

**UPPER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS
March 2, 2026**

A regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, March 2, 2026 at the West Pottsgrove Administrative Office, 980 Grosstown Road, Stowe, Pennsylvania, with Commissioners Elwood Taylor and Dave Waldt present. Al Leach and C. Paretto attended via phone. T. Robinson arrived at 7:23 PM. Also present were Solicitor Rebecca Geiser, Interim Manager D. Weand and Township Secretary Jeannie DiSante.

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

PUBLIC COMMENTS ON AGENDA ITEMS – Julie Schneeweis 330 Summer Grove Lane questioned in Old Business D, who were the other candidates considered for this need and why was this one chosen? Solicitor Geiser explained it was discussed in executive session on a personnel matter and this firm previously represented the township on matters involving litigation pertaining to labor law.

APPROVAL OF MINUTES - The December 16, 2025, January 5, 2026, January 20, 2026, February 2, 2026 and February 17, 2026 minutes were presented for approval. A motion by T. Robinson, second by C. Paretto unanimously carries to approve, all in one motion, the January 5, 2026, January 20, 2026, February 2, 2026 and February 17, 2026 meeting minutes as printed. The December 16, 2025 minutes were tabled for the attorney to research the approval process.

PAYMENT OF BILLS – The March 2, 2026 bills list was presented for approval. There was a motion by C. Paretto, second by A. Leach and unanimously carries to approve the payment of bills list of \$65,742.44.

REPORTS

TOWNSHIP ADMINISTRATION/FINANCE – The Balance Sheets and financial statements were submitted for review. There were no question.

CHIEF OF POLICE – Chief Werner submitted his report and noted the department participated in the Montgomery County Consortium testing for police applicants on Saturday and will be conducting interviews next week and plan to hire hopefully in April to replace Officer Crawford who is retiring in March.

PUBLIC WORKS – A. Leach noted Director Fenyus submitted his report for review and unfortunately he was unwell and did not attend the meeting.

TOWNSHIP SOLICITOR – Solicitor Mark Plachta informed the commissioners the contracts for Matt Dallas and Dan Weand are completed.

TOWNSHIP ENGINEERING AND BUILDING & ZONING – A. Leach noted the reports were submitted for review.

TAX COLLECTOR – The Tax Collector submitted the reports and said the tax bills will be sent out at the end of the week.

COMMITTEE CHAIR REPORTS

OPEN SPACE AND RECREATION – No one from the committee attended however their report was submitted and there were no questions.

FIRE AND AMBULANCE – D. Raudenbush noted the call reports are delayed as there is a software issued to be resolved. E. Taylor thanked the fire police and department for the 12-15 hours they were on the site directing traffic and taking care of residents during an issue on Maugers Mill Road with a downed cable. C. Paretti said they are working on having quarterly meetings start next month.

OLD BUSINESS

MOTION TO APPROVE GREG PHILLIPS FROM PICARDI, PHILLIPS, AND OTTAVIANO TO BE OUR ZONING AND CIVIL SERVICE COMMISSION SOLICITOR - A motion by A. Leach, second by D. Waldt unanimously carries to approve Greg Phillips from Picardi, Phillips, and Ottaviano to be the Upper Pottsgrove Township's Zoning And Civil Service Commission Solicitor. R. Kummerer, 1303 Farmington Avenue asked who they replaced and what do they do. E. Taylor said it was Brant Law Associates previously and they counsel our zoning hearing board and civil service commission as required by law.

MOTION TO APPROVE RESOLUTION NO. 797 TO CHANGE SIGNERS ON THE UPPER POTTS GROVE CRIM INVESTMENT ACCOUNT TO AL LEACH AND CATHY PARETTI – A motion by D. Waldt, second by A. Leach unanimously carries to approve Resolution No. 797 to change signers on the Upper Pottsgrove Crim Investment Account to Al Leach and Cathy Paretti.

ANNOUNCEMENT OF THE TOWNSHIP APPLICATION FOR VOLUNTARILY WITHDRAWAL/DISCONTINUANCE OF APPEAL FOR 2290 GILBERTSVILLE RD – E. Taylor explained there is no motion for this agenda item, the commissioners previously asked that the appeal on 2290 Gilbertsville Road be withdrawn and tonight this is notice that it is being done. It is one of several lawsuits brought by the prior commissioners that have cost the township hundreds of thousands of dollars and the new commissioners want them to go away, meaning to expedite the legal settlement of such lawsuits in the least expensive way possible. The board needed to engage outside counsel, Charles Garner, Esq., to handle the Gilbertsville Road Open Space lawsuit because of the conflict of interest with the board's appointed solicitor. It is now in process before the Court.

MOTION APPROVING AUTHORIZATION OF RYAN J. CASSIDY OF ECKERT, SEAMANS, CHERIN, & MELLOTT, LLC, TO REPRESENT THE TOWNSHIP OF UPPER POTTS GROVE AS LEGAL COUNSEL IN MATTERS ASSOCIATED WITH LABOR AND EMPLOYMENT – E. Taylor explained this is on an 'as needed' basis. A motion by T. Robinson, second by A. Leach unanimously carries to approve Ryan J. Cassidy of Eckert, Seamans, Cherin, & Mellott, LLC, to represent the Township of Upper Pottsgrove as Legal Counsel in Matters Associated with Labor and Employment.

DISCUSS SETTLEMENT & RELEASE AGREEMENT IN THE "ANTI-SLAPP" CASE OF MURRAY VS. UPPER POTTS GROVE TOWNSHIP – E. Taylor explained an Anti-Slapp lawsuit is a strategic lawsuit against public participation. The prior board felt M. Murray was submitting too many right-to-know (RTK) requests and brought the issue before the Office of Open Records which ruled in favor of Mr. Murray. The township appealed that decision to the Commonwealth Court and the Court ruled in Mr. Murray's favor. Mr. Murray then filed the anti-slapp suit against the township claiming the township was trying to silence him.

As a result, there is this monetary settlement to help Mr. Murray with his legal fees. The insurance company is handling this and the award will be paid out of the insurance fund. Part of the settlement requires that the next township manager undergo training in RTK law to ensure that the township appropriately handles RTK requests going forward. A motion by A. Leach, second by E. Taylor unanimously carries to approve the Settlement & Release Agreement in the “Anti-Slapp” case of Murray Vs. Upper Pottsgrove Township. The reporter asked how much the settlement is and E. Taylor said \$31,500 paid through the Pennsylvania Intergovernmental Risk Management Association. Julie Schneeweis 330 Summer Grove Lane asked if the public record shows how much is punitive and how much is lawyer fees. The solicitor said they do not have that information, only the settlement. Martin Schreiber, 230 Rose Valley Road asked how much the township spent on this issue. E. Taylor said he did not have the exact numbers but knows it was in the tens of thousands of dollars.

NEW BUSINESS

MOTION TO APPOINT MARTIN SCHREIBER TO THE CIVIL SERVICE COMMISSION

– E. Taylor explained the commission is in need of having a quorum in reviewing potential police candidates. A motion by C. Paretti, second by T. Robinson unanimously carries to appoint Martin Schreiber to the Civil Service Commission.

MOTION TO APPROVE REPLACING THE UPPER POTTSBROOK FIRE COMPANY TRAFFIC UNIT WITH AN INVESTMENT OF ABOUT \$60,000

– E. Taylor explained the funds come from the fire tax fund. D. Raudenbush explained replacing the 1992 F350 truck that has many issues. Limerick has a 2011 F350 that will be a big upgrade for the fire company. A motion by C. Paretti, second by D. Waldt unanimously carries to approve the purchase of the truck from Limerick fire company for about \$60,000.00. Rich Kummerer asked how much the fire company has to spend and D. Raudenbush said approximately \$37,000 however, there is an audit being conducted and that number can change. He also has a special projects budget to use for the balance of the cost.

MOTION TO APPROVE A 90-DAY EXTENSION FOR REVIEW OF COOLIDGE COMMONS

- A motion by A. Leach, second by C. Paretti unanimously carries to approve a 90-day extension for review of Coolidge Commons. Julie Schneeweis, 330 Summer Grove Lane asked if the area is zoned for townhouses and E. Taylor said yes.

OTHER PUBLIC COMMENTS - Julie Schneeweis, 330 Summer Grove Lane commented again that she does not want over development in the township. Rich Kummerer, 1303 Farmington Avenue commented that landowners have rights to build what they want within the codes and ordinances regulations.

COMMISSIONER COMMENTS - nothing at this time.

EXECUTIVE SESSION – A. Leach said there will be an executive session to discuss litigation with no action taken afterwards.

ADJOURNMENT – The meeting was adjourned at 7:46 PM.

Respectfully submitted,



Jeannie DiSante, Township Secretary