

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

**March 21, 2016**

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, March 21, 2016, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners John Bealer, France Krazalkovich, Herb Miller, Martin Schreiber and Elwood Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief Francis Wheatley, 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.

**SWEARING IN OF NEW OFFICERS** - Judge Saylor was present to swear in newly hired Police Officers Bradley C. Guildin and Andrew Millard. The rest of the police force were present to welcome the new hires.

**PUBLIC COMMENT:**

**ERIN DICKEY – 1847 Orlando Road** – Addressed some concerns regarding her residence and property. Ms. Dickey stated she is still being harassed by people in her neighborhood. She noted that there were four or five incidents that were not addressed with the former Chief of Police. Nothing was done and one involved a minor. Ms. Dickey stated she pays a lot of taxes and she does not feel that this should be tolerated. C. Lewis stated that citations have been issued by the Police Department and noted that she would follow up on this matter.

**JOHN MCMANN – 1996 Detweiler Road** – Stated that there have not been any major repairs to the road in thirty four (34) years. He further stated that it cost him \$4,000 to repair the entrance to his driveway due to drainage issues on Detweiler Road. Mr. McMann noted his neighbor's driveway at 1970 Detweiler Road has caved in. E. Taylor stated he became aware of the problem this week and is looking into it. C. Lewis stated that the Public Works Director has brought this to her attention and noted that it will cost approximately \$150,000 just to do the drainage work on Detweiler Road. The township will be looking at this at budget time.

**KEITH KEHL - 1941 Gilbertsville Road** – Suggested that the Township get Montgomery County to help pay for trails and open space. K. Kehl stated the township should buy the parcel on Moyer Road that Mingey wants to develop rather than change the zoning. K. Kehl expressed concern regarding the large potholes on Mangers Mill Road near Orlando Road. There was a brief discussion with regards to Coolidge Avenue not being a dedicated road and the Township's responsibility regarding the maintenance of the road.

**TYE KIVELA – President, Pottsgrove Little League** – Invited the Commissioners to Opening Day which is scheduled for Saturday, April 9<sup>th</sup> at Kulp Field and asked if any of them would like to throw out the first ball. He also suggested the possibility of getting a police cruiser and/or fire truck to the event. He stated that he extended the invitation to both Lower and West Pottsgrove

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

**March 21, 2016**

Townships as well. H. Miller asked T. Kivela how long he has been involved with Little League and questioned whether he knew he should have come before the Open Space and Recreation Board. H. Miller expressed the importance of open communications between the Township and the Little League.

**REPORTS:**

**EMERGENCY SERVICES LIAISON** – M. Schreiber presented the Fire Company report and noted that there were some extra calls to help pump basements during the recent rain storm. M. Schreiber noted that there is an expenditure on the Bill List for the deposit of the UTV. The Fire Company purchased a multi-use pickup truck from the Firemen’s Relief fund to be used for smaller events. M. Schreiber read the amounts obtained from the sale of police vehicles through Municibid. Officer Farrell has been approved to become part of the D.A.’s office Drug Task Force. The Police Department will undergo active shooter training in conjunction with Lower Pottsgrove Township. At last month’s Board of Commissioners meeting Chief Wheatley was authorized to purchase a used police vehicle for \$12,000. Chief Wheatley found a used vehicle for \$12,500 with 50,000 miles. M. Schreiber stated a new vehicle would cost approximately \$23,500 and yearly payments would be under \$5,000 over a five (5) year period. Payments would be \$6,400 annually to purchase a vehicle and then have it outfitted with lights and sirens, etc. F. Krazalkovich asked if money was in this year’s budget for a new police vehicle. M. Schreiber advised the money is available due to the fact that the radio line item was overestimated. After discussion, it was the consensus of the Board to authorize the Chief to shop for a new vehicle. F. Krazalkovich questioned who is responsible for the maintenance of the new truck purchased by the Fire Company. The maintenance and insurance are usually paid from Fire Fund expenditures.

Chief Wheatley stated he spoke with E. Dickey, Mr. Kendrick and M. O’Connor regarding their ongoing issues and is seeking mediation through the County.

**PARKS, RECREATION AND OPEN SPACE LIAISON** – H. Miller reported the DCNR Grant will provide the funds to construct the Green Allies building. He further reported we are going for a twenty five (25) year lease on the property due to the fact that the municipality has to be the entity applying for the grant. Green Allies lawyer is currently working with our Solicitor Chuck Garner on this. H. Miller outlined the project which includes a classroom for environmental education. Motion by M. Schreiber seconded by F. Krazalkovich, and unanimously carried to authorize the Township Manager to submit the grant with the assistance of the Green Allies. Motion by M. Schreiber seconded by F. Krazalkovich, and unanimously carried to approve the Operations Agreement Addendum and the Lease subject to the approval of the Manager and the Solicitor. H. Miller reported that recently the Green Allies hosted an Easter egg hunt which was attended by over 400 people; this was three times as many as last year. The event was run by twenty two (22) Pottsgrove High School students. The appliance drop off was very successful. There were 167 pieces received. H. Miller reported that on Saturday, April 2, 2016, they will be accepting anything metal; on April 3, 2016, they will have professional men to present a bird species program. H. Miller stated that it was the recommendation of the Park and Recreation Board to nominate Hoffman Field as this year’s entry for the Park Contest. If we win the \$5,000 the money would be

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

**March 21, 2016**

used toward improvements to the parking area. Motion by M. Schreiber seconded by F. Krazalkovich, and unanimously carried to nominate Hoffman Field as this year's entry for the Park Contest. C. Lewis explained that there was a Transportation and Community Development Initiative (TCDI) Grant for a regional wayfinding sign project. C. Lewis noted that Upper Pottsgrove Township would be the lead agency on this project. Motion by M. Schreiber seconded by F. Krazalkovich and unanimously carried for Upper Pottsgrove Township to be the lead community with regards to the TCDI Grant. H. Miller reported that at the Park, Recreation and Open Space meeting the Committee unanimously recommended that Michelle Reddick fill the vacancy on the Board. E. Taylor explained that the Board of Commissioners hasn't officially accepted the resignation of Matt Dallas. H. Miller expressed his appreciation to the Public Works employees for their hard work in fixing the washouts on the trails after the recent storms. M. Schreiber stated that we could have closed the trails and conducted a study as to why the washouts are occurring and what is needed to prevent them from happening again. C. Lewis addressed M. Schreiber and noted that his concerns were noted and will be addressed in the future.

**DENNIS ELLIOTT – 576 Evans Road** – Advised he is the new appointed Chairman of the Open Space, Park and Recreation Board. D. Elliott reported that M. Reddick has served the community for many years and would be a great asset to the Open Space Board.

**PLANNING & ZONING LIASION** – J. Bealer advised the Board that Rich Mingey was at the Planning Commission meeting to provide a concept of his project. He has contracted with a traffic engineer. The Board raised their concern regarding the impact of the storm water and their need to keep a critical eye on this

**PUBLIC WORKS REPORT** – F. Quinter provided his report to the Board. He advised them that the tow broom is out of service and there are no parts anymore; he found a used one that may work. The road project bids have been opened. Motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to accept the Engineer's recommendation to award the bid to H & K Group for a total of \$128,345.

At 8:10 p.m. C. Garner called the Conditional Use Hearing to order. The hearing was scheduled and advertised as required. C. Lewis explained that the Conditional Use is for the construction of a new public works building which will be constructed on the same lot as the Police Department/Public Works building currently is. Peggy Moser and Damien Larkin commented. There was no other public comment and the hearing was brought to a close at 8:45 PM. C. Garner advised that the Board has forty five (45) days to render a decision. The Board continued with their reports.

**PUBLIC WORKS REPORT** – Motion by M. Schreiber, seconded by F. Krazalkovich and unanimously carried, to authorize the hiring of a summer worker at \$9/per hour. Motion by H. Miller seconded by J. Bealer, to authorize the lease for a 2016 Ford 550 to move forward. This vehicle will replace the 2000 Ford 450. M. Schreiber asked why they wanted a dump body instead of a utility body. F. Quinter explained that the smaller truck is useful for pothole patching. F.

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

**March 21, 2016**

Krazalkovich asked that items that require expenditure be put on the agenda in the future. The motion passed with M. Schreiber voting nay.

**SEWER AND WATER LIASION** – A joint meeting was held with the Pottsgroves. The Sewer Committee will meet on Monday, March 28<sup>th</sup>. The temporary meters have been installed although no data has been gathered yet.

**INTERGOVERNMENTAL RELATIONS** - F. Krazalkovich reported on the meetings he attended and that he has been appointed as the County's Alternate Delegate to the Eastern Association of Township Commissioners, the Alternate Delegate to the Pennsylvania State Association of Township Commissioners and appointed to the Committee that will be rewriting the First Class Township Code. He provided the 2016 Legislative priorities to the Board of Commissioners. These priorities include Mandate Relief and Infrastructure Funding. He provided a resolution for the Board of Commissioners to consider at their next month's meeting which supports amendments to Act 111 regarding Police and Fire Collective Bargaining.

**TOWNSHIP SOLICITOR** – C. Garner reported that himself and H. Miller have been looking into animal ordinances and will have some minor changes to recommend to the Board for their review next month. M. Schreiber asked where they were with the Panhandling and Soliciting ordinance. C. Lewis will send out prospective changes to the ordinance.

**Diana Updegrove, 1404 Farmington Avenue**, questioned whether the Animal Ordinance limits how many horses per acre. C. Garner said it does not; it relates mostly to dogs and to nuisances. D. Updegrove requested that the Township consider implementing one regarding large animals i.e. horses on small lots.

**TOWNSHIP MANAGER** – C. Lewis advised the Board that they received a lot of complaints during the large storm and she is working with F. Quinter to prioritize the multiple storm water issues throughout the Township and they will be presenting a report to the Board for consideration during the budget talks. C. Lewis attended a Montgomery County Emergency Management Group meeting where they were given a list of items that can be borrowed from the County in case of an emergency. This was disseminated to all the Department Heads as the equipment could come in handy in the future. The Township received a Pottstown Health and Wellness Mini-Grant for Chestnut Grove Park. She is working on contracts and the construction easement for the work. We will be getting three (3) quotes for the work to be done and hope to move forward in April or May with the work so that the Park is ready for the summer. The audit was held this week and went very well. It is anticipated that we will receive the Audit in the regular time frame of May or June. Last year the Board did not receive it until October or November due to a new mandate requiring additional actuary calculations. C. Lewis attended a mandatory grant meeting at DVRPC for a regional grant study for a Transportation and Community Development Initiative Grant for a regional wayfinding sign project. Our township will be the lead on this project. There will be a resolution to be passed next month. Once the study is done we will be applying for a Montco 2040 Implementation Grant to purchase and install the signs. Lastly, C. Lewis reported that she is the Vendor Chairperson for the upcoming PSATC Conference. That work is being done on her own

time. Information on the conference has been sent out; it is a great opportunity to attend some educational classes and talk to vendors about new products.

**NEW BUSINESS:** -

**CONSIDER RESIGNATION OF MATT DALLAS FROM PARKS AND OPEN SPACE COMMITTEE AND RENEE SPAIDE FROM FIRE COMMITTEE** – Motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to accept the resignation of Matt Dallas from the Open Space and Recreation Committee. Motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to accept the resignation of Renee Spaide from the Fire Committee. The openings will be advertised on the Township’s websites for the Board to consider.

**CONSIDER RESOLUTION REDUCING THE NUMBER OF MEMBERS ON THE SEWER AND WATER COMMITTEE FROM FIVE (5) TO THREE (3)** – J. Bealer explained that the Sewer and Water Committee was originally three members and six (6) years ago they expanded it to five (5) members when there was a lot more activity going on. A motion by H. Miller, seconded by F. Krazalkovich and unanimously carried, to approve Resolution #669 reducing the Sewer and Water Committee from five (5) people to three (3) people.

**CONSIDER APPOINTMENT OF DEPUTY TAX COLLECTOR AND DEPUTY RIGHT TO KNOW OFFICER** – A motion by F. Krazalkovich seconded by M. Schreiber and unanimously carried to appoint Gail Yoder as Deputy Tax Collector. A motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to appoint Linda Coleman as the Deputy Right to Know Officer in the absence of the Right to Know Officer.

**OLD BUSINESS**

**CONSIDER REVIEW OF TRAFFIC STUDY** – A motion by F. Krazalkovich, seconded by H. Miller and unanimously carried, to authorize Traffic Planning and Design to review the Traffic Study for Upland Square at a cost of \$1,500.

**DISCUSS DRAFT AMENDMENT TO THE SOLID WASTE ORDINANCE** – A motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to enact the amended Solid Waste Ordinance as presented with one minor change to the language changing Supervisors to Commissioners. C. Lewis will gather information from other municipalities who allow open haulers regarding their insurance requirements. The Board discussed which of the haulers currently meet the Township’s insurance requirements and who does not.

**CONSIDER ADOPTION OF KNOX BOX ORDINANCE** – A motion by M. Schreiber, seconded by J. Bealer and unanimously carried, to adopt the Knox Box Ordinance as presented.

**CONSIDER FIRE POLICE ACTIVITIES** – A motion by F. Krazalkovich, seconded by J. Bealer and unanimously carried, to authorize the Fire Police activities.

**OTHER PUBLIC COMMENT**

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

**March 21, 2016**

D. Elliott, 576 Evans Road, added to M. Schreiber's comments regarding the Solicitation Ordinance. He suggested that the permit requirements be put in the Newsletter.

**John Madden, 1870 Yarnall Road**, commented on the storm water problems on Yarnall Road. E. Taylor advised him that the township is aware that there are ongoing drainage issues throughout the township that are very complicated. The township will look into the issue.

**COMMISSIONERS COMMENTS**

**F. Krazalkovich** wanted to make his colleagues and neighbors aware that he has been nominated for Ollivet's Kiss a Pig Contest. All the money raised will stay in Pottstown.

**M. Schreiber** would like to congratulate some local students for going to the State swim meet.

**APPROVAL OF MINUTES – February 16, 2016** – A motion by F. Krazalkovich, seconded by J. Bealer and unanimously carried, to approve the minutes of the February 16, 2016, meeting as presented.

**D. Elliott, 576 Evans Road**, asked the difference between age targeted and age restricted. C. Garner explained these differences. They discussed commercial development in the Township. F. Krazalkovich agreed that it is a priority of his to attract businesses to Commerce Drive. E. Taylor explained that Commerce Drive is not easily developed due to PennDot access and multiple property owners. This is one of the reasons they are watching the Traffic Study on the new development on Upland Square to assure that property owners along Route 100 can accommodate potential commercial development. D. Elliott asked if developers have to show a hardship in order to change zoning. C. Garner explained only if they went to the Zoning Hearing Board for a variance. A zoning change with the Board of Commissioners does not require this.

**PAYMENT OF BILLS** – A motion by F. Krazalkovich, seconded by J. Bealer and unanimously carried, to authorize the payment of bills in the amount of \$176,826.70

**EXECUTIVE SESSION** – The Board adjourned to Executive Session at 9:48 PM regarding personnel with no action to follow. The meeting reconvened at 10:07 PM.

**ADJOURNMENT** – A motion by M. Schreiber, seconded by J. Bealer and unanimously carried, to adjourn the meeting at 10:08 P.M.

Respectfully Submitted,

---

Carol R. Lewis, Assistant Secretary