

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS

April 26, 2007

The work session meeting of the Board of Commissioners of Lower Pottsgrove Township was held on Thursday, April 26, 2007. Meeting was called to order at 7:00 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 and Michele Cappelletti, Secretary.

COMMENTS FROM VISITORS:

Mr. Michael Conneen, 940 Oak Drive, requested that a No Outlet sign and 3-Way Stop signs be installed on Oak Drive. Mr. Hawthorne stated that the Police Department would need to conduct a study and make a recommendation to the Board before the signs could be installed.

Mr. Conneen also said that he lives on the section of Oak Drive that is not marked with a street sign. He said that according to the Post Office, this section is Oak Terrace, not Oak Drive. Mr. Hawthorne will check the road ordination papers for the official name of the road, then start the process for the installation of a street sign.

A resident asked for the status of a noise ordinance in the Township. Mr. Foltz said that the Solicitor has provided the Board with noise ordinances from other municipalities and the Board will be looking into what type of ordinance would be the most effective and enforceable in our Township. Mr. Klotz stated that the Police Committee is also researching and discussing a noise ordinance. Mr. Foltz said that if a situation arises in the meantime, the resident should contact the Township Manager or the Police and advise them of his specific concerns.

RESOLUTIONS AND ORDINANCES:

Resolution No. 711—Mr. Klotz motioned to approve Resolution No. 711 appointing Michael McGroarty as a regular member of the Lower Pottsgrove Township Planning Commission. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

Conditional Appointment of Township Police Officers—Mr. Klotz reported that on April 16, 2007 the Civil Service Commission certified a list of candidates for the position of patrol officer for the Township Police Department.

Prior to approving the resolutions that would conditionally appoint the officers, Mr. Klotz made a motion to authorize the solicitor, in consultation with the Chief of Police, to prepare a Memorandum of Understanding that would require all police officer candidates and probationary officers to reimburse the township for testing, examination and equipment expenses in the event the candidate does not become an officer or a probationary officer does not remain on the police force until the successful completion of his probationary period. Effective immediately, all police officer candidates who have been conditionally appointed, including any appointed tonight, shall, as a condition of appointment be required to execute and honor the Memorandum

of Understanding. Mr. Troutman seconded the motion and it was unanimously approved. Vote was 4-0.

Resolution No. 712—Mr. Klotz motioned to approve Resolution No. 712 conditionally appointing Daniel Kienle as a Township Police Officer. Mr. Troutman seconded the motion and it was unanimously approved. Vote was 4-0.

Resolution No. 713—Mr. Klotz motioned to approve Resolution No. 713 conditionally appointing Matthew Meitzler as a Township Police Officer. Mr. Troutman seconded the motion and it was unanimously approved. Vote was 4-0.

Resolution No. 714—Mr. Klotz motioned to approve Resolution No. 714 conditionally appointing Christopher DiPiano as a Township Police Officer. Mr. Troutman seconded the motion and it was unanimously approved. Vote was 4-0.

SUBDIVISION AND LAND DEVELOPMENT:

None.

OLD BUSINESS:

Municipal Building New Addition—Thomas J. Yuhas, Township Engineer, presented Bursich Associates' proposal for professional surveying and engineering services for the Lower Pottsgrove Township Municipal Building Expansion Project. Mr. Yuhas estimated that the cost for these services would be approximately \$46,000.00.

Don Wirt, the architect for the project, stated that he needs the information provided by Mr. Yuhas before he can provide accurate cost figures. He also suggested using a construction estimator for the project. Mr. Wirt advised that the expansion could be completed in phases, but felt that it would be more expensive than doing the entire project at one time. He said that the Township could take bids on the entire project, with options to cut it back into phases.

Mr. Klotz felt that the Board needed to do more research before making a decision on the project. Mr. Foltz requested that Mr. Hawthorne set up another Building Committee meeting with Mr. Wirt to discuss all the options.

Simone-Collins Proposal—Ms. Elliott reported that after interviewing and reviewing several proposals, the joint Lower Pottsgrove-Limerick Township committee for the Route 422-Sanatoga Interchange Gateway Study recommends that the Board of Commissioners authorize Township staff to hire the Simone-Collins team, which includes Urban Partners and Traffic Planning & Design to complete the study.

After discussion, Mr. Klotz motioned to authorize Township staff to hire the Simone-Collins team to complete the Route 422-Sanatoga Interchange Gateway Study subject to the Solicitor's and staff's approval of the contract. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

Police Chiefs' Consulting Service of Pennsylvania—Mr. Hawthorne requested that the Board of Commissioners authorize payment of an invoice for services provided to Lower Pottsgrove for the Police Chief search.

Mr. Klotz motioned to authorize payment of an invoice in the amount of \$9,312.50 submitted by Chief Ruxton and Chief Kelly of Police Chiefs' Consulting Service of Pennsylvania for services they provided during Lower Pottsgrove Township's Police Chief search. Mr. Troutman seconded the motion and it was unanimously approved. Vote was 4-0.

NEW BUSINESS:

Editorial Analysis Proposal—Mr. Hawthorne reported that General Code has submitted a proposal for an Editorial Analysis of the Lower Pottsgrove Township Zoning Ordinance. The editor at General Code will do a thorough review and analysis of our legislation and provide specific recommendations and input in a workbook with a checklist format.

Mr. Klotz made a motion to authorize the Manager and Solicitor to proceed with the steps necessary to correct any errors and omissions which they have and may discover in the zoning ordinance, including:

1. Authorizing the firm of General Code to perform an editorial review of the Ordinance
2. Notifying General Code to correct technical errors in the Ordinance as directed by the township staff, and
2. Preparing an ordinance for consideration by this board to correct issues that, in the opinion of the solicitor, require further approval by this board.

Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

Material and Equipment Bids—Mr. Hawthorne requested that the Board authorize staff to advertise for the annual Material and Equipment Bids.

Mr. Troutman motioned to authorize Township staff to advertise for the Materials and Equipment bids for 2007-2008. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

Warrant No. 739—Mr. Troutman motioned to approve Warrant No. 739 for the month of March 2007. Mr. Doyle seconded the motion and it was unanimously approved. Vote was 4-0.

CORRESPONDENCE AND INFORMATION:

Resource Booklet—Ms. Elliott provided the Board with copies of a resource booklet from Montgomery County Lands Trust entitled *Buy the Best, Zone the Rest: Building a Green Future*. The booklet explains why open space is important and how to go about acquiring it.

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

1. Sample disclaimer language for website.

2. Letter from Matthew Edmond, Montgomery County Transportation Planner.
Re: E. High Street Stone Arch Bridge over Sprogels Run.
3. Zoning Application No. 2007-05 for David E. DeBlase, 972 Buchert Road.
4. Memo to Anthony Doyle from Keith Place. Re: Complaint in reference to 1641 Kepler Road.
5. Updated list of Township Officials.
6. Memo from Alyson Elliott. Re: Schuylkill Valley Metro Update/Legislative Briefing.
7. Email to Jen Corley from Richard Breitenstein of the PADEP.
Re: Good MS4 Websites (list includes Lower Pottsgrove Township).
8. Email to Rod Hawthorne from ACE Activists.
Re: Limerick Nuclear Power Plant Casks.
9. Pottsgrove Recreation Board Information provided by Tony Doyle.
10. Letter from Montgomery County Planning Commission. Re: Proposed Privatization of the Pennsylvania Turnpike.
11. Notice of Special Commissioners Meeting on May 3, 2007.
12. In front pocket of binder: Commonwealth of Pennsylvania First Class Township Code, Cumulative Supplement #2, containing all amendments enacted through 2006.

COMMISSIONERS' COMMENTS:

Mr. Doyle reported that he spoke to Chief Shade about using Cutillo's Car Wash for the police vehicles. Currently, Donnie Richards of Rick's Auto Care takes care of the Township vehicles.

Mr. Foltz felt that Rick's does an excellent job for a reasonable price. He also noted that Rick's cleans the inside of the police vehicles when needed and provides pick-up service. Mr. Troutman asked about the non-uniformed staff vehicles. Mr. Hawthorne is satisfied with the service he is receiving from Rick's Auto Care.

Mr. Doyle stated that he would like to discuss the light tax assessment and requested that it be added to the May 7 meeting agenda. He would like the Board to vote on whether or not to discontinue the light tax assessment on individuals or to incorporate it in the General Fund budget starting in 2008.

Mr. Doyle advised that we need speed control on Kepler Road. Mr. Foltz stated that the speed trailer is in service and could be placed there.

Mr. Doyle asked for the status of the Shaner Property. Solicitor Holloway said this real estate matter would be discussed in Executive Session tonight.

Mr. Doyle asked about the stone arch bridges in the Township. **Mr. Troutman** felt that PennDOT should attempt to preserve the Sunnybrook and Cutillo stone arch bridges; however, if the bridge(s) need to be replaced, Mr. Troutman would want the façade of the new bridge(s) to resemble the existing stone arch bridge(s). Mr. Hawthorne replied that in his memo of April 2, 2007 Matt Edmond of the Montgomery County Planning Commission supports the Township's efforts and feels that the bridges are worthy of preservation.

Mr. Klotz reported that additional overtime in the Police Department was due to background checks for the candidates for the patrol officer positions. He felt that the three top candidates would be assets to the Department. Mr. Klotz thanked Chief Shade and the Police Department for getting the best men on Lower Pottsgrove's Police Force.

Mr. Klotz said that Senator John Rafferty and Representative Tom Quigley were present at the opening day of baseball. He appreciated that our legislators came out to see the kids play ball.

Mr. Troutman delivered Mr. Babel's Fire Marshal Report for the month of March 2007: Sanatoga Fire Company: 31 calls; 276 man-hours. Ringing Hill Fire Company: 28 calls; 187 man-hours. Mr. Foltz, Mr. Babel and Mr. Rightnour attended an Emergency Management Class at the Lansdale Fire Dept. on March 27, 2007 at 7:00 p.m. The Township needs to conduct an in-house training prior to May 31, 2007 to prepare for the PECO table-top drill scheduled for August 7, 2007. The barn fire on Pruss Hill Road will be termed "suspicious" and is under investigation.

Mr. Troutman attended the Regional Planning Meeting and reported that the Pottstown School District presented its plan for an elementary school campus. Mr. Troutman thought the plan sounded good.

Mr. Troutman reported that Upper Pottsgrove wants to rezone and add an age-restricted area. He thought this concept might be of interest to Lower Pottsgrove.

Mr. Foltz said the Township would follow up on installing the signs on Oak Drive and on the noise ordinance.

Mr. Foltz stated that he is working with staff on a location for an upscale sporting complex that would house nine indoor basketball courts.

At 8:26 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 a real estate matter. The Board reserved the right to reconvene into public session to take any official action deemed necessary following the executive session. Next regularly scheduled meeting will be held on Monday, May 7, 2007 at 7:00 p.m. Public meeting recessed at 8:26 p.m.

The Board reconvened into public session at 8:48 p.m. A motion was made by Mr. Troutman, seconded by Mr. Klotz, and unanimously approved by a 4-0 vote, to accept the Phase I Environmental Assessment for the Shaner Tract and authorize the Township Solicitor to notify the property owner that the Township is removing the results of the Assessment as a condition of sale on the property.

There was discussion of potential open space acquisition sites and the amount of County Open Space money the Township will have available to it if it makes the acquisitions that are currently on its list.

The Commissioners discussed ways to dispose of the two vehicles (manager's car and a police vehicle) that did not sell during the Municibid auction. Mr. Hawthorne said he received a quote through Lew Babel from Reliable Auto who would give the Township \$8.00 per 100 pounds of scrap. Keith Place, the Township's Director of Code Enforcement also offered to purchase the vehicles.

After some discussion, a motion was made by Mr. Klotz, seconded by Mr. Troutman, and unanimously approved by a 4-0 vote, to place the two vehicles on Municibid at a lower price and to allow the general public, the representative of Reliable Auto, and Mr. Place to place bids on the vehicle in that format.

A motion was made by Mr. Klotz, seconded by Mr. Doyle, and unanimously approved to adjourn the meeting at 8:58 p.m.

Respectfully submitted,

Michele M. Cappelletti
Township Secretary