

**UPPER POTTS GROVE TOWNSHIP  
BOARD OF COMMISSIONERS  
August 21, 2023**

A regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday August 21, 2023 at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Trace Slinkerd, Hank Llewellyn Cathy Paretti, Dave Waldt, and Don Read present. Also present were Township Manager Michelle Reddick, Solicitor Eric Frey, Attorney Celso Leite, Jr., Police Chief James Fisher, Public Works Director Chad Davis and Township Secretary Jeannie DiSante.

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

**PUBLIC COMMENT ON AGENDA ITEMS** – Solicitor Frey addressed the audience requesting respect and restraint asking that they direct their comments to the Commissioners. Comments are welcomed from residents and taxpayers and are limited to three (3) minutes.

Ashley Custer, 613 Mock Road commented on House Bill No. 291, item D on the agenda, asking the Board to consider not opposing the Bill to allow the homeowner to work with their finance company in order to stay in their home.

**APPROVAL OF MINUTES** – The July 17, 2023 minutes were presented for approval. Motion by C. Paretti, second by H. Llewellyn and unanimously carried to approve the minutes of July 17, 2023 as printed.

**PAYMENT OF BILLS** – The August 21, 2023 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 \$195,541.39.

**REPORTS TOWNSHIP ADMINISTRATION/FINANCE** –Manager Reddick submitted her reports for the Board and informed the Commissioners the 2024 initial proposed budget should be completed early next week for their review. She emphasized the many projects in the Township and zoning hearing board applications being submitted.

T. Slinkerd reviewed the monthly financials, the CRIM account and pension funds via slides shared on the TV screens with the Board of Commissioners and members of the audience.

**CHIEF OF POLICE** – Chief J. Fisher noted Officer Farrell had an occasion once again to use the AED for a victim in cardiac arrest. He provided a shock to the victim and CPR until the victim began to breathe. Chief Fisher thanked Officer Farrell for his efforts on saving this victim.

The written test for officers is scheduled for September 2023 with a physical agility test in October 2023. The application process is now open until September 2<sup>nd</sup>. If the public knows of anyone interested in law enforcement, there are 18 different municipality police departments participating in the consortium and Chief Fisher recommends they go to the consortium testing and sign up. D. Read commented on the increasing amount of fraud investigations, that about 1/3 of the report is fraud. He urged the public to protect themselves and their neighbors. Chief Fisher told the public that if anyone feels they are being contacted fraudulently they should call the police department and they will contact you with advice.

**PUBLIC WORKS** – Director Davis submitted his report to the Board and was available for any questions.

**TOWNSHIP SOLICITOR** – Solicitor Frey had no formal report noting there will be executive session items on real estate matters, potential litigation and personnel issues.

**TOWNSHIP ENGINEERING AND BUILDING & ZONING** – T. Slinkerd acknowledged LTL Consultants submitted their reports and M. Reddick noted the zoning issues.

**TAX COLLECTOR** – T. Slinkerd noted the Tax Collector report was submitted to the Board.

### **COMMITTEE CHAIR REPORTS**

**OPEN SPACE AND RECREATION** – G. Churach stated the committee did not meet this month and he recognized C. Davis and his crew for the immediate and complete cleanup of the trails and roads after recent severe storms, having them opened two hours after Met-Ed had the wires cleared.

**FIRE AND AMBULANCE** – D. Raudenbush did not attend, however he submitted his reports.

### **OLD BUSINESS**

**DISCUSS & CONSIDER APPROVAL TO ADVERTISE HEARING ON ZONING CHANGE REQUEST SUBMITTED BY MASTER VENTURES** – Solicitor Frey recognized the representatives from Master Ventures, Roger Lehman and Peter Costanzo from All County in attendance asking the Board to consider rezoning a property for which they presented plans at the last Commissioners meeting. The developer's plan is to build a townhouse development linking to an existing development. They request the Board agree to allow the process to move forward with preparing an ordinance and submission to the County for their review. There was discussion on the process of rezoning. Motion by D. Read, second by H. Llewellyn and unanimously carried to authorize the Solicitor to prepare the ordinance and move forward with the process of rezoning.

**DISCUSSION & PROVIDE FEEDBACK ON THE PROPOSED SKETCH PLAN FROM GAMBONE DEVELOPMENT FOR N. STATE STREET** – Solicitor Fry explained the proposed plan from Gambone Development is for a project on N. State Street. There was discussion on the redesign of the road as to making it a partial one-way, a cul-de-sac or a two-way through street. There were questions on whether a previous agreement with residents was made to close the road at the bank and put up the current gate. Solicitor Frey said there is an agreement between the developer and the Township but not with residents.

The developer is asking for directions on how to move forward with preliminary plans as to designing the plans with what the Commissioners wish to see concerning the road configuration. T. Slinkerd, H. Llewellyn, C. Parette and D. Read are in favor of a two-way road, D. Waldt is in favor of a cul-de-sac.

The Developer is also asking for text amendments. Most only impact the overlay district. Some relate to the future ownership of the condo area. The major text amendment is for a proposed church. The current overlay district does not allow a church use. Does the Board wish to allow a church use in the overlay district? There was discussion on this issue and the Solicitor will go back to the developer and ask them to present a formal application.

## **NEW BUSINESS**

**DISCUSS & CONSIDER RECOMMENDATION ON ZONING HEARING BOARD APPLICATION NO. 06-2023 FOR R.B. ASHELY CUSTOMS, LLC FOR PROPERTY AT 0 GILBERTSVILLE ROAD (PARCEL NO. 60-00-01123-00-5)** – M. Reddick said this is an application to the zoning hearing board asking for reduced front and side yard setbacks. The Board has the option of making a recommendation in favor of, deny the application or take action. The Commissioners concurred to take no official action and let the zoning hearing board decide.

**DISCUSS & CONSIDER RATIFYING CLEANING & REMEDIATION BY BULLDOG CLEANING & REMEDIATION FOR LEAK IN FIRE COMPANY** – M. Reddick explained there was a leak in the fire company due to a pipe not sealed properly. It being an emergency situation, the Manager hired a cleaning service to clean and remediate the area affected by the water damage. The cleaning is completed and quotes for restoration of the offices are being requested. The Township has already received approval from the insurance company. Motion by H. Llewellyn, second by C. Paretti and unanimously approved to ratify the cleaning and remediation charges in the amount of \$8,044.06 for the fire company pipe leak.

**DISCUSS & CONSIDER INCREASE FOR PLANNING & ZONING ADMINISTRATOR** – T. Slinkerd noted this will be discussed in the Executive Session and the Board will reconvene with action on this item.

**DISCUSS & CONSIDER LETTER OF OPPOSITION FOR HOUSE BILL NO. 291** – Solicitor Frey explains the current status of the law to allow owners to structure a modification of a mortgage and the Township would lose its ability to collect back taxes. After discussion, D. Read made a motion to table a decision. After further discussion there was a motion by C. Paretti, second by H. Llewellyn to authorize the Solicitor to prepare a letter of opposition. Aye votes: C. Paretti, H. Llewellyn, D. Waldt, T. Slinkerd. Nay vote: D. Read. Motion carries 4-1.

**DISCUSS & CONSIDER APPOINTMENT TO THE OPEN SPACE & RECREATION BOARD** – T. Slinkerd explained the application from Mark McKinnie was vetted by the Open Space committee. Motion by H. Llewellyn, second by C. Paretti and unanimously carried to approve the appointment of Mark McKinnie to the Open Space & Recreation Board.

**OTHER PUBLIC COMMENT** – The following residents commented their various opinions and concerns on building the Municipal Complex on open space and other items:

- Joe Gangi, 1998 Yarnall Road commented on the proposed Gambone development plan on N. State Street.
- Keith Kehl, 1491 Gilbertsville Road commented on the sale of the sewer system and the N. State Street proposed development.
- Jim Capinski, 1958 Yarnall Road commented on the alternate site report on the Municipal Complex location and not taking questions from the public when it was approved by motions.
- Dolores Mitchell, 1378 N. State Street commented on the additional traffic that will build up with a new shopping center on Upland Square, a possible new municipal building across the street from her house and opening N. State Street causing her even more difficult getting in and out of her driveway which is 30 feet from the traffic signal at Rt 100. She requested the Board consider rezoning her property to commercial.

- Rich Kummerer, 1303 Farmington Avenue expressed his concerns on the shipping containers being proposed at Commerce Drive. Also N. State Street being too narrow to allow two-lane traffic, and the traffic on Farmington Avenue and cars speeding.
- Cathy Sigorski, 2010 Gross Road commented elderly residents who cannot make it to the Township meetings are opposed to building on the Smola farm and are concerned their taxpayer dollars are being used to defend the lawsuit.. She thanked Chief Fisher for bringing up the fraud issue.

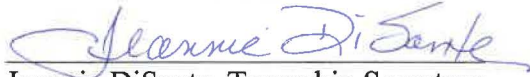
**COMMISSIONER COMMENTS**

There were no comments at this time.

**EXECUTIVE SESSION** – The Board convened in Execution Session at 8:18 PM to discuss real estate, litigation and personnel. The Board reconvened at 9:35 PM and there was a motion by D. Waldt, second by C. Paretti and unanimously carried to approve increasing the hourly rate by \$2.00 for the planning and zoning administrator effective July 31, 2023.

**ADJOURNMENT** – The meeting was adjourned at 9:36 PM.

Respectfully submitted,



Jeannie DiSante, Township Secretary