

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, December 16, 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., Police Chief James Fisher, Township Engineer Peter Eisenbrown 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.

**APPROVAL OF MINUTES** – Motion by R. Spaide, second by E. Taylor and unanimously carried to approve the minutes of October 7, 2019 with correction under New Business to add “age-qualified overlay” after R80 in Mr. Benson’s explanation of the Kummerer project. Motion by M. Schreiber, second by R. Spaide and unanimously carried to approve the minutes of November 7, 2019. Motion by R. Spaide, second by E. Taylor and unanimously carried to approve the minutes of November 18, 2019.

**PAYMENT OF BILLS** – Motion by M. Schreiber, second by R. Spaide and unanimously carried to approve the payment of bills in the amount of \$177,682.61. M. Schreiber ask for explanation of the Hopewell Trucking invoice. M. Reddick explained it was completing work to close out the NPDES permit for Hollenbach Park expansion.

T. Slinkerd announced a new volunteer fireman joining the Upper Pottsgrove Fire Company #79 then proceeded with the swearing in of Marcus Tolson.

## **REPORTS**

**TOWNSHIP ADMINISTRATION/FINANCE** – M. Reddick advised her report was included in the Commissioner’s packets. She noted the part-time administrative/planning & zoning position has been re-advertised and there has been a tremendous response. Provided to the Board was an updated report from PFM on the contemplated sale of the sewer system. Copies will be posted on the website and in the lobby. A representative from the US Census Bureau contacted the Township office requesting assistance in promoting the 2020 Census. The staff will attempt to distribute the provided flyers and an invitation will be mailed between March 12-20 encouraging residents to respond online to the census. J. DiSante has met with the Express Data Systems, the payroll company, and provided initial documentation to begin the transfer of information to have all items finalized in time for the first payroll of 2020.

The PA small Water & Sewer Grant for the Ming Drive/Moyer Road sewer project has been finalized and submitted. A resolution has been agreed upon to address the storm water issue at the entrance to Sprogels Run. The developer will notify the Township of a start date for the work.

In the financial report M. Reddick noted she and the financial consultant have worked on auditing the escrow fund and there may be changes to the balance sheet in that fund in next month’s report as all the corrections are reflected.

**CHIEF OF POLICE** – Chief J. Fisher submitted his report to the Board and asked for questions. There was a discussion confirming Cop Camp will be happening again this year.

**PUBLIC WORKS DIRECTOR** – J. Bean was not in attendance as he was dealing with issues at the Regal Oaks pump station. His report was submitted to the Board and there were no questions.

**TOWNSHIP SOLICITOR** – C. Garner will address items later in the meeting however he added here that the agreement with 171 W. Moyer Road is mostly completed and the All County engineer feels there is significant interest from other property owners who wish to construct portions of that system at Moyer Road & Ming Drive.

**TOWNSHIP ENGINEERING AND BUILDING & ZONING** – M. Reddick brought to the Boards attention on page three of the engineer's report there are citations being issued due to zoning issues at various properties in the Township

### **COMMITTEE CHAIR REPORTS**

**PLANNING LIAISON** – E. Taylor stated there was nothing to report.

**OPEN SPACE AND RECREATION** – T. Slinkerd noted the Board did not meet this month.

**SEWER AND WATER** – J. Bealer read the flow report and reported items from the Borough.

**FIRE AND AMBULANCE** – T. Slinkerd noted D. Raudenbush was still out on a fire call and in his report is the final official election results for the fire company. M. Reddick announced in attendance was the newly appointed Fire Marshal, Charles Ritschard. She introduced him to the Board and noted he submitted a report however, she did not have time to get it to the Board. It is available if anyone desires a copy.

### **OLD BUSINESS**

**Consider Approval of 2020 Budget** – Motion by R. Spade, second by T. Slinkerd to adopt the Budget for 2020 for Upper Pottsgrove Township with anticipated total revenues for General Fund of \$3,217,424 and projected expenses of \$3,577,711. After comments and discussions the votes were Aye: R. Spade, T. Slinkerd, E. Taylor and F. Krazalkovich. Nay: M. Schreiber. Motion carried 4-1.

**Consider Approval of 2020 Tax Millage Ordinance** – M. Reddick noted the proposed ordinance shows no tax increase for 2020. Motion by R. Spade, second by Elwood Taylor to adopt the ordinance fixing the total real estate tax millage for 2020 at 4.0 mills; 3.4 mills for general purposes under the First Class Township Code and 0.6 mills for fire protection. Votes were Aye: R. Spade, T. Slinkerd, E. Taylor and F. Krazalkovich. Nay: M. Schreiber. Motion carried 4-1.

**NEW BUSINESS**

**Discussion Regarding Draft Agreement for Purchase of Additional Sewer Capacity** – C. Garner explained the preliminary draft of the purchase agreement drafted by the Borough Authority to purchase additional sewer capacity. The Township made this request based on the proposed Kummerer project that would need to purchase capacity. There is no recommendation for the Board to make any decision on this tonight, it is for review; the Solicitor, Engineer and Manager have reviewed it and there appears to be no issues with the language. However, paragraph 8 states that none of the capacity can be used for the Coddington View development which is a condition of prior purchase agreements therefore, this language is not necessary. This is a pass-through cost and the current price is \$5.55 per gallon which makes the treatment capacity per EDU equal to \$1,665.00. The Authority is looking to approve the agreement either this month or next. C. Garner would like to discuss it further with the Manager and Engineer to be sure there are no plans to purchase capacity anywhere else and that the planning module is approved by DEP. The 39,000 gallons to be purchased dovetails with the required capacity for Kummerer.

**Consider Authorizing Advertisement of Ordinance Amending Section 275-6, Specific Pollutant Limitations, of Article II, Construction and Connection, of Chapter 275, Sewers & Sewage Disposal** – C. Garner explained this is a requirement of the Borough Authority. They have limitations as to what pollutants can pass through their treatment plant. The Township ordinance does not have all these pollutants listed as prohibited nor the maximum daily limit. He suggests the Township come into compliance with the sewer agreement it has with the Authority by adding two pollutants, Selenium with an amount recommended by the EP and Molybdenum. All three Pottsgrove Townships are being required to amend their ordinance to be in compliance. The engineer reasoned that typically these pollutant limits are specifically targeted toward industrial users who regularly test to meet the standards. Since the Township has so few industrial users it is not relevant and the reason it has not adopted local limits. He has no objection to amending the ordinance. With a motion to advertise, the Solicitor will have it prepared for the Board's next meeting. Motion by E. Taylor, second by R. Spaide and unanimously carried to authorize the Advertisement of Ordinance Amending Section 275-6, Specific Pollutant Limitations, of Article II, Construction and Connection, of Chapter 275, Sewers & Sewage Disposal.

**Consider Fire Company By-Law Amendments** – D. Raudenbush announced the election results, President – Don Raudenbush, VP – Stan Petrikis, Treasurer – Ashley Rose, Secretary – Branden Gould. The Internal Board of Directors are Emily Ryan, John DeMichael, John Kohler, Joel Tamburro and alternate Branden Gould. Also the President, Fire Police Captain and Fire Chief are voting members. D. Raudenbush reviewed changes to the fire company by-laws with the Commissioners asking for a motion to approve. Motion by F. Krazalkovich, second by T. Slinkerd and unanimously carried to approve the by-laws changes requested and voted on by the fire company.

**OTHER PUBLIC COMMENT** - None

**COMMISSIONER COMMENTS**

- M. Schreiber stated his discontent that the process to hire a police chief did not go as planned. He believed he was told Chief Fisher did not take a civil service exam and that being the case, if this is passed over, the chief taking the exam, what would make it that our Township Manager can then approve police officers who are slated for the exam? M. Reddick corrected M. Schreiber stating the Township Manager did not approve the hiring of Chief Fisher, this Board approved it and she wanted that to be clear. F. Krazalkovich said unless the Board desires a chief be bound by civil service requirements, if we subject a proposed chief to such an examination it would, in reality be placing the chief under civil service regulations which is not the will of this Board. There was further discussion with C. Garner noting the requirement or lack of a requirement for a chief to take a non-competitive civil service examination under the first class township code is 'may', not 'shall' therefore, it is up to the Board to decide. The chief's agreement specifically does not provide for him to be under civil service regulations which would be consistent with him not taking the exam. Additionally it has been discovered that previous police chiefs have not taken the exam. F. Krazalkovich noted the civil service commission ought to send amendments to the Board of Commissioners if it is their wish to make a change to their regulations.

- F. Krazalkovich expressed his appreciation to the Commissioners acknowledging it is an honor and privilege to have served this community of 5000+ residents as it is not a duty to be taken lightly. He thanked past and present colleagues by name and enumerated the collective accomplishments during the last four years of approving unfunded mandates, supporting the use of radar for the police department, binding arbitration reform, municipal pension reform, and the Sterling Act reform. The Board eliminated the nuisance per capita tax and the indebtedness tax when proven to be not needed. This Board also appropriated additional funds for the Pottstown public library, added funding for the Althouse Arboretum and beginning in 2020, will have placed \$612,000 in an operational general reserve fund. This year the Board improved the Township's budget methodology and do not show a carryover of revenue to next year, began an overdue evaluation of the pension plans, eliminated the single hauler trash contract giving choice back to the residents and lowering their rates and began the evaluation of the possible sale of the sewer system. If the private sector can do it better, it should and the ancillary benefit is being able to lower rates, be able to pay off close to ten million dollars of Township debit and strengthen the Township financial position. The Board has not merely gone through the motions every month but achieved many things and Commissioner Krazalkovich said he looked forward to the future representatives continuing that effort.

- E. Taylor commented he is a history teacher and history is written by the winners and as a loser his story has been corrupted and continues to be corrupted even tonight; anything he says now will be considered 'sour grapes' and that is not who he is either. As a teacher he feels he still has much to teach but it is being ignored and manipulated to other than what it is. He has been with the Township a long time, never sought power, people came 25-30 years ago asking if he would get involved. He is absolutely disappointed in the history that is going to be written about this time as it is not deserving of him and not deserving of those writing it or of the public hearing it and tying into the story that government is corrupt. He thanked the people who supported him over the years and the staff who worked long and hard; nothing that has been done was accomplished by one person it required the agreement of the majority. He always thought of his power as a power to persuade, just putting out the facts that he felt came to good conclusions.



He is very concerned about the status now of public dialog at the Township meetings by limiting people to asking a question or making a statement and not able to participate in public discussion. This is not public dialog and he is sad to see it go.

- T. Slinkerd rose to the front of the audience and announced he had two presentations to make and asked Manager Michelle Reddick to stand with him. He presented her with a 25 Years of Service plaque and said it has been a pleasure working with her and especially this past year as Township Manager. Commending her on her dedication to the Township he read the many positions she held and committees she serviced on during her tenure including Administrative Assistant, Planning Commission Recording Secretary, Community Day Administrator, Township Treasurer/Tax Collector, Township Secretary, Planning and Zoning Administrator and Open Space Committee member. He commented, you can't ask for better qualifications than this. Michelle thanked everyone for supporting her over the years as she has worked with many Board members, naming many who mentored and encouraged her and she is feels honored and privileged to serve as the Township Manager for the Township. She thanked the current Board members for the opportunity to prove her abilities in this position.

T. Slinkerd asked Commissioner France Krazalkovich to stand with him and presented him with a plaque and read, for your dedicated service as an Upper Pottsgrove Township Commissioner and in appreciation for your faithful work on numerous boards and committees where your leadership was vital to their success and, in particular your service as Vice President of the Board of Commissioners in a time of change. He also read on his plaque his additional services to the Fire Service Committee, Montgomery County Association of Township Commissioners, Pottstown Metropolitan Regional Planning Committee and Pottstown Area Council of Governments.

**ADJOURNMENT** – The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

  
Jeannie DiSante, Township Secretary