

**UPPER POTTS GROVE TOWNSHIP  
BOARD OF COMMISSIONERS  
November 20, 2023**

A regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday November 20, 2023 at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Hank Llewellyn, Cathy Paretti, Dave Waldt and Don Read present. Commissioner Trace Slinkerd was not in attendance. Vice President Hank Llewellyn presided over the meeting. Also present were Township Manager Michelle Reddick, Solicitor Eric Frey, Attorney Celso Leite, Jr., Police Chief James Fisher, Public Works Director Chad Davis. Township Secretary Jeannie DiSante was not in attendance.

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

Solicitor Frey announced that an executive session was held October 12, 2023 to discuss litigation matters. 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.

**PUBLIC COMMENT ON AGENDA ITEMS** – There were no comments at this time.

**APPROVAL OF MINUTES** – The October 16, 2023 minutes were presented for approval. Motion by D. Read, second by D. Waldt to approve the minutes of October 16, 2023. Aye votes: D. Read, H. Llewellyn, D. Waldt. C. Paretti abstained, she was absent from the meeting. Motion carries 3-0.

**PAYMENT OF BILLS** – The October 16, 2023 bill list was presented for approval. There was discussion on the invoices paid to Ridge Support. Motion by C. Paretti, second by D. Read and unanimously carries to approve the payment of bills list of \$461,590.51.

**REPORTS TOWNSHIP ADMINISTRATION/FINANCE** –Manager Reddick submitted her reports for the Board and a revised balance sheet which reflects corrections to the cash management investment account. She also highlighted the activity in planning and zoning.

**CHIEF OF POLICE** – Chief J. Fisher informed the Board that the Dodge Charger was sold on Municibid for \$4,800.00. He announced that Officer Douglas left the department to take a position in another Montgomery County district. He is looking to replace him in January from the Civil Service list. Body worn cameras have been implemented. There have been a number of reports of items stolen from vehicles and Chief Fisher encouraged everyone to lock their vehicles in their driveway at night.

**PUBLIC WORKS** – Director C. Davis submitted his report informing the Board that a new employee joined the public works team. Taylor Moyer started on November 3<sup>rd</sup>, is working out fine and the team is happy to have him. The Pine Ford Road stormwater project began November 13<sup>th</sup> and an issue with the water main prolonged the project and added more time to the road closure which will extend to December 8<sup>th</sup>. If finished prior to that time the roadway will be opened sooner.

**TOWNSHIP SOLICITOR** – Solicitor Frey had no formal report, will ask for executive session on real estate matters, litigation and personnel issues as well as agenda items H & I concerning Ordinances and any action taken.

**TOWNSHIP ENGINEERING AND BUILDING & ZONING** – M. Reddick asked the Board to take note of the zoning items as the Township is working with residents to avoid issuing citations.

**TAX COLLECTOR** – Tax Collector reports were submitted to the Board.

### **COMMITTEE CHAIR REPORTS**

**OPEN SPACE AND RECREATION** – G. Churach's submitted his report to the Board and noted the committee is asking approval on one item listed on the agenda. M. Reddick pointed out, included with the open space reports is a report from PARRC to provide information to the Board of the benefits the Township receives from PARRC.

**FIRE AND AMBULANCE** – M. Galamba submitted the fire company reports reviewing items and events. M. Reddick thanked him for taking time out of his volunteer schedule to attend a meeting with Borough of Pottstown, Upper and Lower Pottsgrove and surrounding fire companies to discuss how to assist each other with fire services.

### **OLD BUSINESS**

**DISCUSS & CONSIDER WAIVER REQUESTS FOR VORNDRAN MINOR SUBDIVISION PLAN, APPLICATION #02-2021** – Brian Boyer of Boyer Engineering presented four waiver requests for consideration by the Board. LTL Consultants provided a letter of November 16, 2023 recommending all four waivers. Motion by D. Read, second by D. Waldt and unanimously carries to approve the four waiver requests, as stated in the applicants request and review letter from LTL Consultants, for the Vorndran Minor Subdivision Plan, Application #02-2021.

**DISCUSS & CONSIDER DENIAL OF THE STEEL SAFE LAND DEVELOPMENT PLANS SUBJECT TO RECEIPT OF EXTENSION** – Extension received; no action required. D. Read questioned reported construction at the site. Solicitor Frey explained a notice of violation and stop-work order was sent to the property owner. He further explained the owner's attorney miscommunicated information to the owner which has since been clarified.

**DISCUSS & CONSIDER APPROVAL RENEWAL OF CONTRACT WITH HOUGH ASSOCIATES FOR COMPLETION OF RECYCLING GRANT** – The Township has a contract with Hough Associated to complete and process the recycling grant applications. The 5-year contract is up for renewal. For the payment of \$2000.00 per year the Township receives back approximately \$12,000.00 in grant funds. Motion by C. Paretti, second by D. Waldt and unanimously carries to approve renewing a 5-year contract with Hough Associates to complete the annual recycling grant application.

### **NEW BUSINESS**

**DISCUSS & CONSIDER APPROVAL OF RESOLUTION NO. 770 FOR LSA GRANT APPLICATION FOR POLICE EQUIPMENT** – Motion by C. Paretti, second by D. Waldt and unanimously carries to approve Resolution No. 770 for LSA Grant Application in the amount of \$128,739.00 for police taser equipment, training and new police vehicle.

**DISCUSS & CONSIDER APPROVAL OF RESOLUTION NO. 771 FOR LSA GRANT APPLICATION FOR PUBLIC WORKS EQUIPMENT** – There was a question if the Township has to match the grant funds and M. Reddick said no. Motion by C. Paretti, second by D. Read and unanimously carries to approve Resolution No. 771 for LSA Grant Application in the amount of \$250,666.00 to purchase a new F350 diesel pick-up truck, trailer, track loader and various attachments for the public works department.

**DISCUSS & CONSIDER APPROVAL OF RESOLUTION NO. 772 FOR LSA GRANT APPLICATION FOR NEW PUBLIC WORKS BUILDING** – D. Waldt asked if there is a time-limit on the funds. M. Reddick explained it typically takes a year to award these grants and there is a timeframe to expend the funds. However, you can request an extension of time. C. Paretti expressed her concerns that this is very premature. D. Read asked when the application is due and was told November 30, 2023 and DCED will act on it in March of 2024. Motion by D. Read, second by H. Llewellyn to approve Resolution No. 772 for LSA Grant Application in the amount of \$1,000,000.00 for a new public work building. There was further discussion, and it appeared the vote would be tied two/two. In communication with Commissioner T. Slinkerd earlier in the day, Solicitor Frey was told he would be available via phone if needed during the meeting. M. Reddick placed a call to T. Slinkerd on speaker phone and Solicitor Frey explained the questions and concerns presented by Board members. The roll-call vote was H. Llewellyn aye, T. Slinkerd aye, D. Waldt nay, C. Paretti nay, D. Read aye. Motion carries 3-2.

**DISCUSS & CONSIDER AUTHORIZATION TO ADVERTISE THE 2024 BUDGET** – Motion by C. Paretti, second by D. Waldt and unanimously carries to authorize the Township Manager to advertise the 2024 Budget.

**DISCUSS & CONSIDER AUTHORIZATION TO ADVERTISE THE TAX MILLAGE ORDINANCE** – M. Reddick explained the Township is asking authorization to advertise the Real Property (General Purpose) millage rate of 3.4 mills, the Special Purpose (Fire Protection) millage Rate of 0.6 mills for a total of 4.0 mills. Motion by C. Paretti, second by D. Waldt and unanimously carries to authorize the Township Manager to advertise the 2024 Tax Millage Ordinance.

**DISCUSS & CONSIDER WAIVER REQUEST FROM ALL COUNTY & ASSOCIATES FOR THE DRIVEWAY AT LOT #2 ON CHESTNUT GROVE ROAD** – M. Reddick explained there is an LTL letter recommending the waiver, comments from Fire Chief M. Galamba expressing concern about the driveway not compliant with fire apparatus. Also there was a stormwater waiver request. Motion by C. Paretti, second by D. Read and unanimously carries to deny the driveway waiver under Section 304-19.E and approve #2 the stormwater waiver under Section 301-51c3 b & d regarding the basin site slopes as recommended by the engineer. The #1 stormwater waiver is not necessary. The homeowners present in the audience provided documentation of an approved permit for the driveway and expressed much concern as to how it can be denied. There was discussion on finding a solution for the residents.

**DISCUSS & CONSIDER APPROVAL OF THE MEMORIAL BENCH POLICY** – M. Reddick explained there have been inquiries about installing memorial benches in the open space areas in memory of loved ones. This policy has been recommended by the open space board with one minor change. Motion by C. Paretti, second by D. Waldt and unanimously carried to approve the Memorial Bench Policy with the addition of information on where to get the plaque for a bench to be uniform with all future benches. The current cost of one bench with shipping and installation fee is \$650.00.

### **OTHER PUBLIC COMMENT**

- Herb Miller, 184 Maugers Mill Road commented on Smola litigation, documents being in packets, no discussion on buying a new truck.
- Jim Capinski, 1958 Yarnall Road commented on 370 Evans Road.
- Rich Kummerer, 1303 Farmington Avenue commended on the time involved in litigation.
- John Bush, 1256 N. State Street commented on opening N. State Street, the amount of traffic and less accidents at State Street and Levensgood Road. H. Llewellyn stated he is in favor of the cul-de-sac plan and D. Read stated he is not in favor of the 2-way plan.

### **COMMISSIONER COMMENTS**

- C. Paretti thanked everyone who voted in this past election. She also commented that they do not seem to have all information when asked to vote at a meeting and the Township needs a planning commission.
- D. Read thanked the professional staff for their hard work.

Solicitor Frey requested agenda items **H. DISCUSS ZONING ORDINANCE AMENDMENTS** and **I. DISCUSS SHORT-TERM RENTAL ORDINANCE** be moved to Executive Session to be discussed before adjournment. There is potential for action, not to approve the ordinances, merely to move them forward in the process.

### **EXECUTIVE SESSION**

The Board convened in Execution Session at 8:08 PM to discuss real estate, litigation and personnel and Items H and I listed on the agenda.

The Board reconvened at 9:16 PM. There was a motion by C. Paretti, second by D. Read and unanimously carries to approve the zoning ordinance amendments in final form and submit to the Montgomery County Planning Commission for review to start the process.

**ADJOURNMENT** – The meeting was adjourned at 9:18 PM.

Respectfully submitted,

  
Jeannie DiSante, Township Secretary