

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

**December 21, 2015**

The regular meeting of the Board of Commissioners was held on Monday, December 21, 2015, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Elwood Taylor, Herbert Miller Jr., Martin Schreiber, Renee Spaide and France Krazalkovich present. Also present were Township Solicitor Charles D. Garner, Jr., Public Works Director Frank Quinter and Township Manager 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:**

**KEITH KEHL – 1941 Gilbertsville Road** – Complained about water lying in the gutter and coming across the road on Moyer Road.

**RUSS THOMAS – 1477 North Hanover Street** – Thanked the Road crew for fixing the scout bridge at Hollenbach Park as they use it quite often. They did a terrific job. He also thanked H. Miller for all he does with township open space and his efforts in picking up litter. He advised the Board that there is a considerable number of beer cans along the Arboretum Trail.

**REPORTS:**

**FIRE COMPANY LIAISON** – M. Schreiber reported that two (2) bylaw changes had been read for the first time at the Fire Committee meeting and will be read again next month so the Board will see them. They had a successful Santa Run on Saturday and they are sad to say goodbye to a Fire Committee member who has been on since the beginning. They thanked R. Spaide for all of her efforts.

**POLICE DEPARTMENT LIAISON** – H. Miller reported that November was a pretty good month. Recent complaints have been regarding loose dogs and he is working with the Solicitor to prepare an ordinance. Burglary has been low but he advised the residents to be vigilant. The influence of drugs and driving has gone up and he advised that these can be prescription drugs not necessarily illegal drugs.

**PARKS, RECREATION AND OPEN SPACE** - H. Miller attended a Regional Meeting on December 3, 2015, to discuss various projects for each municipality. They discussed a walking bridge being offered by Douglass/Berks but it was not usable. They also discussed bike lanes to connect Hollenbach Park. A fence was installed on two locations along Prout Farm Trail to keep people on the trail. They moved a proposed Eagle Scout project to Sussell Park. On December 21, 2015, he met with Regional Representatives regarding the bridge on Levengood Road. A grant will be needed to improve the bridge. M. Schreiber questioned the decision to put up a fence and why it did not come before the Board. E. Taylor said it was in the works all along and it was part of the authorization of that trail.

**PUBLIC WORKS REPORT** – R. Spaide reported that it has been quiet and warm. The Road crew has been working in the parks and they fixed a lateral on Farmington Avenue. They also have been addressing some dead trees. **Michelle Reddick, 1416 Kummerer Road**, asked how much money was authorized and how much money was spent for the Prout Farm Trail. She agreed that the decision to install the fence along the trail should go back before the Open Space and Recreation Board. E. Taylor responded that it was done by a combination of people, Rich Mingey, the Road crew, Hopewell Trucking and it wasn't all township funds. M. Reddick remembered that a cap was set and she wants to make sure that the funds are coming from open space and not the general fund.

**TOWNSHIP SOLICITOR** – C. Garner reported that C. Lewis invited him to attend a meeting with the Pottsgrove's to discuss the Agreement with the Borough of Pottstown. As a group, they are coming up with revisions to the Agreement which will come to the Board for approval and then will be presented to the Pottstown Borough Authority.

**TOWNSHIP MANAGER** – C. Lewis reported that the background check has been completed for the new Chief and he will be starting January 5, 2016. The oral interviews have been scheduled with the Civil Service Commission to continue the process of generating a list so the Township can hire new officers. The Township participated in the Limerick Drill and we expect to get high marks; it went very well. Notifications were sent out to haulers regarding the ending of the contract and the Township's Rules and Regulations regarding solicitation and collection. The Township will be going with the lowest provider for the dumpster and hauler. A Pottstown Health and Wellness mini grant was submitted for Chestnut Grove Park. C. Lewis is working with the Engineer, Pete Eisenbrown, to get the supporting documents required. C. Lewis met with a Forrester regarding bid documents for the ash trees and to oversee the project. The Forrester advised that they normally go at a 15% commission but because our project is unusual and spread out they may not get enough commission to make it worth the time in which case they would charge \$2,000. C. Lewis reported that she has arranged for an audit of the Tax Collector accounts in preparation of the new Tax Collector. A motion by F. Krazalkovich seconded by R. Spaide and unanimously carried, to authorize the audit of the Tax Collector not to exceed \$3,400. The Board discussed meeting dates for next year and decided to keep the dates the same as they are now. A motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to authorize the advertisement of the meeting calendar.

**FINANCIAL REPORT** – M. Schreiber questioned whether the accounts could be separated out into separate accounts instead of a pool. It was decided to have Matt Dallas attend the first regular meeting of January to discuss this. C. Lewis will check with Fulton Bank regarding fees.

**NEW BUSINESS:**

**APPROVE AND AUTHORIZE THE EXECUTION OF THE EMPLOYMENT AGREEMENT WITH FRANCIS WHEATLEY** - A motion by F. Krazalkovich seconded by M. Schreiber and unanimously carried, to approve and authorize the execution of the Employment Agreement with Francis Wheatley. The Board thanked C. Lewis for the process.

**CONSIDER APPROVAL FOR ADVERTISING THE STORMWATER AND GRADING ORDINANCE** - M. Schreiber requested that this item be tabled as he is not finished reading it. E. Taylor advised them that this ordinance has gone through the Planning Commission and the Engineer. The matter was tabled until next month.

**CONSIDER BIDDING OF THE CONTRACT FOR THE ASH TREES** - A motion by F. Krazalkovich seconded by H. Miller, to authorize the hiring of a Forrester to coordinate the removal of the ash trees at an amount not to exceed \$2,000 with the money to come from unrestricted open space. The motion passed with M. Schreiber voting nay.

**OLD BUSINESS:**

**2016 BUDGET AND TAX ORDINANCE** - A motion by M. Schreiber, seconded by F. Krazalkovich, to do away with the Per Capita Tax as we have only received 66% of it and it is a nuisance tax. M. Schreiber and F. Krazalkovich voted aye. E. Taylor, H. Miller and R. Spaide voted nay. The motion did not pass. M. Schreiber noted that in the Taxing Ordinance the new building is separated out. M. Reddick questioned if the anticipated tax increase was related to roads. It was reported that presently North Hanover, from Hollenbach to Maugers Mill Road, is on the list as well as Needhammer and Evans Road; some money will come from Liquid Fuels and some will come from the General Fund. M. Reddick advised the Board that eight (8) years ago the Township took \$65,000 from Rouse Chamberlain for Summer Grove to widen and pave Pineford road. Now the Board is proposing to raise taxes and they are still not going to the work on Pineford Road. She wants to know when the road is going to be done. It is a danger and two (2) vehicles cannot pass safely on that road unless they are small cars. E. Taylor responded that the expectation was that the road would need to be improved with the age restricted development. M. Reddick disagreed. F. Krazalkovich asked for Public Works opinion to which F. Quinter that it is on the twelve (12) year list. Rich Kummerer, 1303 Farmington Avenue, reported that he travels the road a lot. The road is narrow and trees hang out over it. If the trees are trimmed out of the right of way it would help. The Board will review the Development Agreement and discuss at a future meeting. A motion by R. Spaide seconded by H. Miller, to adopt the Budget for 2016. The motion passed with F. Krazalkovich voting nay. C. Garner reported that they have advertised the Real Estate Millage Ordinance and it is ready for consideration at 4.3 mills. F. Krazalkovich reported that he would like to see the Special Tax millage go into its own account. A motion by R. Spaide seconded by H. Miller to adopt the Tax Ordinance. The motion passed with F. Krazalkovich voting nay. A motion by M. Schreiber seconded by F. Krazalkovich and unanimously carried that the Special Tax be put into a Capital Fund.

**FIRE POLICE ACTIVITIES**

A motion by M. Schreiber seconded by F. Krazalkovich and unanimously carried, to approve the Fire Police activities as presented.

**PUBLIC COMMENT:**

**Dennis Elliott, 576 Evans Road**, thanked the Board for their years of service. He brought to the

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Board's attention matters of acquisition of open space. On the Open Space web page it says the Open Space and Recreation Board is responsible for preparing and presenting recommendations to the Board of Commissioners, recommending land and development rights acquisition and participating upon the request of the Board of Commissioners any negotiations for the acquisition of open space. He questioned the purchase of the \$110,000.00 for Mingey's property. The Shontz's have built their own trail system and would not cost the township any money but they are being ignored. E. Taylor advised him that the agreement to purchase the Mingey property has been in place since 2011. Money was designated for that project. It is centrally located and is near two (2) developments and next to Fox Hill Trail. D. Elliott reported that the Open Space and Recreation Board never approved that project. He feels the Board has been bypassed too many times. E. Taylor responded that they look to the Open Space and Recreation Board to research projects and make recommendations to the Board of Commissioners. They have asked the Open Space and Recreation Board to work on an improvement plan for the open space which is a huge job. D. Elliott asked where they are with the Shontz property. C. Lewis reported that the Recreation Board had deferred the decision to acquire the property to the Board of Commissioners. The Board of Commissioners voted that if there was a grant available they would purchase the property. When this was discussed with the Shontz's they declined so therefore no work has been done on the grant for the purchase of this property. C. Lewis advised D. Elliot that she needs a letter from the Shontz's agreeing to the project and their support of the grant. D. Elliot recognized Michelle Reddick for her years of service to the Township as Tax Collector.

**COMMISSIONER COMMENTS:**

F. Krazalkovich clarified that the ¼ percent EIT tax was a referendum from the voters. With respect to the property tax rate, our school district is 3<sup>rd</sup> highest in the County. He casted a vote against the tax increase since the School, County and State will be going up. Our Township rate is 21<sup>st</sup> in the County so we are not the highest. He feels that the Board of Commissioners needs to listen to their Boards and Committees advice and consent. He hopes that they will not act without consulting them. We ask them to volunteer so we should take their advice.

M. Schreiber would like to thank Renee for her years of service and understands that it is not always easy. E. Taylor presented a plaque and award of appreciation. R. Spaide replied that it has been wonderful being on the Board but for now she has made the right decision, not to run, but she may come back in the future.

**APPROVAL OF MINUTES - October 19, 2015** - A motion by M. Schreiber, seconded by H. Miller and unanimously carried, to approve the minutes of the October 19, 2015, meeting as presented. F. Krazalkovich abstained as he was not present.

**APPROVAL OF MINUTES - November 16, 2015** - A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to approve the minutes of the November 16, 2015, meeting as presented.

**PAYMENT OF BILLS** - A motion by R. Spaide, seconded by H. Miller and unanimously carried to approve the payment of the bills.

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**EXECUTIVE SESSION** - The Board adjourned into Executive Session at 8:42 p.m. for purpose of collective bargaining, personnel and litigation. Action is possible following the Executive Session. The Board reconvened at 9:24 p.m. with no action taken.

**ADJOURNMENT** - A motion by M. Schreiber seconded by F. Krazalkovich and unanimously carried to adjourn the meeting at 9:25 PM.

Respectfully submitted,

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Carol R. Lewis, Assistant Secretary