

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

**April 18, 2016**

The meeting of the Board of Commissioners was held on Monday, April 18, 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., Police Chief Francis Wheatley, 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.

**PUBLIC COMMENT:**

**REPRESENTATIVE MARCY TOEPEL** - Was present to report to the Board of Commissioners. She represents eleven (11) townships and tries to visit them every other year. She presented recognition from Douglass Township and Representative Topel for the Fire Company's assistance in the Berks Mont Camp Fire. She thanked the Commissioners for the great working relationship she has with the Township and asked that any resident contact her with any State related issues. She was asked whether there was any movement on changing DEP's requirements in regards to recycling televisions and monitors. She said that they are aware of it and they are working on the problem.

**REPORTS:**

**EMERGENCY SERVICES LIAISON** - M. Schreiber presented the Police Report. Two people were caught in Turnberry going through cars. He encouraged residents to continue to be vigilant as there are more people out there doing the same thing. The SRO has been mediating conflict resolution at the school. On the subject of a new police car two were found; a Charger and an Explorer. They are close in price but the Explorer fits in the fleet better as it sits higher off the ground. A motion by M. Schreiber, seconded by H. Miller and unanimously carried, to accept the Fulton lease quote for the Ford Explorer. F. Krazalkovich asked why we are going for a new vehicle instead of a used vehicle. Chief Wheatley explained that he found a used 2009 with 50,000 miles for \$12,500; we can lease a new vehicle with full warranty for \$5,000/year. The outfitting of the new car is included in the quote. M. Schreiber next reported that he recommends a letter be written to the County regarding the radios. It is reported that the soonest we will see them is August. Chief Wheatley will reach out to his contact at the County to see if it is possible to get some released for the new vehicles both with the police and the fire. It was requested that the Public Works paint lines in the stone for the Primary to aid in parking. Chief Wheatley reported that in regards to the radios the County was considering separating the Groves during redistricting but they have instead decided to keep them together and will be on with Pottstown Borough.

**PARKS, RECREATION AND OPEN SPACE** – H. Miller presented the report. A motion by F. Krazalkovich, seconded by M. Schreiber and unanimously carried, to approve a Fishing Rodeo on June 11<sup>th</sup> and stocking of Sunset Pond at a cost not to exceed \$600. The Open Space and Recreation Board

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is looking at having a Community Yard Sale and a Community Day in the Fall. Chuck Note had a contact who gave a great price for mulch. A motion by M. Schreiber, seconded by J. Bealer and unanimously carried, to approve the items recommended by the Open Space Board to be purchased with the use of the \$10,000 grant funds. The Open Space and Recreation Board recommends the name Veteran's Grove for the play area being built near the Chestnut Grove Development. The Board will take time to discuss this. A motion by M. Schreiber, seconded by H. Miller and unanimously carried, to authorize the execution of the contract with SoliTude Lake Management for the pond at Sunset Park and both ponds at Sussell. H. Miller reported that the Middle School will aerate, weed and feed both fields at Hollenbach Park. Arcadia may be moving forward with Phase III of Hollenbach which is the construction of the parking lot on the upper part; the only expense to the Township would be for stone. A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to authorize up to \$7,000 for stone. H. Miller next reported that damage occurred at Sunset kiosk. The glass was broken which has since been replaced with Lexon. The Board will need to look at recommendations for security at the park. Chief Moffett had recommended that cameras be purchased that pick up license plates. A motion by M. Schreiber, seconded by J. Bealer and unanimously carried, to adopt the Resolution of an intent for participation in the Delaware Valley Regional Planning Commission's Transportation and Community Development Initiative Grant Program for the development of a Regional Identity Creation, Wayfinding and Digital Information Plan. There will be six (6) municipalities participating in this grant.

**PUBLIC WORKS** – H. Miller reported that the Road Crew has opened a series of clogged pipes. All members of the Road Crew attended flagger training which is required by PennDOT. They installed seven (7) temporary meters. Twenty eight (28) volunteers participated in the cleanup and collected over fifty five (55) bags of trash. Street sweeping is going on this week. A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to accept the quote for installation of concrete curbing to eliminate the sheeting of water across Snyder Road.

**SEWER AND WATER** – J. Bealer reported that several properties were found that have not been billed. A motion by M. Schreiber, seconded by H. Miller and unanimously carried, to authorize the mapping of all the properties on public sewer not to exceed \$750. This activity along with the sewer audit should make sure that every person is being billed. Bruce Achuff, 1340 Farmington Avenue, advised the Board that he was one of the properties that was listed. He told them that this will be a hardship on him and his family. He thought the sewer was part of his taxes. He asked the Board to consider forgiving the debt. He was advised that the Board will be discussing this in Executive Session later on.

**INTERGOVERNMENTAL RELATIONS** – F. Krazalkovich advised the Board that Act 111 has not been evaluated or amended since 1967. There are lobbying to make the process fairer. A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to adopt the Resolution in support of Act 111 reform. He then reported that he attended the PSATC Executive Committee meeting in State College on April 1<sup>st</sup> and 2<sup>nd</sup>. He is also an Alternate on the First Class Township Code revision. He passed out a Resolution asking for revisions to Municipal Pension reform. A motion by F.

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Krazalkovich, seconded by H. Miller and unanimously carried, to send a letter of opposition regarding the mandates to Executive Sessions. C. Garner had recommended this letter last year as the mandates will be burdensome to the Townships. F. Krazalkovich prepared a Resolution for the Commissioners to consider next month regarding allowing police to use radar. Pennsylvania is the only state that is not allowed to use them. F. Krazalkovich reported that there is a Bill allowing tax credits for volunteer first responders. M. Schreiber commented that volunteerism is dying. They need 600 hours of classes. He also reported on a Bill amending the Wiretap Act under Title 18 regarding body cameras for Police Officers. The Chiefs of Police have asked for this issue to be addressed. Current wiretap laws prohibits the use of these cameras inside but they are needed. He then reported on a Bill amending the Right to Know Law which would amend it in a number of ways; one of which is establishing the office of open records as an independent agency and removing it from the Department of Community and Economic Development. In response to a question regarding any movement on property tax relief, F. Krazalkovich reported that only in respect to schools.

**TOWNSHIP SOLICITOR** – C. Garner explained that a draft to the Animal Control Ordinance has been disseminated to the Board. They are suggesting some minor revisions declaring some of the actions a nuisance which would give some equitable action. It allows the Township to seek court relief to alleviate the action. A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to authorize the preparation and advertisement of the revisions to the Animal Control Ordinance.

**TOWNSHIP MANAGER** – C. Lewis reported that she has sent out and executed the cultivation contracts for this year. John Prout will once again be farming Prout Farm and the Boerner tract. The Township will not be charging him for the farming of the Prout Farm due to the fact that his crops may be disturbed by the ash tree removal activities and by the installation of the sewer for Sprogel's Run. An actuarial study is being done regarding possible changes to the Pension Ordinance. This will be for your consideration for the next meeting. The Police Contract has been accepted and will be available for execution next month. The audit of the Tax Collector has been completed and we should have the final audit next week. C. Lewis coordinated insurance claims for the Fire Company. All are completed and closed out. Michelle Reddick went to the Consortium meeting in Lansdale. The Consortium is considering coordinating franchise renewal activities. By participating with the Consortium it will be 10 to 20 percent savings for the Township. She is working on new electric bids and estimates that the Township will save \$2,300 a year based on current usage. She attended the applicants briefing for snow assistance and signed up for a kick-off meeting with FEMA. We anticipate getting \$15,000 back. C. Lewis and Cindy Saylor will be attending a Municipal Accounting Issues Seminar sponsored by the Montgomery County Controller's Office on May 3<sup>rd</sup>. The rest of the report is included in the meeting packet.

**NEW BUSINESS:**

**Glen Morgan**, from DVDC, was present at the meeting and advised the Board that they are the Developers that will be finishing the Cross Roads Development. This Development has been approved for fifty one (51) townhomes and they are under agreement of purchase with the bank. A PFA application has been submitted for financing. The Board has an opportunity to weigh in on this letter.

Glen Morgan gave some background on his company and advised the Board that they only do rental properties. They have a sister company that manages all of their properties. They are using housing tax credit for financing. Their plan is to build forty nine (49) townhomes with a twenty four (24) hour live in manager. They have a very good track record. Their products are well-built; have garages and a community center. They plan to start construction at the end of this year or the beginning of next year. H. Miller advised that he visited some of their properties and was impressed by their product. The property was manicured and had good security. There are income limits which are 60% of the community's median. The applications are very stringent and all standards must be met. They would be two and three bedroom units. C. Garner advised that this property is subject to a Curative Amendment which restrictions must be met. They discussed sewer contributions and number of children in the school. A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to draft a letter stating the history of the property. J. Bealer advised that he accompanied Mr. Miller in visiting one of their properties and was also impressed with the quality of the materials and how well maintained it was. **K. Kehl** asked if this was considered a new project which it was not. The project is anticipated to cost \$13,000,000.

**CONSIDER APPOINTMENT TO PARKS AND OPEN SPACE COMMITTEE** – A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to accept the Open Space and Recreation Board's recommendation to appoint Michelle Reddick to the Board.

**CONSIDER REDUCTION OF CODDINGTON VIEW PHASE 3 ESCROW REDUCTION** – A motion by M. Schreiber, seconded by H. Miller and unanimously carried, to approve the reduction of Coddington View Phase 3 escrow totally \$1,927.30.

**CONSIDER EXONERATION OF PER CAPITA TAX FOR DISABLED VETERAN** – C. Garner explained that many State laws address the exoneration of taxes for disabled veterans. Both the school and the municipality have the right to exonerate the OPT. A motion by F. Krazalkovich, seconded by M. Schreiber and unanimously carried, to exonerate the Per Capita Tax for 2016.

**OLD BUSINESS:**

**CONSIDER ADOPTION OF REVISED STORMWATER ORDINANCE** – A motion by F. Krazalkovich, seconded by J. Bealer and unanimously carried, to adopt the revised Stormwater Ordinance which has been prepared, reviewed and advertised.

**NEW PUBLIC WORKS BUILDING – CONDITIONAL USE HEARING DECISION** – A public meeting was held last month. A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to approve the Conditional Use Hearing decision. A motion by F. Krazalkovich, seconded by J. Bealer and unanimously carried, to form an ADHOC Committee for review and planning of the current buildings for the use by Fire and Police.

**CONSIDER FIRE POLICE ACTIVITIES** – A motion by F. Krazalkovich, seconded by J. Bealer and unanimously carried, to approve the Fire Company activities.

**COMMISSIONER COMMENTS:**

E. Taylor advised that at the Opening Day of baseball the Township was presented with a Certificate of Appreciation from Pottstown Little League. He was gratified to see so much volunteering.

**APPROVAL OF MINUTES – March 21, 2016** – A motion by M. Schreiber, seconded by F. Krazalkovich and unanimously carried, to approve the minutes of the March 21, 2016, meeting as presented. F. Krazalkovich questioned the posting of the minutes on the website.

**PAYMENT OF BILLS** – A motion by E. Taylor, seconded by M. Schreiber and unanimously carried, to approve the Bill List in the amount of \$241,927.07.

**OTHER PUBLIC COMMENT:**

Keith Kehl advised that Ken Hamilton is having a Volunteer Day this coming Saturday.

**EXECUTIVE SESSION** – The Board adjourned at 9:04 PM into Executive Session to discuss current and potential litigation. They reconvened at 9:30 PM.

**ADJOURNMENT** – A motion by F. Krazalkovich, seconded by M. Schreiber and unanimously carried, to adjourn the meeting at 9:31 PM.

Respectfully submitted,

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Carol R. Lewis, Manager