

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

October 15, 2018

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, October 15, 2018, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Trace Slinkerd, France Krazalkovich, Renee Spaide, Martin Schreiber and Elwood Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief Francis Wheatley, Assistant Public Works Director Joey Alessi, Township Manager Carol R. Lewis and Township Secretary Michelle Reddick.

MOMENT OF SILENCE – The Commissioners 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.

OATH OF OFFICE – Commissioner Slinkerd administered the oath of office to newly appointed fire policeman Marc C. Debman, Jr.

PUBLIC COMMENT – There was no public comment.

APPROVAL OF MINUTES –Motion by R. Spaide, second by M. Schreiber and unanimously carried to approve the minutes of September 17, 2018 as amended to remove the last sentence under award of salt shed. Motion by R. Spaide, second by M. Schreiber and unanimously carried to approve the minutes of October 1, 2018 as written. M. Schreiber expressed appreciation to the Secretary that the minutes were thorough.

PAYMENT OF BILLS – C. Lewis noted the distribution of the fire relief tax was included on the Bill List. In response to a question from M. Schreiber, C. Lewis advised the amount of fire relief tax is down from last year. In response to another question from M. Schreiber, C. Lewis advised there is a standard formula used for the calculation, but the amount of fire relief tax can change each year. Motion by R. Spaide, second by T. Slinkerd and unanimously carried to approve the payment of bills in the amount of \$490,126.34.

REPORTS

TOWNSHIP MANAGER – C. Lewis noted her report was included in the packet. In response to a question from M. Schreiber, C. Lewis explained the NPDES permit for Hollenbach Park was closed out since the second field and parking are complete. In response to another question from M. Schreiber, C. Lewis explained there was an insurance claim for a dog who tore its stomach on the horseshoe stake at Sunset Park. She further explained the dog is doing fine but did require some stitches. In response to a final question from M. Schreiber, C. Lewis advised she is open to any applicants for the fire marshal position, but noted no one has come forward. M. Schreiber advised the previous fire marshal's work load has been reduced and suggested reaching out to see if he would be interested in coming back and serving. In response to a question from T. Slinkerd, C. Lewis advised the Township has partnered with other townships in the past for fire marshal duties. T. Slinkerd requested C. Lewis along with G. Harmansky come up with some kind of recommendation. In response to a question from T. Slinkerd, G. Harmansky advised there is definitely a need for a fire marshal.

FINANCIAL REPORT – C. Lewis noted the financial report was included in the packet. She reported the minimum municipal obligation went down this year. She further reported she and Victoria will be working with the auditors on transfers, and a policy put in place so transfers will

not be missed going forward. T. Slinkerd noted the current balance and reserve fund are now included in the report so you can see the true revenues and expenditures.

PUBLIC WORKS DIRECTOR – J. Bean noted the public works report was included in the packet. C. Lewis reported the Sewer and Water Committee voted to repair the sewer pump at Hollyberry Court pump station at a cost less than \$3,000.00.

TOWNSHIP SOLICITOR – C. Garner explained items he has are included either on the agenda or will be dealt with in Executive Session.

TOWNSHIP ENGINEERING AND BUILDING & ZONING – The report was included in the packet. C. Lewis reported the Township and Zoning Officer are working with the owner of a neighboring property to resolve the ongoing zoning issues which were discussed last month.

PLANNING LIAISON – E. Taylor advised there is nothing to report as the Planning Commission did not have a meeting in October.

OPEN SPACE AND RECREATION – R. Spaide reported a meeting was held on October 9th where the results of the public workshop were discussed. She noted the public workshop was successful, and there were a lot of good ideas provided from residents who were in attendance. She reminded everyone to make sure they complete their survey prior to the deadline of October 14th. R. Spaide reported the Open Space and Recreation Board received an award. C. Lewis explained they received the Montgomery County Planning Advocate Award for accomplishing their goals in the 2006 Open Space Plan. R. Spaide reported the Pottsgrove Joint Recreation Board met, and they are looking for a new director. She also noted two members resigned from Lower Pottsgrove. In response to a question from M. Schreiber, R. Spaide advised that herself and one community member from Upper Pottsgrove are members on the Pottsgrove Joint Recreation Board. Mrs. Reddick reported Community Day was a success and thanked everyone who volunteered to assist with the event including members of the Pottsgrove High School football team. She noted there was plenty of space and no issues with parking by hosting the event in the parking lot at the Pottsgrove Middle School. She advised she would like to have a discussion with the Board of Commissioners regarding Community Day and obtain some feedback from them. She further advised the date for next year will be Saturday, September 28, 2019. D. Elliott reported there were 17 hunters who signed up for the archery hunt. C. Lewis reported the Althouse Arboretum hosted their family night hike this past weekend and had over 900 attendees.

SEWER AND WATER – John Bealer reported the Sewer and Water Committee met on October 2nd. He further reported the flows were higher in August, and although it was an unusual summer, the flows were still below our limit. He also reported pump number two in Regal Oaks will be reinstalled in the near future, and the pump at Hollyberry Court could not communicate and had to be repaired at an approximate cost of \$3,000. He noted there are leaks in the manholes in Regal Oaks so smoke testing will be performed. He reported the Township received a Small Water and Sewer Grant which will be discussed later tonight. He reported the joint sewer meeting was held on October 11th. He noted the expenses for this year are on target with the budget, and the dryer construction is continuing. He also reported the Borough Authority and Sewer Authority on working on updating our service agreements, and Lower Pottsgrove is taking the lead on this matter.

FIRE AND AMBULANCE – The fire and ambulance reports were included in the packet. George

Harmansky noted the report contains the detail the Commissioners had requested. He further noted the only difficulty with the report is interpreting the response times. He reported that Chief Wojton has his commend staff in place with includes Deputy Chief Matthew Galamba, Fire Captain John DeMichael and Chief Engineer Joel Tamburro. In response to a question from T. Slinkerd, G. Harmansky advised the active list is included on the last page of the report.

OLD BUSINESS

CONSIDER AWARD OF SALT SHED – Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to reject all bids. T. Slinkerd advised the current salt shed will be maintained through the winter. M. Schreiber suggested authorizing money to maintain the current salt shed. C. Lewis advised this is not necessary as there is money in the budget for maintenance items. C. Lewis advised she her previous suggestion was to tarp the current salt shed for the winter, but J. Bean advised this was not a good idea. Therefore, J. Bean will do his best to maintain it over the winter.

CONSIDER CHANGES TO CHAPTER 200, GRASS, WEEDS & OTHER VEGETATION – C. Garner explained we do not currently define woodlands in the Zoning Ordinance and provided suggested definitions for the Board to consider. In response to a question from E. Taylor, C. Garner advised that the first and second definitions are essentially the same. E. Taylor recommended the Board consider the first or second definition. C. Garner advised the second definition is more comprehensive. Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to authorize staff to make the recommendations changes to the proposed ordinance to include the second definition of woodlands and the additional language proposed by C. Garner and advertise for adoption.

DISCUSS FIRE PROTECTION ORDINANCE CHANGE (CHAPTER 23) – F. Krazalkovich noted there was one concern with respect to solicitation of funds on roadways. He explained Act 57 of 2015 does allow for solicitation on roadways, but noted subsection 5 states the Township is not liable for injuries incurred while performing such solicitation. C. Garner advised he agrees the Township would not be responsible for injuries incurred while performing solicitation on roadways. F. Krazalkovich suggested incorporating Act 57 for clarification purposes. In response to a question from M. Schreiber, F. Krazalkovich advised the Fire Committee has not looked at the proposed changes as they did not have a meeting. In response to a question from C. Garner, F. Krazalkovich advised it would be an Ordinance and total replacement of the current Chapter 23. In response to a question and concern expressed by G. Harmansky, F. Krazalkovich advised it is not the Township's goal to eliminate insurance. In response to another question from G. Harmansky, F. Krazalkovich advised the roadways language would not eliminate the intersection at Fujiyama as this is a controlled intersection. D. Elliott reiterated his previous suggestion to send letters to residents advising them to keep a 20 foot space around dwellings clear of debris for the safety of our fire fighters and first responders. Chief Wheatley suggested placing an article in the newsletter regarding D. Elliott's suggestion. Motion by F. Krazalkovich and second by R. Spaide to authorize the Township Solicitor to prepare the ordinance. M. Schreiber suggested tabling action until the Fire Committee has had a chance to review the proposed ordinance. In response to a suggestion by M. Schreiber, F. Krazalkovich agreed to change Section 23-2 to Statewide mutual aid. Aye votes: Krazalkovich, Spaide, Slinkerd and Taylor. Nay vote: Schreiber. Motion carried.

DISCUSS 2019 BUDGET – T. Slinkerd advised C. Lewis has provided an updated budget at your

place for this meeting. C. Lewis advised there are no large changes other than those projects discussed at the work session meeting. She further advised our healthcare renewal rate is 5.7 percent which is low for this area for those municipalities who have Benecon. She noted private insurance renewal rates average between 28-42 percent. C. Lewis suggested the Board go over the budget carefully, and noted T. Slinkerd had some great suggestions concerning the budget.

C. Lewis advised she would be glad to meet with any Board member to answer any questions they might have concerning the proposed budget. T. Slinkerd suggested the Board thoroughly review the budget and associated documents for the next work session meeting. He noted there have been some additional documents provided so everyone can have a clear understanding of the revenues over expenditures for the last several years going back to 2012. He also noted the smaller funds should go relatively smoothly, but further discussion on the General Fund will be necessary.

F. Krazalkovich advised a final budget will be needed by the regular meeting in November, and noted a special budget meeting may be necessary. C. Garner explained there is a 10 day advertising requirement and a 20 day requirement for the budget to be available for public inspection. He further explained a preliminary/final budget would need to be available for inspection on or before November 27th.

CHIEF OF POLICE – Chief Wheatley noted his report was included in the packet. He advised the Police Department will be holding a drug take back on Saturday, October 27th from 10 am to 2 pm. He reported our newest officer, Quinn Gauger, has completed his field training and is now patrolling on his own. He further reported that Route 100 in both directions, north and south, will be closed between Shoemaker Road and Upland Square Drive/State Street from Friday, November 2nd at 9:00 pm to Sunday, November 4th at 8:00 pm in order to complete work on the railroad crossing. J. Bean advised the detour will be State Street to Manatawny Street to King Street and back to Route 100.

NEW BUSINESS

CONSIDER SEWER PROJECT, GRANT TO COVER \$200,000, TOWNSHIP TO COVER \$294,076 – J. Bealer explained the Township received a Pennsylvania Small Water and Sewer Grant to complete a portion of the Phase II sewer project in Regal Oaks. He noted there is money available in the capital budget for Sewer Fund, and the project was agreed and included in the Act 537 Plan. He explained the project would include 25 EDUs for a portion of Rose Valley Road and Hollyberry Court. He noted motions would be needed to accept the grant and complete the project. In response to a question from E. Taylor, J. Bealer advised this project would not include any upgrade to the Hollyberry Court pump station. In response to a question from M. Schreiber, J. Bealer advised there will not be any increase in sewer rates for this project. In response to a question from E. Taylor, J. Bealer advised the residents have not yet been notified of the project. In response to a question from C. Garner, J. Bealer advised the major engineering has already been completed for this project. In response to a concern expressed by M. Schreiber, C. Garner explained it is possible to accept the grant and not authorize the project as the Township would have three years to spend the grant money. Motion by E. Taylor, second by R. Spaide and unanimously carried to authorize the project and advertise for bid. Motion by E. Taylor, second by M. Schreiber and unanimously carried to accept the grant and authorize Township staff to execute the grant agreement. F. Krazalkovich noted a resolution was adopted requiring the Commonwealth to address unfunded mandates, and the agreement includes the prevailing wage requirements.

CONSIDER ESCROW RELEASE #7 FOR SPROGEL'S RUN – Motion by E. Taylor, second

by R. Spaide, and unanimously carried to authorize escrow release number 7 in the amount of \$15,039.00 conditioned upon payment of any outstanding inspection and legal fees by the developer. In response to a question from M. Schreiber, M. Reddick explained this is a release from the Letter of Credit being held by the bank so the bank will be writing the check to the developer not the Township.

OTHER PUBLIC COMMENT

John Bealer, 1521 Farmington Avenue, reported the Township held their annual township wide cleanup to combat trash getting to the Chesapeake Bay.

COMMISSIONER COMMENTS

E. Taylor noted he wanted to expand on the great things going on at the Althouse Arboretum. He noted there were 292 participants in the summer camps and 23 high school counselors who participated with these camps. He reported the Althouse Arboretum has received two certifications which include national certified arboretum and certified wildlife habitat. He noted there are 16 students from four (4) different high school who assist with the arboretum. John Bealer, 1521 Farmington Avenue advised his family lived across from the arboretum property for years when it was operated as a wildlife refuge, and noted his family appreciates what is being done there.

F. Krazalkovich reminded everyone that November 6th is election day, and noted there are some key elections including Governor, Senator and State Representative.

R. Spaide thanked the Open Space and Recreation Board for all their hard work with the public workshop and open space plan update.

T. Slinkerd reminded the Commissioners to make sure they have their budget workbook for the upcoming work session meeting. He also noted staff will be working with the auditors on adjusting entries and transfer related to the 2017 audit.

EXECUTIVE SESSION – The Board adjourned into Executive Session at 8:00 p.m. to discuss personnel and litigation with no action to be taken. They reconvened at 9:12 p.m.

ADJOURNMENT – Motion by F. Krazalkovich, second T. Slinkerd and unanimously carried to adjourn the meeting at 9:12 p.m.

Respectfully submitted,

Michelle L. Reddick, Township Secretary