

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

May 4, 2020

The workshop meeting of the Upper Pottsgrove Township Board of Commissioners was held at 7:00 pm on Monday, May 4, 2020 via Zoom internet webcast, with Commissioners Trace Slinkerd, Renee Spaide, Martin Schreiber, Cathy Paretti and Dave Waldt present. Also present were Township Manager Michelle Reddick, Solicitor Charles D. Garner, Jr., Police Chief James Fisher and Township Secretary Jeannie DiSante.

OPENING COMMENTS – T. Slinkerd announced this is a workshop meeting, shared the agenda on the Zoom screen and asked if there were any comments on the agenda items from those logged into the meeting. There were no comments.

T. Slinkerd asked Bernie Grundusky from PA American Water (PAW) to attend the meeting to discuss a statement concerning some misinformation about their recent PA Public Utility Commission filing. Mr. Grundusky explained that on April 29th PAW filed a rate request with the PUC to adjust its water/wastewater rates over a two-year period. The filing requests new rates that capture the company's projected investments through the end of 2022. Prior to the rate filing, PAW could not discuss its upcoming rate request because as a public traded company, this is considered material, non-public information under SEC rules. PAW also cannot speak to when the company's next rate filing may occur. He firmly stated that the potential acquisition of the Upper Pottsgrove Township wastewater system is not included as part of the company's April 29th rate filing. Therefore, the sewer rates for Upper Pottsgrove Township are in no way impacted as a result of this rate filing request. As discussed over the last series of public Township-hosted public meetings on the sale of the wastewater system, after the applications are filed, reviewed and approved by the PUC and a closing which is estimated to happen in the spring of 2021, the base residential sewer rates for Upper Pottsgrove customers under PAW's ownership will be \$65.00 a month which equates to \$780.00 per year. That is approximately 9% lower than the current Township rates. These base rates are expected to remain constant in 2021 and 2022 as opposed to what was illustrated during the public meetings of potential rates of \$900.00 and \$920.00 projected annual amounts, respectively, if the system had remained under Township ownership. PAW is using ACT 12 legislation which requires the company to take the seller's rates as part of the acquisition which is \$65.00/month. Any rate changes are approved at the discretion of the PUC after their approximate nine month review of a rate request filed by PAW.

There were Commissioner's comments urging residents to not get their news from social media pages, suggesting rather they attend the Township meetings online and, when the COVID-19 quarantine is lifted, at the Township offices. They noted their disappointment and sadness in the social media comments, profanity and threats. The Township will begin to take better care to review the social media pages and direct issues into more civil conversations.

M. Reddick informed the Commissioners of items occurring now and in the near future. For the 2021 road projects, Mervine Street will be paved in a joint project with the Borough of Pottstown. Prior to the paving, the Mervine Street residents will be notified that they will need to repair their curbs and sidewalks. The Board will have to decide in the next few months how much time the residents will be given to complete the repairs and how to handle the repairs if the residents do not comply.

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The Township received a proposal from American Tower to buy out the Township's cell tower lease at Heather Place. M. Reddick is researching the offer and lease agreement and will provide additional information at a future Board meeting.

Public Works has requested hiring summer help as has been done in the past. M. Reddick has asked J. Bean for a letter of justification for the need for summer help and provide it in time to be presented to the Board at their May 18th meeting.

APPROVAL OF MINUTES – Motion by R. Spaide, second by M. Schreiber to approve the minutes of April 2, 2020. M. Schreiber said his comment, on the hierarchy in the public works personnel titles and salaries, was not included in the approval of the 2020 salary schedule. Motion unanimously carried with minutes amended to add the comment. Motion by M. Schreiber, second by R. Spaide and unanimously carried to approve the minutes of April 6, 2020.

Motion by R. Spaide, second by D. Waldt to approve the minutes of April 8, 2020. M. Schreiber pointed out a comment made by the Solicitor C. Garner was typed as commented by C. Note and Act 537 was typed as 357. M. Schreiber said he wanted his comment in the minutes which was, before the Board voted to advertise the Ordinance, He asked and it was confirmed, that the advertisements suggested that any other business that came before the Board, the Board is allowed to vote on. He wanted to know the Board was compliant. M. Reddick confirmed that special meetings always include language that says "consider any other business that may come before the Board". The Board of Commissioners was legally allowed to vote on the Ordinance for the sale of the sewer system at the April 20, 2020 Commissioners meeting. Motion unanimously carried with corrections and additions.

PAYMENT OF BILLS – T. Slinkerd noted the bills list is unusually high due to it including all of April and part of March. Motion by R. Spaide, second by D. Waldt to approve the payment of bills in the amount of \$349,995.30. M. Schreiber asked if there are legal fees charged for the proposed sale of the sewer system. The Solicitor replied yes, some legal fees. Votes on the motion: ayes: T. Slinkerd, D. Waldt, C. Paretti, R. Spaide. Nays: M. Schreiber. Motion carried 4-1.

OLD BUSINESS

CONSIDER APPROVAL OF AMENDMENTS TO THE TRAFFIC ORDINANCE -

Motion by R. Spade, second by C. Paretti and unanimously carried to adopt Ordinance No. 509, the amendments to the Traffic Ordinance amending parking regulations and weights of vehicles.

CONSIDER APPROVAL OF AMENDMENTS TO FEE SCHEDULE – T. Slinkerd explained these are specific changes to certain items recommended by the Township Manager discussed at prior meetings. M. Reddick said in the future the entire fee schedule will be reviewed to ensure the Township costs are being covered by the fees charged. Motion by R. Spade, seconded by C. Paretti and unanimously carried to approve Resolution No. 714 amending the Township fee schedule.

NEW BUSINESS

DISCUSS EXTENDING THE DEADLINE TO PAY TAXES – M. Reddick explained as of today, 90% of real estate taxes are collected. The Township typically liens <1% of properties. Collected to-date \$117,089.00. The Board may consider extending the face period.

In 2018 the Township sent out 2217 tax bills and liened 12 parcels. In 2019 the Township sent out 2227 bills and liened 10 parcels. The tax collector asked to relay a big thank you to the residents for paying their taxes in the discount period so the Township gets the majority of its taxes during that period. She also thanked the residents for their patience during the COVID-19 pandemic with answering their questions about the tax payment periods.

The Solicitor explained, early on in the pandemic Montgomery County reached out to all the municipalities encouraging them to extend the discount period to pay taxes. Act 15, signed on April 20th by the Governor formally allowed the municipalities, but not required them, to extend the discount rate until August 31, 2020 for any real estate taxes that would be due and payable by the end of the year. Secondly the Township can waive any penalty for a late payment as long as the tax is paid in full by the end of the year. Neither is required however, if you choose to do either or both, a resolution is required.

The Commissioners discussed the options and the soon to be mailed school tax bills. It was suggested and all Commissioners concurred to extend the face period to June 30, 2020 and asked the solicitor to draft a resolution to that effect. M. Reddick said the tax collector wanted to know, if the Board extends the face period, do the property owners that have not yet paid their taxes have to be notified of the time extension? The Solicitor informed the Board they are not legally obligated however, it would be prudent for the Township to try to reach those residents. There was discussion as to the delivery and cost of notifying the residents.

DISCUSS PROPOSAL FROM FM DEVELOPMENT FOR WILLOW STREET – M. Reddick shared a map of the area and pointed to the properties proposed for development. C. Garner reminded the Board they were shown the preliminary sketch plan from the developer in a staff meeting a while ago. The property is in a Retail/Office District and there are presently many different uses existing so some residential could be permitted. However, if there are more than two dwellings it must developed through a “specific plan”, which is a defined term in the Municipal Planning Code. The developer has shown four lots and wants to develop them into twin homes which will be four sets of twins or eight units fronting Willow Street using the alley for purposes of parking and access to the parking lot behind the units. The developer is looking for the Board to give input as to the general concept of the twin homes in this area. The zoning officer will look at it to see if it qualifies as a “specific plan” should the Board concur to allow this to move forward. The Board reviewed the sketch plan and discussed the area and concept and available EDUs. The Commissioners concurred no conceptual objection and to bring the FM Group developer back in with a plan.

CONSIDER APPROVAL OF KUMMERER MINOR SUBDIVISION #01-2020 – C. Garner explained when the Kummerer major parcel was approved through a resolution for 145 units, one contemplated condition was at some point a minor subdivision would come in to subdivide the existing house from the rest of the parcel. The developer and the owner has completed that and presented a minor two-lot subdivision. Submitted to the Board are the necessary documents for review, the engineer’s review letter, a waiver request letter, a proposed preliminary final plan approval

resolution and the plan itself. The Solicitor reviewed the conditions of approval for the Board. There was a motion by R. Spaide, second by D. Waldt and unanimously carried to approve the Resolution No. 715 for the Two Lot Subdivision of Kummerer Parcel (01-20). R. Spaide noted the correct number of units in the Kummerer major parcel is 143.

CONSIDER APPROVAL OF CROSSROADS ESCROW RELEASE NO. 6 - \$102,081.79 –

Engineer P. Eisenbrown explained this covers the outstanding items recently completed and legal and engineering outstanding fees. There are still monies in contingencies for paving and wrapping up final work. There was a motion by C. Paretti, second by R. Spaide and unanimously carried to approve the Crossroads Escrow Release No. 6 in the amount of \$102,081.79, subject to payment of all outstanding legal and engineering fees.

PUBLIC COMMENTS


- Al Leach commented that the website is difficult to navigate, not user friendly. Asked about the school board's new budget, he said they are revamping the school website.
- B. Hewitt complimented the Township's great job on the Zoom meetings process.
- N. Matz, 270 Concord Drive, commented she likes the Zoom meetings and hopes it continues when regular live meetings resume.
- D. Kern commented he appreciates the Zoom format for meetings and hopes it continues for future meetings. He also liked the informative discussion between Commissioners at the end of the last meeting on the sale of the sewer system and he appreciates it.

COMMISSIONER COMMENTS

- C. Paretti commented that she appreciated the public's participation in the Zoom meetings and their opinions matter. She is trying to make the best decisions for the Township she's lived in for 23 years. She understands how hard it is to attend regular in-person meetings however, she encouraged everyone to try to make those meetings as often as possible so your voice can be heard. Concerning the website and social media, the Board will do everything they can to keep everyone informed and again encouraged the public try to keep informed on your own by attending meetings.
- D. Waldt thanked everyone for being patient and understanding with all the tension throughout this process over the past weeks. As a new Commissioner he sees there was a lot of due diligence by the Board and he thanked his fellow Commissioners, the solicitor and all involved for their work on the sale of the sewer system.
- R. Spaide commented that she appreciated all the positive input from everyone and the Board does not take things lightly. They research and try to make sure they are getting the correct answers that folks need. She wants the best for her Township and works to do the right thing for the residents.
- T. Slinkerd thanked all in attendance and announced that traditionally during the summer months, June, July and August, the Board only holds their regular meetings in the middle of the month. The work sessions stay on the schedule however, they do not meet unless it is necessary.

ADJOURNMENT – The meeting was adjourned at 7:56 p.m.

Respectfully submitted,


Jeannie DiSante, Township Secretary