

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

May 15, 2017

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, May 15, 2017, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners John Bealer, France Krazalkovich, Herb Miller, Martin Schreiber and Elwood Taylor 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. M. Schreiber arrived at 7:31 pm.

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.

VISIT BY SENATOR BOB MENSCH – Senator Mensch addressed the audience and discussed the State budget. He said they are faced with difficult decisions on what to fund and not to fund. Pennsylvania’s unemployment rate is higher than the national average and revenues are down. We have the most oppressive business tax structure in the nation. E. Taylor thanked the Senator for his support of the 537 reimbursement which multiple governors had blue lined that item. H. Miller asked how the budget impacted roads. Senator Mensch advised him that they have increased transportation funding under Act 89 which is in its third year. Pennsylvania had one of the highest bridge deficiencies some of which have been addressed through the additional funding. He expressed concern that the Secretary of Transportation is adding to the cost of projects by requiring an apprentice ratio. H. Miller asked if they were sure that the money from the Fuel Tax is going into the Transportation Fund. Senator Mensch assured him that it is and that it is a restricted fund. They discussed growth in the area that impacts local roads. Senator Mensch agreed and said that it is due to the fact that the population growth is shifting West to East. Most of the driving economy is in the southeast at this time. Something the Legislature is trying to address is fair funding between school districts. They did pass Legislation but the Governor said the new formula will only apply to new money streams. As to the electronic recycling a 2010 Bill required retailers to take back TV’s. This has expired. They are working on new Legislation which probably will be after the budget. Currently you can take your TV’s but they charge by size and weight. This is due to Federal Recycling Regulations. They then discussed the Cancer Presumption Bill and the high insurance rates for firefighters. **Trace Slinkerd, 219 Deerfield Way**, asked if there were plans in the pipeline to help business regulations. Senator Mensch advised that there are some Bills to reduce business taxes and operating loss. **James Capinski -1948 Yarnall Road** - Said that development came to a stop due to a sewer moratorium where there was not enough sewer capacity. He asked if the same could be done for the School Districts since there is not enough room for them. Senator Mensch said that would be unconstitutional and they cannot do that. **Chief Wheatley** asked about the use of local radar. The Senator feels that it will make it through at this time. **Dennis Elliott** asked if they had anybody on their staff that could help them bring business to the area. There are twenty six (26) acres that could be developed for commercial use. Senator Mensch replied that they might have someone on their staff that could help. There is a negative tax factor when you are just building homes. Commercial needs to be added to the mix.

PUBLIC COMMENT:

KEITH KEHL – 1941 Gilbertsville Road – Advised that off Route 100 and Moyer Road there is a no trespassing sign right next to an open space sign. He suggested that one of them be taken down. He also expressed his displeasure that the sewer line was put through the field and not across the developers own property. He does not think it is right that there are manholes in the field. J. Bealer replied that the sewer being installed is not just for Sprugel’s Run but will also serve properties on Ming Drive as well as others.

ANNIQUE RIUZ-BROWN - 1276 Pine Street – Submitted an official request for a traffic calming device specifically a speed bump, in order to control the speed of drivers on Pine Street and to insure the safety of all the residents, bikers, walkers, joggers and most importantly the children playing on said street. There has been an increased amount of through traffic using Pine Street as a short cut for cutting out the congested intersection of North Charlotte Street and Mervine Street. They are often speeding or distracted by their cell phones when they drive by. When a car is cutting through a side street their only objective is to get to their destination faster which leads to recklessness. Over the last year and a half the amount of children residing on Pine Street has increased to six (6) of nine (9) homes with children or grandchildren under the age of twelve years. I myself have two special needs boys that are diagnosed autistic, non-verbal and ADHD. This street offers nothing in the way of safety for them or the other children. Speed limit signs are not effective. The petition has been signed by the majority of homes on Pine Street; some people declined to sign. Seven (7) of the nine (9) homes signed. Chief Wheatley interjected that they do use unmarked cars to monitor these situations. He himself is not a big fan of speed bumps as they create a considerable amount of noise and can cause a fast moving car to lose control. He feels that a combination of signage and police presence would be more effective. M. Schreiber asked if there are peak times when the activity happens. A. Brown said from 4 to 6 p.m. when people are commuting to and from work.

JOHN BUSH – 1256 North State Street – Advised the Board that he is having the same issues with commercial trucks using the road. He saw that we had finished the traffic study and asked that the weight limit signs be put back up. He saw five (5) eighteen wheelers in one day. He claims that State and Levengood are through roads to the back of the mall and their neighborhood is experiencing commercial creep. E. Taylor felt that this makes no sense that the trucks would use this road to get to the back of the mall. The Board has been very firm about keeping that road closed. PennDOT also weighed in to have proper circulation at Upland Square.

JOHN MADDEN – 1870 Yarnall Road – Passed out a document that he had created to the Commissioners. The first page is a map that was left him by previous owners that shows a creek that is not flowing. Document #3 is the latest Newsletter that has an article requiring that drains be kept up and not clogged. #2 is a Code Violation letter regarding the cleaning out of the gutters and pipes and he asked why his neighbor is not required to do such a thing. He has given the Township four (4) years of good faith to let them remedy the problem but does not feel that they are any closer to a solution. H. Miller advised that himself and Trace Slinkerd were at his home and saw the property damage. When they were there the pipe was open but 15 feet away is a pile of rubbish and leaves.

He claims that the problem is across the street and the property owner needs to do what is suggested. J. Madden advised that he is keeping his side of the pipe cleared out and is asking for help. E. Taylor advised that the Township has been trying to remedy the situation and get compliance. We have been threatened with litigation from another resident. A solution has been presented to one property owner but has not been acted on. C. Garner will revisit with the property owner's Solicitor. E. Taylor advised that they know what the solution is but it involves private property that the Township cannot work do on. F. Krazalkovich asked if there is in fact a violation of the code could we sent a Notice of Violation. E. Taylor responded that the problem is that the creek does not even exist anymore from a previous owner. There is no watercourse.

REPORTS:

EMERGENCY SERVICES LIAISON – M. Schreiber presented the Emergency Services Reports. There were thirty two (32) EMS calls for the month and nineteen (19) fire calls. The Fire Company did get the PEMA Grant for \$15,000. The Fire Committee discussed the potential tax credits and looked at samples from Whippain Township. They have about seventeen (17) members that may be affected. The Fire Committee is looking at trying to get administrative help and they are setting the requirements at thirty six (36) hours. They received the By-Law feedback from some of the Commissioners and are still working on it. M. Schreiber asked about putting a picnic table out back to cut down on people honking when they drive by. He also asked about purchasing a garage to put on the ground out back to store the UTV which takes up a lot of room in the bay. They discussed the amount of land that would be needed for the 24 x 30 foot structure and whether or not this is where the Fire Company will be going forward. **POLICE ADMINISTRATIVE ASSISTANT** – Motion by M. Schreiber, seconded by H. Miller to advertise for a full time Police Administrative Assistant not to exceed \$25.00/hour depending on qualifications. F. Krazalkovich asked if the duties are spelled out for forty (40) hours? Chief Wheatley advised that it is a wide encompassing job description and depends on the ability of the applicant to multi task. The Police Department is in a rebuilding stage and is evolving. This position is very important and he thanked the Manager for her help in getting it in place. **Dennis Elliott, 576 Evans Road**, asked if they could retain the part-time person they have now. Chief Wheatley advised that she will compete for the job and is aware of the process. The motion was unanimously carried.

PARKS, RECREATION AND OPEN SPACE LIASION – H. Miller read a memo from University Professor David Kratzer. Motion by H. Miller seconded by F. Krazalkovich and unanimously carried to approve the gift of the bird blind from Philadelphia University as long as there is an Agreement in place with the Arboretum that they will maintain and assume liability for the structure. **CONSIDER PAVING OF FOX HILL TRAIL** – The Fox Hill parking lot is used year round. Motion by H. Miller seconded by F. Krazalkovich and unanimously carried to authorize the paving of the parking lot. **Renee Spaide, 1979 Yarnall Road**, asked where the money is coming from and was advised it would be coming from Open Space and Recreation Maintenance. **CONSIDER CHARGING THE SCHOOL DISTRICT FOR THE USE OF HOLLENBACH FIELD** - The School District charged the Township for the use of their parking lot for the car show even though the Township was initially told there would be no charge since no staff was needed. School Board members claimed that this was due to the fact that the event was

only for Upper Pottsgrove and not all municipalities. The Open Space Park and Recreation Board feels that this is unfair and recommends that the Board of Commissioners charge the School District for use of the Hollenbach Field or authorize someone to negotiate with the School District going forward. The School District does not have someone on the Joint Recreation Board. F. Krazalkovich asked if the Board had someone in mind but this was not discussed. E. Taylor agreed that there should be some sort of balance. The Township does not make other entities pay for the use of fields and this could be just a miscommunication. D. Elliott feels they should refund the Township's \$350.00. M. Reddick pointed out that the OSR Board's intent was to haul the trash but a custodian showed up. An invoice came months after the event. F. Krazalkovich volunteered to discuss the matter with the School District. H. Miller pointed out that the fields have not yet been fertilized even though they are supposed to be. Heather Place Park has been registered for this year's park contest that will be held in July. Proceeds will be put toward the Veteran's Memorial. The Board is forming a committee to plan the Memorial. Please contact the Manager if you are interested in participating. F. Krazalkovich replied that he would be interested in serving on the Committee. **Consider installation of 3 metal signs for Goose Run Trail** - The Board recommends the installation of three (3) metal signs along the road where Goose Run Trail comes out. Some of the Police Officers didn't know where it was when they were called out for somebody being injured. Motion by F. Krazalkovich seconded by H. Miller and unanimously carried to purchase the signs not to exceed \$600. **Consider recommendation to continue the split rail fence along the Dallas property** – Motion by F. Krazalkovich, seconded by H. Miller and unanimously carried to continue the split rail fence along the Dallas property to the top of the hill not to exceed \$950. H. Miller presented the Tri-County Trail plan and outlined the connecting trail between Sunset and Hollenbach Park. Motion by F. Krazalkovich seconded by H. Miller and unanimously carried to accept the concept and the planning for this trail. The Manager will develop a cost estimate for the installation of the trail which could be done in phases. **Keith Kehl, 1941 Gilbertsville Road**, asked if the water fountain was turned on at the ballfields. They are not yet but will be soon. D. Elliott reported that Gring's Mill has an orange placard on their kiosk regarding ticks and asked if the Township could have something similar. He also reported that in regards to the Veteran's Memorial Committee; Ken Iatesta has volunteered to be on the Committee as well.

PUBLIC WORKS – F. Quinter reported that they have built the parking lot at Hillside and addressed drainage issues at the pool. They received the No Littering Signs which will be going up shortly.

SEWER AND WATER LIASION – J. Bealer reported on the meeting of the Sewer Committee. They are recommending that the Commissioners authorize the bidding of the North Hanover Street Sewer Lining Project as soon as the executed contracts are received. Motion by H. Miller seconded by F. Krazalkovich and unanimously carried to authorize the advertising for the bids. J. Bealer then reported that he met with the Joint Sewer Committee. \$204,000 will be spent this year for the Dryer which our portion is \$7,800. The cost of the Dryer Project has gone up from \$3,424,000 to \$3,712,000. They still feel it is a valuable project.

INTERGOVERNMENTAL RELATIONS LIAISON – F. Krazalkovich thanked Senator Mensch for attending the meeting and for the update.

SOLICITOR’S REPORT – C. Garner advised that he will have the DROP Ordinance for adoption at next month’s meeting.

TOWNSHIP MANAGER – C. Lewis advised the Board that she has advertised for applicants for the Financial Assistant position and is in the process of doing phone interviews. In regards to some concerns she has gotten from Commissioners she recommends the position not exceed 1040 hours per year. **Discuss RFP for Engineering Services** – Motion by J. Bealer seconded by M. Schreiber and unanimously carried to authorize the Manager to advertise the RFP with a line added if they do not have all the services listed it does not disqualify them from submitting a proposal.

MONTHLY FINANCIAL REPORT C. Lewis advised the Board that they will see under Bank Service charges that it has gone up considerably. This is due to the fact that in the past the bank has waived our analysis fees because we were earning almost no interest. Now that interest rates have gone up they are charging us once again.

NEW BUSINESS

CONSIDER THE CIVIL SERVICE’S ANNUAL REPORT – Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to accept the Civil Service’s Annual Report for 2016.

CONSIDER SEPARATION AGREEMENT WITH CINDY SAYLOR – Motion by H. Miller seconded by J. Bealer and unanimously carried to accept the Separation Agreement with Cindy Saylor. M. Schreiber declared that she has been an asset to the Township.

OLD BUSINESS

CONSIDER FIRE COMPANY ACTIVITIES – Motion by M. Schreiber seconded by J. Bealer and unanimously carried to approve the Fire Company activities as presented.

COMMISSIONER COMMENTS

F. KRAZALKOVICH advised the Board and residents that tomorrow is Primary Election Day. Stay active, be engaged, involved and vote.

M. SCHREIBER reported that the Township did receive the Green Light Go Grant for signal preemption.

E. TAYLOR reported that the Township had a get together for volunteers. There are 60 – 70 people who volunteer in the Township and were officially recognized and thanked. So much is done by the volunteers and he thanked them for their efforts.

APPROVAL OF MINUTES – **April 17, 2017** – Motion by F. Krazalkovich seconded by H. Miller and unanimously carried to approve the minutes of the April 17, 2017, meeting as presented.

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PAYMENT OF BILLS – Motion by J. Bealer seconded by E. Taylor and unanimously carried to approve the Bill List in the amount of \$182, 895.17.

EXECUTIVE SESSION – The Board adjourned to Executive Session at 9:11 pm for pending litigation and real estate. They reconvened at 9:40 pm.

ADJOURNMENT – Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to adjourn the meeting at 9:41 pm.

Respectfully Submitted,



Carol R. Lewis, Assistant Secretary