

A Workshop Meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, May 6, 2019, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Trace Slinkerd, France Krazalkovich, Renee Spaide, Martin Schreiber and Elwood Taylor present. Also present were Police Chief Francis Wheatley, Public Works Director Justin Bean, Township Manager/Secretary Michelle Reddick and Sewer and Water Chairman John Bealer.

PLEDGE OF ALLEGIANCE – Those present pledged allegiance to the flag.

EXECUTIVE SESSION – T. Slinkerd announced there was an executive session held prior to the meeting to discuss a matter of real estate.

OPENING COMMENTS – There were no opening comments.

DISCUSSION ITEMS

2019 Road Project Bids – M. Reddick advised the bid opening for the road projects happened this morning, and the bids are being reviewed by the township engineer. She explained the raw data has been provided by the township engineer and she reviewed the data with the Board. She further explained a matrix with the bids results will be provided at the regular meeting. She advised the apparent low bidder on Kummerer Road is Reading Site Contractors, and the apparent low bidder on Pineford Road, with or without the alternate, is John A. DiRocco. She reiterated the bids and detailed bid items are still being reviewed by the township engineer.

Township Manager – Sprogel’s Run Revised Storm Water Plans for Phase 2 – M. Reddick advised revised storm water plans were submitted for Phase 2 of Sprogel’s Run and are currently being reviewed by the township engineer. She explained Keystone Custom Homes wishes to build larger homes on all the lots in Phase 2; therefore, the storm water had to be redone in order to accommodate the increased impervious coverage. She noted the plans should be ready for approval at the regular Board meeting.

Crossroads Development ~ Two Foot Grass Strip on Lower Loop Road ~ M. Reddick advised the grass strip on the lower loop road (Kerry Drive) was built at two (2) foot which is not what was on the approved plan. She explained the township engineer thought this would be considered a field change; however, the township solicitor advised this change would need to be approved by the Board. This matter will be on the agenda for consider by the Board at the regular meeting. She further explained the upper loop road (Wexford Court) had not been constructed yet, but Glenn Worgan of Delaware Development Company, the owner of the property, advised they will be proceeding with the four-foot grass strip since they need to proceed with construction. She referenced an email provided to the Board from Rich Mingey which outlined his concerns regarding a two-foot grass strip. **Rich Mingey, builder at Crossroads Development**, provided photos to the Board and expressed concern that a four-foot area between the curb and sidewalk will create an area where the backs of some cars will be encroaching on the sidewalks. He further explained that a two-foot grass strip makes sense and will allow for a better visually appealing development and a safer pedestrian walkway. He also noted the grass strip on the upper loop road has not been started so approval will be needed for both loop roads. **Green Allies Agreement for Prout Farm Park & Sussell Park** – M. Reddick advised the plans proposed by Green Allies for a CASA farm at Prout Farm Park and a riparian education center at Sussell Park were previously approved by the Board. However, when this matter came up for discussion at an Open Space and Recreation Board meeting, members asked if the agreement with Green Allies for these parks had ever been approved. She further advised research was conducted, and it turns out the plans were approved but not the agreement. She noted the draft agreement was included in your packet. She further noted the draft agreement was

reviewed by the Open Space and Recreation Board who recommended approval with changes and subject to review by the township solicitor. She advised the township solicitor reviewed and recommended some additional changes. She further advised the draft agreement will be updated to reflect recommended changes and the updated version submitted for your consideration at the regular meeting. **Purchase of Police Vehicle** – Chief Wheatley reported money was included in the budget for the purchase of a new police vehicle. He explained he was considering the purchase of a 2019 Dodge Durango at a cost of \$32,027, a Ford pickup truck at approximately \$34,000 and a Chevy Tahoe at approximately \$37,000 and has decided to go with the 2019 Dodge Durango. He further explained the amount included in the budget would also cover the cost of outfitting the vehicle. He requested the Board consider approval of the purchase at their regular meeting. **Hiring of Part-time Summer Help for Public Works** – M. Reddick advised Larry Kuser is available and willing to come back for summer help at the same rate as last year which is \$15.00 per hour with a cap on the numbers of hours per week. She agreed to research the cap on the number of hours approved last year. She further advised Larry will not be able to start until mid-June. She noted this matter would need to be considered for approval at the regular meeting. **Consider Fees for Construction Code of Appeals Board & Zoning Determination** – M. Reddick advised there is a Code of Appeals Board in place and provisions in our ordinance for a zoning determination; however, no fees were established for these matters. She explained the township solicitor has recommended fees for these items which will need to be considered for approval at their regular meeting. The recommended fee for a zoning determination is \$1,000, a Code appeal with no hearing is \$250.00 and a Code appeal with a hearing is \$850.00.

FIRE SERVICES AGREEMENT – F. Krazalkovich explained two drafts were included in the packet. The first draft is the original dated April 15, 2019 and the second draft is the one prepared by the solicitor. In response to a question from R. Spaide, F. Krazalkovich explained the original draft is separate and apart from the draft prepared by the solicitor. He further explained the intent is to combine the two drafts into one agreement. F. Krazalkovich noted governance of the fire company has been under the Memorandum of Understanding prepared in 2006 and revised in 2016. He further noted the new fire protection ordinance passed provides for an agreement with the fire service provider. F. Krazalkovich reviewed the original draft of the agreement. He would like additional feedback on paragraphs one and two from the township solicitor. He explained the intent of paragraph three is to avoid any potential conflict of interest. R. Spaide advised she does not have any issues with paragraph three as she agrees it could present a conflict to have a township commissioner serve as an officer of the fire company. M. Schreiber expressed concern with paragraph three as it eliminates the potential for having enough good people when you are dealing with a small organization. E. Taylor also expressed concern with paragraph three as there are not enough volunteers available as it stands today. T. Slinkerd advised it could be a conflict of interest and agrees it is best to separate those duties. M. Schreiber noted it was suggested to have public works employees respond to calls during the day. F. Krazalkovich explained paragraph four changes the makeup of the Fire Service Committee. E. Taylor noted he is not certain of the function of the Fire Service Committee as it seems like the Board will have total control as proposed in paragraph four. F. Krazalkovich explained paragraph six outlines the responsibilities of the Fire Service Committee. E. Taylor advised the Fire Service Committee was created to oversee more than is proposed in paragraph 6, including personnel matters. T. Slinkerd advised the functionality of the Fire Service Committee is not changing as the fire company members will act as professionals to advise the Fire Service Committee.

Chuck Garner arrived at the meeting at 8:30 pm. C. Garner advised there was a question that when the Board asserts hiring and firing authority within a fire company, you create an employee/employer relationship. He explained this would only be an issue within a fire company with paid members and the

township fire company does not have paid members. In response to a question from M. Schreiber, C. Garner explained there would not be any issues with the public works crew driving a truck during the day as they are paid employees of the township. F. Krazalkovich explained the governance paragraphs (paragraphs 4, 5 and 6) in his draft agreement could be inserted after paragraph 3 of the solicitor's draft agreement. He suggested changing paragraph two in the solicitor's draft agreement. He further suggested leaving out information on the lease agreement and having a separate document pertaining to the lease agreement. It was agreed to further discuss this matter a future workshop meeting and have the matter reviewed by the Fire Service Committee.

EXECUTIVE SESSION – The Board adjourned into executive session at 8:15 p.m. to discuss personnel with no action to follow. They reconvened at 8:57 p.m.

ADJOURNMENT – The Board adjourned by the consent of those present at 8:57 p.m.

Submitted,

Michelle L. Reddick, Township Secretary