

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

December 15, 2014

A meeting of the Board of Commissioners was held on Monday, December 15, 2014, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Miller, Noll, Schreiber, Spaide and Taylor present. Also present were Solicitor Charles D. Garner, Jr., Township Manager Carol R. Lewis, Police Chief William A. Moffett, Public Works Director Frank Quinter and Township Secretary Cynthia Saylor. Commissioner Taylor called the meeting to order at 7:00 P.M.

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. Those assembled pledged allegiance to the flag.

PUBLIC COMMENT:

MICHELLE O’CONNOR – 1875 Orlando Road - Expressed her concern that the issue with the barking dogs is not being resolved. The problem continues and is getting worse. She has tried every avenue that she can think of and is not getting any results. She called the police; she tried the SPCA and other avenues. She claims it is an illegal puppy mill and she saw them loading puppies. H. Miller pointed out that there are more dog problems and that the Chief has been working on them. E. Taylor pointed out that he is very sorry and is also frustrated but some things are not in the purview of the Township. There are certain legal avenues available and the Township is pursuing everything they can. C. Garner explained that two avenues are presently being pursued and that two appeals have been continued. There have not been any appeals overturned. From a civil end the Township did get a \$12,000 judgment and a \$6,000 judgment. The Township will continue to file civil action. It does not seem that the State wants to get involved from an animal control aspect. Chief Moffett explained that the officers have appealed to the owners and got nowhere. Whenever possible citations are immediately sent to Judge Saylor’s office that hears some complaints and sends other to another Judge. Unfortunately they are at the mercy of the court to schedule. R. Noll expressed his sympathy and concern. He drove past to assess the situation when the first complaints came in and observed that the owners were very defensive even then. M. O’Connor explained that she has moved her vehicle to the property line and when the dogs bark at inappropriate times she sounds her alarm. This seems to be helping a little. Chief Moffett explained that they have exhausted every avenue that they could pursue including the State Game Warden, the Zoning Officer and everything they can think of. They do ask for the maximum fine when they go to court; although they have not asked for imprisonment as of yet. M. Schreiber told M. O’Connor about a group called Justice Rescue at Rescue Dogs and Mills. He will forward the information onto her. R. Spaide expressed her concern for Ms. O’Connor injecting herself into the situation and advised her to please be careful.

FRANCE KRAZALKOVICH, 92 Stonehill Drive, asked if the Board of Commissioners plan to advertise for an alternate vacancy on the Civil Service Commission. He explained that sometimes they have a problem getting a quorum and would like to have the alternate position filled. He was advised that the Board of Commissioners is in the process of doing so.

JEREMY WOZNIAK, Upper Pottsgrove Fire Company, explained that he is the Battalion Chief and Treasurer of the Fire Company. He expressed concerns with the proposed budget for the Fire Company and how it was communicated with the Fire Committee and the Fire Company. They had proposed a budget that had a \$35 raise per household and felt that it was a realistic budget. It was presented to the Board of Commissioners but they rejected it. There was no feedback to the Committee that the budget was unrealistic. He discussed various items that were in the budget to be funded. He asked that the Commissioners and the Fire Company sit down together to come up with a long term plan for truck replacement. E. Taylor explained that they received a \$160,000 budget from the Fire Company which was fully funded except for \$10,000. It was not funded through an increase in fire tax but through other funds. He feels that the discussion they urge is worthy but this year there was not enough time in November to go back and forth; the talks take months. Next year the budget process will start earlier and there will be more time for such talks. E. Taylor reiterated that the Fire Company has been funded every year and will continue to do so.

FIRE COMPANY LIASION – M. Schreiber presented the report of the Fire Committee. The Fire Company was not pleased that the fire tax was not raised. He also reported that the hydrant in front of the municipal complex was hit. He does not know the time frame for repairs.

POLICE DEPARTMENT LIASION – H. Miller reported that the Police Officers are busy as usual. Residents are concerned about theft and burglaries. He reviewed some of the incidents that have happened in the Township over the past month. He explained that the Chief appreciates and encourages citizen alerts even if it is a false alarm. These alerts may help to track down problems. M. Schreiber asked what the parameters were for police response to EMS calls. Chief Moffett explained that the police do not respond to some calls i.e. transports. M. Schreiber also asked if the stop lines in Turnberry Farms will be monitored for citations. At this time they are not. He also asked about the articles the Chief was forwarding regarding guns and asked if there was an issue. Chief Moffett said he is just making the Board aware of a problem that may come up in the future. C. Garner stated that he is looking into it as well.

KEITH KACHEL, 1412 Farmington Avenue, was concerned that reports that are being read included addresses that were not accurate. C. Lewis noted that not that much detail goes into the notes because it is not required and to protect the privacy of citizens.

PARKS, RECREATION AND OPEN SPACE LIASION – H. Miller reported that the Open Space and Recreation Board is revising the contract for field usage so that the Township does the mowing and they do all the other upkeep. They also recommended that two additional field cameras be purchased. A motion by M. Schreiber seconded by R. Spaide and unanimously carried to purchase two additional field cameras at a cost of \$150 each. A motion by R. Spaide seconded by R. Noll and unanimously carried to replace the bleachers at Kulp Field with aluminum 90 foot bleachers including a backboard at an approximate price of \$4,300. M. Schreiber asked why they would not just replace the wood. H. Miller explained that the aluminum will hold up much longer and that the wood could not be replaced with pressure

treated wood due to safety requirements for the people sitting on them. The new bleachers are also much larger than the old ones. H. Miller further reported on the spotted lantern fly and the effects it has on fruit trees and other trees. There is quarantine in some townships to stop the spread of it. The quarantine includes wood, brush, housing material, etc.

PUBLIC WORKS LIASION – R. Spaide reported that the Public Works Department is working on the trails and posting signs. They are having trouble getting salt.

SPECIAL PROJECTS LIASION – R. Noll reported that he attended the PSATC Legislative meeting. He explained that while there is still concern that the presumption mandate has caused a lot of problems legislative change is unlikely to happen at this time; therefore it has been taken off the priority list. He then read the 2015 priorities. He has copies available if anyone wants them. These priorities include municipal public safety pension reform, binding arbitration reform and tax exempt entities. D. Elliott asked the status of House Bill #1363. This issue regards lighted properties. R. Noll said he was not sure but he would look into it.

TOWNSHIP SOLICITOR – C. Garner reported that the Township will be closing on the Boerner property. A motion by R. Spaide, seconded by H. Miller and unanimously carried to authorize the President and Manager to sign any necessary documents. The motion passed with M. Schreiber voting nay. C. Garner then advised the Board that the Pottstown Borough Authority would be voting tonight to extend the Agreement to obtain capacity with Upper Pottsgrove.

MANAGER’S REPORT – C. Lewis reported that the Township had a problem with Casselle updating to the server; it had to do with synchronization and working off line. It is believed that the problem has been resolved. She then reported that they will be coordinating athletic field usage with new Boards. They are reviewing the contracts for updating next year and the Open Space/ Park and Recreation Board is developing a Park and Recreation Ordinance. The paperwork for the new health insurance is being processed. C. Lewis will be meeting with associated representatives and have set up an implementation meeting with the United Healthcare team. C. Lewis also met with PennDOT regarding trail crossing of roads. The process will be time consuming but should be doable. She has also reviewed the FEC required reporting with Michael Wolf. Updated questionnaires to the FEC have been submitted. On line reporting has been set up in the EMMA system for next year’s reporting. C. Lewis attended Parks Committee meeting. The grant received for the Sunset Park pond testing has been applied for and an extension to allow for a possible partnership with the region on pond assessment. In addition there is a possible partnership with North Coventry Township regarding the stepping stones for Sprogel’s Run. The grants for the Hilsee acquisition and the gazebo at Sunset Park are being closed out. Lastly, C. Lewis met with Jeff Mulally from Steely Insurance to review the auto and liability coverage for the Fire Company.

NEW BUSINESS:

RESIGNATION OF HENRY SHONTZ – A motion by R. Spaide, seconded by H. Miller and

unanimously carried to reluctantly accept the resignation of Henry Shontz from the Zoning Hearing Board.

REVIEW AUDIT RFPS - A motion by R. Noll, seconded by H. Miller and unanimously carried to contract with Maillie for the 2014, 2015 and 2016 audits. The contract allows for an additional two year extension should the Township so choose.

APPOINTMENT OF CAROL R. LEWIS AS EMERGENCY MANAGEMENT COORDINATOR – A motion by R. Spaide seconded by H. Miller and unanimously carried to appoint Carol R. Lewis as the Emergency Management Coordinator for Upper Pottsgrove Township.

CMERT REQUEST FOR CONTRIBUTION – A motion by R. Spaide, seconded by H. Miller, to contribute \$1,000 towards CMERT's painting of their new vehicle. The motion carried with M. Schreiber voting nay. K. Kachel questioned how much it would cost. He was advised that not many local places can do that size vehicle which is what drives up the cost.

ORDINANCE #475 - A motion by M. Schreiber seconded by R. Spaide and unanimously carried to authorize Ordinance #475 authorizing Upper Pottsgrove Township to join with other political subdivisions as a member of the Pennsylvania Municipal Health Insurance Cooperative to enter into an Intergovernmental Agreement for the purpose of joining the PMHIC and to participate as a member of the PMHIC.

TAX ANTICIPATION NOTE – A motion by R. Spaide seconded by H. Miller and unanimously carried to adopt Resolution #651 for a Tax Anticipation Note in the amount of \$300,000 at 2.15% interest. A unanimous roll call vote was held.

DEED OF DEDICATION FOR GREENVIEW DRIVE - A motion by H. Miller seconded by M. Schreiber and unanimously carried to adopt Ordinance #476 accepting the Deed of Dedication for Greenview Drive. C. Garner will work with Chief Moffett and C. Lewis to modify the Master Traffic Ordinance as necessary.

REGULATION OF PORTABLE STORAGE UNITS – C. Garner explained that when people utilize storage units and large dumpster or bagsters there is sometimes issues when placed in public streets or front yards for long periods of time. At one point a pod was left in the street and the property was abandoned. R. Noll felt that the issue should be looked into. M. Schreiber agreed it should be regulated when it is in the street but not when it is on the property. E. Taylor suggested that staff look into how these are controlled in other areas. M. Schreiber agreed as it could be a safety problem. Chief Moffett advised the Board that there was one major problem where a site obstruction occurred as well as being an eye sore. He also advised that the dumpsters can destroy the street. Even if they are on private property site obstructions can still occur. E. Taylor felt it was pro-active to look into the matter.

RECYCLING GRANT – A motion by R. Noll seconded by R. Spaide and unanimously carried to enter into a three (3) year agreement authorizing Hough Associates to collect residential and commercial recycling data and prepare PA DEP 904 Recycling Grant Applications for Upper Pottsgrove Township to be paid by January 15, 2015, to take advantage of the discount.

OLD BUSINESS:

ADOPTION OF 2015 BUDGET – A motion by R. Noll, seconded by H. Miller, to adopt the 2015 Budget as advertised. M. Schreiber felt taking \$50,000 out of the General Fund to fund the Fire Company is a failure to plan. E. Taylor reiterated that the Fire Company is being funded and he is not in favor of raising taxes when it is not absolutely necessary. The motion passed with M. Schreiber voting nay.

ADOPTION OF 2015 TAX ORDINANCE – A motion by R. Noll, seconded by R. Spaide, to adopt Ordinance #477 setting the tax rates for 2015. The motion passed with M. Schreiber voting nay.

FIRE POLICE ACTIVITIES – A motion by M. Schreiber seconded by H. Miller and unanimously carried to authorize the Fire Police to provide flagging for Christmas Eve services at Pottsgrove High School.

PUBLIC COMMENT:

FRANCE KRAZALKOVICH advised in response to D. Elliott’s question from earlier in the meeting that Act 157 regarding lighted properties was signed into law on August 22, 2014.

JEREMY WOZNAK advised that Santa will be visiting the Township on Saturday, December 20, 2014 starting at 7:30 AM and continuing throughout the day.

APPROVAL OF MINUTES – A motion by R. Spaide, seconded by M. Schreiber and unanimously carried to approve the minutes of the November 17, 2014, meeting as presented. R. Noll abstained as he was not present at the meeting.

PAYMENT OF BILLS – A motion by M. Schreiber, seconded by R. Spaide and unanimously carried to approve the Bill List in the amount of \$119,845.26.

EXECUTIVE SESSION – At 8:45 p.m. E. Taylor advised the Board would hold an Executive Session with no formal action being taken afterward. They reconvened at 9:05 P.M. at which time the meeting was adjourned by unanimous consent of those present.

Respectfully submitted,

Cynthia H. Saylor,
Township Secretary