

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

**March 16, 2015**

The regular meeting of the Board of Commissioners was held on Monday, March 16, 2015, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Elwood Taylor, Renee Spaide, Martin Schreiber, Russell Noll and Herb Miller present. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief William Moffett, Public Works Director Frank Quinter, and 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:**

**CHARLES NOTE – 2137 E. Horseshoe Drive** – Thanked F. Quinter and the Road Crew for a great job plowing this winter.

**REPORTS:**

**FIRE COMPANY LIAISON** – M. Schreiber presented the Fire Company report. Calls are going up every year. The fire truck almost got hit on Route 100 and he hopes that the Township will apply for a grant for the Opticom. The Fire Company is looking to do all the extinguisher inspections together with the Township to save money next year. C. Lewis will be preparing an RFP to get prices. They will be moving their accounts from Diamond Credit Union to a local bank. There have been some bad accidents this year on Route 100 and Mangers Mill Road. The conditions have been passed on to PennDOT. The Fire Company is looking to add a wall in the kitchen to make another office. It would take approximately 1/3 of the kitchen where they will be removing a hand sink. The Board requested to see some sort of sketch before approving the work.

**POLICE DEPARTMENT LIAISON** –H. Miller reported that it has been a pretty quiet month. There was one (1) burglary at the veterinarian where they stole \$4,000 worth of gaming equipment. The investigation is ongoing. The plaintiff in one of the township cases has asked to have the Magistrate District moved to Skippack. It has been moved to Limerick which is closer to us. Deborah Bingham presented the Board of Commissioners with a certified list. E. Taylor thanked them for the time they put in. A. Johnson reviewed the list with the Board of Commissioners. He advised the Board that the Civil Service Commission has revised the Rules and Regulations to remove possible pitfalls in the creation of a list. R. Noll asked if the scores encompass the outside agency. A. Johnson replied that it did. F. Krazalkovich advised them that they were also put under a polygraph test. Seven were scheduled for the oral exam but two did not show up and one did not score high enough to be included in the list. C. Garner advised the Board that they are permitted to consider the top three and the offer can be given to any of them. A. Johnson stated that if there was a veteran, ten points would be added to the score. Motion by M. Schreiber second by R. Noll and unanimously carried to accept the list. R. Noll asked the status of the officer to be replaced. Chief Moffett explained that he is on the payroll but has applied for pension retirement. He can no longer perform the duties of his job. He asked that the

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Board accept the list tonight and allow him to take a look at the applicants. They still need to go through MOPEC certification. R. Noll recommended that the Board defer to the Chief and have him provide feedback to the Board of Commissioners. The Board discussed how quickly the hiring could be done as there was concern that the longer they wait the applicants will accept employment elsewhere. A motion by M. Schreiber seconded by R. Noll and unanimously carried that with the consensus of the Board and the Chief they replace an officer with one of the candidates and to have a special meeting, to consider the new hire. A. Johnson explained that the Civil Service Commission will be going through the process again to generate another list as soon as it is possible. A motion by R. Spaide, seconded by H. Miller to authorize a special meeting on March 30, 2015 and to authorize the Manager to advertise it. M. Schreiber voted nay as he felt the meeting should be held sooner. Chief Moffett explained that he would talk to other Chiefs to see if the applicants are being considered elsewhere in which case they will need to withdraw their applications. Chief Moffett explained that through COSTARS he looked at five (5) vendors for a new police car. E. Taylor explained that the money for two (2) replacements is in the budget. A motion by H. Miller seconded by R. Spaide and unanimously carried to purchase a 2015 Ford Interceptor from Milham Ford a lease of sixty (60) months with the upfitting to be done by TRM as recommended by Chief Moffett. M. Schreiber asked what the Kelly Blue Book on the Tahoe would be and would it be cost effective to trade it in and buy the second vehicle at the same time. R. Noll expressed that he was glad the Tahoe is being retained for a backup and alternate vehicle. He is not in favor of trading it in. Chief Moffett explained that Sedona will be traded in when the time comes for the second vehicle replacement but there is still life left in the vehicle so he is going to wait to purchase it. He explained that it takes approximately six (6) weeks to get a car into service.

**PARKS, RECREATION AND OPEN SPACE LIAISON** – H. Miller reported that the SAVE Alliance had an electronic recycling event that was successful even with bad weather. E. Taylor reported that the Pottstown Challenge has had a lot of local support. A motion by R. Noll seconded by R. Spaide and unanimously carried to approve Pottsgrove Little League signs. A motion by R. Noll seconded by R. Spaide and unanimously carried to approve the time lapse photography program in the three parks. The Board then reviewed the Park, Rec and Open Space Ordinance presented by the Open Space and Recreation Board. They discussed whether or not to permit smoking in the park. F. Quinter pointed out that there is State law that prohibits smoking on any Township property. Since ice skating will be allowed at the ponds, M. Schreiber suggested that the Police be outfitted with a buoy or a ring. C. Lewis will collect comments and changes.

**PLANNING & ZONING LIASION** –E. Taylor reported that the Planning Commission is reviewing the Stormwater and Grading Ordinance.

**PUBLIC WORKS REPORT** – F. Quinter reviewed the Public Works report. M. Schreiber reported to F. Quinter that there is a pothole on Mimosa. R. Noll asked about the leak in the firehouse floor. C. Lewis explained that she has been looking into the situation and the epoxy that was put on the floor has a life of three (3) to five (5) years. The project was done five years

ago and so it needs to be redone. She is getting estimates and options for different solutions for the Board to consider when they are doing their budget.

**TOWNSHIP SOLICITOR REPORT** – C. Garner reported that for next month he will have the ordinance advertised for the pods and he is reviewing the grading permit with the Engineer.

**TOWNSHIP MANAGER** – C. Lewis presented her Manager’s Report which is in the packet. She advised the Board that the audit will be held this week. She was working on developing a Trail Ambassador Program to help with maintenance of the trails and identification of future problems and projects with the Open Space and Recreation Board. While working on the Pond Grant for Sunset Park she received a quote from Pond Works which is low enough to allow for the study of Sure Catch Pond as well as both ponds at Sussell Park. A revision to the grant application has been submitted and accepted by DCNR. Therefore, come spring, a review of all three ponds will be had so the Board can consider what remediations they would like to undertake. She attended the MCATO county conference at which Upper Pottsgrove Township got an honorable mention for the Growing Greener Award. The winner was Montgomery Township. She prepared and advertised RFP for Actuary since our current Actuary is semi-retiring. A meeting will be held with the Pension Committee in the next week or so and they will forward recommendations for the April Board of Commissioners meeting. M. Schreiber interjected that he had attended the Wastewater Treatment meeting held at West Pottsgrove Township. West Pottsgrove Township is writing a letter asking for representation on the Pottstown Borough Authority. He feels that Upper Pottsgrove should also write a letter. E. Taylor pointed out that the Borough Authority has no obligation to provide representation on the Board. They have instituted monthly meetings with all Pottsgroves for communication. He has seen the Pottstown Borough Authority step up and they are the ones that answer to DEP so that is why their representatives are on the Board. The Pottsgroves are customers. M. Schreiber pointed out that we are responsible for contributing without having a say in what projects are done. They changed their meeting tonight when no one could go. A motion by M. Schreiber, seconded by R. Noll, to draft a letter to the Pottstown Borough Authority asking that one of the Groves is on the Authority. E. Taylor asked if one of the Groves could represent all of the Groves as they have very different needs. M. Schreiber rebutted that this is true but we are still different from the Borough. C. Garner explained that we are a contracted customer not a Regional Authority. Capital costs are based on usage and capacity in the Agreement. The motion passed with E. Taylor voting nay as he does not think it recognizes the efforts that the Pottstown Borough Authority has put forth in clear communication.

**NEW BUSINESS:**

**CONSIDER PROPOSAL FOR WEBSITE REDESIGN** – A motion by M. Schreiber seconded by H. Miller and unanimously carried to accept the proposal for the website redesign not to exceed \$1,000. A motion by H. Miller seconded by R. Spaide and unanimously carried to move ahead and execute the necessary documents to joint PLGIT’s P-card program. This program will save time and earn money.

**CONSIDER ADVERTISEMENT OF ORDINANCE CHANGE TO PROHIBIT SHOVELING SNOW INTO THE STREET**

– C. Garner talked about a change to the Traffic Ordinance to prohibit shoveling snow into the street. He provided some recommended language that would be put into the Traffic Ordinance. It would not be a stand-alone ordinance. A motion by R. Spaide seconded by H. Miller and unanimously carried to include the language proposed into the Traffic Ordinance. **D. Bingham, 1998 Detweiler Road**, asked at what level is this a problem. E. Taylor explained that it can cause disruption in drainage or putting on someone else's property. C. Note asked that it is worded so that it would not be maliciously enforced. R. Noll explained that it is worded so that it has to be a hazard to impede vision or cause problems. M. Schreiber requested that C also be considered requiring that fire hydrants be cleared. **Diana Updegrove, 1404 Farmington Avenue**, felt that it was making it harder to enforce by putting in additional language. Nothing should be put in the streets. R. Spaide and H. Miller amended their motion to include the additional language. The motion unanimously carried. A motion by M. Schreiber, seconded by H. Miller and unanimously carried to ratify the Fire Police activities.

**EXECUTIVE SESSION** – The Board went into Executive Session at 8:39 P.M. to discuss property acquisition. They reconvened at 8:59 P.M. A motion by H. Miller, seconded by R. Spaide, to approve and execute the Agreement of Sale for the Duffy open space which consists of approximately 92,163 square feet of land located at 60 Snyder Road for a cost of \$44,550. The motion carried with M. Schreiber and R. Noll voting nay.

**PUBLIC COMMENT:**

**Keith Kehl - 1941 Gilbertsville Road** – Asked about an article in The Mercury that talked about open space. This was the Prout Farm that was sold to the Township. They allowed a developer to cluster the development on thirty (30) acres so that he could sell the other thirty (30) to the Township. K. Kehl asked if there was a Curative Amendment associated with this. C. Garner explained that it was a resolution when the Township was sued in 2002 regarding density and zoning. They allowed him to build 51 townhomes with conditions. Some agreement allowed some homes to be built on one side of the road in Sprugel's Run. K. Kehl also expressed concern that the Cross Roads townhouses were left in an adverse condition. E. Taylor explained that whatever he did on the property was done without a developer's agreement. He also advised the Board that he has talked to several people in the community and none of them are in favor of rezoning the property on the other side of Route 100 and Moyer Road. **Kelly Deangelis - 1411 Meadowview Drive** – Also expressed that she is not in favor of any subsidized housing in the township. E. Taylor explained that the township has nothing to do with financing only zoning. K. Deangelis also gave kudos to the Police Department for bridging the disconnection within the township communications. She feels that they are doing a phenomenal job.

**APPROVAL OF MINUTES – February 17, 2015** – A motion by R. Spaide, seconded by M. Schreiber and unanimously carried, to approve the minutes of the February 17, 2015, meeting as presented.

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**PAYMENT OF BILLS** – M. Schreiber questioned the Artim’s bill. Chief Moffett explained that it was for minor damage. A motion by M. Schreiber seconded by R. Noll and unanimously carried to approve the Bill List.

**ADJOURNMENT** – A motion by M. Schreiber seconded by R. Spaide and unanimously carried to adjourn the meeting at 9:13 P.M.

Respectfully Submitted,

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Carol R. Lewis, Assistant Secretary