

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
MARCH 22, 2007

The Lower Pottsgrove Township Board of Commissioners held a Conditional Use Hearing at 6:30 p.m.

Conditional Use Hearing

Applicant: Buchert Ridge Community, Inc.

A continuation of the Conditional Use Hearing for an application submitted by Buchert Ridge Community, Inc. for a property located at 2011 Buchert Road, was called to order by Solicitor R. Kurtz Holloway at 6:40 p.m. During the first hearing held on February 5, 2007 the Board of Commissioners entered its proof of advertising, notices and exhibits into the record. At that time, the applicant's attorney, Charles E. Garner, III recommended that it would be beneficial to all parties to request a continuance of 30 to 45 days. The continuance was granted and the Board was now ready to proceed with the applicant's evidence.

Ms. Kim Bursner, court reporter, was present and recorded an official transcript of the hearing. The evidentiary portion of the hearing concluded at 7:30 p.m. Solicitor Holloway advised that the Board of Commissioners had forty-five (45) days to render a decision. It was the Board's prerogative to deliberate and make a decision tonight or to delay their decision for forty-five (45) days.

The Board of Commissioners recessed into executive session at 7:30 p.m. The Board reconvened into public session at 7:35 p.m. Mr. Troutman motioned to approve the conditional use application of Buchert Ridge Community, Inc. to allow a portion of slopes greater than 25% on the proposed project site to be built upon, subject to the conditions recommended by Township Engineer Thomas J. Yuhas relating to buffers and construction changes. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 4-0.

The work session meeting of the Board of Commissioners of Lower Pottsgrove Township was held on Thursday, March 22, 2007. Meeting was called to order at 7:36 p.m. The following were in attendance: Commissioners Foltz, Troutman, Klotz and Doyle; R. Kurtz Holloway, Solicitor; Rodney P. Hawthorne, Township Manager, Alyson Elliott, Assistant Township Manager; Thomas J. Yuhas, Township Engineer and Michele Cappelletti, Secretary.

OLD BUSINESS:

Auditor Summary—On behalf of Reinhart and Company, Barbara Akins, CPA thanked the Township for giving them the opportunity to perform the Lower Pottsgrove Township and Tax Collector audits. Ms. Akins reported that one of the suggestions from last year's audit, to increase staff in the accounting department, was implemented by the Board of Commissioners. She noted that Michele Christman has always done an excellent job, but the addition of one additional staff member made this year's audit go even smoother. Ms. Akins also commended the Board members for the excellent job they do overseeing the affairs of the Township. One of her responsibilities as partner is to read the minutes of the Board of Commissioner's meetings,

and she was impressed that Mr. Troutman's recommended that the Township first contact the insurance company before replacing the roof.

Ms. Akins touched on some of the points in her suggestion letter. Mr. Foltz said that the Township has already addressed the automobile issue. Ms. Akins stated that it was important that employees record accurate odometer readings when using the Township gas cards. All employees who use the gas cards were notified of the proper procedure and the Accounting Department will be monitoring the gas cards.

Mr. Troutman asked about the Tax Collector's compensation. Ms. Akins stated that the Township pays the Tax Collector \$10,000 for the collection of the real estate tax. However, she advised that in addition to the \$10,000, the Tax Collector could also be compensated for the collection of the 511 taxes. She could be paid per bill or on a commission basis. The Board took no action.

Mr. Klotz asked if any first class townships have their taxes collected through a bank. Sally Moyer, Township Tax Collector, responded that it could be done but the Tax Collector is completely accountable for all accounts. She felt that it does not save any work.

On behalf of the Board of Commissioners, Mr. Foltz thanked Ms. Akins for doing a fine job throughout the year.

Bursich Associates Proposal: Municipal Building Expansion/Survey and Civil Engineering Services—Mr. Troutman felt that it would be premature to accept and approve the proposal from Bursich Associates since the Board has not yet decided to proceed with the expansion of the building. Mr. Klotz felt that Don Wirt needed the figures provided by Bursich Associates in order to provide better numbers to the Township. Mr. Yuhas stated that even if the Board would decide to phase the building expansion, the site work would need to be done up front. Mr. Hawthorne reported that Mr. Wirt would be presenting a more accurate cost analysis for the project to the Board of Commissioners at the April 26, 2007 regularly scheduled meeting.

Options for Payment of Sanatoga Park Field Upgrades: Mr. Klotz noted that there is a baseball field at Gerald Richards Park that is not used because it gets flooded. He suggested grading the field and installing drainage so the field would be usable.

Mr. Hawthorne's memo presented three payment options for the Sanatoga Park field upgrades: Direct payment from Parks and Recreation fund, direct payment from the Reserves Fund, splitting the cost evenly (50/50) between the Park & Recreation and the Reserves Fund or deciding upon different percentages from each fund.

Mr. Klotz recommended using \$20,000 from the Parks and Recreation fund for the Sanatoga Park field upgrades and proposed taking \$20,000 from the Reserves Fund to repair the baseball field at Gerald Richards Park. Mr. Hawthorne felt that first we would need a plan for the Gerald Richards Park field repair.

Mr. Troutman motioned to split the \$20,000 cost of the Sanatoga Park field upgrades evenly (50/50) between the Parks and Recreation fund and the Reserves Fund. Mr. Doyle seconded the motion. Mr. Foltz and Mr. Klotz voted “Nay.” Vote was 2-2 and the motion did not carry. The issue was tabled until the next meeting.

Parks and Recreation Department Part-time Employee: Mr. Hawthorne referred to his memo dated March 22, 2007, which advised that \$6,000 was budgeted to hire a part-time employee for the Parks and Recreation Department. Originally, Public Works employee Matt Price agreed to take this position, which would amount to approximately ten (10) hours per week of overtime. Mr. Hawthorne reported that Matt is no longer interested and suggested Keith Place for the position. Mr. Doyle said that Mr. Place’s overtime rate would be too high and Mr. Foltz felt that Mr. Place already has a heavy workload. The Board decided to table discussion until the next meeting.

COMMENTS FROM VISITORS:

Mr. Wil Hallman of Sanatoga Ridge and Buchert Ridge Communities, addressed the following matters with the Board of Commissioners:

1. **Buchert Ridge Sewer Planning Module**—Mr. Hallman requested Board approval to submit his sewer-planning module for Buchert Ridge Community as a CIP (Capital Improvement Plan) and a CAP (Corrective Action Plan). Mr. Hawthorne reported that the DEP has advised our sewer authority engineer, Bill Dingman, that all future planning module submittals are to be made as a CAP. Mr. Hawthorne advised that if Mr. Hallman were to submit his planning module as a CIP, the DEP could reject it and require him to re-submit as a CAP. This would result in a duplication of efforts.

Solicitor Holloway advised that he could not provide a recommendation to the Board at this time since he had not received any information, in writing, from the Authority Engineer. Mr. Klotz motioned to table consideration of Mr. Hallman’s request to submit the sewer planning module for Buchert Ridge Community as a CIP until the April 2, 2007 Board of Commissioners meeting. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

2. **Evergreen Road Property**—Mr. Hallman advised that he signed an agreement to purchase a 42-acre parcel adjacent to Sanatoga Court and Sanatoga Center on Evergreen Road. Mr. Hallman felt the location would be well suited for senior housing and he would like to submit a sketch plan and layout to the County.

Mr. Hawthorne reported that the parcel is located in an area that is part of the 422 Study. There are many goals and objectives for this area and Lower Pottsgrove and Limerick are working together on a well-researched plan. Mr. Foltz stated that the Board was not prepared to make a decision regarding Mr. Hallman’s request at this time.

RESOLUTIONS AND ORDINANCES:

Ordinance No. 269—Mr. Klotz motioned to approve Ordinance No. 269 Amending Ordinance #192, As Amended And As Set Forth In The Lower Pottsgrove Township Code Of Ordinances, Chapter 15, §201 Titled Maximum Speed Limits Established On Certain Streets, By Providing For A Speed Limit Of 25 Miles Per Hour On Stuart Drive And Brookwood Drive. Mr. Troutman seconded the motion and it was unanimously approved. Vote was 4-0.

Resolution No. 707—Mr. Troutman motioned to approve Resolution No. 707 authorizing Township staff to apply for a community conservation partnership program grant from the Department of Conservation and Natural Resources for the development of a master site plan for Snell and Norton Parks. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

SUBDIVISION AND LAND DEVELOPMENT:

None.

NEW BUSINESS:

None.

Warrant No. 738— Mr. Troutman motioned to approve Warrant No. 738 for the month of February 2007. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 4-0.

CORRESPONDENCE AND INFORMATION:

The following information was included in the Commissioners packets:

1. Letter from Dawn Medvesky to Rodney P. Hawthorne. Re: Harassment Awareness and Prevention
2. Information from R. Kurtz Holloway to Board of Commissioners. Re: Sample Noise Ordinances
3. January 8, 2007 and March 12, 2007 Financial Reports for Lower Pottsgrove Township Authority, as requested by Tony Doyle
4. COG information provided by Tony Doyle

COMMISSIONERS' COMMENTS:

Mr. Doyle had no comments.

Mr. Klotz announced that Soccer Field Day would be held at Gerald Richards Park on Saturday March 24 at 11:00 a.m.

Mr. Klotz commended LPAA basketball coach Rick Martz for doing a great job. Mr. Martz runs and excellent program with an all-volunteer staff.

Mr. Troutman announced that the Easter Egg Hunt would be held at Gerald Richards Park on March 31, starting at 10:00 a.m.

Mr. Troutman attended a meeting at Sunnybrook. He advised that Sanatoga Fire Company was inside the building and there are pictures posted on the fire company's website.

Mr. Foltz said that Wil Hallman approached him about a demo permit for part of the Sunnybrook building. Mr. Hawthorne recommended checking with the Pennsylvania Historical and Museum Commission before proceeding with any work on Sunnybrook. Ms. Elliott stated that the local ordinances usually protect the historic sites and she would check to see if Lower Pottsgrove has any such ordinance. Mr. Yuhas volunteered to visit the site on behalf of the Township.

Mr. Klotz motioned to authorize Township staff to research what the Township is permitted to do regarding demolition of a section of the Sunnybrook building. Mr. Doyle seconded the motion and Mr. Troutman recused himself from the vote. Motion carried and the vote was 3-0.

Mr. Klotz said that Pottstown has a historical ordinance and Mr. Hawthorne will check into this. Mr. Troutman offered to go with Keith Place when he visits Sunnybrook.

ADDITIONAL COMMENTS:

Sanatoga Park Field Sprinkler System—Mr. Yuhas advised that John McMenamin designed a 2 inch water meter with a 4 inch tap-off main, reducing to 3 inches, then 2 ½ inches. Mr. McMenamin had a sprinkler contractor design the system for him. Based on these specifications, this would require 11 EDUs at approximately \$1,700 each, which would cost almost \$20,000. Mr. Yuhas is still looking at the specifications and calculations and will report to the Board at the April 2, 2007 meeting.

At 8:50 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 personnel and litigation 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 Monday, April 2, 2007 at 7:00 p.m.

At 9:14 p.m., a motion was made by Mr. Troutman, seconded by Steve Klotz, and unanimously approved by a 4-0 vote to return to regular session.

A motion was made by Mr. Klotz, seconded by Mr. Troutman, and unanimously approved by a 4-0 vote, to accept the resignation of former police officer Eric Sloane and approve the terms and conditions of the severance agreement. Public meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Michele M. Cappelletti, Township Secretary