

**UPPER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS
May 18, 2022**

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Wednesday, May 18, 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, Solicitor Eric Frey and Township Secretary Jeannie DiSante.

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

T. Slinkerd announced an Executive Session was held on May 16, 2022 to discuss personnel. No action was taken.

APPROVAL OF MINUTES – The April 18, 2022 minutes were presented for approval. Motion by H. Llewellyn, second by D. Reed and unanimously carried to approve the minutes of April 18, 2022.

PAYMENT OF BILLS – The May 18, 2022 bill list was presented for approval. Motion by D. Waldt, second by C. Paretti and unanimously carried to approve the bill list payment of bills of \$276,273.02.

REPORTS TOWNSHIP ADMINISTRATION/FINANCE – M. Reddick advised her reports are included in the Commissioners' packets and asked the Commissioners to pay attention to item #2 under Township business and all the planning items. She also noted that the Township has collected 92.9% of the current year real estate taxes and thanked Diane DeLong for her efforts in collection of the taxes.

CHIEF OF POLICE – Chief J. Fisher submitted his report to the Board. C. Paretti asked if it is possible to find out who damaged the PAL fields. Chief Fisher said multiple people use the facilities and it is difficult to find out who is responsible for the damage.

PUBLIC WORKS FOREMAN – J. Bean did not attend the meeting however he submitted his report. M. Reddick informed the Commissioners that she, J. Bean and Chief Fisher worked with a local community member who was required to complete community service; he completed the painting of the salt shed.

TOWNSHIP SOLICITOR – T. Slinkerd introduced Attorney Eric Frey, the Township's new Solicitor handling Township affairs along with Attorney Jon Young who is handling HR issues. There were no questions for the Solicitor at this time.

TOWNSHIP ENGINEERING AND BUILDING & ZONING – T. Slinkerd noted that LTL Consultants submitted their reports with the standard updates within the Township. M. Reddick noted concerning item #3, there will be a need to discuss the MS4 permit and detention basins that need to be completed. She also mentioned the owner of the garage near the Township building has started to clean up the property as required by a Judge's order. Citations had been filed for non-compliance and the Township received citation fees paid by the garage owner.

COMMITTEE CHAIR REPORTS

OPEN SPACE AND RECREATION – G. Churach submitted his report to the Board and invited the Commissioners to attend any of their meetings. There were no questions.

SEWER AND WATER – J. Bealer submitted a report and noted all parties agreed to eliminate joint meetings in July and August as they will be working on projects already in progress.

FIRE AND AMBULANCE – D. Raudenbush submitted his reports and there were no questions.

OLD BUSINESS

DISCUSS & CONSIDER AWARDED BID FOR THE MERVINE STREET JOINT PAVING PROJECT – M. Reddick reminded the Board this is a joint project with the Borough of Pottstown whose Board will consider approving the project at their meeting on June 13, 2022. Motion by D. Waldt, second by H. Llewellyn and unanimously carried to award the bid to H & K Group, Inc. for \$348,900.00 for the Mervine Street joint paving project conditioned on the Borough of Pottstown approving the project at their June 13th meeting. D. Reed questioned the potential overruns and wanted confirmation that the Township will be notified of any overruns. M. Reddick confirmed that the Township is in charge of the project and will keep watch on this.

DISCUSS & CONSIDER APPROVAL FOR THE BOROUGH OF POTTSTOWN TO CONTINUE SEWER BILLINGS AFTER THE CLOSE OF THE SEWER SALE – T. Slinkerd noted this is in anticipation of the closing of the sewer sale and M. Reddick explained how the outstanding bills owed to the Borough will be collected through the end of the year. Motion by H. Llewellyn, second by C. Paretti and unanimously carried to approve the Borough of Pottstown continue sewer billings after the close of the sewer sale.

CONSIDER DENIAL OF THE EVANS ROAD TRACT (FORMERLY KUMMERER PHASE 2A) SUBJECT TO RECEIPT OF EXTENSION – The developer has submitted a letter requesting a 90-day extension. T. Slinkerd announced this item will be put aside to be further discussed in Executive Session.

CONSIDER DENIAL OF THE CHESTNUT GROVE TRACT (FORMERLY KUMMERER PHASE 2B) SUBJECT TO RECEIPT OF EXTENSION – The developer has submitted a letter requesting a 90-day extension. T. Slinkerd announced this item will be put aside to be further discussed in Executive Session.

NEW BUSINESS

DISCUSS & CONSIDER THE REQUEST TO CONVERT THE SET ASIDE/RESTRICTIVE LOAN ACCOUNT TO A BOND FOR KUMMERER PHASE 1 (POTTSGROVE HUNT) – T. Slinkerd explained the developer is requesting a change in their loan security agreement to a bond. Solicitor Frey explained the three conditions of an approval; (1) that the bonding company become a party to the agreement, (2) that they post liquid security in a legal escrow fund and (3) that they update the amount of the financial security based on the engineer's recommendation. Motion by C. Paretti, second by H. Llewellyn and unanimously carried to approve the request to convert the set aside/restrictive loan account to a bond for Kummerer phase 1 (Pottsgrove hunt) contingent on the three conditions as stated by the Solicitor.

CONSIDER REQUEST FROM ANDREA NASH FOR WAIVER OF ADDITIONAL ZONING HEARING FEES

– T. Slinkerd explained this request is from a resident who requested a zoning hearing to allow for a canine sitting service in a location zoned residential. M. Reddick explained that many times the costs to the Township far exceeds the \$750 zoning application fee and residents are billed and pay for those overages. This is the first time a request for a waiver has been submitted and approving this request may set a precedent. After discussion there was a motion by H. Llewellyn, second by D. Reed and unanimously carried to waive the additional zoning hearing fees of \$104.75.

PUBLIC COMMENTS

Keith Kachel – 1412 Farmington Avenue expressed concern over the noise coming from the fire company after hours; cars idling, sirens testing, bay doors open with loud noises coming off the trucks.

COMMISSIONER COMMENTS

T. Slinkerd commented he wanted to explain what the Township is considering on the Heather Place cell tower and revenue generated from it. One offer is to buy out the contract for \$700,000. On August 22, 2025 the Township goes to 50% sharing of revenues. There are two other options, one with a less buyout though with a bonus and one with a fixed monthly rate and a 33% increase. The two tenants on the tower are AT&T and T-Mobile. The tower owner's concern is, as the rates go up, they will need to charge customers more and the tenants will leave the tower. The Township has some time to consider the options.

T. Slinkerd administered the oath of office to Steve Miller as a member of the Upper Pottsgrove Fire Police.

EXECUTIVE SESSION - The Board convened in Execution Session at 7:31 pm to discuss matters of litigation, collective bargaining and personnel with action to follow. The Board reconvened at 9:15 pm. Motion by C. Paretti, second by D. Waldt and unanimously carried to authorize M. Reddick to advertise for a public works director and hire with competitive salary and benefits.

ADJOURNMENT – The meeting was adjourned at 9:18 pm.

Respectfully submitted,



Jeannie DiSante, Township Secretary