

**Minutes - Board of Commissioners and Civil Service Commission  
Upper Pottsgrove Township**

**June 30, 2014**

The joint meeting of the Board of Commissioners and Civil Service Commission was held on Monday, June 30, 2014, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Elwood Taylor, Herbert C. Miller Jr., Martin Schreiber and Renee Spaide present. Russell Noll arrived at 7:08. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief William Moffett, Public Works Director Frank Quinter, Township Manager Carol R. Lewis and Civil Service Commission members Deb Bingham, William Brogley and Armando Johnson. The meeting was called to order at 7:01 P.M.

**MOMENT OF SILENCE** - Mr. 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 COMMENTS (non-agenda items)** – There were no public comments.

**APPOINTMENT OF NEW CIVIL SERVICE COMMISSION MEMBERS** – Mr. Taylor advised that there have been two (2) recent resignations. He explained that the terms got out of order, and Mr. Johnson's term needs to be reconfirmed. A motion by Miller, seconded by Spaide, to reconfirm Armando Johnson's term of January 1, 2014 through December 31, 2019. All aye votes. It was recommended by former Civil Service Commission members as to who would do well with the positions, and they recommended that Mrs. Bingham replace Mr. Nice and Mr. Brogley replace Mr. Leister. William Brogley offered to volunteer and fill the position as he believes he can help resolve any conflicts. He noted that he respects that the Commission be a separate entity and have due process. Mr. Taylor noted that the Civil Service Commission is a separate body and he did speak with Mr. Brogley regarding this matter. A motion by Spaide, seconded by Miller, to appoint Deb Bingham to replace Mr. Nice's unexpired term until December 31, 2015. All aye votes. A motion by Miller, seconded by Spaide, to appoint William Brogley to fill the unexpired term of Mr. Leister until December 31, 2017. All aye votes. In addition, Mr. Taylor explained that Mrs. Bingham and Mr. Brogley were alternates and would need to be replaced; however, Mrs. Williams is a remaining alternate member. Mr. Taylor noted that there were quite a few volunteer applications received to fill the alternate positions, and the Board has had a chance to review those applications. A motion by Spaide, seconded by Miller, to appoint Denise Bruno as an alternate member to fill the unexpired term of William Brogley until December 31, 2019. All aye votes. Commissioner Noll arrived at the meeting at 7:08 pm and apologized for being late. In response to a request from Mr. Noll, Mr. Taylor reviewed the appointments that have already been made. A motion by Miller, seconded by Spaide, to appoint Christopher Delp as an alternate member to fill the unexpired term of Deb Bingham until December 31, 2017. Aye votes: Miller, Spaide, Noll and Taylor. Abstain: Schreiber as he did not speak with Mr. Delp. Motion carries. Mr. Noll advised that Maryann Williams has submitted her resignation as alternate member and requested that her position be filled. A motion by Miller, seconded by Spaide, to accept the resignation of Maryann Williams. All aye votes. Mr. Noll advised that he would like to continue with three (3) alternate members. A motion by Noll, seconded by Miller, to appoint France Krazalkovich as an alternate member to fill the unexpired term of Maryann Williams until December 31, 2018. Mr. Taylor advised that this matter has not been before the Board and this is news to him. Aye votes: Noll, Miller, Spaide and Schreiber. Nay votes: Taylor. Motion carries.

**DISCUSSION OF CIVIL SERVICE RULES & REGULATIONS** – Mr. Taylor invited the Civil Service Commission members forward to participate in the discussion. Mr. Brogley advised that he would like to hear from Chief Moffett since he has not consulted with anyone yet. Chief Moffett advised that he has not talked with the Civil Service Commission since they are a separate group. He explained that personnel are hired through the Civil Service Commission who prepares the eligibility list. He noted that there is a sense of urgency to create an eligibility list as there will be an opening in his department in the near future. He recommends that the Montgomery County Consortium of Communities be utilized to administer the written testing and physical agility testing. He noted the consortium usually obtains a couple hundred candidates and the Township would not lose candidates by participating. He further noted the testing through the consortium is scheduled for September 13, 2014 at the Montgomery County Community College in Blue Bell. The consortium uses a universal screening process and universal form. In addition, we tell them what we want, and they give us qualified candidates. Further, if we go with the consortium, we could get an eligibility list before the end of the year. Mr. Brogley expressed concern regarding who would perform the background investigations since we had a problem with that before. Solicitor Garner advised that the purpose of tonight's meeting is to prevent issues from arising. Mr. Garner also advised that utilizing the consortium will be less time intensive and less work for the volunteers. He noted that the Commission will need to review their rules and regulations, and he has some minor suggestions for changes. He further noted the background investigations could be another point of discussion for the Commission. In response to a big concern expressed by Mr. Brogley, Mr. Garner advised that many municipalities have their own police department do the background checks as they have a vested interest in doing them correctly. Armando Johnson reviewed what tasks the Commission needs to complete. Mr. Garner advised the Commission also needs to create a policy for hiring part-time employees for the police department as we do not currently have a process for that. In response to a question from Mr. Brogley, Solicitor Garner advised that the hiring of part-time police officers needs to go through the Civil Service Commission. Chief Moffett advised that he needs to get some part-time officers who know what they are doing and could step right in, and he has a frame work as to how that could happen. In response to a question from Deb Bingham, Chief Moffett advised that the application fee is \$30.00 paid for by the candidate and the applicant can pay and apply on-line. However, the Township would have to pick up the costs for the medical and mental evaluations, the hall rental, lunches, etc., but the consortium does the advertising. In response to a question from Ms. Spaide, Mr. Taylor advised that the Township has not used the consortium in the past. In response to a question from Mr. Johnson, Chief Moffett advised that the consortium does not correspond with the applicants as this is done through the Commission. Mr. Taylor noted the consortium only tests once a year. Chief Moffett advised that we need to let the consortium know right away if we are participating and then provide them our list of requirements by the end of July. In response to a question from Mr. Noll, Mr. Taylor advised the consortium only administers testing once a year, and we would like to move forward for this year. Mr. Johnson advised that the Commission is good with the consortium administering the testing, and the Commission will meet and review this matter so they can send out a letter to the consortium. In response to questions from Mr. Brogley, Solicitor Garner advised that the Commission can set the requirements for applicants and make any necessary amendments to the rules and regulations. Solicitor Garner advised that the priority is to decide on whether or not to use the consortium to administer the testing and then review the rules and regulations, and noted he would be willing to help with the amendments.

**DISCUSSION OF CIVIL SERVICE RULES & REGULATIONS (cont'd.)** - Mr. Johnson advised that the Commission will review any necessary changes to the rules and regulations and consult with Chief Moffett or Solicitor Garner, if necessary, and then forward any amendments to the Board of Commissioners for approval. In response to a question from Mr. Noll, Solicitor Garner advised that the current rules and regulations do not address part-time employees. Mr. Johnson referenced Section 5 of the rules and regulations and questioned whether this section addressed part-time employees. Solicitor Garner advised that this section would not apply until an eligibility list is complete and certified. Mr. Taylor thanked the Civil Service Commission members for agreeing to attend tonight's meeting to discuss these important matters.

**APPOINTMENT OF DEPUTY TREASURER/ASSISTANT SECRETARY** - Mr. Taylor explained that Ms. Saylor has been out ill for some time and will be out for an extended period of time; therefore, the Board needs to consider appointing a Deputy Treasurer and Assistant Secretary. A motion by Noll, seconded by Miller, to adopt **Resolution No. 646** appointing Carol R. Lewis Assistant Secretary and Deputy Treasurer. All aye votes.

**APPOINTMENT OF TOWNSHIP MANAGER AS OPEN RECORDS OFFICER** - Mr. Taylor explained that Linda Coleman had temporarily taken over this position, but the Board can now appoint the new manager to this position. A motion by Spaide, seconded by Miller, to appoint Township Manager Carol R. Lewis as the Open Records Officer. All aye votes.

**CONSIDER ROAD BIDS** - Mr. Taylor advised that the Board had previously considered what road projects they wanted to complete this year, advertised for bidders, and received and reviewed bids for the road projects. Solicitor Garner explained that there were two (2) contracts advertised and contract number one had two (2) alternatives as well as a base bid. He noted that Kehoe Construction was low bidder on contract number one at \$343,894.00 and the township received the necessary documentation and agree with the lowest bidder. In addition, Asphalt Paving Systems was low bidder for contract number two at \$48,757.50, and all the necessary documentation is in order. He further noted the estimates were \$400,000.00 so the bids are within range of the estimate, and recommended the Board pass two separate motions as they are two separate contracts. A motion by Miller, seconded by Spaide, to award contract number one to Kehoe Construction in the amount of \$343,894.80 upon review and approval by Pete Eisenbrown. All aye votes. In response to a question from Mr. Miller, Solicitor Garner advised the contract must be completed by September 27, 2014. In response to a question from Mr. Schreiber, Mr. Taylor explained the funds are coming from a loan that will be paid back through liquid fuels revenue. In response to another question from Mr. Schreiber, Mr. Quinter explained that the Township is required to budget a \$40,000.00 carryover every year. Mr. Schreiber expressed concern that the loan amount may not be enough since expenses keep increasing. Mr. Taylor explained that the Township has used liquid fuels revenues for road maintenance and repair in addition to other things; however, roads have been maintained over the years with money from developer projects and PennDOT turnback funds as well as paving associated with DEP's installation of public water lines. He further explained that the decision was made to jump start projects and get roads improved, but there may come a time when general fund revenues may be necessary to maintain the roads. Mr. Schreiber expressed concern that revenues for road repairs could end up coming out of the general fund. Mr. Noll noted that the monthly payment on the loan is below the amount received from liquid fuels so the goal is to use liquid fuels and make sure it comes under with some left over. Ms. Spaide noted the

**CONSIDER ROAD BIDS (cont'd.)** - Township is going to be able to improve roads that have never been touched like Horseshoe Drive. In response to a question from Mr. Schrebier, Mr. Taylor advised that part of the liquid fuels money is guaranteed, and the Township has been very careful how much money it has spent over the years. In response to a question from **Charles Note, 2137 Horseshoe Drive**, Mr. Taylor advised that it is a 10-year loan. In response to a question from **Paul Misner, 2175 Horseshoe Drive**, Mr. Taylor advised the road will be paved from curb to curb. In response to another question from **Charles Note**, the contract also includes milling and topping with approximately four (4) feet on each side. In response to a question from **Deb Bingham, 1998 Detweiler Road**, Mr. Taylor advised the project includes the paving of Juniper Street, Heather Place, Primrose Lane and Lotus Drive and an overlay of Yarnall Road, Snyder Road, Irwin Place and Hanover Drive. In response to a question from **Keith Kachel, 1412 Farmington Avenue**, Mr. Taylor advised that the project does not involve replacing any curbing due to future water and sewer needs. A motion by Spaide, seconded by Miller, to award contract number two to Asphalt Paving Systems in the amount of \$48,757.50. All aye votes.

**PAYMENT OF BILLS** – C. Lewis explained that there are bills that need to be paid prior to the next meeting and provided a bill list in the amount of \$20,280.97 to the Board for consideration. A motion by Noll, seconded by Miller, to approve the payment of bills in the amount of \$20,280.87. All aye votes.

**CONSIDER ADVERTISEMENT AND HIRING OF SEASONAL SUMMER HELPER** – The Board reviewed and briefly discussed the recommendation to advertise for the hiring of a seasonal summer helper at the rate of \$9.00 per hour. A motion by Noll, seconded by Miller, to advertise for the position of seasonal summer helper. All aye votes.

**OTHER PUBLIC COMMENT** – **Albert Alutius, 2112 Detweiler Road**, expressed concern regarding the house located at the corner of Snyder and Yarnall Roads which is burned and falling down. Mr. Taylor advised that the Code Enforcement Officer has been in contact with the owner, a demolition permit has been obtained, and the property should be demolished over the next couple weeks. Mr. Alutius also expressed concern regarding the need for additional parking for Sussell Park. Mr. Miller thanked Mr. Alutius for his concern, and noted that the Township did attempt to obtain an easement for this area through John Schwenk, who is currently deceased, in addition to his heirs but was unsuccessful. He further explained that he is currently in discussions with the realtor for Mr. Schwenk's property in regard to an easement. Mr. Taylor explained the history of Sussell Park and noted that there will be some growing pains with developing the park but thanked Mr. Alutius for expressing his concerns.

**Greg Churach, 144 Sndyer Road**, advised that Sunset Park is entered into the "What's Your Favorite Park" contest sponsored by Pottstown Area Health and Wellness Foundation where cash prizes will be awarded. He explained that you can vote from home or at the park and further explained the voting process at the park.

**COMMISSIONER COMMENTS** – Commissioner Spaide noted that the fence at Heather Place Park is deteriorating, and the Township has obtained a quote of \$988.00 to replace 110 feet of fence. Public Works Director Frank Quinter requested that it be galvanized chain link fence.

**COMMISSIONER COMMENTS (cont'd.)** - A motion by Miller, seconded by Spaide, to accept the proposal from Strongman Fence to replace the fence at Heather Place Park at a cost of \$988.00. All aye votes. In response to a question from Mr. Quinter, Mr. Taylor advised that the funds to replace the fence could come from open space.

**ADJOURNMENT** – A motion by Spaide, seconded by Miller, to adjourn the meeting at 8:26 pm. All aye votes.

Respectfully Submitted,

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Carol R. Lewis, Assistant Secretary