

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, August 19, 2019, 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 Manager Michelle Reddick, Solicitor Charles D. Garner, Jr., Acting Chief of Police/Corporal Albert Werner, Public Works Deputy Joseph Alessi and Township Secretary Jeannie DiSante.

**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.

T. Slinkerd announced the Board will meet in Executive Session after the meeting and will entail a matter of personnel and litigation

**PUBLIC COMMENT** – T. Slinkerd asked for any public comments and there were none.

**APPROVAL OF MINUTES** – E. Taylor requested a correction to the minutes. Motion by R. Spaide, second by M. Schreiber and unanimously carried to approve the minutes of July 15, 2019 as amended to correct wording in the discussion on Commissioner roles and Committee roles.

**PAYMENT OF BILLS** – M. Reddick explained the revised bill list includes account changes, a cash receipt was removed and no additional bills added. M. Schreiber questioned two Met-Ed invoices, and it was confirmed they were paid on-time, and whether a Bechtelsville asphalt invoice should be paid out of liquid fuels. M. Reddick confirmed with the Public Works Director that paying this invoice out of General Fund is correct as most of this was storm damage; only road projects are paid out of liquid fuels. M. Reddick submitted a report to the County for the storm damage costs. M. Schreiber commented that the legal fees for the sale of the sewer system being paid from the Sewer Fund should be paid from the General Fund. Motion by R. Spaide and second by E. Taylor to approve the payment of bills in the amount of \$171,206.84. Aye votes: Spaide, Taylor, Krazalkovich and Slinkerd. Nay: Schreiber. Motion to pay the bills carried 4-1.

**REPORTS**

**TOWNSHIP ADMINISTRATION/FINANCE** – M. Reddick advised her report was included in the packet. She added one item, the lease for the admin copier will expire this month and L. Coleman is researching and obtaining quotes for a new copier lease. M. Schreiber commented that a resident at Turnberry Farms purchased and installed solar lights at the entrance and asked why the Township is paying for a light. M. Reddick said the light was wired and re-energized. She will look into what is happening with that fixture.

**CHIEF OF POLICE** – Acting Chief Werner advised his report is in their packets and there was a high volume of calls however, nothing of real significance.

**PUBLIC WORKS DIRECTOR** – J. Alessi stated his report is in the packet for the Commissioners and would answer any questions.

**TOWNSHIP SOLICITOR** – Solicitor Garner stated he had no specific report, that most items covered in Executive Session will be the substance of his report.

**TOWNSHIP ENGINEERING AND BUILDING & ZONING** – M. Reddick noted the report is in the packet and she would answer any questions. M. Schreiber said the report on the Kummerer Tract development states 145 units and previous minutes state 143 unit. M. Reddick said it may be a typo on the engineer’s report. The preliminary plan show 143 units, as of now.

**COMMITTEE CHAIR REPORTS**

**PLANNING LIAISON** – E. Taylor reported that the Planning Commission did meet with the developer of the Kummerer property and spent some time reviewing his plan. The Planning Commission recommended preliminary plan approval with waivers still being processed. The plan may come before this Board in September.

**OPEN SPACE AND RECREATION** – D. Elliott reported they did not have a meeting in August.

**SEWER AND WATER** – J. Bealer reported the committee met on August 6<sup>th</sup>, reviewed his report for the Board and noted a property was inspected on Maple Leaf Lane. A video of the lateral indicates a sag in the line and the owners will be informed to take care of that situation. There was some failure in Summer Grove on Autumn View Lane on several connections and the back flow preventers on the grinder pumps. A company was brought in to flush the low-pressure line and there was a clog from “flushable wipes” that shred, tangle and clog. That has been resolved.

There are requests from several property owners on Continental Drive and Concord Drive looking to connect to the public system. That area is in the Township’s 537 plan for 2023. A letter explaining the timeline will be drafted to those owners.

The Joint Sewer meeting was held August 15<sup>th</sup> and J. Bealer noted budget expenditures are on target for the year and the dryer company will be working with the Borough this month to install a new blower to satisfy the DEP permit for the dryer. There was a discussion as to how the public can be informed to not use the “flushable wipes” that are the cause of the majority of clogs. There are notices on the Township lobby and website and possibly have a note put on the sewer bills. M. Reddick noted these were the cause of the clog in the pump at the Regal Oaks pump station and the Public Works Director has a video of the massive collection of wipes and rags pulled out of the clog.

**FIRE AND AMBULANCE** – F. Krazalkovich reported the committee met on August 8<sup>th</sup> and the reports for the Board are included in the packet. He briefly reviewed the reports. He informed the Board there are concerns by residents as to how the fire company responds to certain areas of the Township. He asked Fire Chief TJ Wojton to explain the response procedures. The Fire Chief presented a map delineating 8 new zones throughout the Township explaining the run cards and responses from next closest fire companies. He confirmed that West Pottsgrove Fire Company and Upper Pottsgrove always respond to each other’s calls.

When asked about a possible merger with West End, TJ Wojton said it was never discussed in committee and there is no interest in a merger. TJ Wojton said the Company is talking about purchasing a used truck to replace the MACK 1983-84 truck however, have not looked at any that may be on the market. M. Schreiber noted the truck had a critical fail, a pipe from the pump to the tank cracked during training which could have been catastrophic at an actual fire.

**OLD BUSINESS**

M. Schreiber said the fire company Relief Association had an audit which is done every 2-3 years and there were three findings; an unauthorized expenditure which was an insurance invoice paid out of the relief fund that should have been paid out of the fire tax fund and the money has been reimbursed, ongoing inventory issues that all fire companies have and meeting minutes issues. These should not affect the funding.

F. Krazalkovich reported there was an incident with wiring and it has to do with the state of this building in the study that was recently completed. M. Schreiber explained a year ago a dead short was found with no ground on the outlet or most of the wiring and the insulation around the wires is starting to melt. The crew was getting shocked turning on a light switch until the switch no longer works. The switch was hard-wired by an electrician and is now working yet the outlet is not.

T. Slinkerd said the Planning Commission was asked to look at the recommended list of needed repairs from the building study and decide what is the most critical to address. In discussions with the Township Manager it appears this is one of the most important to get cost estimates and to move forward to correct. If there are any other critical areas, they should be looked into as well.

**CONSIDER APPROVAL OF FIRE SERVICES AGREEMENT** - T. Slinkerd announced the Fire Services Agreement will be addressed at the next Board Meeting. F. Krazalkovich explained the agreement drafted between the Township and fire companies is a Memorandum of Understanding (MOU) as related to the Fire Protection Ordinance and asked that the fire company and committee have a last review before submitting it for Board approval.

**NEW BUSINESS**

**CONSIDER APPROVAL OF EDU FOR 1873 FARMINGTON AVENUE** - J. Bealer explained this is the third house in line to connect to the sewer on West Farmington Avenue and the committee recommends the Board approve the EDU. Motion by F. Krazalkovich, seconded by R. Spaide and unanimously carried to approve an EDU at 1873 Farmington Avenue.

**CONSIDER APPROVAL OF EDU FOR 171 W. MOYER ROAD** - J. Bealer explained it is a failed system with no room for an alternate system. Property owner asked for the EDU and to work with the Township engineer to design hooking up to public sewer. Motion by F. Krazalkovich, seconded by R. Spaide and unanimously carried to approve an EDU at 171 W. Moyer Road.

**CONSIDER RESOLUTION ON COMMISSIONER ROLES AND COMMITTEE ROLES** - F. Krazalkovich reminded the Commissioners of the discussion at their last meeting considering a draft of A RESOLUTION OF THE UPPER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS PROHIBITING ANY MEMBER OF THE BOARD OF COMMISSIONERS FROM SERVING ON ANY TOWNSHIP BOARD, COMMISSION OR COMMITTEE OF UPPER POTTS GROVE TOWNSHIP OR ANY NON-PROFIT ORGANIZATION THAT RECEIVES MONETARY CONTRIBUTIONS FROM UPPER POTTS GROVE. Motion by T. Slinkerd, seconded by R. Spaide to adopt the resolution as stated. E. Taylor commented that the July 15<sup>th</sup> minutes state this would not be coming up until October and he has not had as much time as he would have liked to comment on the issue again. However, he went on to express his thoughts on the wording of undue influence and conflict of interest.

R. Spaide commented on her serving on the recreation board and stated she does not make any decisions or votes.

F. Krazalkovich commented on his serving on the fire services committee and on the wording in the resolution.

M. Schreiber, also a member of the Civil Service Commission, commented on the fact that there are not many volunteering to serve on Township committees and this resolution will now limit people that are sitting on committees.

T. Slinkerd commented that this resolution is not targeting any member of the Board; it is about the appearance of conflict of interest and undue influence. The Township must do a better job of recruiting committee volunteers and maintaining a separation of powers.

Jim Capinski, 1959 Yarnall Road commented as an real estate appraiser he could not give an appraisal on the Township's first open space purchase due to a conflict of interest as a resident of the Township. He is in favor of these checks and balances.

M. Schreiber made a motion to table the vote until October as stated in the July meeting minutes. Solicitor Garner said this is a privileged motion and if it gets a second it can be voted on without debate. Motion failed for lack of a second. T. Slinkerd noted there is a motion on the table and a second to approve the resolution as outlined and stated. Aye votes: T. Slinkerd, R. Spaide, F. Krazalkovich. Nay votes: E. Taylor. Abstained: M. Schreiber. 3-1 motion carried. T. Slinkerd noted the Board now vacates those positions held by Commissioners.

E. Taylor asked the Solicitor concerning the Municipal Planning Code, Section 202, does he have to leave his position on the Planning Commission? Solicitor Garner said there is a provision in the planning code addressing how to remove a member of the Planning Commission. There was further discussion on the matter.

**OTHER PUBLIC COMMENTS** - There were no public comments.

**COMMISSIONER COMMENTS**

M. Schreiber said before we act, the Board should have the Solicitor look into the removal of people that are appointed to terms on Boards as terms were put in for a purpose.

E. Taylor asked if he needed permission to ask the Solicitor to give an opinion as to the legality of this resolution as it relates to ejecting a Planning Commission member from their duly appointed seat. T. Slinkerd said that is fine to ask for the Solicitor's opinion.

R. Spaide announced that a committee has been started for the potential handicapped recreation areas for children and adults. She is not on the committee; it is people from the Pottsgrove school districts. The committee will start with purchasing one piece of equipment for each school district, Upper, Lower and West Pottsgrove. They will move ahead with discussions with the Open Space committee for their ideas.

F. Krazalkovich commented on the emergency declaration by the Board related to the flooding July 11<sup>th</sup> and the Township Manager looking into any funds available for the Township. Secondly as to the resolution adopted this evening he announced that as of September 16, 2019 he would like to resign his position on the fire services committee as it would be a conflict with that resolution.

T. Slinkerd commented the RFP for investment advisors was advertised and applicants need to submit by August 22<sup>nd</sup>. Concerning the sale of the sewer system, it is in the data collection phase for the potential buyers. A draft of the budget will be put together for the September meeting. There are some issues with the 2018 audit that have to do with audit regulations and that will be discussed in a meeting tomorrow with the auditors.

**EXECUTIVE SESSION** – The Board adjourned into Executive Session at 8:40 p.m. to discuss personnel and litigation and action is to be taken. They reconvened at 9:05 p.m.

**ADJOURNMENT** – Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to adjourn the meeting at 9:10 p.m.

Respectfully submitted,



Jeannie DiSante  
Township Secretary