

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

September 18, 2017

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, September 18, 2017, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners John Bealer, France Krazalkovich, Herb Miller, Martin Schreiber and Elwood Taylor. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief Francis Wheatley, and Township Manager Carol R. Lewis. Also present were Officers Al Werner, Bradley Guildin, Andrew Millard, Jason Zoski and Larry Hanna.

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.

PROMOTIONAL CEREMONY FOR ALBERT WERNER TO CORPORAL – Chief Francis Wheatley advised the Board and public that this was the first promotional process in the history of this Police Department. It was a three month process approved by the Civil Service Commission and the Board of Commissioners. He read the biography of Albert Werner and presented his new badge to him. Everyone stood and congratulated Albert Werner.

PUBLIC COMMENT:

JAMES CAPINSKI – 1958 Yarnall Road – Presented an article from the Township News regarding enforcement of open records orders. He also noted Chuck Garner’s opposition to new development in New Hanover Township according to a news article in the Mercury. He had suggested to Senator Mensch that a moratorium for new development be put on due to lack of space in the schools but was told that would be unconstitutional.

KENNETH BROWN - 2204 Horseshoe Drive – Asked if funds were being expended without Board approval. They are not.

KEITH KEHL – 1941 Gilbertsville Road – Grandy Road is washed out again. There are some gutters that need to be cleaned out. E. Taylor advised him that Grandy Road is on the road projects for next year. He then asked where the new intersection for Moyer Road and Cross Road would be located. He was advised that it would be approximately one hundred feet further away from SR 100. K. Kehl said it comes out under the retention basin and you can barely see. He asked if you will be able to make a left turn with a truck. E. Taylor advised when all is completed you will be able to.

REPORTS

POTTSTOWN REGIONAL PUBLIC LIBRARY – Sue Davis, Pottstown Regional Public Library, advised the Board that she sent a report that reflects the Library closed half a year due to construction. They have rebounded in August and are up another 41% statistic wise. They had a solar eclipse event and handed out glasses and had over 1,600 visitors. There were over 10,000 people through the door in the month of July. They are increasing their programs especially for adults. Representative Costello has office hours in the meeting room once a month. They have

mobile hot spots to circulate. As well as Roku which are streaming video devices. They will be getting launch pads which are educational software for kids through a grant through St. Aloysius Church. They are holding a breakfast on Thursday morning for municipal officials to get their input. It will continue to get better. They are not requesting any additional funding this year.

EMERGENCY SERVICES – M. Schreiber reported that there were 36 EMS calls. The Fire Company had 16 fire calls for a total of 133 year to date. Their calls are down a little bit from previous years due to traffic enforcement for which he thanked the Police Department. The Fire Committee is looking at different options for Volunteer Tax Relief. Currently there are 25 active and only 4 or 5 of them are residents. Chief Wheatley interjected that he is impressed with the relationship the Police Department has with the Fire Company. There was a tree down and it was removed very quickly. They are very responsive. E. Taylor reported that he swore in another volunteer tonight. We do seem to be increasing. M. Schreiber explained that on the firefighter side there is so much more training required and it is a lot of work. On the police side Chief Wheatley reported that they did a large enforcement during Back to School and they have it on the billboard. Car thefts are popping up again and he urged all residents to lock their cars.

PARKS, RECREATION AND OPEN SPACE – Herb Miller reported that the Althouse Arboretum will be holding a Night Hike on October 13th and 14th and will be participating in the Haunted Woods on October 27th and 28th. D & D Collision is helping with vans to transport visitors from Hillside Pool. The 5k run will be held on December 2nd or 9th in conjunction with the Winter Festival. They will once again be doing their Christmas tree recycling on January 6th and 7th from 9:00 am to 3:00 pm. They will be hosting a Student Camp for Environmental Leadership September 30th from 9:30 am to 3:00 pm. Their conferences are being vied for by many universities and they expect eventually for it to go national. The Green Allies was contacted by the National Science Foundation from Washington, D.C. about the American Chestnut Tree which is almost extinct except for in Virginia. Several Arboretums have been asked to receive seeds and try to repopulate the tree. They will be working with colleges on this endeavor.

CONSIDER HOOKING THE ARBORETUM UP TO PUBLIC WATER - There is a break in the pipe from the well to the farm house. They are looking to hook up to public water not to exceed \$4,300. If they hook up this year they will not have to pay a connection fee. Tyrone Parker asked if they collect rain water. They do that for watering the gardens and things like that. The Arboretum will be responsible for the monthly bill. Motion by H. Miller, seconded by J. Bealer, to approve the expenditure. The motion passed with M. Schreiber voting nay.

RECOMMENDATION FROM THE OS&R TO HOOK BALL FIELD UP TO PUBLIC WATER FOR LIMITED WATERING OF THE INFIELD WITH A SNAP HYDRANT – M. Schreiber asked if they will be digging up the whole field. They will not. At this time they are only doing one field. C. Garner advised that the Township needs to make it clear to Aqua that we are not taking any responsibility for the payment of the bill and we need to get it in writing. Motion by H. Miller, seconded by M. Schreiber and unanimously carried to approve the project.

MICHELLE REDDICK – 1416 Kummerer Road – Advised that the Township is still holding an escrow in the amount of \$1,062 from the Baseball Club. They are aware of this as they get monthly

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invoices. Motion by J. Bealer, seconded by F. Krazalkovch and unanimously carried to release the escrow back to Pottsgrove Little League in lieu of a contribution. It was questioned whether we can release the escrow to them without them requesting it. C. Garner said if there is no reason for the escrow then we can.

PUBLIC WORKS REPORT – F. Quinter reported that there was a storm on Tuesday with a lot of damage and power outages. M. Schreiber questioned the paving on Mapleleaf Lane that there is a portion of macadam missing and divots were left in the new paving by the machinery. He also asked in Turnberry Farms why the brush was thrown into the open space. He believes that this promotes other dumping. It will be cleaned up. F. Quinter also advised the Commissioners that dialer at the pump station was hit by lightning and had to be replaced.

SEWER AND WATER LIASION – J. Bealer reported that the flows show that our I & I work is making a difference. We are continuing installing the pans into the manholes and are budgeting to purchase an additional twenty EDU's for miscellaneous hook ups. The lining of North Hanover is complete. E. Taylor congratulated them since July had high rain events but low readings even with additional customers on the system.

INTERGOVERNMENTAL RELATIONS LIASION – F. Krazalkovich reported that Act 23, the Bill signed by the Governor, that clarifies vacancies on the Board and how they are filled. He also reported that HB #1620 seeks to strip municipalities of their zoning rights over wireless communications. Motion by F. Krazalkovich seconded by M. Schreiber and unanimously carried to write a letter opposing this Bill. E. Taylor hopes that we have spoken to all of our Representatives to share our opposition and would like a very strong letter. He thanked F. Krazalkovich for bringing it to their attention.

GLORIA PARKER – 1209 Springhill Lane - Questioned that they are budgeting \$30,000 to purchase capacity. J. Bealer agreed.

DENNIS ELLIOTT – 576 Evans Road – Asked if the Township has contracts with Verizon and Comcast. The Township does have a long term agreement for cable franchise. D. Elliott does not agree that companies raise their rates exorbitant and thinks they need to be held accountable.

GLORIA PARKER – 1209 Springhill Lane - Understands that the Township pays \$140,000 to Pottstown Borough Authority to treat our effluent and asked where the rest of the money goes. It was explained that the majority of their payments go towards the loan that was taken out to install the original system. She advised she has submitted a Right to Know Request for documents. E. Taylor is glad that she is getting these to understand exactly what her sewer fees pay for. The Board has refinanced the bonds over the years to capture lower and lower rates.

SOLICITOR REPORT – C. Garner advised the Board that they had discussed some changes to the regulations for animal agricultural uses. He hopes to have some suggestions for next month's meeting.

TOWNSHIP MANAGER'S REPORT – M. Schreiber asked if the Fire Marshall's tablet was

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coming in. C. Lewis responded that it is on order. The Fire Marshall has suggested passing an Ordinance requiring rental units to have fire detectors. C. Garner pointed out that the Property Maintenance Code may require them but will need teeth for further enforcement.

REVIEW 2018 MMO FOR UNIFORM AND NON-UNIFORM PENSIONS – Under the State Pension Law the Actuary is required to provide a MMO for budgeting purposes next year and the Township is required to acknowledge receipt of the MMO. Motion by M. Schreiber seconded by H. Miller and unanimously carried to acknowledge receipt of the MMO for the Police Pension Plan in the amount of \$198,784. Motion by M. Schreiber seconded by H. Miller and unanimously carried to acknowledge receipt of the MMO for the Non-Uniform Pension Plan in the amount of \$48,011.

DISCUSS 2018 BUDGET PROJECTS – C. Lewis presented the first draft of the 2018 Budget. There are no rate hikes and no tax increases proposed. M. Schreiber asked if Kummerer Road was on the Road List. It is not this year as it is not a high volume road.

BUILDINGS – PUBLIC WORKS – REVIEW BIDS – E. Taylor read the bid results. They have been looking at this for a long time. **DIANE DELONG, 1527 Schwenk Rd.** stated that they were originally told it would be \$650,000 but now it is \$2,000,000. **TYRONE PARKER – 1209 Springhill Lane** – Asked why we don't fix what we have and save toward a new building instead of raising our taxes. E. Taylor explained that there is no tax hike contemplated. There are any numbers of things that can be done. The Board looked into buying an existing building but it did not go through. They looked at buying land to build. The current building is not adequate and not big enough to suit our needs. The Police Department needs more room as well. The Board decided to build a new building on existing land. They considered many options but it will not be cheaper down the road. This proposed building would also serve as a proper emergency facility far into the future. It will support the people and equipment that do these tasks. **MICHELLE REDDICK** said that they were told the building would be \$650,000 over a 10 year fixed loan. This was the information that her and **DIANE DELONG** had portrayed to the people. **DIANE DELONG** said that they cannot afford future tax hikes. **MICHELLE REDDICK** said that this is not the Emerald city and this community cannot afford future tax hikes. I know because I am an employee. You're stretching it out over 25 years when the people were told 10 years. Same thing happened with open space. One to two people per year lost homes due to not being able to afford their taxes. A half million was spent to renovate this building. The project is going from \$250,000 to \$2,000,000 for a glorified pole building that will only house Public Works. You can't spend money that you don't have. E. Taylor again explained that with money in hand and with current tax rates they do not have to increase taxes. M. Reddick stated extending the loan is increasing taxes.

TYRONE ROBINSON – 1488 Heather Pl. – You're putting this project on Heather Place but none of the neighbors are in agreement of putting that building there.

RENEE SPAIDE – 1979 Yarnall Road – Commented that there were minutes of February 16, 2017, that it was going to exceed \$750,000. E. Taylor agreed that at that time that's what the cost was estimated at. C. Lewis explained that during the design process, plans were modified to address code compliance. Also the cost for site preparation work was not included in the original estimate. The cost for a salt shed and emergency generation were also added. If you read later

minutes the estimate increased. E. Taylor noted that a Conditional Use Hearing was held two years ago and only two residents made any comment at the time.

DENNIS ELLIOTT, 576 Evans Rd asked why solar. E. Taylor explained that solar will help pay for the building and pays for itself. He suggested that it should be put on a referendum. F. Krazalkovich clarified that two years ago when the Indebtedness Tax was implemented they approved the borrowing. **JIM CAPINSKI** suggested they appraise the real estate. What is the most valuable piece of land for commercial development; it does not seem to be the highest and best use of the land. E. Taylor said they looked at selling the building three years ago and prices came in much lower than it was thought they would. **GLORIA PARKER** asked why they went more than \$650,000. Elwood Taylor explained that when the first improvements tax was looked at that was the estimate at that time. Once the design was done for the building and site work it was \$2,000,000. Taxes will not be raised to pay for the building. G. Parker asked if there was any way to improve the existing building. E. Taylor explained the first they looked at was fixing the existing building but they do not have the space to expand. **TRACE SLINKARD – 219 Deerfield Way** – Asked if they reviewed the numbers and are now in a position to vote to which he was answered – yes. **MICHELLE REDDICK** – Commented that they are only talking about a public works building to house trucks. Has anyone asked D&D if they had space to rent to house the equipment? That has not been done. **DENNIS ELLIOTT** suggested that they table the motion and have a public hearing. They should have a right to hear the concerns of the residents. E. Taylor explained that the bids are good for sixty (60) days. They were opened on September 14th and have a completion date of October 2018. There were five (5) bids received for general contractor; five (5) for electrical; two (2) for plumbing and two (2) for HVAC. **TYRONE ROBINSON** agreed with **DENNIS ELLIOTT** saying that if the people of the Township are knowledgeable the room would be busting at the seams. They also should have a chance to address the Board. **DIANA UPDEGROVE – 1404 Farmington Avenue** – Asked why there were four (4) contracts. C. Lewis explained that due to being a public entity we are required to have four (4) contractors. They are coordinated by the general contractor. Motion by M. Schreiber seconded by F. Krazalkovich to reject the bids. The motion did not pass as E. Taylor, J. Bealer and H. Miller voted no. Motion by J. Bealer seconded by F. Krazalkovich to table the matter to allow the public to review the bids. C. Garner explained that there is no legal requirement to have a public hearing. The Board discussed how to advertise the meeting. It was suggested that it be put on the web site and Facebook page as there is no cost. **GLORIA and TYRONE PARKER** suggested putting a mailing out. **MICHELLE REDDICK** commented that there are 2,243 parcels and it costs over \$900 to do a mailing. E. Taylor suggested having it at the Middle School if possible. C. Garner advised that by changing the location they will have to advertise. The motion to table the matter and hold a public hearing passed unanimously.

NEW BUSINESS:

CONSIDER PREPARATION AND ADVERTISEMENT OF AMENDMENTS TO THE MASTER TRAFFIC ORDINANCE IN REGARDS TO SPEED LIMITS ON UNPOSTED ROADS – F. Krazalkovich asked if language could be put into the Ordinance “unless otherwise posted it is 25mph”. C. Garner said that you could put it in but the question would be will the local Magistrate find that it was appropriately advertised. Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to authorize the preparation and advertisement of amendments to

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the Master Traffic Ordinance in regards to speed limits on unposted roads. M. Schreiber asked if Kummerer Road was on the list. F. Quinter will double check.

CONSIDER ESCROW RELEASE #1 FOR SPROGELS RUN PHASE I – Motion by F. Krazalkovich seconded by H. Miller and unanimously carried to approve Escrow Release #1 for Sprogels Run Phase I in the amount of \$183,413.30. E. Taylor advised that the payment of the inspection fees has been collected.

OLD BUSINESS:

CONSIDER CONTRACT WITH HOUGH ASSOCIATES – Motion by J. Bealer seconded by H. Miller and unanimously carried to enter into a contract with Hough Associates to do the Recycling Grant and to pay in time for the discounted fee. This Agreement would be for five (5) years.

CONSIDER FIRE COMPANY ACTIVITIES – Motion by F. Krazalkovich seconded by H. Miller and unanimously carried to the Fire Company activities.

OTHER PUBLIC COMMENT:

MICHELLE REDDICK – Advised that September 23rd is Community Days from 11:00am to 3:00 pm. She hopes everyone will attend.

KEITH KEHL – Asked when the agendas are posted on the web site. The Friday before the meeting they are posted. He questioned why the minutes were not posted for July of 2017. It will be looked into.

APPROVAL OF MINUTES – Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to approve the minutes of the August 21, 2017 meeting as presented

MICHELLE REDDICK – Clarified when talking about rental units she said between 60 – 80 but when she looked the Township actually has about 130.

PAYMENT OF BILLS – Motion by J. Bealer seconded by E. Taylor and unanimously carried to pay the bills in the amount of \$175,342.33.

EXECUTIVE SESSION – The Board adjourned at 9:02 p.m. to discuss matters of Personnel and Litigation. They reconvened at 9:41 p.m. at which time the meeting was adjourned by the consent of those present.

Respectfully Submitted,

Carol R. Lewis, Assistant Secretary