

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

August 18, 2014

The meeting of the Board of Commissioners was held on Monday, August 18, 2014, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Elwood Taylor, Herbert C. Miller Jr., Russell Noll, Renee Spaide and Martin Schreiber present. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief William Moffett, Township Manager Carol R. Lewis, Public Works Director Frank Quinter and Planning & Zoning Administrator Michelle Reddick. The meeting was called to order at 7:00 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) – **Michael Standish, 1671 Farmington Avenue**, advised that he is very dissatisfied with the service he receives from J.P. Mascaro. He noted that he was never given the opportunity to opt out and requested that the Board consider allowing him and other residents to have that option when they rebid the municipal trash contract. Chairman Taylor advised that the Board will consider rebidding the contract, and this item will be discussed later in the meeting. He noted, however, that the intention is to have current members remain under the municipal contract with J.P. Mascaro.

REPORTS:

POTTSTOWN PUBLIC LIBRARY – Sue Davis was present to provide the Board with a report of what the library has completed in 2013 and plans to complete in 2014 and 2015. She noted the library will be applying for a \$300,000 matching Keystone Grant to make necessary repairs and asked for a letter of support. A motion by M. Schreiber, seconded by R. Spaide and unanimously carried to send a letter of support for the Keystone Grant. S. Davis noted that the library would like the annual contribution for 2015 to be made in quarterly installments rather than one payment and also requested that the contribution for 2014 be made in one lump sum in September. Chairman Taylor advised that there should be money already in the budget, and if so, then we will be able to make payment for the contribution. S. Davis thanked the Board for their time and continued support of the library.

FIRE COMPANY LIAISON – Commissioner Schreiber read the monthly fire report. He noted that the Fire Company was rekeyed and a copy of the key was provided to township staff.

POLICE DEPARTMENT LIAISON – Commissioner Miller provided the report for July, 2014. He commended Chief Moffett for maintaining police services and also being able to assist other departments even though we are working with a limited crew.

PARKS, RECREATION AND OPEN SPACE LIAISON – Commissioner Miller advised that the parking lot and post and rail fence have been completed at Hollenbach Park. He noted that he will be having a meeting with Toni Hemerka to discuss and coordinate the Goose Run Trail,

PARKS, RECREATION AND OPEN SPACE LIAISON (cont'd.) - and he has already contacted Waste Management regarding an easement on their property for the trail. Commissioner Miller also reported there were 113 children signed up at Ringing Rocks summer playground and 83 at West Pottsgrove summer playground which is sponsored by the Pottsgrove Recreation Board, and they are discussing other programs (i.e., bowling, skiing, etc). to help keep children active and maintain relationships with them. Commissioner Schreiber expressed concern that the sign placed at Sprogel's Run trail head is premature since the trail is not completed yet and that people may walk onto private property. Commissioner Miller advised that there is a problem with security at Sunset Park, and noted that C. Lewis will be meeting with Chief Moffett to discuss appropriate ways to secure the park. In response to a question from Commissioner Spaide, Chief Moffett advised that the neighbors can and have called "911". Commissioner Noll expressed concern people drive up the steep drive off Hanover Drive when they see the sign for Fox Hill Trail and then have no place to turn around and it is dangerous to get back down. He suggested we install a "no vehicles allowed – walking trail only" sign. F. Quinter advised that there is a mowed area where people can turn around. In response to a question from **Keith Kachel, 1412 Farmington Avenue**, it was noted that cameras are being used in other park areas. Mr. Kachel suggested utilizing the cameras at Sunset Park where loitering after hours has been an ongoing problem.

PLANNING AND ZONING & ADMINISTRATION LIAISON – Commissioner Taylor advised the Planning Commission reviewed a zoning hearing application which the Board will discuss later in the meeting.

PUBLIC WORKS REPORT – Commissioner Spaide briefly reviewed the public works report and noted a copy is available for review in the lobby. Commissioner Schreiber expressed concern about the branches that overhang the roads, especially since busses will now be traveling our roads. F. Quinter advised that they will cut down the branches when necessary.

SPECIAL TOWNSHIP PROJECTS – Commissioner Noll advised there is nothing to report this month.

TOWNSHIP ENGINEER'S REPORT - It was noted that a copy of the monthly Engineer's Report would be posted on the bulletin board.

TOWNSHIP SOLICITOR'S REPORT – Solicitor Garner advised there is nothing to report.

TOWNSHIP MANAGER – C. Lewis advised that staff along with the road crew coordinated and completed inspections on Evans Road and found no sump pumps connected to the sewer system. This activity was noted as part of the Township's CAP plan with the borough.

MONTHLY FINANCIAL REPORT - Copies of the monthly Financial Reports were included in the Board's meeting packets.

NEW BUSINESS:

CONSIDER RESIGNATION OF GREOG CHURACH FROM THE OPEN SPACE AND RECREATION BOARD – A motion by M. Schreiber, seconded by H. Miller, and unanimously carried to accept, with regret, the resignation of Greg Churach from the Open Space and Recreation Board.

REVIEW ZONING HEARING BOARD APPLICATION FROM TINE E. BODGE - Commissioner Taylor advised that the applicant constructed a second story above their garage without permits and when permits were applied for, it was determined the height of the addition exceeded what was allowed by code. Therefore, the applicant has applied for a variance for the height of the addition as it exceeds the required height of 15 feet by approximately 11 feet. Mrs. Bodge was present at the meeting to answer any questions, and advised that she had letters of support from her neighbors. E. Taylor advised that information should be presented at the zoning hearing. The Board agreed to take no official action and allow the Zoning Hearing Board to make a ruling on this matter.

REVIEW CONCEPT PROPOAL FOR WEST MOYER ROAD & ROUTE 100 – Richard Mingey of Shadeland Development Corporation and Mark Dambly of Pennrose Properties were present to discuss a proposal for Mr. Mingey’s property located on West Moyer Road where it meets Route 100. Mr. Mingey advised that the property is approximately 16 acres and zoned for single family dwellings. However, he is proposing a multi-family site as the Montgomery County Housing Authority reports there is no multi-family from Exton to Allentown. He further advised they would be eligible for a grant but would need support. The proposal is for 100 one to two bedroom units with public water and sewer and approximately 50 percent open space (8.1 acres). Mr. Dambly advised that Pennrose Properties is a real estate development company based out of Philadelphia and have been in business for 38 years. He explained that their company builds, develops and manages property, and they own and operate 15,000 multi-family units in ten different states. In response to a question from R. Spaide, Mr. Dambly advised that they own the Jefferson apartments and Main Street properties in Pottstown. E. Taylor noted that they property is zoned R-80 which does not allow for multi-family development. C. Garner explained the zoning ordinance would need to be amended to create an overlay district. E. Taylor noted the location of the proposed project would have no direct impact on the residents and direct access to Route 100. R. Noll questioned the status of the Cross Roads development located on the other side of Route 100 and expressed concern that Mr. Mingey is starting a new development when the roads and infrastructure are already in across the street for that development. Mr. Mingey advised that he will hopefully be moving forward with finalizing that development in the near future. C. Garner noted that Cross Roads development was approved for 51 townhouse units. R. Noll expressed concern that there is only a single access to West Moyer Road and the impact of the traffic with a traffic signal being located right there. When Chairman Taylor asked for a consensus of the Board, the Commissioners agreed to look into the website for Pennrose Properties and form an opinion.

CONSIDER PROPOSED RESOLUTIONS SUBMITTED BY THE CIVIL SERVICE COMMISSION

– The Board of Commissioners briefly reviewed two resolutions recommended by the Civil Service Commission. The first resolution is to establish rules and regulations for the hiring of part-time police officers, and the other is to designate the agency or investigator to be retained for the purposes of administering the background investigations for applicants applying for the position of police officer. Commissioner Miller suggested that Solicitor Garner explain the first resolution concerning the hiring of part-time police officers. C. Garner explained that the current rules and regulations do not have provisions for the hiring of part-time police officers. He further explained that the proposed resolution establishes criteria or eligibility requirements for part-time police officers. M. Schreiber expressed concern that 32 hours seem too much for part-time officers and that it would grant a future Board of Commissioners the ability to hire all part-time officers. In response to a question from R. Noll, Chief Moffett advised that his current part-time officers are only used when needed. **France Krazalkovich, 92 Stone Hill Drive**, noted that the Bureau of Labor and Industry standard says 34 hours is still considered part-time. Chairman Taylor noted there is no intent to hire part-time officers and do away with full-time officers. R. Noll expressed concern that we are amending the rules and regulations which will be changed permanently. **France Krazalkovich, 92 Stone Hill Drive**, noted that the rules and regulations could also be amended to do away with the criteria for part-time officers. A motion by H. Miller, seconded by R. Spaide, to approve Resolution 14-08-01 establishing criteria and eligibility requirements for the hiring of part-time police officers. Aye votes: Miller, Spaide, Noll and Taylor. Nay vote: Schreiber. Motion carried. A motion by M. Schreiber, seconded by H. Miller, and unanimously carried to approve Resolution 14-08-02 designating James McGowan as the background investigator for applicants for the position of police officer.

CONSIDER MASTER CASTING AGREEMENT FOR 2014-2017 – A motion by H. Miller, seconded by R. Spaide and unanimously carried to adopt Resolution 648 approving and authorizing execution of the master casting agreement. In response to a question from M. Schreiber, F. Quinter advised that it does not cost anything unless work is completed.

REVIEW OF TRASH BID SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT OF BIDS

– C. Lewis explained that there is now an option to separate out grass clippings. She further explained that residents on current contract will remain under Township contract and other residents can jump on board if they so desire. Solicitor Garner explained that residents cannot switch haulers but can opt in to the Township contract if they so desire. M. Schreiber expressed concern that residents will not have the option to switch even if they are not satisfied with the services of their current hauler. Solicitor Garner advised that contract bid form one is the best document to review in order to understand what the options are. R. Noll noted that the Board does have the option to reject the bids once they are submitted. **Michael Standish, 1671 Farmington Avenue**, expressed concern that he never had the opportunity to opt out since he moved in after the contract was awarded, and noted he would just like that opportunity. Chairman Taylor noted that the Township saved the residents hundreds of thousands of dollars over the five years by having a Township wide trash collection. In response to a question from **Denise Bruno, 454 Mock Road**, Chairman Taylor advised that the current contract has not

REVIEW OF TRASH BID SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT OF BIDS (cont'd.) - expired. **Sandy Fritz, 2249 Horseshoe Drive**, noted that she is not currently a customer of J.P. Mascaro and is happy to hear that she can remain with her current hauler as she does not have to pay for trash service for the six months a year she is out of state. In response to her questions, Chairman Taylor advised that she can obtain a copy of bid form one and the bids will be due in October. C. Lewis urged residents not to hesitate to contact the Township office with complaints about the trash hauling as we can have the complaints addressed and ratified. In response to question from Chairman Taylor, Solicitor Garner noted that the contract could be bid with no minimum number of customers. A motion by R. Spaide, seconded by R. Noll and unanimously carried to bid the trash contract with the additional option for no minimum number of customers.

DISCUSS AUTHORIZING PREPARATION OF BIDS FOR THE TELEVISIONING OF THE REMAINING LATERALS ON FARMINGTON AVENUE – Commissioner Taylor advised that we need to televise additional laterals on Farmington Avenue that we were unable to be completed previously. A motion by M. Schreiber, seconded by R. Spaide and unanimously carried to reissue the bid for televising of 89 sewer laterals on Farmington Avenue.

CONSIDER NEW LEASE FOR THE COPY MACHINE UNDER THE COSTARS CONTRACT – C. Lewis advised that we need to purchase a new copier as the one we currently have keeps breaking down, and we are unable to get parts for it anymore. She further advised that we received a quote from Stratix Systems where we can lease purchase a new copy machine under the Costars contract for five years for approximately \$174.00 per month with a lease buyout of \$1.00 at the end of the contract. This will be a \$9 per month savings over the current contract. In response to a question from **France Krazalkovich**, C. Lewis advised that we do approximately 60,000 copies a year, and the overage charge under the new lease would be \$.01 per page. A motion by H. Miller, seconded by R. Spaide and unanimously carried to approve the lease purchase of a new copy machine from Stratix Systems under the Costars contract for \$174.00 per month for five years.

OLD BUSINESS:

FIRE POLICE ACTIVITIES – A motion by M. Schreiber, seconded by R. Noll and unanimously carried to authorize the Fire Police to participate in the Philly Livestrong Challenge on August 17, 2014.

OTHER PUBLIC COMMENT – **Keith Kachel, 1412 Farmington Avenue**, expressed concern regarding basketball hoops left out in the street which causes a safety concern for emergency vehicles. C. Lewis explained that we send our Zoning Officer out to investigate upon receipt of a complaint. R. Noll suggested we have the police department handle these matters while they are out on patrol. Mr. Kachel also expressed concern that the lights in this building are constantly dimming especially when the air compressor comes on or the fire siren sounds. C. Lewis agreed to contact PECO Energy regarding this matter.

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COMMISSIONERS COMMENTS – Commissioner Schreiber personally thanked everyone who took selfies at and voted for Sunset Park including Pottsgrove cross country coaches Larry Rehtin and Marilyn Eaton who had students out to take selfies and vote.

APPROVAL OF MINUTES – Commissioner Schreiber requested that the July 21, 2014 minutes be amended to note that he did attend the meeting for the executive session. A motion by R. Spaide, seconded by R. Noll and unanimously carried to approve the July 21, 2014 minutes, as amended.

PAYMENT OF BILLS - Bill List dated August 18, 2014 – Two bills were questioned under the Fire Fund, as they should be paid out of the Fire Relief Fund. Also, the invoice for the Fire Marshall was questioned. These invoices were pulled for further investigation. A motion by H. Miller, seconded by R. Noll and unanimously carried to approve the amended bill list dated July 21, 2014 for General Fund in the amount of \$65,036.43; Fire Fund in the amount of \$2,812.50; Sewer Fund in the amount of \$9,027.35; Open Space Fund in the amount of \$21,804.60; State Fund in the amount of \$7,053.45; and Escrow Fund in the amount of \$2,292.72. Total Disbursements ~ \$108,027.05.

EXECUTIVE SESSION – At 8:45 P.M., Commissioner Taylor advised the Board will be having an executive session, but no action will follow.

ADJOURNMENT – The meeting reconvened at 9:18 P.M. There being no further business, the meeting was adjourned.

Respectfully Submitted,

Carol R. Lewis, Assistant Secretary