

**UPPER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS
October 17, 2022**

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday October 17, 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.

Hollenbach Park Presentation – CMC Engineering presented a master plan design for future development of the park. They were awarded a design contract in February 2021.

APPROVAL OF MINUTES – The September 19, 2022 minutes were presented for approval. Motion by H. Llewellyn, second by D. Waldt and unanimously carried to approve the minutes of September 19, 2022 as presented.

PAYMENT OF BILLS – The October 17, 2022 bill list was presented for approval. Motion by D. Waldt, second by H. Llewellyn and unanimously carried to approve the payment of bills list of \$163,867.39.

REPORTS TOWNSHIP ADMINISTRATION/FINANCE – Manager M. Reddick advised her reports are included in the Commissioners' packets. Joey Alessi submitted his resignation; his official last day was October 14, 2022. The Board was informed of a staff meeting (Manager, Planning Administrator, Solicitor and Township Engineer) with Developer Navid Moosa and his consultants regarding a sketch plan for a 48-lot subdivision located off Farmington Avenue. The applicant submitted an agreement that they will cover the consultant's fees. A revised sketch plan, zoning relief request and potential zoning change will be forthcoming. D. Waldt asked if the Board would receive monthly reports on this proposed subdivision. M. Reddick explained although the 4th Friday of each month is set aside for Staff meetings, they do not necessarily meet monthly however, she will provide all updates in her monthly report.

M. Reddick asked the Board to review the numerous zoning hearing items. The Mervine Street joint paving project is completed and Pottstown Borough will handle line painting. The Montgomery County Conservation District (MCCD) inspected the erosion repair at the public works building and they required some additional work which was completed. The Township awaits the MCCD to sign off.

The Financial reports were included in the Board's packets and a revised General Fund Balance Sheet was provided to the Commissioners

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

PUBLIC WORKS – Director C. Davis advised his report was submitted to the Board and would answer any questions. There were no questions at this time. M. Reddick complimented the public works department under the leadership of the new Director who, in his first month on the job, has taken care to getting storm boxes repaired, drainpipes replaced, truck and mowers repaired and addressed numerous other neglected items.

D. Read commented on the Directors report that it is a great leap forward in repairing storm boxes for it would be \$5000.00 to send them out for repair. The Board appreciates that these items are being handled in-house.

TOWNSHIP SOLICITOR – Solicitor Frey had no formal report at this time and will have items of litigation, personnel and real estate 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. M. Reddick pointed out the zoning issues and violations that may result in citations.

TAX COLLECTOR - T. Slinkerd noted September report in their packets explaining some details on the collections.

COMMITTEE CHAIR REPORTS

OPEN SPACE AND RECREATION – G. Churach submitted his report from their October 4th meeting and there was discussion on the benefits of timber harvest on certain Township owned properties.

FIRE AND AMBULANCE – D. Raudenbush submitted his reports and asked the Commissioners for help with getting new zone maps from the County. They redesigned the fire zones and the run cards no longer align with the new zones.

OLD BUSINESS

DISCUSS & CONSIDER AUTHORIZATION FOR BEYOND THE LEAF TO REMOVE TREES ALONG SNYDER ROAD – M. Reddick explained when a call comes from a resident concerning trees issues in open space, public works will inspect to see if it is an immediate threat. These trees on Snyder Road are large and a potential hazard. The Township received three quotes and Beyond the Leaf was the low quote at a total cost of \$6,479.00. Motion by C. Paretti, second by H. Llewellyn and unanimously carried to authorize Beyond the Leaf to remove trees along Snyder Road at the total cost of \$6,479.00.

DISCUSS & CONSIDER APPROVAL OF POTTS GROVE HUNT ESCROW RELEASE NO. 14 – Motion by D. Waldt, seconded by C. Paretti and unanimously carried to approve Pottsgrove Hunt Escrow Release No. 14. of \$78,529.21. M. Reddick noted last meeting the Board approve a release request for Pottsgrove Hunt and it was subject to the developer replenishing their escrow account. The developer did submit payment to replenish their account. D. Read asked what the monies are held against and M. Reddick explained the security agreement process.

DISCUSS & CONSIDER APPROVAL OF THE CONTRACT WITH ALLOYS FOR ARCHITECTURAL SERVICES FOR NEW MUNICIPAL COMPLEX – Solicitor Frey explained that included in this contract he provided language in comments which are in the best interest of protecting the Township from potential change orders. He feels it appropriate to approve the contract tonight subject to his final review of the contract.

T. Slinkerd pointed to Articles 9 Termination or Suspension and Article 11 Compensation. Motion by D. Read, second by H. Llewellyn to approve the contract with Alloy5 for architectural services for new municipal complex contingent on final review of the contract by Solicitor Frey, that includes the Solicitor's additional language.

C. Paretti asked why the Board is approving the contract before it is completed. She only received the contract late Friday afternoon and now sees items not filled in. Can it wait until all the changes and additions are completed since the Board may be voting on a civil engineer at the November 9th Board meeting. The Solicitor said the substance of the agreement is there, the language he wants to put is in four to five different sections of the contract is to prevent costly change orders. The current language is that the developer can make change orders and submit to the Township. He wants the language to ensure that if they change something that will cost the Township additional expense, they will need pre-approval.

C. Paretti further said she has a lot of reservations about where the Board has proposed to put the complex. She doesn't think it is going to work at that location. There have been a lot of things that have been explained to her over the past few weeks as to the problems that could arise. The Solicitor explained that by no means of approving this contract are you approving the location.

D. Waldt agreed and would like to see a final draft before voting. The changes, timing and moving the project forward were discussed by the Board. Resident D. Elliott asked what the cost of the contract is because the public has a right to weigh in on this before the Township spends their money. T. Slinkerd said architect's basic services will be \$306,000.00 and the Board will question anything that does not appear to be consistent with what is proposed in the contract. Aye votes: D. Read, H. Llewellyn, T. Slinkerd. Nay votes: C. Paretti, D. Waldt. Motion carried

CONSIDER APPROVAL OF THE NIGHT HIKE AND HAUNTED WOODS AT THE ALTHOUSE ARBORETUM – M. Reddick explained the agreement the Township has with the arboretum is to not allow residents on the trail at night. This can be approved as an annual event. Motion by D. Waldt, seconded by H. Llewellyn and unanimously carried to approve the Night Hike and Haunted Woods at the Althouse Arboretum as an annual event.

NEW BUSINESS

DISCUSS & CONSIDER APPROVAL OF THE SEWAGE PLANNING MODULE FOR STERN NESTER SUBDIVISION – M. Reddick explained this is an on-lot septic system not a public sewer connection. In the planning module packet the County health department has reviewed and approved the plan and the Township is required to sign off on it before submission to the DEP. The Township engineer, in reviewing the subdivision plan, only makes a note that this is an on-lot system. Motion by D. Read, seconded by H. Llewellyn and unanimously carried to approve the Sewage Planning Module for the Stern Nester Subdivision.

DISCUSS & CONSIDER APPROVAL OF THE SEWAGE PLANNING MODULE FOR VORNDRAN SUBDIVISION – T. Slinkerd informed the Board this item will be tabled since it is the first public sewage planning module since the sale of the sewer system to PA American Water (PAW). M. Reddick discussed this with Engineer Pelka; they concurred to go over the approval process with PA American Water. It appears the Township is still responsible for signing off on sewer planning modules. C. Pelka's thoughts were that PAW should approve the EDUs and the purchase first before the Township approves the planning module.

DISCUSS & CONSIDER AUTHORIZATION FOR SCHLOUCH TO REMOVE TREES/SHRUBS ALONG PINEFORD ROAD – M. Reddick explained Pottsgrove Hunt was doing road work on Pine Ford Road and as part of that they needed to trim back trees. There were trees the Township would be responsible for cutting back and would need to hire out for this as the PW crew would not have been able to handle the size of the job. Since the developer was already there doing trimming, it was agreed the Township would split the cost of clearing back further then they needed to on their paving project. The cost to the Township is \$4,218.75. Motion by D. Waldt, seconded by D. Read and unanimously carried to authorize Schlouch to remove trees/shrubs along Pine Ford Road at the cost of \$4,218.75.

PUBLIC COMMENTS

- Jim Capinski, 1958 Yarnall Rd – commented on the planned location of the site for municipal complex and the funds from the sale of the sewer system.
- Stan McIlvee - 1433 N. Hanover St. – commented on process of moving forward with the building of the municipal complex.
- Herb Miller – 184 Mangers Mill Road - commented on the need for the Commissioners to reach out to the residents who elected them, for their input on the municipal complex. He stated that they tell him he is known as the guru of open space and that none of the Commissioners have come to visit him.

COMMISSIONER COMMENTS

- C. Paretti commented on being in favor of the building of the complex and explained her earlier nay vote was the feeling of putting the cart before the horse and it all started with the resolution. The Board is not being fair to the residents or Open Space; she expected the process would go more like tonight's Hollenbach presentation getting feedback from the public to put into consideration.
- D. Waldt commented he agrees with Commissioner Paretti and thinks the Board is way ahead of itself.
- D. Read commented on myths and disinformation that is circulating. The sewer committee, while he was a member, was approached prior to the process of selling the sewer system, to inform the committee of their considering selling the system. The committee was not asked for their feedback or input. During the discussions of the location of the complex questions were asked and answered to confirm the locations legal viability. He asked numerous times if the open space committee was made aware of the proposed location, and it was always a yes. Zoning does not apply to the Township. He also noted that this property is not used for anything other than leasing it out for hay fields. It is not a highly used piece of ground being taken away from the residents. The building complex will use approximately 10% of the acreage. He would like to approach the open space committee and work together to create additional valuable, more accessible use for the neighbors of the remaining 90 % with for example trails and park areas.
- T. Slinkerd commented that Alloy5 took risk during the sewer sale process by designing the complex. Had the sale fallen through they would not have been paid for their services. Letters were sent to all the residents of the Township with a complete wrap up of what was done and where the proceeds were going to include the complex site selection location.

The overwhelming response, 53 currently, has been congratulations with questions on what will happen to the current locations of the offices, police and public works. The decision making criteria for the site included: is the location large enough, is it easily accessible, is there room between buildings and residential housing, would it cause the least disturbance to residents, can it be tied to existing trail plans, is there room for expansion, and can it be supported from engineering standpoint.

EXECUTIVE SESSION – The Board convened in Execution Session at 8:10 PM to discuss matters of litigation, personal and real estate with no action to follow. Executive Session concluded at 9:05 PM.

ADJOURNMENT –The meeting was adjourned at 9:06 PM.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jeannie DiSante", is written over a horizontal line.

Jeannie DiSante, Township Secretary