# A regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday December 18, 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, Police Chief James Fisher, Public Works Director Chad Davis and Township Secretary Jeannie DiSante.

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

Solicitor Frey announced that an executive session was held this night prior to the regular meeting to discuss litigation, personnel and real estate 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**

Matt Murray, 1530 Aspen Drive, commented on the 2023 budget vs. actual revenue & expenses.

**APPROVAL OF MINUTES** – The November 20, 2023 minutes were presented for approval. Motion by H. Llewellyn, second by D. Read and unanimously carries to approve the minutes of November 20, 2023.

**PAYMENT OF BILLS** – The December 18, 2023 bill list was presented for approval. Motion by H. Llewellyn, second by D. Waldt and unanimously carries to approve the payment of bills list of $525,845.75.

**REPORTS TOWNSHIP ADMINISTRATION/FINANCE** –Manager Reddick submitted her reports for the Board and highlighted the abundance of activity in planning and zoning. She noted the updated entries in the CRIM account on the financial statement and explained the stormwater project on Pine Ford Road is nearly complete.

**CHIEF OF POLICE** – Chief J. Fisher submitted his report and added the department has been involved with numerous community outreach events. The officers continue to take many fraud and identity theft investigations and he asked the public, if they know of anyone who thinks they are being scammed, to encourage them to call the Police department.

**PUBLIC WORKS** – Director C. Davis submitted his report and D. Reed commented on the cost savings and amount of time the crew puts in on maintenance of both the police and public works vehicles and trucks. He thanked the crew for their work that is saving the Township money.

**TOWNSHIP SOLICITOR** – Solicitor Frey had no formal report.

**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 had no report as there was no meeting this month. He invited everyone to attend the next meeting.

**FIRE AND AMBULANCE** – D. Raudenbush submitted the fire company reports and told the Board of the Santa Run event explaining that, unlike other fire departments, Santa gets down from the truck and talks to the children and gives out candy canes. The police department joined in with their own ‘Grinch’ being a big hit with the kids. M. Reddick thanked M. Galamba for not hesitating to come in concerning hydrant issues.

**OLD BUSINESS**

**DISCUSS & CONSIDER APPROVAL OF RESOLUTION NO. 773 FOR VORNDRAN MINOR SUBDIVISION PLAN APPROVAL** – Solicitor Frey explained the compliance items. There was a discussion with the applicant’s engineer on naming the street West Aspen Drive and for the escrow to be required at the building permit stage or not required at all and instead use the occupancy permit. Motion by H. Llewellyn, second by D. Waldt and unanimously carries to approve Resolution No. 773 for the Vorndran Subdivision Plan with all conditions listed therein. M. Reddick explained that the road name is approved by the County Emergency Services, the County Board of Assessments and the postal service. No one on the Board objected to the proposed name.

**DISCUSS & CONSIDER APPROVAL OF** **THE AGREEMENT TO AMEND AND UPDATE THE FINANCIAL SECURITY WITH POTTSGROVE HUNT FOR KUMMERER PHASE 1** – Motion by D. Read, second by C. Paretti and unanimously carried to approve the Agreement to Amend and Update the Financial Security with Pottsgrove Hunt for Kummerer Phase 1.

**DISCUSS & CONSIDER WAIVER REQUEST FROM ALL COUNTY & ASSOCIATES FOR THE DRIVEWAY AT LOT #2 ON CHESTNUT GROVE ROAD** – Motion by D. Read, second by H. Llewellyn and unanimously carries to approve the Waiver Request from All County & Associates for the Driveway at Lot #2 on Chestnut Grove Road.

**DISCUSS & CONSIDER APPROVAL OF PAYMENT APPLICATION #1 FROM SCHLOUCH, INC. FOR THE PINEFORD ROAD STORMWATER PROJECT** – M. Reddick explained the Township is using the ARPA funds approved by the Board. Motion by D. Waldt, second by C. Paretti and unanimously carries to approve Payment Application #1 for $195,367.25 from Schlouch, Inc. for the Pine Ford Road Stormwater Project.

**DISCUSS & CONSIDER APPROVAL OF THE 2024 FINAL BUDGET** – Motion by D. Read, second by H. Llewellyn and unanimously carries to approve the 2024 Final Budget.

**DISCUSS & CONSIDER APPROVAL OF ORDINANCE NO.522 FIXING THE 2024 TAX MILLAGE RATES** – Motion by D. Read, second by D. Waldt and unanimously carries to approve Ordinance No. 522 Fixing the 2024 Tax Millage Rates for a total rate of 4.0 mills.

**NEW BUSINESS**

**DISCUSS & CONSIDER APPROVAL OF CONTRACT FOR ANIMAL CONTROL SERVICES** – Motion by H. Llewellyn, second by C. Paretti and unanimously carried to approve a 2-year contract for Animal Control Services at the annual fee rate of $2,000.00 to be paid quarterly.

**DISCUSS & CONSIDER AWARDING** **DEMOLITION AT KEHL PROPERTY TO SAM H. HUNTER** – C. Davis obtained four (4) bids with Samuel Hunter Excavating the low bidder which is subject to review by the Solicitor. Motion by C. Paretti, second by D. Read and unanimously carried to award the bid contract in the amount of $17,500.00 for demolition at the Kehl property to Samuel Hunter. Resident Joan Stevens, 1720 Gilbertsville Road commented that her property borders Kehl’s property and she is concerned about the construction vehicles on her macadam driveway. Resident Donner Gassner, 1748 Gilbertsville Road expressed her concern about how the truck traffic will flow using the one lane to get to the property. M. Reddick explained it is a two-way road.

**DISCUSS & CONSIDER APPROVAL OF THE 2024 MEETING SCHEDULE** – Motion by C. Paretti, second by H. Llewellyn and unanimously carries to approve the 2024 meeting schedule.

**OTHER PUBLIC COMMENTS**

Keith Kehl, 1941 Gilbertsville Road commented on Micklitz Road, crosswalk safety, retention pond safety and dumping of tires on his property.

Heidi Stern, 1723 Farmington Avenue commented on the Smola property.

Rich Kummerer, 1303 Farmington Avenue commented on the crosswalk at the Arboretum and the speed limit on Gilbertsville Road.

Julie Schneeweis, 330 Summer Grove Lane commented on over-development of homes in the area, age-qualified communities, construction traffic and road gravel from the construction site.

Jim Capinski, 1958 Yarnall Road continues to disregard the standards of public comment that the solicitor repeats before each meeting. He turned to the crowd and began to speak to them and not to the board and then asked the audience to participate in a poll.

**COMMISSIONER COMMENTS**

For the Record: During Commissioner Comments, Matthew Murray, 1530 Aspen Drive, began screaming at the Board of Commissioners. The Board President called him out of order, yet he continued to scream. CPL Warner approached him and he stopped. This was his second outburst at a BOC meeting.

C. Paretti wished everyone a happy holiday and thanked the fire company for the Santa run. She questioned transferring money from Open Space Fund to General Fund referencing Resolution No. 747 passed by the Board in July 2022 and the legality of the Resolution. Solicitor Frey said he will look into it. She spoke on the % of EIT tax that goes into much needed maintenance of Open Space.

M. Reddick explained this is the debt repayment from the Open Space Fund to the General Fund. The 2023 budget maintains, as does the 2024 budget, the same budgeted repayment schedule as dictated by the 2013 bond agreement and is a budgetary tool until the board decides how the Open Space Fund repayment structure will proceed. No funds have been transferred to date nor will be until approved by the Board.

T. Slinkerd explained that Resolution 747 allows the Board to determine the amount and the timing of the Open Space reimbursement to the General Fund or other such actions the Board deems appropriate, including forgiveness. Resolution 749 permits the Township to credit the Open Space Fund for land use. The amount indicated on the General Fund financial statement, $1,756,004.44, on the balance sheet is the amount that Open Fund is to reimburse the General Fund. It has not changed, and we certainly don’t charge ourselves interest.

D. Read thanked everyone in Summer Grove for the invitation offered to the Commissioners. He told Jim Capinski that he does read all the great information that he provides to the Board and though he may not agree with Jim all the time he does listen to what he has to say. He wished everyone a Merry Christmas.

T. Slinkerd commented on the over-development in the Township. He referenced the over 400 home subdivision plans put forward by Artisan and that the Board is currently in litigation with this company. The mentioned Upper Pottsgrove Journal has more detailed information if residents wish to go to the website.

**ADJOURNMENT** – The meeting was adjourned at 8:02 PM.

Respectfully submitted,

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Jeannie DiSante, Township Secretary