

**UPPER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS
January 16, 2024**

A regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Tuesday January 16, 2024 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 and Township Secretary Jeannie DiSante.

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

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

Keith Kehl, 1941 Gilbertsville Road commented on agenda Item B concerning open space.

Martin Schreiber, 138 Rose Valley Road commented on agenda Item C concerning traffic speeding.

APPROVAL OF MINUTES – The December 18, 2023 & January 2, 2024 minutes were presented for approval. D. Waldt questioned D. Read’s comment in the December 18, 2023 minutes about an invitation offered by the Summer Grove residents to the Commissioners; he did not receive an invitation. D. Read corrected his comment that the invitation was offered to himself and T. Slinkerd. Motion by D. Read second by H. Llewellyn and unanimously carries to approve the minutes of December 18, 2023 as corrected. Motion by H. Llewellyn second by D. Waldt and unanimously carries to approve the minutes of January 2, 2024 as presented.

PAYMENT OF BILLS – The January 16, 2024 bill list was presented for approval. Motion by H. Llewellyn, second by D. Read and unanimously carries to approve the payment of bills list of \$393,508.63.

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 December 31, 2023 financial report in the packets have additional items from the CRIM account. You will receive a final 2023 financial report once the audit adjustments journal entries are completed.

CHIEF OF POLICE – Chief J. Fisher submitted his report and announced there were 6,112 calls for service in 2023. He thanked his officers for their commitment to serving the citizens of our community.

PUBLIC WORKS – Director Davis’ report was submitted to the Board.

TOWNSHIP SOLICITOR – Solicitor Frey had no formal report. He will ask for an Executive Session at the end of the meeting for two items of litigation. There will be no action taken by the Board at that time.

TOWNSHIP ENGINEERING AND BUILDING & ZONING – M. Reddick asked the Board to take note of the zoning items as the Township may need to issue citations, at which time she would notify you of such action.

TAX COLLECTOR – Tax Collector reports were submitted and there were no questions.

COMMITTEE CHAIR REPORTS

OPEN SPACE AND RECREATION – G. Churach submitted his report noting there is an actionable item under New Business requesting approval for a name sign for the Schwenk property. He informed the Board that the Township has been approved for a \$200,000. grant from DCED to be used for Hollenbach park. The total amount received to-date for the park is \$450,000. including a \$5,000. contribution from the Township.

FIRE AND AMBULANCE – D. Raudenbush submitted the fire company reports and there were no questions. M. Reddick thanked the fire company for plowing the snow in the parking lot. That freed up time for our public works crew to take care of the roads. All departments appreciate it.

OLD BUSINESS

DISCUSS & CONSIDER WAIVER REQUEST FROM REQUIREMENT TO POST FINANCIAL SECURITY FOR THE VORNDRAN SUBDIVISION – Solicitor Frey explained the process in a typical subdivision plan and what the applicant requests in this case, postponing the security deposit until the building permits are issued. The recommendation from the consultants is that the Board should not grant the waiver. Brian Boyer of Boyer Engineering, the engineer for the applicant, addressed the Commissioners with details on the waiver request and proposed subdivision into two lots. After a discussion the Board concurred to table the request.

DISCUSS & CONSIDER APPROVAL OF PAYMENT APPLICATION #2 FROM SCHLOUCH, INC. FOR THE PINE FORD ROAD STORMWATER PROJECT – Motion by D. Waldt, second by H. Llewellyn and unanimously carries to approve Payment Application #2 from Schlouch, Inc. in the amount of \$48,796.51 for the Pine Ford Road Stormwater Project.

DISCUSS & CONSIDER APPROVAL OF CHANGE ORDERS FOR THE PINE FORD ROAD STORMWATER PROJECT – M. Reddick noted C. Davis confirmed and recommended the three change orders; removal of additional trees, time and material for water conflict and additional length of guiderail were necessary to complete the project. The total change order is \$6,860.14 and brings the revised total cost of the project to \$282,808.22 and is less than anticipated. Motion by C. Paretti, second by H. Llewellyn and unanimously carries to approve the three change orders in the amount of \$6,860.14 for the Pine Ford Road Stormwater Project.

DISCUSS & CONSIDER AUTHORIZATION TO ADVERTISE FOR A PUBLIC HEARING ON THE ZONING ORDINANCE AMENDMENTS – T. Slinkerd noted this is a motion to advertise the public hearing. Solicitor Frey explained each of the amendments and the review from Montgomery County who approved of the ordinance. The Township will schedule a hearing to take public comment and it will be advertised for two weeks. Motion by D. Read, second by H. Llewellyn and unanimously carries to authorize the Solicitor to advertise a public hearing on the Zoning Ordinance Amendments.

C. Paretti asked Solicitor Frey if he could explain the municipal use section of the proposed ordinance, and if the amendments to section 320-29 of the zoning ordinance would include Open Space. The Solicitor confirmed that it would.

DISCUSS & CONSIDER APPROVAL OF THE PROFESSIONAL SERVICES AGREEMENT WITH CHESTER VALLEY ENGINEERS, INC. – T. Slinkerd explained this company worked with the Township on open space projects and would serve as Design Professional for Special Projects for all Township owned property. Motion by D. Read, second by H. Llewellyn to approve the Professional Services Agreement with Chester Valley Engineers, Inc. C. Paretti asked why she and D. Waldt were not consulted. There ensued discussions on the process of requesting the engagement letter. Roll call vote: aye – D. Read, H. Llewellyn, T. Slinkerd, nay – C. Paretti, D. Waldt. Motion carries.

NEW BUSINESS

DISCUSS & CONSIDER APPROVAL OF CLEANING SERVICES CONTRACT FOR ADMINISTRATION & POLICE DEPARTMENT – Motion by C. Paretti, second by H. Llewellyn and unanimously carries to approve the new Cleaning Services Contract for Administration & Police Department.

DISCUSS & CONSIDER APPROVAL OF RESOLUTION NO. 774 REGARDING THE KEHL PROPERTY – Solicitor Frey explained the details of the purchase of the real estate and executing the documents. There was discussion on deed restrictions and D. Waldt asked for a copy of the agreement of sale. C. Paretti asked about the delivery of the documents. Motion by D. Read, second by H. Llewellyn and unanimously carries to approve Resolution No. 774 Regarding the Kehl Property.

DISCUSS & CONSIDER APPROVAL FOR ENGINEERING DESIGN FOR IMPROVEMENTS TO W. MOYER ROAD – T. Slinkerd explained the improvements to realign the curves in the road. Motion by H. Llewellyn, second by D. Waldt and unanimously carries to authorize C. Davis to obtain recommendations for the Engineering Design for Improvements to W. Moyer Road.

DISCUSS & CONSIDER APPROVAL OF NAMING & SIGNAGE FOR THE SCHWENK PROPERTY – G. Churach submitted a design and cost proposal from Alpha Signs. There was a discussion on the cost of \$5,250 for the sign. G. Churach said the sign is typical of other Township park signs. Motion by H. Llewellyn, second by C. Paretti and unanimously carries to approve Naming & Signage for the Schwenk Property as submitted.

DISCUSS & CONSIDER COMMITTEE APPOINTMENTS/REAPPOINTMENTS – There was a motion by H. Llewellyn, second by D. Read and unanimously carried to approve Resolution No. 775 appointing Robert Anthony to Zoning Hearing Board. The Board of Commissioners then approved the 2024-2025 committee appointments and reappointments as presented in the attached list.

OTHER PUBLIC COMMENTS

Martin Schreiber, 138 Rose Valley Road commented on not being able to hear the Commissioners due to the microphones not working at this time.

Herb Miller, 184 Mangers Mill Road commented on the microphones not working.

Keith Kehl, 1941 Gilbertsville Road commented a Mercury article from 01-02-2024.

COMMISSIONER COMMENTS

D. Waldt received a notification from an Upper Pottsgrove resident that he was sent a letter from the Chief of Police in regard to a discipline issue at Township meetings. Chief Fisher said he will discuss it with him after the meeting.

C. Paretto addressed her non-reappointment to PARRC, expressing her disappointment in the decision and noting her four-year tenure and support from both the board of PARRC and the Health & Wellness Foundation. She highlighted the dispute over Res. No. 703, questioning its applicability to PARRC, classified as an Intergovernmental Cooperative Agency. She referenced former solicitor and author of 703 C. Garner's opinion on the resolution's interpretation and his disagreement with current solicitor Frey's definition of "non-profit," which was used in Solicitor Frey's conclusion that her reappointment would be a conflict. She questioned why the 2019 resolution did not prevent her from being appointed in 2020 and reappointed in 2022 but became an issue in 2024.

D. Read commented on the realignment of W. Moyer Road.

H. Llewellyn commented he spent time reading Resolution No. 703 and his vote was based on his belief that C. Paretto would be in conflict if reappointed to the PARRC committee.

T. Slinkerd commented in response to C. Paretto's objection to the Board not reappointing her to PARRC. He stated that she was not transparent in the position in that she did not provide the Board with reports, briefings or consult the Board on the votes she made as a member of that committee. He stated that he is absolutely confident that Mark McKinnie is the right person for the committee.

EXECUTIVE SESSION

The Board convened in Execution Session at 8:00 PM to discuss litigations. The Board reconvened at 9:15 PM and took no action.

ADJOURNMENT -- The meeting was adjourned at 9:16 PM.

Respectfully submitted,


Jeannie DiSante, Township Secretary