

**Minutes - Board of Commissioners Meeting
Upper Pottsgrove Township**

May 16, 2016

The meeting of the Board of Commissioners was held on Monday, May 16, 2016, at the Upper Pottsgrove Township Administrative Offices, 1409 Farmington Avenue, with Commissioners Elwood Taylor, Herbert Miller, Jr., Martin Schreiber, France Krazalkovich and John Bealer present. 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:

CAROLYN DILLON – 943 Farmington Avenue – Asked for help from the Commissioners to find a better place for elections stating that they do not fit here anymore and they do not feel that it is safe. They also need more machines. The Commissioners agreed. F. Krazalkovich advised her that they have received numerous concerns and that both political parties have been moving the process along. The Board of Elections is reluctant to move it during a Presidential election but he does know that the School Board has discussed putting the polls at the Middle School during their last two meetings. A Facility Use Agreement has been sent to the Board of Elections and they will try to keep the poll workers updated as the process moves forward. E. Taylor thanked her for her services as a poll worker.

RICK BRENDLINGER, Fire Marshall, introduced himself to the Board.

ALICIA ADAMS, Meals on Wheels – She advised the Board that she is trying to bring awareness of the program throughout the community. She advised them that if they know anyone that needs the service to let them know and that they are always looking for volunteers. On October 1, 2016, they are having the Grease Band at Sunnybrook as a fundraiser for the Meals on Wheels Program.

REPORTS:

EMERGENCY SERVICES LIAISON - M. Schreiber presented the Police Report. They discussed selective enforcement details. He advised that the new car should be here at the end of the month. Chief Wheatley advised the Board that they have updated and disseminated a few dozen critical policies which were outdated. There have been some case law changes and there will be a learning curve for the officers. M. Schreiber presented the Fire Report and advised the Board that they have been watering the trees at Heather Place which were moved. A motion by M. Schreiber seconded by H. Miller and unanimously carried to accept the Police contract.

PARKS, RECREATION AND OPEN SPACE – A motion by J. Bealer seconded by H. Miller and unanimously carried to proceed with the installation of Chestnut Grove Park not to exceed the amount of the grant. The Board discussed the name of the Park. Veteran’s Park was suggested by the Open Space and Recreation Board. A list of names of the parks within the township was presented showing that in general they had named them after a historical landmark, a person or the location at which they

are. This park is on the edge of the Chestnut Grove Development. There is currently a Veteran's Memorial at Heather Place Park which the Open Space and Recreation Board is looking to improve. A motion by F. Krazalkovich seconded by H. Miller and unanimously carried to name the new park Chestnut Grove Park. The Board discussed having Veteran's Day activities once the Veteran's Memorial is improved. H. Miller reported that the ballfields were fertilized and Hollenbach Park has also been fertilized; some topsoil will be needed for the fields.

ZONING REPORT – E. Taylor advised that Mingey's proposed development at West Moyer and Route 100 has done a traffic study and an open space plan which has been sent to the Commissioners for their review. They need to make sure the zoning is appropriate for this project to move forward. It is currently R-80. E. Taylor feels that this project would be good for an overlay that the Township worked on years ago. There is no intent to change the zoning within the whole community just an overlay. The project would contribute additional fees for sewer, taxes and more trails. C. Garner explained that an Overlay District does not change any underlying districts just a use for a specific property. He then explained the difference between age targeted and age restricted developments. H. Miller expressed concern with the follow through of the developer saying "Here we go again". Motion by M. Schreiber to table the matter until they have a chance to review it. E. Taylor advised him that they are not approving anything tonight just approving the overlay and they will still have to go through the entire planning process. He agreed that the Board should have a comfort level so they will wait until next month.

PUBLIC WORKS – H. Miller presented the report. Street sweeping has been completed. We are way behind on mowing and weed eating. We are having complaints that the trash receptacles are not emptied often enough. There have been no bites at \$9.00 an hour for a seasonal helper. He suggested that we advertise for a part-time summer helper at \$12.00 per hour. Motion by F. Krazalkovich seconded by H. Miller and unanimously carried to advertise for part-time summer help at \$12.00 an hour.

SEWER AND WATER – J. Bealer advised the Board that he attended the joint meeting with the Pottsgroves. They are putting together a tour on June 4th at 9:00 a.m. The preliminary readings from the temporary meters were received and they go up across the board. The Board is considering looking at manhole pans. There is a meeting coming up next Monday and they are looking at moving their meetings so they are held before the Board of Commissioners meeting. There is no recommendation to extend the temporary meters.

INTERGOVERNMENTAL RELATIONS - F. Krazalkovich had provided two resolutions for the Board to consider. Motion by F. Krazalkovich seconded by M. Schreiber and unanimously carried to adopt Resolution #672 supporting amendments to Title 75, the Vehicle Code, to remove the prohibition against municipal police using radar to enforce the maximum speed laws and urging the General Assembly to enact and the Governor to sign the appropriate legislation this session. M. Schreiber advised the Board that the Township does not make money on tickets; they actually lose money. It is done to promote safety. Motion by F. Krazalkovich seconded by H. Miller and unanimously carried, to

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adopt Resolution #671 supporting amendments to the Sterling Act to require that up to one (1) percent of the Philadelphia Wage Tax paid by non-residents of Philadelphia be remitted to the municipality in which the taxpayer resides.

TOWNSHIP MANAGER – C. Lewis presented the Manager’s Report. She recommended the Board consider closing the ICMA/RC 401 Plan as there is only one person on it and they have not worked for the Township in twelve (12) years. She explained that they should have ported this when they left and they failed to. The Company will contact that employee and let him know. Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to close that Plan. She advised the Board that we have changed our broker for Worker’s Compensation from Engle Hambright Davies to HDH Group for a savings of \$5,000 a year. We received electric bills and cancelled five (5) inactive accounts for a savings of \$1,320 a year. She has executed a twenty four (24) month contract with Consolation Energy for a savings of over \$2,000 a year based on our current usages. The Consortium is looking at hiring Cohen Law Group to review the Verizon Cable Franchise renewal services and wants to know what townships would like to participate. There would be a savings, going through the Consortium as opposed to hiring them directly. The Board decided that they would prefer to have C. Garner review this for the Township. .

BUILDINGS – PUBLIC WORKS – C. Lewis sent out a RFP for building design – most of them came in around \$36,000. Larry’s Home Design is being used by Douglas Township Montgomery County. Motion by F. Krazalkovich seconded by H. Miller and unanimously carried to go with Larry’s Home Design not to exceed \$20,000 per review and recommendation by the Solicitor.

NEW BUSINESS

CONSIDER APPLICATION FOR EXONERATION OF PER CAPITA TAX – Motion by M. Schreiber seconded by F. Krazalkovich and unanimously carried to approve the application for exoneration of Per Capita Tax.

CONSIDER ADOPTION OF RESOLUTION ESTABLISHING FEES AS SET FORTH IN ORDINANCE #486 – Motion by M. Schreiber seconded by J. Bealer and unanimously carried to adopt the Resolution establishing fees as set forth in Ordinance #486.

REVIEW AND DISCUSS FOG ORDINANCE – Motion by F. Krazalkovich seconded by M. Schreiber and unanimously carried to amend our ordinance to reflect the ordinance supplied by Pottstown Borough and to authorize the preparation and advertisement of this.

OLD BUSINESS:

CONSIDER APPROVAL TO ADVERTISE THE REVISED PEDDLING AND SOLICITING ORDINANCE - The Board reviewed the amendments to the Peddling and Solicitation Ordinance prepared by C. Garner. F. Krazalkovich passed around a similar ordinance from Doylestown. They discussed the durations of the license and licensing fee. They also discussed the exemptions. Motion by F. Krazalkovich seconded by M. Schreiber and unanimously carried to draft and advertise the Peddling

and Solicitation Ordinance changing the timeframe to six (6) months and that a license must be visible and to not charge veterans.

CONSIDER ADOPTION OF ANIMAL CONTROL ORDINANCE – Motion by F. Krazalkovich seconded by H. Miller and unanimously carried to adopt the Animal Control Ordinance which was advertised.

CONSIDER FIRE COMPANY ACTIVITIES – Motion by M. Schreiber seconded by J. Bealer and unanimously carried to authorize the Fire Company activities.

COMMISSIONER COMMENTS:

H. Miller needs insight and information from the Chief regarding cameras. Two of the four owned by the township are malfunctioning. He then questioned whether Helping Hands is a tax exempt organization. C. Garner explained that they are and they have to file a petition to the County Board of Appeals and that the Township could oppose it. F. Krazalkovich advised that there has been legal action concerning tax exempt entities being set by the Commonwealth. There is a test that they have to pass to qualify as tax exempt.

F. Krazalkovich commented that as of now the agenda is not on the website. He asked that it be put on earlier to allow residents to be more informed and asked that all expenditures be put on the agenda.

APPROVAL OF MINUTES – **April 18, 2016** – Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to approve the minutes of the April 18, 2016 meeting with the correction to Marcy Toepel’s spelling of her name.

PAYMENT OF BILLS – Motion by J. Bealer seconded by H. Miller and unanimously carried to approve the Bill List in the amount of \$127,461.03.

EXECUTIVE SESSION – The Board adjourned into Executive Session at 9:06 p.m. to discuss matters of litigation with no action to follow. The meeting reconvened at 9:19 p.m. at which time the Board adjourned by unanimous consensus.

Respectfully submitted,

Carol R. Lewis, Manager