

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, November 20, 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, Public Works Director Frank Quinter and Township Manager Carol R. Lewis.

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:

JAMES CAPINSKI – 1958 Yarnall Road – Said he put in a Right to Know Request for the appraisal of Heather Place and it turns out that no appraisal was ever done. He passed out the paperwork from PIRMA which showed that they paid \$44,360.65 for a simple Right to Know Request. The Township has spent \$49,995.44 fighting him and the Attorney for the Township has already made over \$80,000. C. Garner pointed out that the outcome of all the finalized lawsuits has been favorable to the Township in all cases.

REPORTS

EMERGENCY SERVICES – M. Schreiber presented the Emergency Management Report. There were twenty two (22) EMS calls for the month, thirteen (13) Fire Company calls with one hundred and fifty nine (159) year to date. The Fire Company has once again filed for the PEMA Grant for debt reduction. He participated in the Limerick Drill. The Police Department has been doing training. The Civil Service Commission approved the Polygraph and Background Checks. The SRO has completed ALICE training for all schools which is Active Shooter Training.

PARKS, RECREATION AND OPEN SPACE – H. Miller introduced Ken Hamilton who gave a power point presentation and overview of the Arboretum activities to the Board of Commissioners. Mr. Miller then added some statistics and commentary to Ken Hamilton’s presentation. H. Miller reported that the Committee for the Veteran’s Memorial has staked out the area and he presented a rough draft of the proposed Memorial. Their next meeting will be held December 11, 2017.

PUBLIC WORKS – Consider Purchase of a Jackhammer – H. Miller requested that the Commissioner approve the purchase of a jackhammer as it is a safety issue. It will also be used as a post driver. There have been two times when they were driving posts the metal snapped off and hit a road crew member. Motion by H. Miller seconded by F. Krazalkovich and unanimously carried to approve the purchase of a jackhammer for \$1,500. Tyrone Parker questioned how often it would be used. F. Quinter explained that they put up 30-40 signs a year and this year they will be purchasing an additional 30 traffic signs for the Master Traffic Ordinance. He did look at rentals and they are not very cheap nor are they in very good shape. He also explained that they did compare prices and Lowe’s was the best price. The wanted to go with a brand name so it would last longer. **Consider Storm water Work for Yarnall Road** – Prices were submitted based on the Engineer design and discussions with Mr. Madden. The property owner will be required to sign off on an agreement before the work is completed. Motion by H. Miller seconded by F. Krazalkovich and unanimously carried to approve the project not to exceed \$8,000 and not to occur before the agreement is signed. The work will be done in-house unless we hit rock. The price to bring in a contractor should that happen is

included in the \$8,000. **Renee Spaide** asked if it would remedy the property across the street. It will not. We have taken whatever steps within the right of way that we could but we cannot do work on private property and the homeowners will not do it themselves. The hope is that this will alleviate the problem for the traveling public.

SEWER AND WATER – Consider approval for Payment of 58 Mapleleaf Lane Sewer Extension

– Motion by J. Bealer seconded by F. Krazalkovich and unanimously carried to approve the payment for 58 Mapleleaf Lane sewer extension. J. Bealer then reported that there is information in the packet outlining upcoming Capital Projects within the Borough. North Hanover Street flows show an increase and the Committee suspects that the meter needs to be recalibrated. If it is reading right they will have to do more investigation to find out where the I & I is coming from.

PUBLIC WORKS CONTINUED – M. Schreiber commented that he saw a bill for Hollenbach Park over seeding and fertilization; he questioned why the School District is not doing that. C. Lewis explained that they do the lower field 1 and currently we do the upper field 2 because the school does not utilize that field. However, in the future they will be taking over that now that it is come up to playable standards.

INTERGOVERNMENTAL RELATIONS LIAISON – F. Krazalkovich reported that he attended two meetings; the County Commerce Department and the Municipal Leader’s Task Force on Community and Economic Development. He has been approached by some Consultant’s and the Commissioners may see a presentation in the future.

SOLICITOR’S REPORT – C. Garner has completed his review of the new Sign Ordinance to address the Supreme Court’s findings regarding content. He will send his comments to the Manager and urges everyone to get those in. This will require a hearing which could be held early next year.

MANAGER’S REPORT – C. Lewis reported that Pete Eisenbrown, the Township’s Engineer, alerted us to the expansion of the Dirt and Gravel Roads Program to low volume roads. A Traffic Study is required by the week before Thanksgiving to see if the road qualifies. C. Lewis has worked with the Chief and North Coventry Police Department to set up a traffic counter on Detweiler Road. F. Quinter and C. Lewis will meet with Jessica, the Program Coordinator on-site in the near future in preparation of applying for this grant. She reported that the Limerick Drill, as M. Schreiber mentioned, was held and we got an A++. She has identified a grant for loss control through PIRMA. We will be applying for a \$10,000 grant to replace the exterior doors at the Police Department and a possible key fob system for the building. We received notification that the State has increased its Act 157 fee from \$4.00 per permit to \$4.50 per permit. She is working on updating the Fee Schedule for the January meeting. C. Lewis pointed out that she met with Thomson Insurance on our insurance renewals and due to close management of claims and the Staff’s dedication to safety our rates are going down over \$4,000 next year and our Workman’s Comp has also gone down. C. Lewis advised the Board that the School District sends us the SRO Contract which has not been done yet. The Chief has touched base with them and they will be forwarding it to us soon. Lastly, she is working with the Sewer and Water Committee to identify possible projects for the Small Water and Sewer Grant which is opening again. **Jim Capinski** asked how Detweiler Road qualified for the Dirt and Gravel Road Grant. C. Lewis explained that it is a low volume and dirt and gravel grant. Motion by M. Schreiber seconded by H. Miller and unanimously carried to authorize the expired MRE’s to be put on Municibid.

BUILDINGS – Citizen’s Advisory Ad Hoc Committee – M. Schreiber reported that at the last meeting they decided to check with PennDOT regarding the right of way and giving a portion of it back; we are waiting for a response from them. In addition we have been contacting metal building places for estimates. The next meeting will be held on December 4th at 6:00 pm.

MONTHLY FINANCIAL REPORT – J. Bealer questioned the money under Miscellaneous. C. Lewis explained it is money that came in in regards to the Curative Amendment Settlement Agreement for Cross Roads. C. Garner explained that a challenge was filed in 2002 regarding the Township’s zoning. The Township negotiated an Agreement from three hundred (300) apartments to fifty eight (58) age restricted homes and fifty one (51) townhomes. Part of the Agreement included a contribution back to the Township. Payment was over time. The Agreement read that at the time permits were pulled the rest of the money would be paid. The sewer capacity charge was paid to the Sewer Fund because it was money paid to Pottstown for EDU’s. Much of the sewer construction was done by developers and not paid for by rate payers; therefore the money can be used for any project the Commissioners would deem worthy. M. Schreiber questioned under #14 it is under Sewer. C. Garner explained that they can put it Sewer but it does not have to be. J. Bealer remembered reimbursing Rouse Chamberlain from the General Fund. E. Taylor added that \$12,000 per unit is well above what it would cost to install sewer. This was during a time when building was skyrocketing so therefore the money can be used for roads, sewer, open space, whatever. In this budget it is reflected in the Operational Reserve Fund. E. Taylor explained that they have been very careful to keep track of money going to the Township with any development. **T. Parker** commented that storm water is a problem and runs into the sewer so it would seem like a good use of the funds. E. Taylor replied that the Township has been very diligent in sealing up I & I on Township property and the only thing left is on private property. We try to avoid any fines from Pottstown.

NEW BUSINESS

CONSIDER ESCROW RELEASE #3 FOR SPROGEL’S RUN IN THE AMOUNT OF \$97,366.80 - Motion by J. Bealer seconded by H. Miller and unanimously carried to approve Escrow Release #3 for Sprogel’s Run in the amount of \$97,366.80.

CONSIDER TAX ORDINANCE FOR 2018 – Motion by M. Schreiber seconded by F. Krazalkovich and unanimously carried to authorize the Manager to advertise the Tax Ordinance for 2018 with 3.4 mills being assessed for Real Estate; .6 mills for Fire Protection; .3 mills for Indebtedness for a total of 4.3 mills.

CONSIDER 3 YEAR CONTRACT WITH MAILLIE FOR AUDITING SERVICES – Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to authorize a 3 year contract with Maillie for auditing services in the amount \$15,575.00 in year one and \$16,000.00 in year two and \$16,250.00 in year three.

OLD BUSINESS

CONSIDER APPROVING THE MASTER TRAFFIC ORDINANCE – Motion by M. Schreiber seconded by J. Bealer and unanimously carried to approve the Master Traffic Ordinance which has been duly advertised.

DISCUSS 2018 BUDGET

F. Krazalkovich pointed out that under the Real Estate Transfer Tax revenues are up due to a healthier

housing market. He questioned the pension spike which was explained that it was due to outdated mortality tables which have been updated over the past few years due to regulations passed by GASB. The Budget calls for a \$600,000 operating reserve. F. Krazalkovich would like to see those monies in a separate operating reserve fund. Under Parks and Recreation; Maintenance contemplates \$5,000 for the Althouse Arboretum. With over 6,000 people visiting the Arboretum this comes to less than \$1.00 per person. The Commissioners agreed that it is a wonderful addition to the community. H. Miller asked what line item #430.386 (Used Property Acquisition) was for. The Manager explained that it would be for surplus equipment that might come up on Municibid such as a utility van that could be used to carry parts and tools for when the men are on a job. Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to authorize the Manager to advertise the budget for public inspection.

OTHER PUBLIC COMMENT

JAMES CAPINSKI – 1958 Yarnall Road – Asked if the roads in Gary Heights could be put on the agenda. No officials have brought up this problem and the Township collects Liquid Fuels monies for these roads. Highview Lane is a totally separate issue and not relevant. **C. Garner** explained that the one of the matters he had brought up was the vacation of a paper street at the request of a property owner which is legal.

COMMISSIONER COMMENTS

J. Bealer reported that the PEMA representative for the Limerick Drill was very impressed with our knowledge and participation.

M. Schreiber brought up that at the training the ham radio operator suggested putting antennae on the roof so they can communicate to Harrisburg which is a further distance then they are able to at this time. This would be done by their volunteers and the request may be coming at a later time.

APPROVAL OF MINUTES – **October 16, 2017** – F. Krazalkovich pointed out a couple of changes to the minutes and motioned that the minutes be approved with corrections. M. Schreiber suggested that they hold off until the changes are made and so F. Krazalkovich rescinded his motion.

PAYMENT OF BILLS – Motion by J. Bealer, seconded by M. Schreiber and unanimously carried to approve the payment of bills in the amount of \$191,855.33.

EXECUTIVE SESSION – The Board adjourned into Executive Session at 8:50 pm for matters of personnel performance, litigation and real estate. They reconvened at 9:58 pm.

ADJOURNMENT – Motion by H. Miller, seconded by J. Bealer and unanimously carried to adjourn the meeting at 9:59 pm.

Respectfully Submitted,

Carol R. Lewis, Assistant Secretary