

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

**April 16, 2018**

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, April 16, 2018, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Trace Slinkerd, France Krazalkovich, Martin Schreiber, Renee Spaide and Elwood Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief Francis Wheatley, Public Works Director Justin Bean and Township Manager Carol R. Lewis.

**MOMENT OF SILENCE** – The Commissioners 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.

T. Slinkerd swore in Fire Police Officer Michael Sriver.

**APPROVAL OF MINUTES** – **February 20, 2018, February 27, 2018, March 19, 2018 & April 2, 2018** – T. Slinkerd passed out suggested revisions to the minutes of February 20 and suggested no change to the minutes of February 27<sup>th</sup> and March 19, 2018. M. Schreiber asked if we are going to be consistent that we make the same amendment to D. Elliott’s comments on March 19<sup>th</sup>. D. Elliott was amenable to this suggestion. The Board discussed the process through which to make the motion. Motion by F. Krazalkovich seconded by R. Spaide, and unanimously carried to approve the minutes of February 20, 2018, February 27, 2018 and March 19, 2018 with the suggested changes. Motion by R. Spaide seconded by E. Taylor, and unanimously carried to approve the minutes of April 2, 2018 as presented. F. Krazalkovich abstained because he was not present.

**PAYMENT OF BILLS** – Motion by E. Taylor seconded by R. Spaide, and unanimously carried to approve the payment of bills in the amount of \$174,038.88.

**PUBLIC COMMENT**

**KEITH KEHL – 1941 Gilbertsville Road** – Asked if the pavement near Prout Farm Park would be fixed. It will be. He then commented on the new alignment of Cross Road.

**REPORTS**

**TOWNSHIP MANAGER** – The Township Manager present her report. She’s been coordinating the detour for the Farmington Avenue bridge closing and responding to residents’ concerns about the use of Kummerer, Evans and Farmington for the detour. She advised the Commissioners that these roads are not part of the official detour but of course people find the shortest route. Working with the Engineer and Public Works Director on preliminary activities for the grant for Detweiler Road. She will attend the required training in April. Consulting with the Chief regarding vehicle needs and the current fleet. We will be budgeting for a 4 wheel drive for next year. This should put us on a regular six (6) year replacement cycle. She has also been working with Michael Lane and various Board members on a submission of the Township for the 2018 Montgomery County awards for the completion of their Open Space Plan and Initiative. This should be recognized as it is a great program. M. Schreiber asked about the crack in the Fire Company floor. C. Lewis reported that it has been patched and is temporary but it has stopped the leak for now. He asked about the quote from VFIS on doing a study for the Fire Company on community needs and current coverages for \$12,000. The Manager responded that F. Krazalkovich had requested her to look for a program to assess the needs of the Township for the future. F. Krazalkovich requested that this be put on the agenda under New Business to have an independent study done.

**FINANCIAL REPORT** – The Manager reported that the new financial software is moving forward; however, it is not a fund accounting system and so to keep things clean she recommends that the Combined Cash Account be broken out into separate General Fund, Sewer Fund and Fire Accounts. Motion by M. Schreiber seconded by F. Krazalkovich and unanimously carried to have separate accounts.

**CHIEF OF POLICE** – F. Wheatley presented the Police Report. There are significant investigations going on right now including one involving three search warrants on social media. The Police Department received a grant for an auto license plate reader through the County. This is a major asset and would cost over \$22,000. He asked that a thank you be sent to Tom Sullivan. There is still one officer out on disability. The 4 wheel drive is back in service. Lower Pottsgrove Township has a Charger with 93,000 miles. If they come within our budgeted amount he would like to purchase it. He will have more information coming. M. Schreiber advised that there is a Civil Service Commission meeting tomorrow to approve the Eligibility List. He asked if the Township is going to move forward with replacing Officer Sigoda as he doesn't want to spend money if that is not going to happen. The list went from twenty five (25) to two (2).

**PUBLIC WORKS DIRECTOR** – J. Bean reported that the new hire Jeremy Fenyus started and introduced him to the Board of Commissioners. They started servicing the mowers preparing for summer activities. He asked the Commissioners to look at the patching job on State Street. He thanked the Fire Company and Fire Police for helping to close down the road.

**TOWNSHIP SOLICITOR** – C. Garner advised that there would be an Executive Session for some legal issues. Everything else is covered under the agenda items.

**TOWNSHIP ENGINEERING AND BUILDING & ZONING** – Under 1393 Farmington Avenue, M. Schreiber advised that he does a lot of repair work and asked if a car is registered does it still need to be back two hundred feet? C. Garner explained that there many options that the Code Officer will explain to the owner. M. Schreiber asked about the MS-4 and if we had received our permit. The Township Manager responded that all of the paperwork has been submitted and we have been told that our permit has been issued although we do not have a physical one in hand at this time.

**OPEN SPACE AND RECREATION** – The Board discussed some maintenance issues. A cub scout was present at the meeting for working on one of his badges. They also discussed the Tri County Trail Study which is being finalized and there will be a presentation in the near future.

**SEWER AND WATER** – John Bealer reported that they have seen some elevated flows due to rains and continue to have a problem with one of the meters. Pineford Road and Regal Oaks pump station does not have a meter and they are looking to get one. They will be repairing four (4) manholes in that area. Sprogels and DVCD are having testing on their installed sewer lines. J. Bealer explained that the meter for Regal Oaks would be a different kind of meter and it would be a one-time purchase. Keith Kehl asked if they were testing the lines that were already installed across Cross Roads to which John Bealer responded yes.

**FIRE AND AMBULANCE** – M. Schreiber reported there is only one Ambulance Report from Gilbertsville; Goodwill is still working on their new reporting system. There were twenty seven (27) calls last month with sixty seven (67) year to date. There is a significant amount of man hours

for the snows and training. They held their Easter Egg Hunt and had a good turn out. T. Slinkerd asked if the vehicles go on every call. M. Schreiber responded that some of the calls are Fire Police only and sometimes firefighters use their POV's and no equipment goes out. At the Fire Committee meeting they are looking at financing and will be going with VIST Financial for a ten (10) year loan at 3.4% interest.

**OLD BUSINESS**

**CONSIDER ORDINANCES FOR VOLUNTEER FIREFIGHTER TAX CREDITS** – F. Krazalkovich heard that Pottstown turned down these credits. C. Garner advised that they are still looking at them but haven't taken any action. Lower Pottsgrove and West Pottsgrove are also looking at it. C. Garner recommended that they outline the criteria in the ordinance with the ability to change by resolution. E. Taylor asked why we would pay for people running with other fire companies. They discussed whose criteria they would need to meet and the possibility if the other municipality passed a real estate tax credit instead of an earned income tax credit. It was suggested that the members would follow the criteria of whichever company they serve. E. Taylor reiterated that he supports our Fire Company but does not quite understand the reciprocity issue.

**CONSIDER BIDDING AND ADVERTISING OF ROAD IMPROVEMENT PROJECTS FOR 2018**

– J. Bean would like to do the road work between June and September. Motion by M. Schreiber seconded by R. Spaide, and unanimously carried to approve the advertising and bidding of the 2018 Road Projects as presented by the Public Works Director. The Township will install a swale on the open space in order to help control storm water on Evans Road before paving commences.

**CONSIDER FIRE COMPANY ACTIVITIES** – Motion by M. Schreiber seconded by E. Taylor, and unanimously carried to approve the Fire Company activities as presented.

**NEW BUSINESS**

**DISCUSS HEALTHCARE COSTS** – The Board discussed the healthcare options that C. Lewis had gotten from the workshop meeting. She is recommending that we move to a high end deductible and pay part or all of the deductible from the money we got back this year from Benecon.

M. Schreiber asked how it would affect the budget if the Township paid for employees only and the employees paid for the family. She said she would run those numbers for him and advised that there is such a thing as a spousal exclusion that many municipalities pass in their policies whereby if the spouse has insurance available through their place of work they must take it. T. Slinkerd asked if there was a risk to paying part of all the deductible. The Manager agreed that it would affect the bottom line and can run some numbers to show the impact with all the various scenarios. When asked when she would need a decision, C. Lewis advised that she needed some guidance soon as we will be entering into police negotiations and it will impact the contract.

**DISCUSS UTILITY BODY FOR PUBLIC WORKS** – J. Bean asked instead of buying a used utility truck, which we had budgeted \$10,000 for, we simply purchase a utility body to be mounted on one of our current trucks that the dump body is rusting out. This would allow the road crew to have tools and supplies on site and be able to cut down on the time on the job. He presented three (3) quotes all of which were under \$10,000 and is recommending E.M. Kutz which was the lowest quote. Motion by E. Taylor seconded by R. Spaide, to approve the purchase of the utility body.

When asked J. Bean advised that the 1996 would need to be replaced at some point. Motion by E. Taylor seconded by R. Spaide and unanimously carried to accept the quote from E. M. Kutz as presented.

**CONSIDER DISPOSITION OF EQUIPMENT: GRADER AND INTERCEPTOR** – J. Bean is proposing to get rid of the 1974 Grader and the 2009 Interceptor. He advised that they no longer use them as Levensgood is closed and Cross Roads will be paved and will become a real road. They have only used it a handful of times in the past. Keith Kehl and C. Note commented. Motion by F. Krazalkovich seconded by R. Spaide and unanimously carried to authorize Township Staff to dispose of the equipment as they see fit. C. Lewis advised the Board that they will be asking that any money received from the sale of the grader be used towards a used roller. We rented a roller for the patches on State Street and you can see it is a much, much better product. As we will be doing more of this work in-house it will be necessary and can also be used on the parking lots and trails as well as the roads.

**DISCUSS DEDICATION OF SEWER LINE TO THE TOWNSHIP FOR 1859 FARMINGTON AVENUE** – J. Bealer explained that this property is at the end of Farmington Avenue and was installed by the owner as a low pressure line. The property next door also hooked into the line. There is the potential for six (6) more to hook into it. There is no maintenance, small grinder pumps and no manholes. C. Garner advised that the original agreement contemplated that the owner would be responsible for the line. He will put the paperwork together and have the item come back to the Commissioners.

**DISCUSS APPOINTMENTS FOR THE CONSTRUCTION CODE BOARD OF APPEALS** – Two applications have been received from Greg Churach and Earl Wagner both of who are electricians. R. Spaide feels that this Board needs to be filled and that we have enough people in our Township who are in construction to be able to do this. Motion by R. Spaid, seconded by E. Taylor, to appoint Greg Churach and Earl Wagner to the Construction Code Board of Appeals. C. Garner read the qualifications as a point of clarification and advised they need to stagger the terms. Motion by R. Spaide seconded by E. Taylor and unanimously carried, to appoint Greg Churach to a three (3) year term and Earl Wagner to a two (2) year term. M. Schreiber advised that there is another application that is not on the agenda.

**DISCUSS RECORDS RETENTION RESOLUTION** – C. Garner explained that this goes back sometime; anytime you dispose of public records it should be done by resolution. Everyday people get emails with no substance such as “are you available for a meeting”. The second item is how long the Township holds recordings of meetings. Typical is thirty (30) days after adoption of the minutes. He advised that when the Record Disposition Manual came out they did not consider email activity such as we have today. In answer to a question C. Garner advised that text messages could potentially be considered records. R. Spaide and M. Schreiber felt that voice files should be kept longer.

**CONSIDER ESCROW RELEASE #6 IN THE AMOUNT OF \$79,734.41 FOR SPROGELS RUN PHASE I** – Motion by F. Krazalkovich seconded by E. Taylor and unanimously carried to authorize Escrow Release #6 in the amount of \$79,734.41 for Sprogels Run Phase I. When asked why it doesn't show in the Escrow Fund C. Lewis advised that it is a Letter of Credit.

**DISCUSS ACCESS ROAD TO BILLBOARD** – J. Bean advised that the billboard was installed

but no access for it; since then many trucks have gotten stuck in maintaining the billboard. They will install and maintain the road. E. Taylor suggested that we could use the road as well to install another parking lot for the playground. F. Krazalkovich was concerned about being in a bad position as a lesser. T. Slinkerd advised that the Memorial Committee is looking at putting a memorial in that area. H. Miller commented that the Board has talked about many scenarios, parking issues, etc. and that this is another step in making sure that it is done right. Upon questioning C. Garner advised that the cell tower has a designated point of access. E. Taylor agreed with H. Miller that if the property is developed they would need a basin somewhere.

**OTHER PUBLIC COMMENT**

**H. MILLER**, Mangers Mill Road, advised that the Cleanup Brigade had 47 bags of trash. He thanked Officer Gulden since he made the rounds and talked to people during the cleanup. He advised that there are dead ash trees in Sussell Park that need to come down so they do not impact the saplings that were planted. He also asked that the pavilion at Sunset Park be maintained and inspected. He also commented on the Chief's report.

**KEITH KEHL, 1941 Gilbertsville Road**, commented about public sewer and the escrow for maintenance.

**COMMISSIONER COMMENTS**

**M. SCHREIBER** advised that there is a volunteer willing to serve on the Civil Service Commission. He asked again that it be put on the agenda.

**E. TAYLOR** reported that the Arboretum had a successful egg hunt. There were hundreds of people and it was exciting to watch.

**EXECUTIVE SESSION** – The Board adjourned into Executive Session at 9:17 p.m. to discuss personnel, litigation and collective bargaining with possible action. They reconvened at 10:02 p.m. Motion by F. Krazalkovich seconded by R. Spaide to deny step 3 of the grievance and allow the Manager to notify them in writing. The motion passed with M. Schreiber voting nay.

**ADJOURNMENT** – Motion by R. Spaide seconded by F. Krazalkovich and unanimously carried to adjourn the meeting at 10:03 p.m.

Respectfully submitted,

---

Carol R. Lewis, Assistant Secretary