

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

**January 19, 2016**

The meeting of the Board of Commissioners was held on Tuesday, January 19, 2016, at the Upper Pottsgrove Township Administrative Offices, 1409 Farmington Avenue, with Commissioners Elwood Taylor, Herbert Miller, Jr., Martin Schreiber, France Krazalkovich and John Bealer present. Also present were Township Solicitor Charles D. Garner, Jr., Public Works Director Frank Quinter and Township Manager Carol R. Lewis. 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.

**ADOPT A RESOLUTION TO APPOINT A NEW TAX COLLECTOR** - At this time E. Taylor moved up the appointment of a new Tax Collector to the top of the Agenda. He explained that the elected Tax Collector could not take office and the Board of Commissioner need to appoint someone in a limited amount of time. Four (4) resumes were received from members of the community. M. Schreiber asked if they had the ability to replace the current Tax Collector per the resolution passed in January 2014. C. Garner advised them that, yes, they could. The applicants were given an opportunity to speak and the public to comment. They went in alphabetical order. Up first was Robert Bennelli, 1499 Chestnut Grove Road. He is a CPA who has been practicing for nineteen (19) years and has lived here for twenty (20) years. He has experience in auditing tax collectors. F. Krazalkovich and H. Miller asked him questions. There was no public comment. Next was Diane DeLong, Schwenk Road, who has been a homeowner for over forty-six (46) years. She is a real estate professional with a wide range of knowledge and a good repoir of people. H. Miller and F. Krazalkovich asked her questions. The following people gave endorsements, Dennis Elliott, 576 Evans Road; Ann Read-McIlvee, 1433 N. Hanover Street; Dick Geiger, 2568 Willowgrove Lane and William Dillon, Farmington Avenue. The next applicant was David Mull. He was not present but turned in an application and members of the Board called and spoke with him. Next up was Renee Spaide. She has lived in the township for fifty eight (58) years. She read her achievements as a member of the Board of Commissioners and serving the township in various capacities. H. Miller and F. Krazalkovich asked her questions. F. Krazalkovich read an email from Keith Kachel recommending her. The following people spoke in recommendation of Renee Spaide: Greg Churach, 144 Snyder Road; Dee Patine, 290 Orchard Drive; Matt Dallas, 161 Snyder Road; Keith Kehl, 1941 Gilbertsville Road; Deb Bingham, 1998 Detweiller Road, Tyler Spaide, 1979 Yarnall Road; Kirby Spaide, 1979 Yarnall Road; Paul Gerhart, Yarnall Road; Barbara Miller, Yarnall Road; Tammy Long, Spring Mount, who works with her; Kim, who works with her and Linda Bitler, 2063 Yarnall Road. After hearing from all the candidates C. Garner explained that the vacancy occurred January 4, 2016, when the elected official could not take office. The Board of Commissioners had thirty (30) days to appoint a Tax Collector. The Resolution will make the appointed person Tax Collector with the condition that they can be bonded and then sworn in. A motion by M. Schreiber seconded by E. Taylor to adopt the resolution to appoint Renee Spaide to the position of Tax Collector. H. Miller, J. Bealer and F. Krazalkovich voted nay; the motion did not carry. A motion by J. Bealer seconded by H. Miller to adopt the resolution to appoint Diane DeLong as Tax Collector. M. Schreiber questioned whether there would be a conflict of interest with her being a realtor. C. Garner advised that

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in a case that there would be a conflict she would have to recuse herself from the situation. M. Schreiber and E. Taylor voted nay. J. Bealer, H. Miller and F. Krazalkovich aye; the motion carried.

**PUBLIC COMMENT:**

**KEITH KEHL – 1941 Gilbertsville Road** - Asked if someone could be bonded before they ran for public office to prevent this situation from happening. C. Garner explained that State law does not allow this although it would be helpful.

**BARBARA MILLER - Yarnall Road** - Was told that the Board of Commissioners decided before the meeting started. She is very sad at the results. E. Taylor explained that they had not met in Executive Session. F. Krazalkovich expressed that it was a difficult decision and he is distressed that it was not left to the voters. He asserted that he received many phone calls in support of Diane DeLong. E. Taylor agreed that he would prefer that the lucrative position be decided by the taxpayers. He asserted that he received no calls.

**LORIDENAPO - 1361 North State Street** - Advised the Board that the people across the street have chickens, ducks and a rooster. Other neighbors have huge rabbits and a couple of dogs which run loose. She is concerned about the situation and does not want them in her yard. C. Lewis will pass this complaint on to the Code Enforcement Officer.

**DENNIS ELLIOTT - 576 Evans Road** - Asked the Board if they have a five (5) year plan regarding the tax increase that they implemented this year. He asked if they considered putting aside 1% per year so they don't have to have an increase. E. Taylor explained that this comes up often and they would have to raise taxes in order to have money to set aside.

**REPORTS:**

**EMERGENCY SERVICES LIAISON** - M. Schreiber reported that the Fire Marshal was sworn in. The year- to- date calls were the highest ever. A new MOU was presented to the Board with updated language. The original was passed in 2005. The change would have the Board of Commissioners appoint members to serve on the Fire Committee. F. Krazalkovich asked if in the long term the Township would separate from the Fire Company and no longer have a Fire Committee. M. Schreiber explained that at one time that was the goal. The Committee has become more than a liaison; however, in recent years. E. Taylor thinks it is a good idea to coordinate funding and oversee issues and provide administration support. The Manager helps with grants and real time budgeting. A motion by M. Schreiber seconded by H. Miller and unanimously carried, to approve the amended MOU. F. Krazalkovich told the Board that they had their first storm last week and there was a quick response from the Fire Police. He commended them on an excellent job. M. Schreiber then reported on Police activities. He was hoping to ask for a new car tonight but the deal slipped away. The motor pool will need to be addressed at some point. Chief Wheatley presented a preliminary assessment of the police. He reported that the administrations vehicles are old and are costing money on repairs. M. Schreiber reported that the Chief is also helping the Civil Service Commission with generating their list in the near future.

**PARK, REC AND OPEN SPACE** - H. Miller handed out a map of proposed trails within the Waste Management properties. This is something that the Regional Committees are working on. He then turned it over to Ken Hamilton who gave an update on the Arboretum activities. He outlined users, upcoming programs and success of past programs. He also updated the Board on upcoming plans for the Arboretum. They are looking to make it a Regional Destination. D. Elliott asked if they had considered installing a zip line. Ken Hamilton replied that they cannot due to liability reasons. In response to a question whether they would consider expanding Christmas trees to other yard waste Ken replied that it has to be very closely monitored. They will be doing an appliance collection on February 27, 2016, from 9:00 AM – 3:00 PM. No televisions or tires.

**PLANNING AND SEWER LIAISON** - J. Bealer reported that the Planning Commission met on January 11, 2016. They are working with the Montgomery Planners on a map with lots of information to be used as a tool for planning and for residents. He is not sure, at this point, whether it will be an overlay or if it will be a series of maps. J. Bealer then reported that Sewer had a joint meeting at Lower Pottsgrove with the Township Manager and Engineer. They reviewed projects and shared I & I initiatives. A Sewer Committee meeting is coming up. K. Kehl asked if it was true that Aqua had bought Superior Water. This is correct.

**PUBLIC WORKS** - H. Miller reported that the Chief alluded to the ice storm and the Fire Police. He also included his thanks to the Fire Police for their work. The trees over Kummerer Road have been taken care of. An I & I problem on Farmington Avenue has been fixed. The Scope of Work and bid proposals for North Hanover Street and Needhammer Road should be approved tonight. They are main arteries. H. Miller reported that he is concerned with speeding and tailgating on some of the main arteries such as Maugers Mill Road and North Hanover Street. He reported that New Hanover Township puts dots on the road and they cite people for tailgating. F. Quinter did a survey on all the roads in the township with their widths and their speeds.

**INTERGOVERNMENTAL AFFAIRS** - F. Krazalkovich reported that the COG meeting was cancelled and the next one will be held on March 8, 2016.

**TOWNSHIP SOLICITOR** - C. Garner had nothing to report. F. Krazalkovich asked what the status of updating the Municipal Waste Ordinance was and C. Garner replied that he expects to have a draft for the February meeting.

**TOWNSHIP MANAGER** - C. Lewis reported that she attended two (2) Civil Service meetings to review the oral interview results and polygraph results and set up the next step. The next meeting will be held on Tuesday, February 9, 2016, at 6:00 p.m. Civil Service hopes to have a list for the Board of Commissioners for their February 16th meeting. She then reported attending a meeting with Pete Eisenbrown and Frank Quinter regarding steps and timelines for the new public works building, working on getting quotes from various pole building companies and looking for a designer. She suggested a committee to start basic plan design and NPDES application be formed consisting of the

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Board President, the liaison to the Public Works Department, herself, Frank Quinter, Chuck Garner and Pete Eisenbrown. The transfer of equipment from the old Fire Marshal to the new Fire Marshal has been completed and he has been set up with all necessary paperwork. Three (3) claims were processed for the Fire Company. We are waiting on quotes to finalize two (2) of them and we received the check for the damages to the sign board on the fire police vehicle. The Commissioner's offer has been sent to the bargaining unit and received an affirmative response. C. Garner is coordinating the final documentation for execution. Worked with Fulton Bank for signature cards for the new officials and setting up Capital Improvements bank account. The signature cards are ready for execution tonight. The audit of the Tax Collector accounts in preparation for the new Tax Collector has been arranged and will be performed before she takes over. C. Lewis is preparing for the 2015 audit which is set for the middle of March. The Turnback Liquid Fuels Audit was completed and the only finding was transferring the money from that to the State Fund. During some of the time the bank charged analysis fees which the auditor was requiring be paid back to the State Fund; Fulton Bank is refunding all the AA fees to the General Fund. Reimbursements were submitted to Exelon for the Limerick Exercise and the reimbursement has been received. C. Lewis is coordinating with the County regarding run card changes, radios and the new Fire Marshal. She will be attending an Emergency Management Training in Eagleville on Wednesday and Cindy will be taking a webinar on HIPPA requirements. She reported that she is working on an Act 147 grant for Public Works which is due February 7, 2016. The grant is for \$1000 and we will be applying for funds for cones, barricades and emergency vests. Notices will be sent out for the farming of township open space. Lastly, C. Lewis reported that she has received reimbursement from PECO for a non-existing account in the amount of \$1,689.18 which represents six (6) years; we are expecting one more in the future as two (2) accounts were identified. She commended Michelle Reddick for following up on this issue. A motion by H. Miller seconded by J. Bealer and unanimously carried, to bid and advertise the project with the bid to come in for the March meeting. M. Schreiber questioned whether North Hanover Street met the needs compared to other roads. H. Miller explained that it is a main artery and F. Quinter reported that it was due to school bus traffic. He reported that there were no other roads that were in worse condition that fell into that price category.

**MONTHLY FINANCIAL REPORT** -The Board discussed separate accounts vs. pooled accounts. Matt Dallas explained the history of how the accounts were set up and why. They will be closing line item 31-100-700 which is the money left from the 2013 G/O bond checking and putting into the restricted account. The amount of this is \$1,884.02. They discussed how the Open Space Funds are done. 25% is transferred monthly from the restricted to the unrestricted which money can be used for maintenance and improvements to the parks but can also be used for purchasing open space. M. Schreiber pointed out that only 68% of the Per Capita tax had been collected last year.

**NEW BUSINESS:**

**CONSIDER APPOINTMENT OF GREG CHURACH TO THE POTTSTOWN METROPOLITAN REGIONAL PLANNING COMMITTEE** – Two members from Upper Pottsgrove Township serve on the Pottstown Metropolitan Regional Planning Commission. Greg Churach, who is on the Planning Commission, has agreed to take on this duty. A motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to appoint Greg Churach to the

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Pottstown Metropolitan Regional Planning Committee.

**OLD BUSINESS:**

**DISCUSS THE ASH TREES AND HIRING OF A FORESTER** – C. Lewis explained to the Board of Commissioners that after going back to the Forester’s due to the unusualness of the project they were not sure that \$2,000 would cover the cost of preparing the documents, bidding out the project and overseeing. They proposed going by an hourly rate which would come between \$4,500 and \$6,000. When asked whether the money received from the harvesting of the trees would cover these costs they felt that they probably would but would not make any guarantees. A motion by H. Miller seconded by J. Bealer, to authorize the spending not to exceed \$6,000. F. Krazalkovich expressed concern that the price has gone up and asked that the motion be amended so the funds come from open space. This was agreed to. The motion carried with M. Schreiber voting nay. It was questioned whether the gray ash were affected by the emerald ash borer. C. Lewis will look into this.

**UPDATE ON THE STATUS OF THE FLOOD PLAIN ORDINANCE** – C. Garner gave an update on the Flood Plain Ordinance. The Township was notified in 2010 that the maps will be reviewed. In 2012 all municipalities will need to update their ordinance. In 2013 the County provided a draft ordinance. FEMA extended the deadline. The ordinance also needs to be reviewed by the County and the State. The township has not yet received this review. C. Garner suggested that the township move ahead with the draft they have. A motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to authorize the advertisement of the Flood Plain Ordinance.

**FIRE POLICE ACTIVITIES** - A motion by M. Schreiber, seconded by J. Bealer and unanimously carried, to authorize the Fire Police Activities.

**PUBLIC COMMENT:**

**MICHELLE REDDICK – 1416 Kummerer Road** – Advised that there is a community fund raiser scheduled for this Friday for one of our residents. If you cannot attend the fundraiser she also has a Go Fund Me account set-up. Flyers for the event are available.

**COMMISSIONER COMMENTS:**

F. Krazalkovich thanked Jeff Kazmierczak and the community of West Pottsgrove for doing an outstanding job. He will be presented with a letter of appreciation from the Township.

**APPROVAL OF MINUTES – December 21, 2015** – D. Elliott asked for the wording, regarding matters of acquisition of open space, on page 3 of the minutes to be changed from – “He was confused” to “He brought to the Board’s attention matters of acquisition of open space.” A motion by M. Schreiber seconded by H. Miller and unanimously carried, to approve the minutes with the included amendments. J. Bealer abstained as he was not a member at that time.

The January 4, 2016, minutes will be approved at the February Board of Commissioners meeting.

**PAYMENT OF BILLS** – A motion by M. Schreiber, seconded by H. Miller and unanimously carried,

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to approve the Bill List in the amount of \$280,112.73.

**EXECUTIVE SESSION** – An Executive Session will be held to discuss one personnel and one matter of litigation with no action being taken. The Board adjourned into Executive Session at 9:23 p.m. and reconvened at 10:21 p.m.

**ADJOURNMENT** – A motion by M. Schreiber, seconded by J. Bealer and unanimously carried, to adjourn the meeting at 10:22 p.m.

Respectfully submitted,

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Carol R. Lewis, Manager