodwill Ambulance. He further stated that in an emergency situation when 911 is called County will dispatch the appropriate ambulance according to you address.

COMMISSIONER MILLER - Read an email he received from Dennis Elliott, who put a lot of time working with the Ad-Hoc Committee. Mr. Elliott wrote that he would be unable to attend tonight's meeting because his wife suffered a heart attack last Friday and noted that it took Goodwill Ambulance eleven (11) minutes with lights and sirens to get to his residence. Commissioner Miller explained that Mr. Elliott was instrumental in the review of the Township's ambulance coverage. Commissioner Miller stated that the Board also received a letter from Marsha Slade whereby she thanked Gilbertsville Ambulance for their quick response when her father suffered a stroke and noted that it only took four (4) minutes to reach their residence.

FRANCE KRAZALKOVICH - 92 Stonehill Drive - Questioned the landmarks that will make up the boxes designated for emergency ambulance response to the Township.

Attorney Garner stated a formal resolution will be necessary designating the ambulance providers to the Township.

COMMISSIONERS TAYLOR AND SPAIDE - Expressed his thanks and appreciation to the Ad-Hoc Committee as well as the representatives from the two ambulance providers.

NEW BUSINESS:

DISCUSSION AND POSSIBLE AUTHORIZATION FOR REINSEL KUNTZ LESHER, LLP TO PROVIDE THE 2013 TOWNSHIP FINANCIAL AUDIT - A motion by Dolan, seconded by Miller, to authorize Reinsel Kuntz Leshner, LLP to perform the 2013 Township Financial Audit. All aye votes. In response to a question from Commissioner Noll regarding an increase in the cost to perform the audit; Mr. Layne noted an increase of approximately \$500.

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT AUTHORIZING HOUGH ASSOCIATES TO COLLECT 2013 RESIDENTIAL AND COMMERCIAL RECYCLING DATA AND TO PREPARE THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION 904 RECYCLING GRANT APPLICATION FOR THE TOWNSHIP - Mr. Layne explained that the Township has been working with Hough Associates for the last six (6) years and noted that they are very supportive with respect to getting as much recycling reimbursement as possible from the State. A motion by Spaide, seconded by Miller, to authorize Hough Associates to perform the 2013 Recycling Data and to prepare the Pennsylvania Department of Environmental Protection 904 Recycling Grant Application on behalf of the Township. All aye votes.

DISCUSSION AND POSSIBLE APPROVAL OF DOCUMENTS SUBMITTED BY PREMIER MEDIA OF UPPER POTTS GROVE, LLC - Mr. Layne reported that the Township has received an offer submitted by Premier Media to sell the lease rights to the digital billboard located at Heather Place to Catalyst Outdoor (located in Newtown Square). He further reported that the Township should see an increase in revenue due to Catalyst's sales and marketing leverage throughout the region. After a brief discussion, a motion by Miller, seconded by Dolan, to approve the assignment documents submitted by Premier Media to purchase the digital billboard. All aye votes.

DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED AMENDMENT TO THE COMMISSIONERS' COMPENSATION ORDINANCE - Commissioner Taylor explained that due to the increase in the Township's population the First Class Township Code allows for an increase up to \$2500 for the Commissioners' compensation. Commissioner Taylor noted that the Commissioners are currently being paid fifteen (15) year old rates. A motion by Dolan, seconded by Spaide, to authorize the preparation of an Ordinance to increase the Commissioners' compensation. Aye votes: Dolan, Spaide and Taylor. Abstain: Miller and Noll. Motion carried.

DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT AUTHORIZING THE MONTGOMERY COUNTY PLANNING COMMISSION TO CONTINUE PROVIDING THE TOWNSHIP WITH PLANNING ASSISTANCE SERVICES - A motion by Dolan, seconded by Noll, to approve the Agreement authorizing the Montgomery County Planning Commission to continue providing the Township with Planning Assistance Services. All aye votes.

OLD BUSINESS:

DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ORDINANCE ACCEPTING THE DEDICATION OF THE PHASE 1 PORTION OF CODDINGTON VIEW

Attorney Garner pointed out that the proposed ordinance is a first draft and that the Township is not taking dedication of “Green View Drive.” Attorney Garner stated that it would be more appropriate for “Green View Drive” to be included in the Phase II portion of Coddington View. **Ordinance #465** - An Ordinance of Upper Pottsgrove Township accepting the dedication of a portion of certain roads known as “Stone Hill Drive” and “Master Street” of the Phase 1 portion of the Coddington View Townhouse Development, together with Improvements Therein or Appurtenant Thereto having been Constructed or Provided in the Coddington View Subdivision and Taking Certain Other Actions with Respect Thereto. A motion by Dolan, seconded by Miller, to adopt the proposed ordinance. All aye votes.

FRANCE KRAZALKOVICH - 92 Stonehill Drive - Requested clarification with regards to Stonehill Drive.

DISCUSSION AND POSSIBLE ACTION REGARDING THE PRELIMINARY PROPOSED 2014 ANNUAL TOWNSHIP BUDGET - A motion by Dolan, seconded by Spaide, to authorize the advertisement of the proposed 2014 Annual Township Budget and make it available for public inspection. All aye votes. A motion by Noll, seconded by Dolan, to authorize the advertisement of the Real Estate Tax Ordinance designating 3.4 mills for the Township and .375 mills for the Fire Company. Total millage ~ 3.77. All aye votes. A motion by Dolan, seconded by Spaide, to advertise an Ordinance amending the Township sewer rates to \$215/per quarter beginning January 1, 2014. All aye votes.

DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST SUBMITTED BY GERALD J. SITKO AND RUTHANN SITKO TO VACATE A PORTION OF MOCK ROAD

Attorney Garner reported that the Township received a request submitted by Gerald and Ruthann Sitko to vacate an unopened portion of Mock Road between Yarnall Road and Needhammer Roads. After a brief discussion, a motion by Spaide, seconded by Dolan, to authorize the Solicitor to prepare an ordinance to vacate a portion of Mock Road. All aye votes.

OTHER PUBLIC COMMENT:

MARTIN SCHREIBER – 138 Rose Valley Road - Questioned the date of the first meeting in January 2014. Attorney Garner stated the re-organization meeting will take place on the first Monday of January or January 6, 2014.

PAYMENT OF BILLS - Amended Bill List ~ November 18, 2013 - A motion by Noll, seconded by Dolan, to approve the Amended Bill List dated November 18, 2013, for General Fund in the amount of \$112,240.14; Fire Fund in the amount of \$441.52; Sewer Fund in the amount of \$46,132.97; Open Space Fund in the amount of \$125,228.68; Stated Fund in the amount of \$5,487.01 and Escrow Fund in the amount of \$1,172.31. Total Disbursements ~ \$290,702.63. All aye votes.

APPROVAL OF MINUTES - October 21, 2013 - Commissioner Miller noted that his motion regarding the Park, Recreation and Open Space report from the October 21, 2013, meeting should read as follows: A motion by Miller, seconded by Noll, to change the sign to read the Prout Farm Park. A motion by Spaide, seconded by Miller, to approve the minutes of the October 21, 2013, meeting as amended. All aye votes.

EXECUTIVE SESSION - At 8:04 P.M. Commissioner Taylor reported the Board would be meeting in Executive Session to discuss matters of collective bargaining and litigation with no action being taken. The meeting reconvened at 8:39 P.M.

ADJOURNMENT – There being no further business, a motion by Spaide, seconded by Dolan, to adjourn the meeting at 8:40 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor,
Township Secretary

