

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
March 5, 2007

The regularly scheduled meeting of the Board of Commissioners of Lower Pottsgrove Township was held on Monday, March 5, 2007. Prior to the meeting, a Public Hearing was held on the Open Space acquisition of the Roberta G. Shaner property at 1900 N. Keim Street. The following were in attendance: Commissioners Foltz, Troutman, Spadt, Klotz and Doyle; R. Kurtz Holloway, Solicitor; Rodney P. Hawthorne, Township Manager, Alyson Elliott, Assistant Township Manager and Jennifer Corley, Acting Secretary.

PUBLIC HEARING:

At 6:45PM Solicitor Holloway opened the public hearing with regard to parcel no. 42-0002290-008 presenting into evidence Board Exhibit One, the proof of publication for The Pottstown Mercury advertising Lower Pottsgrove Township Public Hearing for the acquisition; Board Exhibit two, the affidavit of service from Keith Place, Director of Codes for posting the above referenced property with a Legal Notice that Lower Pottsgrove Township intends to purchase the property as part of the Montgomery County Open Space Project. Board Exhibit three was presented into evidence by Alyson Elliott, Assistant Manager. This exhibit describes the tract of land and the future use that is proposed along with the necessary means to bring the property to the state that the Park and Recreation Commission envisions. A map identifying the location is also provided. Ms. Elliott described the Montgomery County Planning Commission Grant Application process. **Mr. Troutman** explained that all the Board Members were familiar with the acquisition and were eager to complete the purchase. Solicitor Holloway then asked if there were any comments from the public concerning this land acquisition. There were no comments from the public and no further comments from the Board.

Solicitor Holloway then announced that the hearing was closed at 6:51PM.

The regularly scheduled meeting was called to order by Commissioner Foltz at 7:00PM.

COMMENTS BY VISITORS

There were no comments from visitors.

APPROVAL OF MINUTES

Minutes from meeting dates February 5, 2007 and February 22, 2007 were presented for approval.

Mr. Doyle requested that the minutes of the February 22, 2007 Board of Commissioners meeting be amended to read as follows:

As stated:

Mr. Doyle would like to see the Pottsgrove School District buy the Rickel's/Genaardi's buildings but Mr. Klotz does not want to lose big business.

As amended (**changes noted in bold type**):

Mr. Doyle would **not** like to see the Pottsgrove School District buy the Rickel's/Genaardi's buildings **and** Mr. Klotz does not want to lose big business.

Mr. Troutman requested that the minutes of the February 22, 2007 Board of Commissioners meeting be amended to read as follows:

As Stated:

Mr. Troutman requested that the signs be put up on Sanatoga Lake again. He also thanked Mr. Hawthorne for getting the generator prices.

As Amended (**changes noted in bold type**):

Mr. Troutman requested that **no skating** signs be put up on Sanatoga Lake again. He also thanked Mr. Hawthorne for getting the generator prices.

A motion was made to approve the minutes from the meetings of February 5, 2007 and February 22, 2007 with the above noted changes by **Mr. Spadt** and seconded by **Mr. Foltz**. The vote was 5 – 0.

REPORTS

POLICE: Chief Shade reported there were a total of 1080 calls for service in the month of February. There were 120 Traffic violations, 4 of which were DUI Arrests. There was assistance requested on 17 calls while assistance was provided on 25 calls. Total of 342 violations were indicated with 42 Adults arrested and 13 Juveniles handled. Of the juveniles there were eight that were required to attend Adult Court, four that attended Juvenile Court and one reprimand assigned. The Chief reported that the calls were equivalent to those received last year and that was not unusual since the calls decrease in cold, winter months. The Chief also reports that he is nearing the completion of the entry level applicant hiring process. He is currently awaiting information from Special Counsel on two applicants. Polygraph testing is put on hold until the counsel's decision is made. The Chief also reported on an extremely severe accident in the 1900 block of Keim Street. He thanked all emergency personnel that responded and commended their good work. There were several serious injuries that required the injured to be flown to nearby trauma units. There was also a thank you for the assistance with accident reconstruction from Pottstown Police and North Coventry Police.

Mr. Foltz questioned the commercial vehicle parked on the Stahl property on Welsh Road. There is a U-Haul vehicle parked there that is impeding the traffic pattern and creating a hazard. **Chief Shade** responded that there is not yet an ordinance on the books and he can therefore do nothing about it. **Mr. Doyle** commented that we should have an ordinance restricting commercial vehicle parking on residential streets. He also asked why Chief Shade had North Coventry in on the N. Keim Street accident. Chief Shade responded they assisted with the accident reconstruction. **Mr. Spadt** requested that he be able to examine the tickets issued during the Police Committee meeting on Monday, March 12, 2007. Chief Shade was amenable to that request. **Solicitor Holloway** suggested that he will prepare a draft ordinance on parking violations that specifies the additional violations that officers are coming across so the ordinance is all encompassing. He will do this for Board review. The new ordinance will include particular offenses such as parking too close to fire hydrants, parking in the wrong direction and parking in posted "No Parking" zones and the respective fine amounts.

FIRE: Fire Marshal **Lew Babel** reported that Sanatoga Fire Company had 23 calls for a total of 18 hours and 35 minutes of service. There were 202 man hours and finally 2 hours of training. Sanatoga Fire Police reported 23 calls, 20 of which were township and 3 were mutual aid. This was a total of 17 hours 7 minutes of service and 50 hours 35 minutes of man hours. Ringing Hill Fire Company logged 28 calls for a total of 30 hours 15 minutes of service and 149 man hours. There were no reported injuries. **Mr. Babel** also reported that Ringing Hill Fire Company has put into

service a new Ford F550 Diesel Traffic Unit for the Fire Police to use for traffic control and Township Police assistance. He indicated that there will be a tour on Thursday, March 15, 2007 at the Sanatoga court at 7PM. Staff and Commissioners are invited. Lastly, there was a trailer fire at Oxy Chemical on February 5, 2007. It was contained to one room, outside wall, roof and heater. No chemicals were on site. **Mr. Foltz** asked **Mr. Troutman** if he had any comments and there were none.

HIGHWAY: **Mr. Doyle** gave the Public Works report. He pointed out that Tom Pallatucci and John Fogel were in over the weekend for an emergency. The Police Department reported to John there was a very large hole on Pruss Hill Road. There was no information on COG to report.

ENGINEER: **Tom Yuh** gave the engineering report. He reported that Bursich Engineering did a survey of the land for Sanatoga Park Phase II. There are changes that are necessary for the field to obtain prime playing conditions. A change order was drawn up for the sum total of \$20,313. An additional cut & fill is required, where the original contract just called for a scraping. The soccer fields must be completely stripped. Reading Site is requesting an additional 16 working days to accommodate these changes. **Mr. Holloway** recommended that the start date of the project be pushed 16 days and NOT that we add the 16 days at the end of the project. **Mr. Troutman** commented that there was never an elevation plan done on Sanatoga Park and once Reading Site is done will there need to be another survey and would this be an additionally incurred cost or is it included in the bid pricing. **Mr. Yuh** said that the follow-up survey will be done by Bursich Associates and it will be donated. **Mr. Troutman** wanted to know if that would be included in the 18 month guarantee that is supplied in the contract. **Mr. Yuh** indicated that there would be an additional two inches of topsoil needed over the four that are there now. It is critical that this be accomplished because of the irrigation system that is being installed. **Mr. Troutman** wanted to be sure that we could have a Park & Recreation employee be present when the irrigation system is installed to be sure that they are comfortable with the inner workings of the system. **Mr. Foltz** wants the Board to vote on the additional cost and where the funds are coming from. **Mr. Troutman** wants the funding to come from the General Fund. **Mr. Spadt** countered with a question as to why the funding cannot come from the Park & Recreation budget? **Mr. Troutman** indicated that it was impossible to take the funding from the Park & Recreation Department. **Mr. Hawthorne** stated that he will research and provide information to the commissioners on the available funds in both Park & Recreation and General Fund as well as the Reserves Fund. **Mr. Troutman** motioned to move forward with the project and sign a contract addendum to move the start date for the project back by 16 days and approve the \$20,313 change order and have Mr. Hawthorne research which fund will best serve. The motion was seconded by **Mr. Doyle** and the vote was 5 – 0.

Discussion continued regarding the Park & Recreation Employee and when discussion was had on hiring and where funding was coming from. The issue was tabled until a later date.

CORRESPONDENCE AND INFORMATION

EMERGENCY MANAGEMENT EXERCISE AND DRILL: **Mr. Foltz** requested assistance from Township staff and the Board of Commissioners members for an Emergency Operations test-run to be held before the official practice date of August 7, 2007. **Mrs. Moyer** volunteered her assistance. **Mr. Foltz** also expressed that he believes the Emergency Operations Manager should be a full-time position as the requirements are becoming more demanding. He believes we should have a full-time employee in that position by the end of 2007. He will continue to honor his commitment and remain in this capacity until December. **Mr. Spadt** questioned if a police officer would be a viable candidate for the Emergency Management Officer position and if so whether that

person would report to the Township Manager or the Chief of Police. **Mr. Troutman** reminded the Board that they had previously discussed Lew Babel filling the position. **Mr. Spadt** commented that the commissioners should start with Lew Babel. **Mr. Foltz** will get back to the commissioners with more information on the practice before the drill.

FINANCING: Gordon Walker attended the meeting to present a packet of information with a Summary of Financing Options for the potential building expansion. He highlighted the advantages to doing a bond issue and the various scenarios available. He also pointed out the committee should make a decision about what to do with the variable rate debt that the Township already has.

SUBDIVISION AND LAND DEVELOPMENT

There were no Subdivision and Land Development discussions for tonight's meeting. **Mr. Troutman** did want to acknowledge that Ms. Elliott has been doing a really good job presenting the applications to the Board of Commissioners. Everything is very well written.

OLD BUSINESS

The motion to approve Resolution # 705 for the purchase of the Shaner Property at North Keim Street and Yerger Roads and the grant application for the purchase was made by **Mr. Tom Troutman** and seconded by **Mr. Spadt**. The vote was 5 – 0.

NEW BUSINESS

There was no New Business to discuss for tonight's meeting.

RESOLUTIONS & ORDINANCES

A motion was made to approve Resolution #706 – a land development plan for 20 First Avenue by **Mr. Troutman** and seconded by **Mr. Spadt**. The vote to approve the resolution was 5 – 0.

Mr. Spadt motioned to approve the Treasurer's Report for the month of February as reported by **Mrs. Moyer**. The motion was seconded by **Mr. Doyle**. The vote was 5 – 0.

Mrs. Moyer also reported to the Commissioners that the first credit card payment was received. The funds were received quickly from the credit card company.

A resident questioned paying the tax bill by credit card and the 3% charge imposed by the credit card company. This charge is not incurred by the Township, it is passed on directly to those using this method of payment.

COMMISSIONER'S COMMENTS

Mr. Doyle: Resident, Doris Solomon complained to Mr. Doyle about the "CONSTRUCTION AHEAD" sign on Sunnyside Avenue. Mr. Hawthorne will have Tom Yuhas look into when the work is being completed so the sign can be removed.

Mr. Klotz: Mr. Klotz questioned the Public Works report and where the concrete was removed from at Gerald Richards Park. Mr. Doyle replied it was from the large pile of fill on the lot. There was a change that he was requesting for the Park & Recreation Newsletter as well. Ms. Elliott addressed them accordingly.

Mr. Spadt: The only comments Mr. Spadt had were reserved for Executive Session.

Mr. Troutman: Mr. Troutman would like to see that when a property is posted for a Zoning hearing we have the Codes Officer remove the posting once the Zoning is approved. Mr. Hawthorne will have the Codes Officer take care of this. He also commented on the large pile of trash located at a property on E. High St. Mr. Troutman also thanked staff for the Park & Recreation Newsletter.

Mr. Foltz: No comments to be made at this time.

Mr. Hawthorne: No comments to be made at this time.

Mr. Holloway: No comments to be made at this time.

Ms. Elliott: No comments to be made at this time.

EXECUTIVE SESSION

Solicitor Holloway announced at 8:17 PM that the Board would recess into an executive session to discuss a personnel matter and reserved the right to reconvene into public session to take any necessary action.

The Board reconvened into public session at 8:34 PM and without taking any official action on any issues **Mr. Spadt** made a motion to adjourn the meeting at 8:34PM. The motion was seconded by **Mr. Troutman**. The vote was 5 – 0. Meeting adjourned at 8:34PM.

The next regularly scheduled meeting is March 22, 2007.

Respectfully Submitted,

Jennifer J. Corley
Acting Secretary