

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
APRIL 2, 2007

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Monday, April 2, 2007. Meeting was called to order at 7:00 p.m. The following attended:

Bruce L. Foltz, President

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

COMMENTS BY VISITORS:

Paul Saponaro, 935 Oak Drive, read a prepared statement addressing the \$100.00 trash fee and other concerns. He presented his statement to the Township Secretary and requested that it be entered into the minutes and available for public review. A copy of Mr. Saponaro's statement, as presented, is on file with the Township Secretary.

John Rathenberger, Karen Drive, asked about the 4-bag limit. Mr. Klotz, Chair of the Trash Committee, advised that the 4-bag or 4-can limit is specified in our contract with J. P. Mascaro.

Charles Mayer, Welsh Drive, felt the Township should have budgeted more money to cover the increase in the cost of trash collection

A resident asked about the monthly leaf waste collection. Mr. Klotz advised that the monthly leaf collection is mandated by the DEP. He advised that the \$100.00 fee is to offset the **cost of trash collection and is not just for leaf collection.**

Bill Wolfgang, Pruss Hill Road, stated that he puts out two bags of trash and asked if he would lose his trash pick up if he did not pay the fee. Solicitor Holloway advised that the Township does not allow residents to opt in and out of the municipal trash collection. If a resident chooses not to pay, the Township would have to pursue collecting the bill.

Mr. Saponaro's statement included information taken from the minutes implying that Mr. Klotz was in favor of discontinuing the light tax. Mr. Klotz clarified that he felt the light tax should remain as it is.

Frank Wojton, Rupert Road, asked how many companies bid on the trash contract. Mr. Hawthorne advised that the bid packets were sent to several trash haulers, including BFI, Waste Management, J. P. Mascaro and Blosenski. The Notice to Bidders was also properly advertised in The Mercury. Mr. Hawthorne stated the Township received only one bid and that was from J. P. Mascaro and Sons.

Mr. Klotz read a timeline of action taken on all matters relating to trash collection.

Residents complained that their trashcans are thrown, broken and the lids are lost. Township staff will address this with J. P. Mascaro.

Wil Hallman, who runs two retirement communities in the Township, supported the Board's decision to assess the trash fee to only those residents who receive the service.

Wil Hallman, Buchert Ridge Community, asked the Board of Commissioners to approve the sewer planning module for Buchert Ridge Community as a CIP or a CAP.

After discussion, Mr. Klotz moved to approve Buchert Ridge Planning Module under the Township's CAP if approval is recommended by Township and Authority Staff prior to the next public meeting of the Board of Commissioners. Mr. Spadt seconded the motion and it was unanimously approved. Vote was 5-0.

Mr. Hallman informed the Board that he has been receiving costly engineering bills from Bursich Associates. Solicitor Holloway advised that under the Municipalities Planning Code, Mr. Hallman could challenge any engineering bills that he feels are questionable.

Mr. Hallman stated that he appreciated the support he has been receiving from the Township on the Sunnybrook project.

RESOLUTIONS AND ORDINANCES:

Resolution No. 709—Mr. Klotz motioned to approve a resolution of the Board of Commissioners approving a Contract with the Commonwealth of Pennsylvania, Department of Community and Economic Development for a thirty thousand dollar (\$30,000.00) grant to purchase radio equipment for the Township's Police Department. Mr. Spadt seconded the motion and it was unanimously approved. Vote was 5-0.

Resolution No. 696-A—Mr. Klotz motioned to approved a resolution establishing an Internet, e-mail and other electronic communications policy for the non-uniformed employees of Lower Pottsgrove Township. Mr. Spadt seconded the motion and it was unanimously approved. Vote was 5-0.

Resolution No. 708—Mr. Troutman motioned to approve Resolution No. 708, accepting the resignation of Richard Wood from the Planning Commission effective April 24, 2007 and appointing Mr. Wood as a regular member of the Parks and Recreation Commission. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 5-0.

Mr. Klotz motioned to appoint Michael McGroarty as a regular member of the Planning Commission to fill the unexpired term of Richard Wood, effective April 24, 2007. Mr. Spadt seconded the motion and it was unanimously approved. Vote was 5-0.

Resolution No. 702—Mr. Klotz motioned to approve Resolution No. 702 reappointing John Genter as a regular member of the Civil Service Commission. Mr. Spadt seconded the motion and it was unanimously approved. Vote was 5-0.

Resolution No. 703—Mr. Spadt motioned to approve Resolution No. 703 reappointing Thomas Troutman as a regular member of the Parks and Recreation Commission. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 5-0.

APPROVAL OF MINUTES:

Mr. Troutman requested that the minutes of the March 5, 2007 Board of Commissioners meeting be amended as follows:

As stated:

Mr. Troutman did want to acknowledge that Ms. Elliott has been doing a really good job presenting the applications to the **Planning Commission** members. Everything is very well written.

As amended:

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.

Mr. Klotz motioned to approve the minutes, as amended, of the March 5, 2007 Board of Commissioners meeting and the minutes of the March 22, 2007 Board of Commissioners meeting. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 5-0.

REPORTS:

Police—Chief Mike Shade reported that there were 1,448 calls for service in March 2007.

1. **Fleet:** Unit 88-10 was damaged in a pursuit and repairs are pending.
2. **Traffic Enforcement:** The Police Department began the “Smooth Operator” program that is funded by the state. The target area is E. High Street. They also conducted a Click-it or Ticket detail and all overtime was paid by the state.
3. **Overtime:** Chief Shade intends to keep overtime costs at a lower rate than the past year.
4. **Attachments:** The following attachments were included with Chief Shade’s report—
 - a. Copies of a “Unit Commendation” awarded to both Sgt. Tim Walters and Off. Joe Campbell;
 - b. A letter from the Department of the Army advising that the Department was selected to receive a grant for a Modular Portable Video System;
 - c. Police Policy Manual Proposal prepared by Chief Shade.
 - i. Chief Shade requested approval to revise and update the Police Policy Manual, which was last updated in 1992. He proposed using consultant Michael Croom, at a rate of \$20.00 per hour, 12 hours per week. Mr. Croom will conduct the work and present recommendations to Chief Shade for preliminary approval. Chief estimated that the project would be completed in 6 to 8 months. The Board could then review the manual prior to making it the permanent policy manual.

Motion: Mr. Klotz motioned to authorize Chief Michael Shade to contract with consultant Michael Croom for completion of the Police Policy Manual update, based on the figures verbally presented to the Board of Commissioners and pending a written agreement approved by the Board of Commissioners. Mr. Spadt seconded the motion and it was unanimously approved. Vote was 5-0.

5. **Parking Ticket Ordinance:** Mr. Spadt stated that the Police Committee is in support of the Police Department issuing parking tickets. Mr. Spadt motioned to authorize Solicitor Holloway to prepare a suitable ordinance for consideration by the Board of Commissioners regarding the issuance of parking tickets by the Lower Pottsgrove Township Police Department. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 5-0.
6. **DCED Grant:** See Resolutions and Ordinances.
7. **Miscellaneous:** Since restoration work has begun on Sunnybrook, Mr. Foltz requested that the officers patrol the property on a regular basis. Chief replied that the officers do patrol Sunnybrook and they log in when they go through the property. Chief Shade also recommended keeping the outside lights on as a deterrent.

Fire Marshal—Mr. Babel did not have the written reports from the fire companies. He will have the reports for the April 26, 2007 Board of Commissioners meeting.

1. **Fire Committee:** Meeting at Ringing Hill Fire Company, April 18, 2007 at 7:00 p.m.
2. **Training:** Mr. Foltz, Mr. Rightnour and Mr. Babel attended a seminar in preparation of the Limerick Drill, which is scheduled for August 7, 2007.
3. **Hazard Vulnerability Analysis Assessment Form:** Mr. Foltz and Mr. Babel completed this form and submitted it to Montgomery County.
4. **Radios:** Mr. Foltz and Mr. Babel distributed emergency radios to the Township's schools and daycares.
5. **Meeting with Reginald Brinson:** Mr. Babel is in the process of setting up a meeting with Reginald Brinson, Radiological Trainer, Office of Emergency Preparedness, for anyone involved with the Limerick drill. Tentative dates: May 8, 9 or 10. Tentative location: Lower Pottsgrove Township Building.

Highway—Mr. Doyle reported on the following:

1. **Public Works Department:** Mr. Doyle reported on the activity of the Public Works Department during the month of March 2007. The report will be posted on the bulletin board.
2. **2007 Paving Projects:** Kennedy Court, Rupert Road, Rivendell Lane, Oakdale Drive and Longview Place are the roads proposed for repair and overlay for the 2007 paving season. Mr. Hawthorne asked the Commissioners if they wanted to replace the rolled curbing on these roads or mill and overlay only. After discussion, Mr. Troutman motioned to accept Kennedy Court, Rupert Road, Rivendell Lane, Oakdale Drive and Longview Place as the roads proposed for milling and overlaying only during the 2007 paving season, as determined by funds available in the budget and further moved not to replace the rolled curbing on these roads. Mr. Klotz seconded the motion and it was unanimously approved. Vote was 5-0.

COG—Mr. Doyle asked if the Township wanted to participate in the Pottstown Area Patriot Award (PAPA). Last year's recipient of the Award was Lower Pottsgrove Township Det. Sgt. Michael Foltz. The Board agreed to submit nominees again this year.

Engineering—Mr. Yuhas was not present at the meeting. He will report to the Board at its April 26, 2007 regularly scheduled meeting.

SUBDIVISION AND LAND DEVELOPMENT:

None.

OLD BUSINESS:

Sanatoga Park Field Upgrades—The Board discussed the various costs associated with the Sanatoga Park field upgrades.

Mr. Klotz motioned to accept the Sanatoga Park field upgrades and authorized payment from the Parks and Recreation Fund of \$20,313.00 for the upgrades. Mr. Troutman seconded the motion and it was unanimously approved. Vote 5-0.

Mr. Troutman motioned to authorize payment to the Borough of Pottstown for tapping-in fees (EDUs), meter fees and any other fees associated with providing public water to the Sanatoga Park sprinkler system for a cost of \$20,000+, depending on the engineer's recommendation on water pipe line size, which will be funded from the Township Reserves Fund. Mr. Klotz seconded the motion and it was approved by a vote of 4-1. Mr. Foltz voted "Nay."

Part-Time Parks and Recreation Employee—Mr. Hawthorne reported that Matt Price originally accepted the part-time Parks and Recreation position, but he is no longer interested.

Mr. Klotz asked exactly what the part-time Parks and Recreation employee would do. Since Township staff already takes care of the restrooms, trash collection, etc. for the concert series, he asked if additional duties would be assigned to the new employee. Mr. Troutman felt that someone should be scheduled to check all of the Township's facilities on a regular basis, perhaps once per week. He said that this employee could be the "go to" person specifically for the Parks and Recreation Department.

Mr. Klotz felt that the baseball and soccer organizations could work together with the Township to clean up the trash at Gerald Richards Park. Mr. Troutman stated that the road crew does not have the time to properly maintain the other parks, such as Snell and Norton, and the new employee could assist Alyson Elliott.

After discussion, the Board of Commissioners decided to table the issue.

Website—Mr. Hawthorne reported that some of the Commissioners are concerned about the maintenance of the Township website. He asked if the Board considered this a top priority.

In Mr. Spadt's opinion, the website is serving its purpose and is not a top priority. He noted that individual Board members are setting priorities, which should be decided upon by the Board as a whole. The Board could then issue instructions to the Township Manager.

Mr. Doyle would like the minutes posted on the website in a timely manner. Mr. Klotz also felt that the minutes should be posted shortly after they are approved. Mr. Klotz stated the website is to provide Township information to our residents, which it does. He does not feel the website is a top priority at this time.

Mr. Troutman felt that a lot was accomplished on the website within the last few days. He also stated it was not top priority.

Ms. Elliott stated that maintaining the new website is more complex and time-consuming than the old one.

The Board of Commissioners agreed that the minutes of the Board meetings should be posted on the website within two weeks of approval. Mr. Spadt stated that any Commissioner who had issues about the website should bring his concerns to the attention of the full Board and any action would then be agreed upon by the Board.

NEW BUSINESS:

College Tuition Approval—Mr. Klotz motioned to approve a request submitted by Det. Sgt. Michael Foltz to attend two (2) courses during the summer semester at Saint Joseph's University, Philadelphia, PA, in pursuit of his Masters degree, for a total cost of \$3,033.00 plus textbooks. Mr. Spadt seconded the motion and Mr. Bruce Foltz recused himself from the vote. Motion carried by a vote of 4-0.

CORRESPONDENCE AND INFORMATION:

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

1. Letter from Pottstown Public Library. Re: Request to designate one appointee of the Township.
2. Trash bills: Letter signed by Paul Saponaro, printed in The Mercury on 3/30/07. Same letter (unsigned) was also posted in Thriftway.
3. Proposed 2007 Paving Projects.
4. Email from Thomas Sefhakis. Re: Media Day at Sunnybrook Ballroom, Saturday, March 31, 2007 at 1:00 p.m.
5. Memo from Alyson Elliott. Re: Sunnybrook Ballroom Demolition Permit Request.
6. Invitation to M.C.A.T.C. Spouse Appreciation Dinner from Jonathan H. Spadt, Executive Director.
7. Memo from Rodney P. Hawthorne. Re: Fire Marshal's Job Description.

TREASURER'S REPORT:

Mr. Klotz motioned to approve the Treasurer's Report for the month of March 2007, as presented by Sally Moyer. Mr. Troutman seconded the motion and it was unanimously approved. Vote was 5-0.

Warrant #739 for the month of March 2007 was distributed to the Board of Commissioners for review.

COMMISSIONERS COMMENTS:

Mr. Doyle reported that according to their records, Pottsgrove Recreation has not received a check from Lower Pottsgrove Township. Mr. Hawthorne will check into this matter.

Mr. Doyle recommended that the warranty work on the two new police cars and the Township Manager's car should be done at a dealership. Mr. Spadt said that the Police Committee would address the service issue at its next meeting. Mr. Klotz added that the regular maintenance

schedule included in the owner's manual of each new vehicle could be followed at any garage or dealership.

Mr. Doyle asked who has the towing contract for Lower Pottsgrove Township. Chief Shade replied that the Township is required to use a towing service that is bonded. He advised that we use Sanatoga Auto Body and they are bonded.

Mr. Klotz commented that the renovations going on at Sunnybrook are very positive for the Township. He asked Mr. Wil Hallman if the swimming pool would be restored. Mr. Hallman replied that the pool is a round, which is illegal by today's standards. The pool would have to be torn out and replaced with a rectangular pool. There has been discussion of filling in and installing a fountain in place of the pool, while keeping the look of the bathhouse, pool and promenade.

Mr. Hallman stated that John Cover of Montgomery County Planning suggested that the Sunnybrook Foundation meet with Pottstown Regional Planning in an effort to support the project and help with grants.

Mr. Hawthorne reported that he received a call from Matthew Edmond of Montgomery County Planning stating that the County supports the original concept for the stone arch bridge. Mr. Hawthorne will again contact State Representative Tom Quigley on this subject.

Mr. Klotz received a call from the Police Department alerting him that there were trespassers on the soccer and baseball fields. He stated that police awareness saved the fields from being damaged.

Mr. Spadt complimented Mr. Hallman and the people involved in the Sunnybrook restoration. He felt there was a renewed level of interest in the project and acknowledged Mr. Hallman's leadership.

Mr. Troutman reported that the Township Easter Egg Hunt was very successful. He thanked Township staff members Jen Corley and John Fogel for their participation.

Mr. Troutman thanked Mr. Babel and the crews from the fire companies for their involvement at the Sunnybrook Media Day. He felt that the restoration of Sunnybrook was a community effort and it was going very well. He suggested that Mr. Hallman apply for grants to fund the revitalization.

Mr. Troutman requested that the public notices that are posted for zoning hearings be removed once the hearings are over. Mr. Hawthorne will inform Mr. Place. He said that Mr. Place has already removed several notices.

Mr. Foltz was also impressed with the Sunnybrook effort. He thanked Mr. Babel, the fire companies and the Township for their interest and involvement. Mr. Foltz requested that the Board consider waiving all Township fees associated with the Sunnybrook restoration project.

Mr. Hawthorne noted that there are \$4.00 in state fees that are mandatory which are added to every permit.

Mr. Spadt motioned to waive all Township permit fees associated with the Sunnybrook restoration project, subject to the appropriate waiver language. Mr. Klotz seconded the motion and Mr. Troutman recused himself from the vote. Motion carried by a vote of 4-0.

The Board authorized Mr. Hawthorne to contact J. P. Mascaro and Sons to address concerns about the Township's trash collection.

MANAGER'S COMMENTS:

Municibid—Mr. Hawthorne reported that several items were listed for sale on Municibid, an online auction for government bodies only.

Mr. Spadt motioned to accept the following bids for items listed on Municibid:

2001 Crown Victoria	\$3,050.00
Pro Master 300 0° turn radius mower	\$ 180.00

Mr. Klotz seconded the motion and it was unanimously approved. Vote was 5-0. Mr. Hawthorne advised that no bids were received for Dodge Intrepid or the 1997 Crown Victoria police vehicle.

Mr. Spadt motioned to authorize Lew Babel to make inquiries and calls about additional bids for the vehicles that were not sold on Municibid. Mr. Troutman seconded the motion and it was unanimously approved. Vote was 5-0.

Appointee to Pottstown Public Library Board of Directors—Mr. Troutman motioned to appoint Anthony Brasachio as the Lower Pottsgrove Township's appointee to the Pottstown Public Library Board of Directors. Mr. Spadt seconded the motion and it was unanimously approved. Vote was 5-0.

Announcement: A special meeting of the Board of Commissioners will be held on May 3, 2007 at 7:00 p.m. at the Lower Pottsgrove Township Municipal Building for Developer Trust LLC to present a proposed land development plan to the Board of Commissioners.

Public meeting adjourned at 10:00 p.m. Next regularly scheduled meeting will be held on Thursday, April 26, 2007 at 7:00 p.m.

Respectfully submitted,

Michele M. Cappelletti
Secretary