

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, December 18, 2017, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners John Bealer, France Krazalkovich, Herb Miller, Martin Schreiber and Elwood Taylor. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief Francis Wheatley, and Township Manager Carol R. Lewis. H. Miller read a poem about our flag.

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.

PRESENTATION FOR JOHN BEALER AND HERB MILLER - E. Taylor presented plaques to John Bealer and Herbert Miller. Both Commissioners thanked everyone. J. Bealer urged people to stay involved and to volunteer. H. Miller read a statement.

PUBLIC COMMENT:

JAMES CAPINSKI – 1958 Yarnall Road – Commented about his Right to Know Request and Commissioner Taylor’s statement from the previous month and about the escrows collected for Highview Lane.

REPORTS

EMERGENCY SERVICES – M. Schreiber reported that the Fire Company had twelve (12) calls with one hundred and seventy one (171) year to date. They had their Santa Run last Saturday. There were twenty six (26) EMS calls last month. The Police had eight (8) different trainings for different people doing different things. He commended them on this. Chief Wheatley gave an overview of ALEIS which is the new County radio system. The County is asking for a written commitment and in return the municipalities who do this will get a free in car scanner and printer as well as two (2) years free. Motion by H. Miller seconded by M. Schreiber and unanimously carried to participate in ALEIS.

PARKS, RECREATION AND OPEN SPACE - H. Miller reported that only two deer have been harvested. The Arboretum will be having a recycling event in February at the ball fields. M. Schreiber added that the Arboretum will be having a tree recycling on January 6th and 7th.

PLANNING - J. Bealer reported that there was no meeting but he did want to update on some planning that is going on in the Township. The Prout Farm/Sprogel’s Run Development Phase I is underway which is constructing twenty nine (29) single family homes and when it is complete there will be a total of fifty eight (58) single family homes with five acres of open space. The Prout Farm will be permanent open space. Crossroads is under construction which will be forty nine (49) unit townhouses. It will be an individual privately managed community of work force housing.

PUBLIC WORKS - DISCUSS DETWEILER ROAD - C. Lewis outlined the proposed project and that there is a possibility for a low volume Dirt and Gravel Road Grant to help with this project. There are also plans to have meetings with the residents on the road to coordinate the driveway tie ins. Motion by H. Miller seconded by J. Bealer and unanimously approved to authorize LTL to proceed with the preliminary engineering not to exceed \$25,000.

SEWER AND WATER - J. Bealer reported that their meetings will be held on the first Tuesday of each month at 6:00 pm. J. Bealer replied to a question from F. Krazalkovich that he is willing to stay on the Sewer and Water Committee even after his term expires in 2018.

ADHOC BUILDING COMMITTEE - M. Schreiber advised that they met after the last Commissioners meeting. They discussed many possibilities and talked about the ideal site. It was agreed that a municipal complex would be the best route to go. We are in the process of reaching out to planners for cost. Another meeting will be held on January 8th at 7:00 pm. Gloria Parker asked if the Township was planning on rebuilding everything. M. Schreiber responded that one location would be best. E. Taylor explained that they can exist in many zones and having a planner can help walk us through the process and with decisions that need to be made.

CONSIDER ESCROW RELEASE #4 FOR SPROGEL’S RUN – Phase I – Motion by J. Bealer seconded by H. Miller and unanimously carried to approve Escrow Release #4 in the amount of \$122,355.10. **Keith Kehl - 1941 Gilbertsville Road** - Asked if there was enough money left to complete everything should the Developer stop. C. Garner advised him that there will still be over \$400,000 left.

DISCUSS RENEWAL OF FINAL PLAN APPROVAL FOR BACHMAN TRACT – The Bachman Tract was approved in 2006 or 2008. The Final Plan approval will be expiring on June 15, 2018. The Developer is ready to build out the plan but there are many permits that are needed and he is asking for an extension to allow time for this. Motion by H. Miller seconded by M. Schreiber and unanimously carried to extend the Final Plan approval until June 15, 2019. **Diana Updegrove** asked who the request came from. Neal Shaw advised that the Bachman’s still own the property and there is a builder under contract. There are new requirements for permits such as a bog turtle habitat study that will take time to apply for the necessary NPDES and other permits.

SIGN ORDINANCE – Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to authorize the advertisement of a Public Hearing for the Sign Ordinance. C. Garner had looked at it and had some minor changes in the enforcement language but otherwise it looked good. J. Bealer explained that they attempted to put all of the Sign Regulations in one place.

DISCUSS INSTALLATION OF A TREE IN MEMORY OF FORMER ROAD CREW ANTHONY ALESSI - Motion by M. Schreiber seconded by H. Miller and unanimously carried to authorize the installation of a tree in memory of former road crew member, Anthony Alessi at Hollenbach Park.

OLD BUSINESS:

CONSIDER ADOPTION OF THE 2018 BUDGET - Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to adopt the 2018 Budget with total revenues in the amount of \$4,043,694 and total expenditures in the amount of \$4,017,896.

CONSIDER ADOPTION OF 2018 TAX ORDINANCE – E. Taylor suggested that the .3 mills that was put aside for the Public Works building should be cancelled since there is currently not a project. Motion by F. Krazalkovich seconded by E. Taylor and unanimously carried to adopt the Ordinance setting the real estate tax at 3.4 mills for general purposes and .6 mills for Fire Protection for a total of 4.0 mills.

OTHER PUBLIC COMMENT:

GLORIA PARKER – 1209 Springhill Lane - Asked why the Township could not come to a resolution with Mr. Capinski. E. Taylor responded regarding the difference between a road and a driveway. He is regretful that money has been spent but the Board needs to look at the law and the history. These are issues that were settled fifty (50) years ago and the Board is not submitting to building roads to everyone's homes. This was never a public road. Two developers had failed plans. The Commissioners have followed proper procedures and the law. The Township had offered to build a private driveway for Mr. Capinski, but he rejected the offer unless the Township would also take ownership and maintain it as a public road.

JAMES CAPINSKI added that the Township wanted him to take care of the storm water management on Yarnall Road. They took the escrows but they did not build the road.

KEITH KEHL – 1941 Gilbertsville Road - Questioned the five (5) acres at Sprugel's Run. J. Bealer responded that the open space will have part of the basins.

COMMISSIONER COMMENTS

F. KRAZALKOVICH thanked J. Bealer for his calming influence and Herb for being a supporter and a mentor.

APPROVAL OF MINUTES – October 16, 2017 and November 20, 2017 - Motion by M. Schreiber seconded by F. Krazalkovich and unanimously carried to approve the minutes of October 16, 2017 as presented. Motion by F. Krazalkovich seconded by J. Bealer and unanimously carried to accept the minutes of November 20, 2017 with one change insert the word finalize before lawsuits under J. Capinski's comments.

G. PARKER – 1209 Springhill Lane - Asked again if there was any way the Township and Mr. Capinski can come to a solution. It was explained that J. Capinski advised that several weeks ago he requested a meeting but the Township was not in favor of it. C. Garner explained that the Township would consider any reasonable settlement proposal in writing but would not meet with him in person.

PAYMENT OF BILLS – Motion by J. Bealer seconded by H. Miller and unanimously carried to approve the Bill List in the amount of \$230,577.94.

EXECUTIVE SESSION – The Board adjourned into Executive Session at 8:24 pm. They reconvened at 9:43 pm.

ADJOURNMENT - Motion by J. Bealer, seconded by H. Miller and unanimously carried to adjourn the meeting at 9:44 pm.

Respectfully Submitted,

Carol R. Lewis, Manger/Secretary/Treasurer