

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, July 20, 2020, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, 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, Public Works Road Foreman Justin Bean 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 C. Paretti, second by D. Waldt and unanimously carried to approve the minutes of June 15, 2020.

**PAYMENT OF BILLS** – Motion by R. Spaide, second by D. Waldt and unanimously carried to approve the payment of bills in the amount of \$693,037.64.

## **REPORTS**

**TOWNSHIP ADMINISTRATION/FINANCE** – M. Reddick advised her report was included in the Commissioners' packets. She completed ZOOM interviews for the Planning & Zoning/Administrative Assistant position. The position should be filled by early August. Larry Kuser was hired back for summer mowing at a minimum of 24 hours and no more than 32 hours per week.

The draft budget for 2021 will be provided in August and work is continuing to finalize the four-year budget. The 2019 final audit report and financial statement was received and the auditors will attend the August Commissioners meeting with a presentation.

The Manager informed the Board the Covid pandemic has not yet impacted the Township's EIT or real estate transfer tax revenues. The Commissioners should be aware there may be an impact in the future.

The Township received grants for Sunset Park and Fox Hill trail repairs however in compiling the bid package the engineer had concerns the bids would return significantly higher than anticipated. The staff is obtaining quotes from contractors who will work with public works staff so the projects can stay under the threshold for bidding. The quote from Aston Surveyors has been signed and returned to have Sunset Park surveyed prior to trail repair.

The zoning hearing for a variance for the height of a fence for Michael Reigh, 1915 Yarnall Road will be rescheduled for late August due to Covid. The Manager requested feedback, if any, from the Board prior to the hearing.

**FINANCIAL REPORT** – M. Reddick submitted the financial report and noted for June the Township received over \$24,000 in real estate transfer taxes. T. Slinkerd review items in the financial report concerning incoming tax revenue for the first half of 2020.

**CHIEF OF POLICE** – Chief J. Fisher submitted his report to the Board and was available for any questions. There were none at this time.

**PUBLIC WORKS FOREMAN** – J. Bean submitted his report to the Board. Following up on the Sunset Park project, he received a voice mail from a contractor who wants to provide a quote. He asked for a meeting with J. Bean and Michael Lane at the park next week. M. Reddick will make the arrangements. J. Bean sent out the sewer insert measurements and he received back some questions on the sizes so he will need to re-measure a few manholes. The inserts should be delivered at the end of August to be installed.

**TOWNSHIP SOLICITOR** – C. Garner recalled for the Commissioners that earlier this year Mr. Elwood Taylor filed an appeal in the Court of Common Pleas of Montgomery County appealing a decision the Board of Commissioners never acted upon, and that he further challenged the validity of Resolution No. 703. Earlier this month, the Solicitor was pleased to report, he received confirmation from Mr. Taylor's attorney that the appeal has been withdrawn, with prejudice. That matter is now put to rest once and for all.

**TOWNSHIP ENGINEERING AND BUILDING & ZONING** – T. Slinkerd acknowledged the submission of the engineering report and M. Reddick noted much going on in regards to planning. She pointed out in the Zoning Report on-going issues with properties on Farmington Avenue. CEO Labe is working on posting the properties and issuing notices of violations. She wants the neighbors to be aware that the Township is doing the best it can within the parameters of the law to get these properties cleaned up.

## **COMMITTEE CHAIR REPORTS**

**OPEN SPACE AND RECREATION** – D. Elliott addressed the Board members first with a citizen complaint of trespass on their W. Moyer Road property. They posted 'private property' signs that have been torn down. He fears lawsuits if someone gets hurt on his property. The Open Space Committee paid to have four field cameras and to-date there is only one working camera. The Committee recommends a new camera be installed in that area.

Trees are down on the trails and on private property. The Township needs to implement a hazardous tree removal policy. Also, the Committee recommends moving the pavilion and all other items from Sunset Park to Hollenbach Park as it is not being used and is being vandalized in that location. Sussell Park needs much attention with tree and shrub removal. Contractor quotes are needed to repair the pond leakage. He provided a list of items, compiled by one of the Board members, which are in need of repair; some items have been corrected. He would like more Board members to visit the areas and identify items needing repair so the road crew can be aware of the damage that needs to be addressed. As an example, there is a dead tree at Heather Place Pavilion that needs to be removed.

Expressing his own complaint, D. Elliott asked what exactly is the Township offering its residents. Our trails and parks are in dire need of investment to bring them up-to-date. In two years nothing has been done in these areas.

Other items from the Open Space Board are the Veterans Memorial is ready for the flag pole and flag and purchasing these items will be discussed with the other Board members. They plan a kick-off fundraising event this fall. Looking to the future, the Open Space recommends applying for a grant for Hollenbach Park for a permanent large pavilion with all amenities to accommodate 100+ people and connect to two trails.

The Board agreed to Plan C & D for the all-inclusive playground at Hoffman Field even though years away. The plan will be provided at a later date, this is merely information to the Commissioners that a plan has been selected to provide to the playground group. The Board also approved the survey of a trail on the Shontz property at a cost of \$1,500 up-front and not to exceed \$3000.00.

The Green Allies report included a 3-year contract to expand their organic gardens program throughout the 'Prout' farm. In prior years the Township was able to lease that land to a hay farmer and offered it again however, he uses pesticides that would spread into the organic gardens. An offer was presented to Green Allies of a 3-year contract allowing them to expand however, the Township would be compensated for the use of that land to help maintain the other open spaces.

A 10- year project plan was provided to the Commissioners for them to have a look at what the Open Space is planning.

**SEWER AND WATER** –J. Bealer submitted his reports for July. He explained the Headworks bar screen is a large major mechanical piece of equipment used to extract all the debris that comes into the sewer before it reaches the treatment plant. The estimated costs was \$700,000 - \$800,000 and at the joint meeting the past week the quote was \$592,310 with no major increases expected on that amount. The Gryphon Dryer is not yet at optimum operation and is being modified with upgrades to be installed in August. J. Bealer spoke with C. Pelka at LTL Consultants concerning the Regal Oaks installations and things are moving very quickly. Ming/Moyer bids should be going out in September.

**FIRE AND AMBULANCE** – T. Slinkerd noted D. Raudenbush submitted his reports and had training tonight so could not attend. Any questions on his report can be sent to M. Reddick and she will forward them. D. Raudenbush asked M. Reddick to announce the fire company had two probationary members voted into full membership and one new volunteer voted into probationary status.

#### **NEW BUSINESS**

**DISCUSS PAVING OF POPLAR STREET** – M. Reddick explained this is a shared street with the Borough of Pottstown who repaired a sag in the sewer line and repaved their side of the street. The Township-owned side now needs repaving. One quote was obtained and M. Reddick suggested getting additional quotes as the one quote is just under \$14,000. After discussion there was a motion by D. Waldt, second by R. Spaide and unanimously carried to authorize repaving Poplar Street at a cost not to exceed \$14,000.

**DISCUSS & CONSIDER EXEMPTING PROPERTIES FROM 2020 TAX UPSET SALE –**

M. Reddick provided a list of 16 properties, usually the same each year that are delinquent on the 2018 or prior real estate taxes. The Montgomery County Tax Claim Bureau is offering the taxing authorities the option to exempt properties, for which they are owed delinquent taxes, only until the 2021 Upset Sale. This is a one-time policy change in response to the COVID-19 emergency. Authorizing the Bureau to remove properties from the 2020 Upset Sale must be in the form of a resolution. The Commissioners unanimously concurred to not remove delinquent properties from the 2020 Tax Upset Sale.

**DISCUSS & CONSIDER APPROVAL OF TRAFFIC SIGNAL MAINTENANCE AGREEMENT –**

M. Reddick explained this is an annual agreement and on a motion by M. Schreiber, second by D. Waldt the traffic signal maintenance agreement with Signal Service, Inc. is unanimously approved.

**DISCUSS & CONSIDER APPROVAL OF RESOLUTION APPOINTING DELEGATES TO THE MONTGOMERY COUNTY TAX COLLECTION COMMITTEE –**

M. Reddick explained this is a committee for the earned income and local services taxes comprised of representatives from all the school districts and municipalities in Montgomery County. The current representatives from Upper Pottsgrove are no longer employed by the Township. She recommended appointing David Waldt as the primary voting delegate, herself as the first alternate and Diane DeLong as the second alternate. There was a motion by C. Paretti, second by R. Spaide to approve Resolution No. 717, appointing the recommended delegates to serve on the Montgomery County Tax Collection Committee. M. Schreiber asked if this resolution conflicts with Resolution No. 703 that a Commissioner cannot sit on another committee. T. Slinkerd said this is not an internal committee so there is no conflict. Motion unanimously carried.

**CONSIDER AUTHORIZING SOLICITOR TO PREPARE & ADVERTISE ORDINANCE FOR ADOPTION OF THE INTERGOVERNMENTAL COOPERATIVE IMPLEMENTATION AGREEMENT FOR PARRC –**

T. Slinkerd explained the Township contributes \$8,000 annually in support of and works with Pottstown Area Regional Recreation Committee for help to advance the Township's open space, parks, trails and recreation projects. Michael Lane works on searching out regional cooperation, drafting grant applications and public/private partnership opportunities. T. Slinkerd clarified the differences between adopting by ordinance and resolution. C. Paretti sits on the PARRC committee, discussed the agreement with M. Reddick and the Solicitor who noted W. Pottsgrove has already advertised an ordinance. That being done, the committee voted to adopt the agreement uniformly through an ordinance rather than a resolution. She explained Section 5 of the agreement covering withdrawal from PARRC. C. Garner explained there is no legal difference between using an ordinance or a resolution with this type of agreement. With either, the Township is binding itself to the terms of the agreement. T. Slinkerd stated he is more comfortable with a resolution as it is more flexible and less costly. After further discussion there was a motion by C. Paretti, second by M. Schreiber and unanimously carried to table the vote until the next Commissioners meeting. C. Paretti will take questions from the Board to the next PARRC meeting for further discussion with the other municipality representatives in PARRC concerning the use of an ordinance vs. resolution



### **CONSIDER MOTION TO ADVERTISE SEWER ORDINANCE AMENDMENTS – T.**

Slinkerd explained these amendments are part of the on-going process of the sale of the sewer system. This changes the fees charged, incorporates what is in the Township's current ordinance and meter readings. C. Garner confirmed the Board has 60 days to adopt the ordinance after it is advertised. There was a motion by M. Schreiber, second by R. Spaide and unanimously carried to table the vote to advertise the ordinance.

### **OTHER PUBLIC COMMENT**

- Greg Churach, 144 Snyder Road - a year ago a resident attended an open space meeting to inform the committee that at the crosswalk at Gilbertsville Road and Snyder Road there is a problem with traffic speeding through that area and not yielding for pedestrians. He has recently encountered an issue at that crosswalk. He asked if Chief Fisher could patrol that area. The Chief will pass the information onto the officers and he will research the issue of the crosswalk markings.

### **COMMISSIONER COMMENTS**

- D. Waldt thanked M. Reddick for looking into complaints he received about the baseball field.
- M. Schreiber announced the fire company is selling \$5.00 rotary duck race tickets on Labor Day and he has some available this night if anyone is interested.
- R. Spaide thanked everyone for working as hard as they do for the Township and residents.
- T. Slinkerd said the Township engineers are looking into the line of sight issues at the curve on Moyer Road and feels this is a top priority. He asked the Board to look at the budget and think about what they want to do once the engineers come back with costs, considering the Ming Drive project and Poplar Street.

Concerning the sewer sale, the Township received \$90,000 and calculated \$81,000 in costs to get to settlement. The \$9,000 is flexible for the engineer assessment and valuation piece. The next step is to continue discussion with the Borough and hand off process and then bring in special council for work with the PUC.

M. Reddick is diligently working on the budget and will have 2021 available in August for the working sessions in September to get it approved to be passed in December. There is a draft of the format of the four-year plan and work is continuing on the four-year budget.

**EXECUTIVE SESSION** - the Board convened in Execution Session at 8:30 pm to discuss personnel and litigation with possible action to follow. They reconvened at 8:40 pm and there was a motion by D. Waldt, second by R. Spaide to authorize Solicitor Garner to attend the Upper Pottsgrove Township zoning hearing to oppose zoning relief requested by Artisan Construction Group, LLC. There was no public present and the motion was unanimously carried.

**ADJOURNMENT** – The meeting was adjourned at 8:41 p.m.

Respectfully submitted,

  
Jeannie DiSante, Township Secretary