

**UPPER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS
June 16, 2025**

A regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, June 16, 2025 at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Trace Slinkerd, Hank Llewellyn, Cathy Paretto, Dave Waldt and Don Read present. Also present were Manager Michelle L. Reddick, Solicitor Eric Frey, Attorney Themis Galanos, Police Chief James Fisher and Township Secretary Jeannie DiSante.

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

EXECUTIVE SESSION – Solicitor Frey announced an Executive Session was held on June 10, 2025 at 10:30 AM to discuss litigation matters and a conference to go over information regarding the bids, which are on the agenda, so the Board would have information from the consultants.

Solicitor Frey addressed the audience concerning rules of conduct in the Public Comment portions of the meeting. Comments are welcomed from residents and taxpayers of the Township, raise your hand to be recognized, you have three (3) minutes to make your comment and will be asked to complete your comments when there are 15 seconds remaining. Be seated at the microphone facing the Commissioners, speak close to and clearly into the microphone, state your name & address and make your comment stating which agenda item you are addressing. Understand this is not a debate session and not a place for abusive language or profanity. The Attorney requested respect and restraint with no shouting out and being disruptive. You will be asked to leave if you refuse to follow the stated conduct or disrupt the meeting.

APPROVAL OF MINUTES – The May 21, 2025 minutes were presented for approval. A motion by D. Read, second by H. Llewellyn unanimously carries to approve the May 21, 2025 meeting minutes as printed.

PAYMENT OF BILLS – The June 16, 2025 bills list was presented for approval. There was a motion by D. Read, second by H. Llewellyn to approve the payment of bills list of \$224,201.03. C. Paretto pointed out the \$9,000.00 retainer charge from Dilworth Paxton LLP and commented on not understanding the budget line for capital construction expenses. Roll call votes: aye D. Read, H. Llewellyn, T. Slinkerd; nay C. Paretto, D. Waldt. Motion carries 3-2.

REPORTS

TOWNSHIP ADMINISTRATION/FINANCE – Manager Reddick submitted her admin report. The May 31, 2025 financial reports includes updated entries for the CRIM (Cash Reserve Investment Management) account. There were no questions.

CHIEF OF POLICE – Chief J. Fisher submitted his report noting there were a few thefts of packages reports this month and he recommended residents install some type of security cameras. This helps the police in their investigation work. The Civil Service Commission certified the police officer eligibility list along with the Corporal list. He asked the residents, if they know of anyone interested in a career in law enforcement to contact the Montgomery County Consortium which consists of 23 police departments testing on August 2nd. Anyone interested can google ‘montco police test’ and sign up for any of the police departments.

PUBLIC WORKS – In his absence, M. Reddick noted the Director’s report. There were no questions.

TOWNSHIP SOLICITOR – Solicitor Frey had no report.

TOWNSHIP ENGINEERING AND BUILDING & ZONING – T. Slinkerd noted the standard engineering reports in the packets. M. Reddick asked the Board to review the zoning issues.

TAX COLLECTOR –Tax Collector Diane DeLong was absent and M. Reddick was available to answer any question on the submitted reports. There were no questions.

COMMITTEE CHAIR REPORTS

OPEN SPACE AND RECREATION – There was no meeting this month, G. Churach was available for questions. There were no questions.

FIRE AND AMBULANCE – D. Raudenbush submitted his reports and there were no questions.

OLD BUSINESS

DISCUSS & CONSIDER AWARDDING BID FOR NEW MUNICIPAL COMPLEX AT 2290 GILBERTSVILLE ROAD – T. Slinkerd offered the recommendations from the project manager, engineers and architects on the bids for the New Municipal Complex which were submitted to the Board. There are five (5) recommendation letters (contract bids). The first is the General Construction Contract BP01 bid at \$3,535,137.00. There are four (4) alternates to consider: adjustments in price from the base bid #1 is to include the public works building at \$1,052,871.00, #2 is to include the ‘SALLY PORT ADDITION’ and all associated components in its entirety, #8 is to add the ‘ENTRY DRIVE’ and all associated components from the Police Department parking to Moyer Road at \$0.00 and #9 to include ‘WASH BAY 113’ and all associated components at \$13,020.00. The total bid with Alternate 1, 2, 8 and 9 selected is \$4,704,935.00. When making a motion on this General Construction Contract, if it passes it will include the four other Contracts, Mechanical at \$503,090.00, Plumbing at \$380,500.00, Electrical at \$1,043,000.00 and Sitework at \$1,372,250.00. The Sitework Contract BP05 includes Alternate #8 the cost of the ‘ENTRY DRIVE’ from the Police Department to Moyer Road at \$32,000.00. Baltson Construction is the lowest bidder for Public Works and Columbus Construction is the lowest bidder for Administration and Police Departments.

A motion by D. Read, second by H. Llewellyn, who believes it is best to include Public Works now as it would be more expensive later, to move forward with the Administration, Police and Public Works buildings which includes alternates #1, #2, #8 and #9 and also includes the Electrical, Mechanical, Plumbing and Sitework contracts. T. Slinkerd noted the price difference of \$9.5 vs. 7.5 million is the cost of adding Public Works. He also noted there is \$500,000.00 in the price for risk factors.

C. Paretto thinks this should be tabled as the Board is going down the same road using open space funds to purchase land then reimbursing the fund by the general fund. Let’s do things efficiently and legally. D. Read said this vote is to move forward with a satisfactory contract. He spoke of the work that the Board and staff put in, the bids and timing, the costs and savings and paying cash for the complex and taxes will not be raised. Let’s unify and work together on this project. T. Slinkerd agreed and commented on the sale of the sewer system in 2019 which eliminated the risk to the Township and paid off all the Township debt. The bonds were retired, the pension funds brought in line and then, in 2022 when the funds were in place, we looked into locations and identified where to put the complex. We have been working on this a long time, reviewing the adjustments and transfer of funds with our legal team and accountants. It is all legal.

When comments are made that the public didn't know, remember this is a representative form of government. Who is the public? Those that show up at meetings or have interest in this or the 6000+ residents that this Board represents? D. Waldt said he is well aware that we need new buildings and we do care about our employees. However, there is a high risk in building on this property after all we went through with the Evans Rd (Smola) property and the courts. Roll call votes: aye D. Read, T. Slinkerd, H. Llewellyn; nay C. Paretti, D. Waldt. Motion carries 3-2, all five (5) contracts are awarded.

During the discussion of this item, Tyrone Robinson, 1488 Heather Place, without recognition, began yelling out. The chair called him out of order over three times but he continued to cry out. At this point, the chair asked him to leave and then called for officer assistance. Robinson left voluntarily without further incident.

DISCUSS & CONSIDER AUTHORIZING TRANSFER FROM OPEN SPACE TO GENERAL FUND FOR DEBT REPAYMENT – T. Slinkerd explained that the Open Space Fund owes the General Fund in total \$1.2 million after purchasing the 2290 Gilbertsville Road property. The authorization is to transfer \$500,000.00. Open Space Chair was consulted on this and the township will then transfer the funds to the CRIM account for the benefit of higher interest rates. Motion by H. Llewellyn, second by D. Read to authorize \$500,000.00 transfer from Open Space Fund to General Fund for debt repayment. Roll call votes: aye D. Read, T. Slinkerd, H. Llewellyn, D. Waldt; nay C. Paretti. Motion carries 4-1.

NEW BUSINESS

PRESENTATION OF SKETCH PLAN FOR 994 COMMERCE DRIVE – Attorney Julie Von Spreckelsen, Attorney with Eastburn & Gray representing the applicant and owner of 994 Commerce Drive LLC., presented and discussed plans for a proposed multi-family housing development at 994 Commerce Drive. This plan has been reviewed with the staff and planning commission and their comments have been taken into consideration. Logan Kramer, CEO and Founder of Design Pro Development spoke on his company and the many multi-family developments completed and under construction at this time. He provided examples of his projects and then described the sketch plan details for 994 Commerce Drive. Proposed are 219 family units and 415 parking spaces with access from Commerce Drive and Coolidge Street off of Farmington Avenue. There were discussions on other developments proposed in the vicinity and traffic concerns. Solicitor Frey explained that the planning commission already looked at the sketch plan, asked questions and gave comments just as Board is doing tonight. The developer now can submit formal subdivision and land development plans and then the review timing begins. The attorney and applicant thanked the Board for their time.

DISCUSS & CONSIDER APPROVAL OF UPGRADING ELECTRIC AT 2290 GILBERTSVILLE ROAD – M. Reddick said we were asked to get quotes to upgrade the electric for using the building first as a construction trailer for the new complex and future use to be decided. Of the three quotes received Davidson Keen Electrical Contractors Inc. was the low quote at \$8,500.00. Motion by D. Read, second by T. Slinkerd to approve the quote from Davidson Keen Electrical Contractors Inc. for \$8,500.00 to upgrade the electric service at 2290 Gilbertsville Road. D. Read said this was asked so that it did not have to be put in the bid packages to rent construction trailers and would save approximately \$25,000.00 and make possible future use of the house. This is upgrading the service from 100 amp to 200 amp, moving it from the basement, running service to a couple windows for air conditioning and for lighting. Roll call votes: aye D. Read, T. Slinkerd, H. Llewellyn; nay C. Paretti, D. Waldt. Motion carries 3-2

DISCUSS & CONSIDER AUTHORIZING INSTALLATION OF CAMERAS FOR FIRE COMPANY

– M. Reddick explained the fire company requested cameras for outside as well as inside the fire house building. The total cost is \$5,955.00. \$4,755.00 will be paid out of the Fire Fund and \$1,200.00 will be paid out of General Fund for the outside camera. Motion by D. Waldt, second by C. Paretti to authorize the installation of cameras for fire house building with \$4,755.00 paid out of the Fire Fund and \$1,200.00 paid out of General Fund for the outside camera. Motion carries with D. Read abstaining as he had not reviewed this agenda item.

DISCUSS & CONSIDER RECOMMENDATION ON ZHB APPL #05-2025 FOR CHARLES DICKINSON, 902 FARMINGTON AVENUE

– Solicitor Frey explained ash trees were removed due to ash boring insects. In clearing the area and making it into a parking lot, the size of the area triggered an NPDES permit. During this process the zoning officer said the owner needed zoning relief to utilize the area for parking, provide a buffer for the neighbor and parking bumpers. The Solicitor feels the zoning hearing board is well versed in this area and recommends the Board remains neutral. After discussion the Commissioners concurred to defer this to the Zoning Hearing Board.

PUBLIC COMMENTS ON AGENDA ITEMS

Jim Capinski, 1958 Yarnall Road, commented on the municipal building site.

Elwood Taylor, 77 Snyder Road, made political campaign comments. Taylor claimed that the Township charged itself interest. When Commissioners Read and Slinkerd challenged him on his statement, Taylor didn't have an answer or could not even state any facts.

Tyrone Robinson, 1488 Heather Place, made political campaign comments.

Tina McIntyre, 618 Mock Road, made political campaign comments.

PUBLIC COMMENTS

Joan Stevens, 1720 Gilbertsville Road asked about the status of acknowledged repairs needed to Mickletz Road that is used to access her property and the Althouse Arboretum.

Charles Liss, 1197 N. State Street, expressed his concern about the increased traffic if the township opens his road to the proposed shopping center.

Rodica Ifrim, 1176 N. State Street, asked to keep the road closed to the shopping center.

Rich Kummerer, 1303 Farmington Avenue commented on the posting of upcoming zoning hearings and it is confusing when the posted property signs are on lawns and days later they are gone.

John Bush, 1256 N. State Street, commented on all commissioners not being on the same page with information on current issues and concerns about getting information out to the residents.

COMMISSIONER COMMENTS

D. Read commented that President Judge Carluccio in the Montgomery County courts suggested to the Board the very action we took on 2290 Gilbertsville Road—the use of an alternate Township property. The plaintiff's attorney, the one that sued the Township in the Evans Rd case (Murray), suggested to our attorney the very action we took as well.

C. Paretti commented it was quite a while after the judge made that suggestion that this became the course we are on.


T. Slinkerd commented that the Township has worked hard on the municipal building project and criticized the comments on social media and the petty campaign comments heard this evening. He said the Board works for 6000+ residents in the Township, not just the ones who come to Board meetings or individuals running for office. He went on to explain that the Township's legal team reviewed the use of 2290 Gilbertsville Road and the options for its uses long before purchasing the property as well as the accounting procedures for payment options for the property with the Township's audit team. The intended uses of the Gilbertsville Road purchase have always been as a possible alternate site for the municipal building and to guard against overdevelopment. The awarding of the contracts tonight fulfils the alternate site use intent and, at the same time, will still guard against overdevelopment—no developers will be using the 9 acres.

T. Slinkerd continued to explain that the Evans Road site (Smola) is still the best site for the municipal building but the use of this property is in the PA Commonwealth Court of Appeals and timing is critical. Prices for materials and construction will continue to rise, so the use of 2290 Gilbertsville Road for the municipal site is in the best interests of the Township. The Township has 338 acres of property and the Evans appellate case is important, not only for Upper Pottsgrove Township, but for the State as a whole. The Commonwealth Court will need to determine where that line of use is drawn concerning the Open Space Act. The Act says open space land use is a use that is not inconsistent with the achievement of open space benefits. T. Slinkerd asked the question who gets to decide what open space benefits are? Is it some person or group who sues the township or the elected Board of Commissioners? The judge in the Court of Common Pleas cited co-mingling funds—co-mingling of funds that occurred long before any one on the current board served—in his decision against the Township but didn't offer who decides what open space benefits are or where the line is drawn. These questions need to be answered, not only for the Township, but for everyone across the State.

T. Slinkerd announced there is no Executive Session tonight and he thanked everyone for coming to the meeting.

ADJOURNMENT – The meeting was adjourned at 8:16 PM.

Respectfully submitted,


Jeannie DiSante, Township Secretary