

**UPPER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS
November 16, 2020**

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, November 16, 2020, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Trace Slinkerd, Renee Spaide, Martin Schreiber, Cathy Parette and Dave Waldt present. Also present were Township Manager Michelle Reddick, Attorney Matthew Hovey, 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 – The October 19, 2020 minutes were presented for approval. The Commissioners responded to M. Schreiber’s “insulting” and “hypocritical” comments that he made during the October Board meeting. Six months after the vote, M. Schreiber “decided to make” a comment about the Commissioners’ approval of the sewer sale to PA American Water. He called the action “cowardly” because the Board voted using the Zoom platform even though it is an “effective” and “legal” means to conduct business during the current pandemic. He called the Commissioners “cowardly” for not allowing his request to add a comment about the funding of the library in the minutes even though the subject was fully discussed in the September budget meeting. Additionally, M. Schreiber supported not funding the library at all during that same budget meeting. He called the Board “cowardly” for taking action to maintain the current fund structure and not creating a separate reserve fund. The Board declined to create another fund because it would have increased costs and reduced interest revenue. The Commissioners expressed their full disapproval of M. Schreiber’s comments and afforded him the opportunity to withdraw them. He chose not to drop his comments from the minutes.

Motion by R. Spaide, second by C. Parette to approve the minutes of October 19, 2020 as presented. M. Schreiber asked that the minutes written on Public Works trucks being destroyed be corrected to read “can no longer be usable or sold, they must be destroyed if the Township receives the grant”. Motion unanimously carried to approve the minutes as amended.

PAYMENT OF BILLS – T. Slinkerd commented that there are end-of-year large payments coming due including the pension funds. Motion by R. Spaide, second by D. Waldt and unanimously carried to approve the payment of bills of \$1,047,031.36.

REPORTS

TOWNSHIP ADMINISTRATION/FINANCE – M. Reddick advised her reports are included in the Commissioners’ packets. The 2021 budget is ready for adoption along with the 2021 tax millage ordinance. All necessary advertising requirements along with the timeframe for public review have been satisfied. She advised the October 30, 2020 financial report is included in your packet. As of the October 30, 2020 financial report, we have not seen any significant impact on our earned income tax or real estate transfer tax revenues.

While the overall economic impact of the COVID-19 pandemic is uncertain, it is expected that there will be a significant impact to federal, state, and local government budgets. The staff continues to monitor this situation and the impacts on the current year and future year budgets. An email from Berkheimer was forwarded to the Board which included an update on EIT collections.

The grant report was updated to include the approved ACT 147 Grant of \$1,600, for which the police chief applied, to purchase a laptop for the emergency management center. Also the Township received the \$200,000 reimbursement for the Regal Oaks Phase IIA Sewer Project.

Revised plans have been submitted for the Bortz Subdivision and are currently being reviewed. The applicant offered an extension of time for review of the plans which expires on December 5, 2020. The applicant recognizes the revised plans will not be reviewed and approved prior to December 5, 2020 and will be offering an additional extension. A special exception has been requested by John Lefever for the property at 145 Mangers Mill Road. A copy of the application is included in your packet.

Jeannie DiSante continues to attend the monthly compliance webinars for our health insurance cooperative (PMHIC). Michelle Reddick & Dave Waldt attended the PSATC virtual Municipal Leadership Summit on October 29-31

CHIEF OF POLICE – Chief J. Fisher submitted his report to the Board and informed the Commissioners that he was hoping to get the School Resource Officer (SRO) back into the middle school by November 30 however, the County closed the schools through December 6 and there is no firm date for when the SRO can be back into the school.

PUBLIC WORKS FOREMAN – J. Bean submitted his report to the Board highlighting completed projects including the cap items. M. Reddick clarified that not all cap items were completed, only those that Public Works is responsible to complete. Paretti asked for a start date at Sunset Park for the renovations. He explained his contact a Hopewell Construction tells him it will be completed by the end of the year.

TOWNSHIP SOLICITOR – Attorney Hovey noted the Solicitor was not able to attend tonight's meeting however, he was able to go over the agenda with the Solicitor. He will address items later in the agenda. There were no questions for the Attorney at this time.

TOWNSHIP ENGINEERING AND BUILDING & ZONING – M. Reddick noted under zoning issues that at times the Zoning Officer needs to move forward on certain properties that are non-compliant and issue citations.

COMMITTEE CHAIR REPORTS

OPEN SPACE AND RECREATION – C. Note submitted the Committee report highlighting that the Members, in their opinion of the lack of usable open space and the proximity of the trail to surrounding properties in the Kummerer Tract subdivision plan, went unchanged from previous discussions in November 2019. Therefore, the Committee is not voting either way and instead they defer final decision to the Board of Commissioners concerning the requested waivers.

The Members recommend the following to the Board of Commissioners:

- approve Public Works to use their equipment to chip the dropped off Christmas trees for Green Allies as in the past years
- approve Inclusive Playground MOU as suggested by the Township Solicitor on October 20, 2020

SEWER AND WATER –J. Bealer had no report as the Sewer Committee meeting was cancelled and the Joint Sewer Committee will be held this coming Thursday.

FIRE AND AMBULANCE – M Reddick noted the fire company was out on a fire call and D. Raudenbush was not available.

OLD BUSINESS

DISCUSS & CONSIDER REMOVAL OF DEAD ASH TREES AT SUSSELL PARK – M. Reddick noted the estimates for this work were under the bidding threshold. The Township received five proposals that were reviewed by the Open Space Committee who recommended Luft Logging at the cost of \$13,575. Motion by R. Spaide, second by Cathy Paretti to approve the proposal from Luft Logging at the cost of \$13,575 to remove the dead ash trees at Sussell Park. M. Schreiber questioned trees on Prout Farm Road. M. Reddick said they are waiting on a revised quote to include seven (7) trees. Motion unanimously carried.

DISCUSS & CONSIDER APPLICATION TO PENNDOT FOR PERMIT TO INSTALL FLASHING LIGHTS ON CROSSWALK SIGNS ON GILBERTSVILLE ROAD – M. Reddick explained this is a recommendation from the Open Space Committee to install flashing lights on the crosswalk signs on the Gilbertsville Road trail crossing. S. Griffith reached out to PennDOT to find out the process and necessary permitting. There was much discussion on the numerous types of lights, solar powered, powered by the public pushing a button when wanting to cross, LED blinking, and other options. Motion by T. Slinkerd, second by R. Spaide to move ahead with the application process to install lights on the crosswalk signs on Gilbertsville Road at the discretion of the Police Chief. M. Schreiber asked if this has been tried before, to add stop signs or similar traffic signage. M. Reddick said no, this has been a long standing recommendation of the Open Space Committee. M. Schreiber asked if this will be an ongoing expense with Signal Service maintaining it, do we know the cost and would it come out of the Open Space non-restricted fund? M. Reddick said it will be an expense, did not know what the costs would be and it would be paid out of the General Fund's Open Space line item. M. Schreiber asked if the Manager will come back to the Board with the costs before moving forward in the approval process. The Manager has a spending limit of \$5,000. The approval for this does not have to come back to the Board if the cost is under that amount. Motion to move ahead with the application process to install lights on the crosswalk signs on Gilbertsville Road at the discretion of the Police Chief, Public Works and Township Manager unanimously carried.

DISCUSS & CONSIDER RECOMMENDATION ON ZONING HEARING APPLICATION #03-2020, JOHN LEFEVER, 145 MAUGERS MILL ROAD – M. Reddick explained the Township received a citizen's request and in following up on it discovered a towing business is being operated at this address which is not a permitted use in this R-1 District. The owners were advised they needed to apply for a special exception to bring it into compliance.

The application is scheduled for a hearing on November 23rd and as a matter of process it comes before the Board of Commissioners for review and recommendations to the Zoning Hearing Board. After some discussion, the Commissioners concurred to take no action.

CONFIRM APPOINTMENTS TO PARRC – T. Slinkerd noted this is a follow up on the Township's agreement with PARRC that C. Paretti and R. Spaide will maintain their seats on that Board. The appointments were already made; this is reaffirming their appointments now that PARRC is its own entity. Solicitor Garner recommended the confirmation of their appointments for a two-year term ending December 31, 2021. M. Schreiber asked if this is not a problem with the Resolution 703. C. Paretti said this is an external appointment. Motion by M. Schreiber, second by D. Waldt and unanimously carried to reaffirm the appointments of C. Paretti and R. Spaide to the PARRC Committee.

NEW BUSINESS

DISCUSS & CONSIDER EXTENSION REQUESTS FOR SEWER CONNECTIONS FOR PROPERTIES IN THE REGAL OAKS PHASE IIA SEWER PROJECT – T. Slinkerd explained the extension requests are 60 day to connect to the sewer system. The extension of time is due to weather and plumbers that are very busy and not able to get to the project and shortage of materials. M. Reddick further explained who is requesting the extensions and usual fees. Motion by M. Schreiber to extend the connection for 60 days at no charge to the homeowners as long as the owner has a signed contract with a plumber. M. Reddick said we have to give them a date to connect. M. Schreiber did not want to amend his motion. There was no second on the motion. Motion by D. Waldt, second by T. Slinkerd and unanimously carried to grant a 60 day extension for sewer connections for properties in the Regal Oaks Phase IIA Sewer Project at no additional charge to the homeowner. It was noted that fees would be due at the actual time of connection if prior to 01-08-2021.

DISCUSS & CONSIDER APPROVAL OF MOU FOR INCLUSIVE PLAYGROUND – T. Slinkerd noted this has been discussed at other meetings, C. Paretti and R. Spaide had much input on this and the Open Space Committee is in agreement. Motion by C. Paretti, second by R. Spaide and unanimously carried to accept the Memorandum of Understanding (MOU) for the all-inclusive playground at Hoffman's Field subject to the revisions recommended in Solicitor Garner's opinion letter dated October 20, 2020. M. Schreiber noted his concerns on the parking availability during baseball and swimming seasons. C. Paretti said there is still a lot to be worked out yet.

DISCUSS & CONSIDER APPROVAL FOR ROAD CREW TO CHIP RECYCLED CHRISTMAS TREES AT ALTHOUSE ARBORETUM – T. Slinkerd noted this was a recommendation from Open Space Committee. Motion by M. Schreiber, second by R. Spaide and unanimously carried to authorize the road crew to chip recycled Christmas trees at Althouse Arboretum on a work day.

DISCUSS CURB REPAIRS ON MERVINE STREET – T. Slinkerd noted this item is for discussion concerning the street work the Township is doing in conjunction with the Borough of Pottstown. J. Bean provided his rough estimate of \$31,920 to repair the curbs on 12 addresses. The Borough is not repairing curbs on their side of the street. The Board discussed whether the curbing work should be performed and who should be responsible for paying for this work. There were discussions on options for payments of the repairs and setting precedent. M. Reddick noted the bids need to go out in February so the homeowners need to be notified before the end of the year. J. Bean was instructed to get three hard accurate cost quotes from Drumheller Construction and two others. The Board should be prepared to make a decision at the next meeting.

DISCUSS CABLE FRANCHISE AGREEMENT - C. Garner submitted the cable franchise agreement for the Commissioners to review and then act on at their December meeting. M. Hovey explained that it is a standard agreement and gave some background on it with Comcast. He recommended if there were any questions or concerns they should be directed to M. Reddick who would follow-up appropriately.

CONSIDER APPROVAL OF ORDINANCE NO. 510 FIXING THE TAX MILLAGE FOR 2021 - Motion by C. Paretti, second by R. Spaide and unanimously approved to adopt Ordinance No. 510 Fixing the Tax Millage for 2021 at 4.0 Mills; 3.4 mills real property and 0.6 mills special purpose for fire protection.

CONSIDER APPROVAL OF 2021 BUDGET – Motion by D. Waldt, second by C. Paretti and unanimously approve to adopt the 2021 Budget with revenues of \$3,227,760 and expenses of \$3,701,239. M. Schreiber commented that he hopes the Township is conservative on spending this year because \$540,000 in deficit spending in the sewer fund seems to be a lot but he understands things need to get done. T. Slinkerd commented that among other things, this was another reason to sell the sewer system. M. Reddick noted to the Board that they are passing a budget with deficit of \$473,479 and reiterated they are using the Township's cash reserves to balance the budget.

OTHER PUBLIC COMMENTS –

- Chuck Note – 2137 E. Horseshoe Drive, spoke to J. Bean about the 10 Ton Limit sign on Moyer Road which has been down for a while. He asked the Police Chief if he could monitor the truck traffic on Moyer Road to enforce the tonnage limit. J. Bean said he will have the sign put back up tomorrow.

COMMISSIONER COMMENTS

– R. Spaide attended the Pottsgrove Joint Recreation Board meeting and the superintendent, assistant superintendent, the HR person and the Business Manager are all retiring this year.

- D. Waldt thanked the Manager and staff for all the work on the budget.

- T. Slinkerd commented on the TV screen and its purpose to angle it for the audience to follow along with the agenda and for the Board to have a large view of maps being referenced and slides that all can follow along. LTL is currently working on a new Township map showing all street addresses, open space and trail network. The Open Space Committee and Michael Lane will review it. The meeting dates for 2021 will be submitted at the next meeting. The PUC filing is scheduled for November 24, 2020 and there will be a pre-meeting on the 23rd with the Attorneys. S. Griffith is working on a collection of all the Township assets and a master list of all the Township owned properties consolidating many notes found from throughout the years, where the properties came from, what was paid for them, the acreage and deed listings.

- C. Paretti commented that PARRC has its own website, parrc.net where they list all the Townships participating with PARRC and the Township can send in any updates of events or updates on the Township maps. This will help new people coming into the area with one central website. M. Schreiber said the Township should put a link to PARRC's website on the Township website as well.

EXECUTIVE SESSION - The Board convened in Execution Session at 7:55 pm to discuss personnel matters and also litigation with action to follow on personnel. The Board reconvened at 8:52 pm. Motion by M. Schreiber, second by R. Spaide and unanimously carried to refund employees over-payment of 2019 FICA and Medicare taxes.

ADJOURNMENT – The meeting was adjourned at 8:53 pm.

Respectfully submitted,



Jeannie DiSante, Township Secretary