

**UPPER POTTS GROVE TOWNSHIP  
BOARD OF COMMISSIONERS  
February 22, 2022**

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Tuesday, February 22, 2022 at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Trace Slinkerd, Cathy Paretti, Dave Waldt, Hank Llewellyn and Don Read present. Also present were Township Manager Michelle Reddick, Police Chief James Fisher, Public Works Road Foreman Justin Bean and Attorney Jon Young. Solicitor Charles Garner joined the meeting remotely via telephone.

**PLEDGE OF ALLEGIANCE** - Those assembled pledged allegiance to the flag.

**APPROVAL OF MINUTES** – The January 18, 2022 minutes were presented for approval. Motion by D. Read, second by H. Llewellyn and unanimously carried to approve the minutes of January 18, 2022. The February 7, 2022 minutes were presented for approval. Motion by D. Waldt, second by C. Paretti and unanimously carried to approve the minutes of February 7, 2022.

**PAYMENT OF BILLS** – The February 22, 2022 revised bill list was presented for approval. M. Reddick explained the invoice for road salt was paid out of the general fund and was corrected to be paid out of the state fund. There was no change to the total payment amount of bills. Motion by C. Paretti, second by H. Llewellyn and unanimously carried to approve the revised bill list payment of bills of \$219,207.90.

**REPORTS TOWNSHIP ADMINISTRATION/FINANCE** – M. Reddick advised her reports are included in the Commissioners' packets and asked the Board to look at the planning and zoning department activity. T. Slinkerd briefly reviewed items in the financial reports.

**CHIEF OF POLICE** – Chief J. Fisher submitted his report to the Board and noted personnel took the written test through Montgomery County Consortium on February 19<sup>th</sup>. Chief Fisher informed the Board that Officer Crawford has been instrumental in training officers in CPR and first aid and he wanted to thank him for his work.

**PUBLIC WORKS FOREMAN** – J. Bean submitted his report and there were no questions.

**TOWNSHIP SOLICITOR** – T. Slinkerd noted Solicitor Garner was attending the meeting via telephone and Attorney Jon Young was also in attendance. Solicitor Garner updated the Board on the sale of the sewer system with details that the Township received the Planning Module approval from DEP for the ACT 537 amendment and the Township is making good progress working with PA American Water on items needed to be completed. He thanked the Board for allowing him to attend remotely and would answer any questions.

**TOWNSHIP ENGINEERING AND BUILDING & ZONING** – T. Slinkerd noted that LTL Consultants submitted their reports and briefly noted the engineer's report of ongoing developments in the Township. The second report is the zoning officer's report on building and zoning permits and issues. D. Read questioned the permits processed for applicant DR Horton. M. Reddick explained these are for Kummerer Phase 1 Pottsgrove Hunt development and they are processed but not issued. The developer needs to record the declaration in order for the assessor to issue parcel numbers.

## **COMMITTEE CHAIR REPORTS**

**OPEN SPACE AND RECREATION** – G. Churach submitted his report to the Board stating he will address an item in New Business.

**SEWER AND WATER** – J. Bealer submitted a report and noted the treatment plant operations are normal with no issues. There were no questions.

**FIRE AND AMBULANCE** – D. Raudenbush submitted his reports and M. Reddick congratulated him on receiving the \$15,000 PEMA grant.

## **OLD BUSINESS**

**CONSIDER APPROVAL OF FINAL PAY APPLICATION FOR ANRICH, INC. FOR THE MING DRIVE/MOYER ROAD SEWER PROJECT** – Motion by D. Waldt, second by C. Paretti and unanimously carried to approve the final payout application of \$38,062.63 for Anrich, Inc. for the Ming Drive/Moyer Road sewer project.

**CONSIDER APPROVAL OF ESCROW RELEASE NO. 8 FOR POTTS GROVE HUNT (KUMMERER TRACT)** - Motion by C. Paretti, second by D. Waldt and unanimously carried to approve the Escrow Release No. 8 of \$173,898.67 for Pottsgrove Hunt (Kummerer tract).

**PRESENTATION & DISCUSSION WITH ARTISAN REGARDING WAIVER REQUESTS FOR KUMMERER PHASE 2A** – Joan London, Attorney with Kozloff Stoudt in Wyomissing addressed the Board along with Jackie Erixson from Artisan Construction and Adam Brower from Edward B. Walsh Engineering. They are requesting waivers for numerous sections of the Township's Subdivision and Land Development Ordinance for the Kummerer Parcel Phase 2A as stated in a memo dated February 18, 2022 and waiver request letter dated February 3, 2022. Each waiver was explained and there were discussions on various items. T. Slinkerd said the Board is inclined not to grant any waivers and asked that the plan names be clarified and would like Phase 2A to be the Evans Tract and Phase 2B to be Chestnut Tract. Solicitor Garner commented there have been numerous staff meetings with the applicants and discussions on the waivers in great detail. Some of the waivers being requested will have some impact on the layout of the site. The position of the Commissioners is at this point not to consider granting waivers with no action being taken. The Solicitor suggested that if the Board saw a very rough sketch plan of what the layout of the Evans Tract looked like without the waivers it may be helpful for the Board's further considerations. Ms. London expressed her view that these waivers are the same that were granted for Phase 1 and show unification with the development and consistency with Phase 1. She felt her client would not be interested in submitting additional plans.

## **NEW BUSINESS**

**DISCUSS & CONSIDER AUTHORIZING SOLICITOR TO ADVERTISE ORDINANCE REPEALING THE AGE QUALIFIED ORDINANCE** – Solicitor Garner explained the numerous requirements in the process of amending an ordinance. Motion by C. Paretti, second by H. Llewellyn and unanimously carried to authorize the Solicitor to prepare and advertise an ordinance and public hearing to consider repealing the age qualified ordinance.

**DISCUSS & CONSIDER APPROVAL OF THE SIGN FOR THE INCLUSIVE PLAYGROUND** – M. Reddick said the Memorandum of Understanding (MOU) was previously approved by the Board, yet the agreement was never signed. Solicitor Garner is insuring the proper agreement is forwarded to the inclusive playground committee for signatures and will come back to the Township for final signatures. The Board concurred the sign approval will be tabled until the agreement is signed by all parties and a final draft of the sign is submitted.

**DISCUSS & CONSIDER APPROVAL OF THE TRAIL PAVING CONCEPT** - T. Slinkerd explained the Sprugel's Run trail paving from the crossing at Snyder Road to Gilbertsville Road has been discussed previously. A map and paving proposal was submitted for consideration listing estimated costs to the Township and grant funding available. G. Churach spoke about the length and width of the trail, maintenance and location. Motion by C. Paretti, second by D. Waldt and unanimously carried to approve the trail paving concept contingent upon receipt of grant funds.

**Consider Appointment of Gary Novack to the Open Space & Recreation Board** – Motion by H. Llewellyn, second by D. Read and unanimously carried to approve the appointment of Gary Novack to the Open Space & Recreation Board.

**CONSIDER APPROVAL OF RESOLUTION NO. 742 AUTHORIZING SUBMISSION OF A CFA (LOCAL SHARE ACCOUNT) GRANT THROUGH DCED** – T. Slinkerd explained the Township was notified of additional funding from \$25,000 to one million available through the Commonwealth Financing Authority (CFA) provided through DCED. These funds can be used for possible building projects. Motion by D. Read, second by H. Llewellyn and unanimously carried to approve Resolution No. 742 authorizing submission of a CFA (local share account) grant application through DCED.

### **PUBLIC COMMENTS**


Dennis Elliott, 576 Evans Road commended the Board for standing up for the Township's best interests in regard to additional proposed development.

Keith Kehl, 1941 Gilbertsville Road expressed concern about a grate at Moyer Road. He also noted cars are still parking on Cross Road near the stop sign.

**EXECUTIVE SESSION** - The Board convened in Execution Session at 7:52 pm to discuss matters of litigation, contract negotiations, personnel and real estate with no action to follow. The Board reconvened at 10:14 pm.

**ADJOURNMENT** – The meeting was adjourned at 10:15 pm.

Respectfully submitted,

  
Jeannie DiSante, Township Secretary