

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
January 4, 2007

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Monday, January 4, 2007. Meeting was called to order at 7:00 p.m. The following attended:

Thomas C. Troutman, Vice President
 Jonathan H. Spadt
 Stephen M. Klotz
 Anthony A. Doyle
 R. Kurtz Holloway, Solicitor

Rodney P. Hawthorne, Manager
 Alyson Elliott, Assistant Manager
 Sally Moyer, Treasurer
 Chief of Police Michael Shade
 Lew Babel, Fire Marshal
 Michele Cappelletti, Secretary

A moment of silence was observed in memory of former President Gerald Ford.

PRESENTATIONS:

Chief of Police Michael Shade presented a life saving award to Officer Kathy Foltz. While responding to a maternity call, Officer Foltz used life-saving CPR techniques to save the life of a newborn child.

The Board of Commissioners thanked Officer Foltz for her outstanding efforts.

APPROVAL OF MINUTES:

Mr. Yuhas requested that the minutes of the December 4, 2006 Board of Commissioners meeting be amended as follows:

Page 592, Engineering—Area South of High Street. As stated:

Mr. Yuhas reported that many homes are being converted into offices on High Street. An old drain that is in the front yard of each development services the homes.

As amended:

Mr. Yuhas reported that many homes are being converted into offices on High Street. **A drain that is in the front yard of the old development services the homes.**

Mr. Spadt motioned to approve the minutes of the December 4, 2006 Board of Commissioners meeting, as amended. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 4-0.

Minutes of the December 14, 2006 Board of Commissioners' Close-Out Meeting will be approved at a later date.

COMMENTS FROM VISITORS:

Mr. Tom Wojton, Rupert Road, expressed concern about Township taxes. He distributed copies of a letter to the Board, which was addressed to the Residents of Lower

Pottsgrove Township. In this letter, Mr. Wojton urged residents to protest the recent tax increase and oppose the monthly leaf collection.

Mr. Klotz explained that the \$100.00 trash fee was assessed to those residents who receive weekly municipal trash and recycling collection, which includes a monthly leaf collection. It is not a fee for leaf collection only.

Mr. Spadt advised that residents who live on private streets/roads in the Township are not part of the municipal trash collection. Since they do not receive the service, they will not be billed the \$100 fee. For this reason, the fee will be billed separately and not included in the Township taxes.

Mr. Hawthorne reported that the Township has applied for a grant for a leaf waste-recycling center to be located in Lower Pottsgrove Township.

Mr. Wojton notified the offices of Senator Rafferty and Representative Quigley with his concerns.

NEW BUSINESS:

REPORTS: Police—Chief Mike Shade reported that there were 1,394 calls for service in December 2006. **Personnel Policy Manual:** Chief Shade requested that the Department's Personnel Policy Manual be updated. He will discuss the matter further with the Police Committee. **Civil Service:** Oral interviews will be conducted on January 10, 2007 for 12 applicants. **Resignation:** Officer Kevin Ibach resigned from the Police Department as of December 22, 2006. **Website:** Chief Shade reported that he would like to develop a web page for the Police Department that would be linked to the Township website. **Criminal Investigations/Arrests:** On December 22, 2006 Sgt. Walters and his platoon investigated an attempted robbery in the Walnut Ridge development. A resident was pistol whipped while walking outside. A suspect was identified and an arrest was made that evening. Chief Shade acknowledged the quick action of Sgt. Walters and his platoon. **Traffic Enforcement:** Chief Shade reported that the Department is continuing speed enforcement details on an almost-weekly basis. **ENRADD**—The Department received the ENRADD speed-timing device on December 29, 2006. **Fleet:** Laptop computers are now installed in all marked patrol cars. **Correspondence:** On behalf of Sgt. Greenwood and himself, Sgt. Walters sent a personal thank you to Exelon Nuclear for donating funds that will be used to purchase two M-4 type rifles. These rifles will be used by Sgt. Walters and Sgt. Greenwood when they perform their duties as members of the Chester Montgomery Emergency Response Team (CMERT). **Fire**—Mr. Troutman reported that there was a fire in the Township on Christmas morning. The turnout from our fire companies was excellent. Mr. Troutman thanked Mr. Babel and both fire companies for their response to this fire. Mr. Troutman reported the following statistics for the year 2006: Sanatoga Fire Company: 335 calls; 2,170 man-hours. Ringing Hill Fire Company: 312 calls; 1,840 man-hours. Mr. Troutman thanked all of our volunteers for their outstanding efforts over the past year. **Fire Marshal**—Mr. Babel will have a written report at the next meeting. He reported that members of the fire companies removed the back door and saved all of the Christmas presents by passing them out of the

house. Mr. Klotz and Mr. Spadt were impressed with the fire companies' quick response to this fire and recommended that a thank you letter be sent to both Sanatoga and Ringing Hill Fire Companies. Mr. Hawthorne will prepare and send the letters. **Fire Committee:** The next Fire Committee meeting will be held on January 17, 2007 at 7:00 p.m. at the Township Municipal Building. **Training:** Mr. Babel reported that everyone passed the County tests. **Grants:** Mr. Babel reported that both fire companies received grants with the help of Congressman Dent's office. On behalf of the fire companies, Mr. Babel expressed his appreciation for the funding. **Highway**—Mr. Doyle reported on the activity of the Public Works Department during the month of December 2006. The report will be posted on the bulletin board. Mr. Doyle also reported that the Public Works Department has been cutting brush throughout the Township with a chipper that was provided by Colebrookdale Township. The road crew used the chipper for two months free of charge. Normal rental for this piece equipment is \$200.00 per day. **COG**—Mr. Doyle reported that the next COG meeting would be held on January 11, 2007. **Engineering—Area South of High Street**—Mr. Yuhas reported that at the December 4, 2006 meeting, he provided the Board with a drawing of this area. At that meeting, he recommended pursuing "agility" money, explaining that "agility" is a program in which PennDOT will cooperate with the Township on mutually beneficial projects. The Township would use its own resources and share some of PennDot's. Mr. Yuhas investigated the agility funding with PennDot and it was determined that it would work. Mr. Hawthorne will contact PennDot's maintenance department to move forward with this project. Mr. Yuhas will be on site to photograph the area after the next heavy rain. **Solicitor's Report—Internet Policy:** Solicitor Holloway reported that the Board recently approved an Internet policy for uniformed personnel. He recommended that the Board consider authorizing staff to include the same type of policy in the non-uniformed personnel policy manual. Solicitor Holloway advised that there would be some minor modifications to the uniformed policy but it would contain the same general principles. Mr. Spadt supported Solicitor Holloway's recommendation and would like to have the policy in place as soon as possible.

CORRESPONDENCE AND INFORMATION:

Resignation—Mr. Spadt motioned accept the resignation of Police Officer Kevin Ibach effective December 22, 2006. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 4-0.

Mr. Ibach will be notified of the Board's acceptance of his resignation.

Information--The following documents were included in the Commissioners' packets:

1. Letters to Hon. Thomas J. Quigley and Senator John Rafferty.
Re: Unfunded Mandate – Leaf Waste Collection
2. Letter to Greg Delp. Re: Snell Park Fill
3. Copy of Check from Exelon for \$3,800.00 to the Lower Pottsgrove Police Dept.
4. Letter to Sally Moyer. Re: Light Tax Assessment
5. Letter to Sally Moyer. Re: Tax Ordinances and Resolution for the Year 2007
6. Memo to Board of Commissioners. Re: Chamber of Commerce Membership
7. Letter to Stella Kuterbach. Re: South Sanatoga Road Property

8. Letter from R. Kurtz Holloway, Solicitor. Re: Municibid
9. Lower Pottsgrove Planning Commission Agenda and Minutes from October 23, 2006
10. Zoning Hearing Applications for the Year 2006
11. Zoning Hearing Applications for the Year 2007
12. Vlahos Zoning Hearing Application No. 2007-01
13. Letter from Montgomery County Open Space. Re: Open Space Signage
14. Letter from ACE to Exelon Generating Company. Re: Limerick Nuclear Power Plant
15. Sponsorship Request from “Carousel at Pottstown.”

SUBDIVISION AND LAND DEVELOPMENT:

Resolution No. 697/Bruster’s Ice Cream—This Resolution signifies that the Township has reviewed and approved the Bruster’s Ice Cream Sewage Facilities Planning Module for DEP review. A Planning Module is required for all projects being added to the sewer system since the Township is operating under a Capital Improvement Program (CIP) to mediate Inflow & Infiltration (I&I) issues in the Township’s sanitary sewer system.

Ms. Elliott reported that the Lower Pottsgrove Authority, Planning Commission and appropriate Township staff reviewed the planning module and established its completeness and compliance with Township regulations.

Mr. Klotz motioned to approve Resolution No. 697, Planning Module and CIP for Bruster’s Ice Cream. Mr. Spadt seconded the motion and it was unanimously approved. Vote was 4-0.

Conditional Use—Mr. Hawthorne advised that a conditional use application was received from Buchert Ridge Community, Inc. The applicant requests approval to build upon or otherwise disturb a portion of the slopes in excess of 25 percent on the subject premises. The premises affected is 2011 Buchert Road, Lower Pottsgrove Township, Montgomery County, Pennsylvania. Mr. Hawthorne requested authorization to schedule and advertise a public hearing for February 5, 2007.

Mr. Spadt motioned to advertise a public hearing on February 5, 2007 at 6:30 p.m. in the Lower Pottsgrove Township Municipal Building, 2199 Buchert Road, Lower Pottsgrove Township, Montgomery County, Pennsylvania to receive public comment on the Conditional Use Application of Buchert Ridge Community, Inc. and the Board will conduct a public meeting immediately thereafter to consider the application. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 4-0.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

**RESOLUTIONS AND ORDINANCES:
See Subdivision and Land Development.**

TREASURER'S REPORT:

Mr. Spadt motioned to approve the Treasurer's Report for the month of December 2006, as presented by Sally Moyer. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

Mrs. Moyer reported that the Tax Office has a new computer and they are now accepting credit cards for payment. There is no fee for using this credit card and it is the same company used by the IRS.

Warrant #736 for the month of December was distributed to the Board of Commissioners for review.

COMMISSIONERS COMMENTS:

Mr. Doyle asked Mr. Yuhas for an update on Snell Park. Mr. Yuhas met with John McMenamin and John Fogel on site. Mr. Fogel dug test pits and Mr. Yuhas determined that it would not be viable to dump additional fill in Snell Park. Mr. McMenamin agreed with Mr. Yuhas's conclusion.

Mr. Yuhas noted that the cut and fill method would provide an additional acre of usable ground. Mr. Doyle asked for a price for the cut and fill method. He also recommended notifying Pottsgrove Little League that the additional fill could not be dumped in Snell Park.

Mr. Hawthorne reported that Patty Bleakley of the Pottsgrove Little League is aware of the situation. The organization is developing a fundraising plan to pay for moving the earth. Mr. Doyle asked if Pottsgrove Little League would be responsible for paying for this project. Mr. Troutman responded that this matter would be discussed with the Parks and Recreation Commission.

Mr. Doyle wants to be sure that the money the Township collects from the Trash Fee is used for trash/recycling related expenses. Mr. Troutman requested a report on the trash account and where the money is going.

Mr. Doyle asked for an update on the truck for the Public Works Department. Mr. Hawthorne reported that staff is waiting for the Solicitor's office to provide a list of approved PACC vendors for 2007. As soon as that information is received, staff will proceed with the bidding process.

Mr. Klotz noted that the Public Works Report states that the crew "Spread fertilizer on the soccer fields." He clarified that all the fields are fertilized (not just the soccer fields) and the Soccer Association pays for the fertilizer.

Mr. Klotz has learned from Chief Shade and the police officers that the Police Department computer system is outdated. Chief Shade suggested building the cost of a new system into next year's budget. Mr. Klotz recommended contacting Congressman Dent about grant opportunities.

Mr. Klotz asked about the Township adopting a noise ordinance to address nuisances such as repetitive dog barking and loud cars. Mr. Hawthorne advised that the police could issue citations for dog barking and noise from cars. Mr. Klotz advised that North Coventry and Pottstown have noise ordinances and requested that Solicitor Holloway get copies of these ordinances.

Mr. Klotz motioned to authorize Solicitor Holloway to begin researching and preparing a noise ordinance for Lower Pottsgrove Township. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0. Solicitor Holloway will provide sample noise ordinances for the Board's review and will then wait for further direction.

Mr. Spadt acknowledged that Mr. Hawthorne played a major role in securing the funds donated by Exelon. Mr. Spadt noted that Mr. Hawthorne also worked closely with Congressman Dent's office on the fire company grants. He thanked Mr. Hawthorne for going above and beyond on these projects, which benefited the Township.

Mr. Troutman inquired about outfitting Keith Place's Ford 250 truck with a snowplow. Mr. Klotz noted that using this type of truck for snowplowing could cut the life of the vehicle in half. He felt it was more feasible to use a subcontractor for plowing.

After discussion, Mr. Spadt motioned to authorize staff to get prices for a snowplow for the Ford 250 truck. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

Mr. Troutman had questions about the trash and recycling information that was mailed to residents.

Mr. Troutman noted that a zoning hearing would be held on the Vlahos application on January 16, 2007.

At 8:10 p.m., pursuant to the provisions of the Open Meeting Act, the Board announced that it would recess into an executive session at this time to discuss real estate matters. The Board reserved the right to reconvene into public session to take any official action deemed necessary following the executive session. Next meeting will be held on Thursday, January 25, 2007 at 7:00 p.m.

The Board reconvened into public session at 8:26 p.m. Mr. Spadt made a motion that all agreements into which the township may enter for the purchase of open space should contain a condition that a Phase I environmental assessment be performed and that the results be satisfactory to the township. Mr. Klotz seconded the motion and it was unanimously adopted.

The meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Michele M. Cappelletti
Township Secretary