

**UPPER POTTS GROVE TOWNSHIP**  
**BOARD OF COMMISSIONERS**  
**September 19, 2022**

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday September 19, 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 Director Chad Davis, Solicitor Eric Frey, Attorney Celso Leite, Jr. and Township Secretary Jeannie DiSante.

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

Commissioner Slinkerd thanked Greg Churach for his contributions to the Open Space committee and his recent work in the public works department. He was praised for the great asset he has been to the Township. T. Slinkerd presented Greg with a symbolic coin in appreciation of his service to the Township.

Berkheimer Presentation – Jim Hunt, Director of Governmental Relations explained how and why Earned Income taxes are collected and distributed to the Township as required by Act 32 of 2012. The Township provided slides for viewing by the audience.

2021 Audit Presentation – Barbara Akins the Township's auditor presented the 2021 Final Audit Report explaining in detail the funds documents.

**APPROVAL OF MINUTES** – The August 15, 2022 minutes were presented for approval. Motion by D. Read, second by H. Llewellyn to approve the minutes of August 15, 2022 as presented. D. Elliott commented on Resolution No. 749 approved at the last Commissioners meeting that there should be five Board Members working on this project. He feels the Resolution should be tabled until a public hearing with public input is held as he has heard many residents are concerned about where the building will be built on open space property that was paid for by the residents through taxes. He respectfully requested a copy of the agreement on the Smola property for open space to find out if there were County funds used to purchase the property. The motion was unanimously carried.

**PAYMENT OF BILLS** – The September 19, 2022 bill list was presented for approval. Motion by C. Paretti, second by D. Waldt and unanimously carried to approve the payment of bills list of \$197,220.75.

**REPORTS TOWNSHIP ADMINISTRATION/FINANCE** – Manager M. Reddick advised her reports are included in the Commissioners' packets. She introduced and welcomed Chad Davis as the new full-time Public Works Director. His start date was September 6<sup>th</sup> and he already is doing an excellent job.

M. Reddick advised the Township received additional APRA funds in the amount of \$302,190.43 on 8/24/2022. She will prepare a recommendation for your consideration on projects which can be completed with these funds. A Resolution will be needed.

The Township received notification from the Montgomery County Conservation District regarding an erosion complaint at the PW/PD building. Staff met with the MCCD, the PW crew addressed the problem and made the repair at a cost of \$1,240.30.

**CHIEF OF POLICE** – Chief J. Fisher submitted his report to the Board, there were no questions.

**PUBLIC WORKS** – Director C. Davis thanked the Board for the opportunity to work for the Township. He advised his report was submitted to the Board and would answer any questions. There were no questions at this time.

**TOWNSHIP SOLICITOR** – Solicitor Frey had no formal report at this time and will have items for Execution Session. 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 and pointed out the zoning issues.

**TAX COLLECTOR** - T. Slinkerd noted this is a new report on the agenda. Tax Collector Diane DeLong stated the balance sheet is included in the report and asked that if there are any questions to please put them in a letter or email to her attention.

### **COMMITTEE CHAIR REPORTS**

**OPEN SPACE AND RECREATION** – G. Churach informed the Commissioners the committee had no September meeting and therefore no report to submit. He again invited the Board to attend their next meeting to observe what the committee is working on.

**FIRE AND AMBULANCE** – Corban Bennett, a member of the fire company submitted the reports to the Board and asked that any questions on the reports be directed to D. Raudenbush.

### **OLD BUSINESS**

**DISCUSS & CONSIDER APPROVAL OF ESCROW RELEASE NO. 13 FOR POTTS GROVE HUNT SUBJECT TO REPLENISHMENT OF ESCROW ACCOUNT** – M. Reddick explained the escrow replenishment is needed for inspections for the ongoing improvements within the development. The developer is aware and will submit the funds however, the Manager asks that the release of the escrow be contingent on the replenishment of the escrow account. Motion by D. Waldt, second by C. Paretti and unanimously carried to approve the Escrow Release No. 13 of \$155,270.63 for Pottsgrove Hunt contingent on the developer first replenishing the escrow account.

**DISCUSS & CONSIDER EXTENSION OF THE CONTRACT FOR THE MERVINE STREET JOINT PAVING PROJECT** – M. Reddick explained that substantial completion of the project by August 15<sup>th</sup> was not accomplished; the contractor submitted a letter request for an extension completion to mid-October as they wait for delivery of storm boxes. She recommends an extension of the contract through October 15<sup>th</sup>. There was some discussion on the request. Motion by D. Waldt, second by H. Llewellyn and unanimously carried to approve the extension of the contract for the Mervine Street Joint Paving Project through October 15, 2022.

**DISCUSS & CONSIDER SUBSTITUTION OF FIRE PIT FOR SWIMMING POOL AT POTTS GROVE HUNT (KUMMERER PHASE 1)** - Solicitor Frey explained on the original plan there was a swimming pool and two other amenities, any could be replaced however the Ordinance states they must provide three items. The developer Nathan Jameson spoke on

replacing the pool due the reduced size of the community resulting in a much large cost to the residents in the long term in maintaining the pool. He submitted renderings of the concept of the installation of a patio with a fire pit adjoining the club house. He noted they plan to preserve the area for the pool between the tennis court and fire pit should things change going forward. The Board discussed the operation of the fire pit, providing memberships to the local pool for a number of years, marketing of the change in the plan and engineering approval. Motion by H. Llewellyn, second by C. Paretti and unanimously carried to approve the substitution of a fire pit for the swimming pool at Pottsgrove Hunt (Kummerer Phase 1) conditioned on the design going through the engineering approval process.

**DISCUSS & CONSIDER AUTHORIZATION TO SEND RFP FOR CIVIL ENGINEERING SERVICES FOR NEW MUNICIPAL COMPLEX** – T. Slinkerd explained the process of getting the project underway beginning with sending out the Request for Proposal (RFP) for civil engineering services. M. Reddick will work with Alloy5 and Solicitor Frey on the RFP. Solicitor Frey explained this starts the process to give the Board options and it does not obligate the Township to hire anyone. Motion by D. Read, second by H. Llewellyn and unanimously carried to authorize the Township Manager and Solicitor to develop and send out an RFP for Civil Engineering Services for the new Municipal Complex. D. Read asked if the dates can be changed for the submission of the proposals. M. Reddick said yes.

#### **NEW BUSINESS**

**DISCUSS & CONSIDER APPROVAL OF ORDINANCE NO. 519 RELATED TO COLLECTION OF DELINQUENT ACCOUNTS** – Solicitor Frey explained this request came from Portnoff who handles the Township's delinquent sewer fee collections, to update the current contract and the fees consistent with what they charge. The Ordinance was advertised and copies were made available to the residents prior to and at this meeting. Motion by C. Paretti, second by H. Llewellyn and unanimously carried to approve Ordinance No. 519 related to the collection of delinquent accounts. D. Read asked, what are the outstanding delinquencies. M. Reddick said that information has been provided to the Board and will be sent again.

**DISCUSS AND CONSIDER RESOLUTION NO. 751 APPROVING THE UPDATED FEE SCHEDULE** – H. Llewellyn worked on this and spoke with surrounding Municipalities for a comparison, and he feels these fees are fair. The Board reviewed and discussed the fee changes and updates. Motion by H. Llewellyn, second by D. Waldt and unanimously carried to adopt Resolution No. 751 approving the Updated Fee Schedule.

**DISCUSS & CONSIDER RESOLUTION NO. 752 APPROVING THE OPENING OF A CRIM INVESTMENT ACCOUNT AT FULTON BANK** – T. Slinkerd provided screen slides in explaining where the proceeds from sewer sale can be invested, discussed rates, timelines and how to optimize the return on investment with the least amount of risky assets. Motion by D. Waldt, second by H. Llewellyn and unanimously carried to adopt Resolution No. 752 approving the opening of a CRIM Investment Account at Fulton Bank.

**DISCUSS & CONSIDER AUTHORIZATION TO BID THE PIPE REPLACEMENT PROJECT ON FARMINGTON AVENUE UTILIZING THE FEMA GRANT FUNDS** – M. Reddick explained the significant damage to a stormwater pipe on Farmington Avenue from tropical storm IDA. Chief Fisher was instrumental in filing a claim with FEMA for funds to replace the pipe. The Township received approval and will be reimbursed the cost with the FEMA

grant. Rich Kummerer, 1303 Farmington Avenue commented that the repair made by the public work crew has held well for over a year so why the need to replace it. M. Reddick explained the Township Engineer is involved with this project and Chief Fisher said the current repair was only temporary, that the entire pipe needs to be replaced. Motion by D. Read, second by H. Llewellyn and unanimously carried to authorize bidding the pipe replacement project on Farmington Avenue utilizing the FEMA grant funds.

**DISCUSS & CONSIDER AUTHORIZING THE TOWNSHIP ENGINEER TO PREPARE COST ESTIMATE FOR THE STORMWATER PROJECT ALONG PINE FORD ROAD –**

M. Reddick explained that the developer for Kummerer Phase 1 is required to do improvements by milling and overlaying this roadway. As there are significant stormwater issues on this road that need to be addressed and this is a request to authorize the Township engineer to look into the issues and prepare a cost estimate. The project will then be brought to the Board for approval for repairing the stormwater issues prior to the final paving of the road by the developer. Motion by C. Paretti, second by D. Waldt and unanimously carried to authorize the Township engineer to prepare a project cost estimate for stormwater repairs on Pine Ford Road.

**DISCUSS & CONSIDER RECOMMENDATION ON ZHB #05-2022, CHRISTOPHER T. & DANIELLE N. RAY, 0 FARMINGTON AVENUE**

- Nicole Schwenk, a representative with Well Built Homes attended the meeting to answer questions concerning a variance request to the Zoning Hearing Board by Christopher and Danielle Ray. After discussions on the variance request there was a motion by D. Waldt, second by H. Llewellyn and unanimously carried to take no official action and defer to the Zoning Hearing Board.

**CONSIDER APPROVAL OF THE 2023 MMO FOR THE NON-UNIFORM DEFINED BENEFIT EMPLOYEES PENSION PLAN**

– T. Slinkerd explained the Township's contributions to the employee's pensions, both defined benefit and defined contribution plans with details of the investments. Motion by H. Llewellyn, second by C. Paretti and unanimously carried to approve the 2023 MMO for the non-uniform defined benefit employee's pension plan.

**CONSIDER APPROVAL OF THE 2023 MMO FOR THE NON-UNIFORM DEFINED CONTRIBUTION EMPLOYEES PENSION PLAN**

– Motion by D. Read, second by H. Llewellyn and unanimously carried to approve the 2023 MMO for the non-uniform defined contribution employee's pension plan.

**CONSIDER APPROVAL OF THE 2023 MMO FOR THE UNIFORM DEFINED BENEFIT EMPLOYEES PENSION PLAN**

– Motion by D. Waldt, second by C. Paretti and unanimously carried to approve the 2023 MMO for the uniform defined benefit employee's pension plan.

**CONSIDER RATIFYING THE EMERGENCY REPAIR OF GRINDER PUMPS FOR THE PUBLIC WORKS/POLICE DEPT. BUILDING**

– M. Reddick explained, at the PW/PD building two grinder pumps needed emergency replacement along with a control panel. Motion by D. Waldt, second by H. Llewellyn and unanimously carried to ratify the emergency replacement of grinder pumps for the public works/police department building at the cost of \$11,050.11.

**CONSIDER RATIFYING THE HIRING OF A NEW PUBLIC WORKS DIRECTOR**

– M. Reddick explained the process of hiring a public works director, that she and G. Churach went through twenty-eight resumes and narrowed it down to the top nine for phone interviews after which they conducted in-person interviews of the top four.



They each recommended the same candidate, Chad Davis who was introduced earlier in the meeting. He was hired by M. Reddick as Greg was leaving his position as interim director and she asks for ratification by the Board of his hiring. Motion by C. Paretti, second by D. Waldt and unanimously carried to ratify the hiring of Chad Davis as the new Public Works Director. D. Read commented and thanked the search committee on the very difficult job of hiring for this position.

**CONSIDER APPROVAL OF ESCROW RELEASE OF STORMWATER ESCROW FOR HACKER PROPERTIES** – M. Reddick explained this is an individual on-lot stormwater facilities where the property owner is required to post financial security to guarantee that the facility is built to specifications. The Conservation District inspected the facility and the Township can now release the escrow funds. Motion by H. Llewellyn, second by C. Paretti and unanimously carried to approve the escrow release of \$8,610.32 for the Hacker properties.

### **PUBLIC COMMENTS**

Keith Kehl, 1941 Gilbertsville Road – commented that open space cannot be used for the municipal complex. He also commented that the sewer sale funds should go back to residents who paid for the system. He has found documentation that Grandy Road is a public ordained road and the pipe is too small to handle the stormwater runoff from Mangers Mill Estates.


### **COMMISSIONER COMMENTS**

- C. Paretti thanked G. Churach for his help with the public works department. G. Churach commented he appreciated the trust the Board had in his ability to do the job for a couple of months.
- T. Slinkerd provided slides of the proposed municipal facility and noted the Township will be sending out a letter explaining what was being done the past 3 ½ years on solidifying the Township's financial situations. First retiring all the debt then securing the pension funds and developing the sale of the sewer facility with no risk to the residents through that process. The Township is now looking at the infrastructure with Alloy5, who has provided their services at no cost to the Township. In 2018 studies were conducted on the Township and PW/PD buildings and it was near four million dollars to repair the buildings at that time. The operational costs of new buildings vs. the current buildings would be half. This will be a long process especially in the land development and the Board will be diligent throughout the process. The proposed land for the facility was purchased by the Township with bonds and details of the purchase were provided.
- D. Read commented that removal of ash trees has become too dangerous for workers to cut them down and now it needs to be done with bucket trucks.

**EXECUTIVE SESSION** – The Board convened in Execution Session at 9:13 PM to discuss matters of union negotiations, litigation, personal and land development with no action to follow. Executive Session concluded at 10:25 PM.

**ADJOURNMENT** –The meeting was adjourned at 10:28 PM.

Respectfully submitted,

  
Jeannie DiSante, Township Secretary