

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS**October 5, 2020**

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Monday October 5, 2020 at the Sunnybrook Ballroom, 50 Sunnybrook Road, Pottstown Pennsylvania. The meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited. The following were in attendance:

Board of Commissioners: Bruce L. Foltz, Early E. Swavely, Raymond W. Lopez, Robert Mohollen and Michael McGroarty were all present.

Edward C. Wagner; Manager, William James; Acting Chief of Police, Charles Garner, Solicitor; Chad Camburn; Township Engineer and Kathryn Vlahos; Secretary were also present.

PRESENTATION:

Recognition of Retired Chief of Police Michael Foltz— Acting Chief James introduced Chief William Daly from the Montgomery County Chiefs Association who would like to make a presentation for retired Chief Foltz. Chief Daly thanked the board for allowing him to present tonight. He asked for Chief Foltz to come to the front of the room and stated that he was there tonight to represent the Montgomery County Chief of Police Association. He stated that he and Chief Foltz served on the executive board together and were members of the association for a fairly long time. Due to Chief Foltz's work over the past 7 years the association has grown, and the major area of growth was in education. Chief Foltz worked on the education committee and put a lot of time and effort into it. Chief Daly presented Chief Foltz with a retirement award from the Montgomery County Chief Association for the appreciation of his service from 2012-2020. Chief Daly stated that it was pleasure to serve with Chief Foltz and that he is a better person because of him and he is thankful for everything that he did for the association.

Acting Chief James also awarded Chief Foltz and stated that everyone appreciated what he has done for the Lower Pottsgrove Township and Police Department. He stated that he was not only a Chief but was also a mentor, friend and a brother and he appreciates everything that he had done. On behalf of the Township, Commissioners, Township Employees and well as the Lower Pottsgrove Police Department he presented a shadow box with his decommissioned duty weapon as well as all of the police patches while he served here at the township.

Chief Foltz stated that he honored to be here tonight and took the time to dignify his retirement. Chief Foltz grew up in this community and stated if the township should need anything from him just to call and he will be right there. He thanked everyone and thanked them for a good career.

APPROVAL OF MINUTES:

Commissioner Lopez made the motion to approve the minutes of the September 24, 2020 Board of Commissioners meeting. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMENTS BY VISITORS: None.

REPORTS:**Police**

Acting Chief James presented the Police Report for the month of September 2020.

CALLS FOR SERVICE	976
ASSISTS:	
Given by Lower Pottsgrove PD	9
Received by Lower Pottsgrove PD	0
TRAFFIC ENFORCEMENT:	
Violations Indicated	93
DUI Arrests	3
CRIMINAL INVESTIGATIONS:	
Violations Indicated	55
Adults Arrested	17
Juveniles Handled	4

- Acting Chief James stated the department had been working hard on the new uniforms and that they came in and need to be altered. The department will be starting to wear the new uniforms in the next week or two.
- The Police Department has lined up with Lexipol in Police 1 academy and they offer trainings that the department has subscribed to for the year and that will get the guys the necessary training.

ITEM ADDED TO THE AGENDA:

Commissioner Lopez made a motion to approve Directive 2020-15 to allow for the police department to partake in No-Shave November to raise money towards cancer research. Commissioner Lopez seconded the motion.

Commissioner Foltz opened for public comment regarding Directive 2020-15 allowing for the Police Department to take place in No-Shave November. Being no public comments Commissioner Foltz closed for public comments and the motion was approved 5-0 in favor.

Emergency Management

Commissioner Lopez reported that there were no activations for the month of September. During the month of September, they continuously monitoring the number of Covid-19 cases.

They submitted a grant for the ACT 147 that is promoted by Exelon Corporation to provide those municipalities that are in the EPZ (Emergency Planning Zone for the Limerick Power Station) which would help provide some means of equipment that would help with the drills or procedures that go into the place when there is an emergency at the Limerick Generating Station. The limit on the grant is \$1,600 and emergency management provided an application to the county.

In the month of September Commissioner Lopez attended the Emergency Management monthly training at the county which was completed though the internet which the topic was an

introduction to terroristic attack cycle which was presented by the Center of Domestic Preparedness through the office of Bombing Prevention and the Department of Homeland Security.

The latest total positive number of Covid-19 in United States from the CDC website is 7.4 million cases, the daily cases were 36,778. Total deaths at this point is 209,199 and the daily report of deaths was 378. In Pennsylvania the total cases of positive Covid-19 are 158,663, total deaths are 8,227. Montgomery County the total positive daily cases of Covid-19 are 33, the past seven days there have been 249 Covid-19 positive cases. The long-term care facilities the number of Covid-19 cases has been 0. The total positive Covid-19 cases for Montgomery County is 12,240. For Lower Pottsgrove Township the total amount of positive Covid-19 cases is 99 with no deaths and average age is 39.4.

Fire Marshal

Mr. Wagner highlighted the following statistics from Lew Babel's the September 2020 Fire Marshal report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	39	62 hrs. 0 mins	143 hrs. 45 mins	354 hrs. 0 mins	
Ringling Hill (Station 59)	38	53 hrs. 15 mins	hrs. mins	17 hrs.	

(Hours are approximate)

Highway Public Works Department

Commissioner Foltz presented the September report.

C.O.G

Commissioner Foltz stated that there was nothing to report and that there are no meetings scheduled for right now.

Engineer

Chad Camburn of Bursich Associates provided a written Engineers' Report updating the Board on various projects and activities going on in the Township. He highlighted the following projects:

- Mr. Camburn stated that on October 1, 2020 there was a pre-construction meeting for the Sanatoga Green Project Phase 1 and the meeting was held at Sunnybrook Ballroom, the updated scheduled they plan on clearing in mid-October and construction is estimated to last through May of next year.
- The annual MS4 report was submitted to DEP on September 24, 2020.
- Mr. Camburn stated that his officed reviewed plans for houses at 4060 Pruss Hill and 1495 Sunnybrook Road.
- Spring Valley Farms Phase 3 as built plans were reviewed as well as the sanitary sewer videos.

- Currently his office is working on reviewing the 663 Storage Center plans, which should be completed soon.
- There are also plans that are being reviewed for a property at 2684 Pruss Hill Road.

Solicitor

Solicitor Garner provided a written report with a synopsis of all projects his office worked on during the month of September and there was one change being that the developer for Spring Valley Farms Phase 1 was originally planned on starting the maintenance period and finish some improvements now, but the developer reconsidered when it should begin. The maintenance period is now probably pushed off until the spring.

Park and Recreation

Mr. Wagner reported that the Gerald Richards Park project is under way, they just paved the main cartway and they will be starting on the grass pavers next week.

Pottstown Metropolitan Regional Planning Commission

Mr. Wagner stated that the meeting took place on September 23, 2020 and they voted to leave the annual dues for each municipality the same for 2021 which is \$3,000.

Lower Pottsgrove Township Authority

Mr. Wagner informed the board that the Authority meeting will take place on Monday October 12, 2020 and the topic of discussion will be the first draft of the 2021 Budget as well as a more universal flow per EDU. Currently there is a 200-gallon EDU for Residential and 300-gallons for Commercial and in order to comply with DEP regulations which Mr. Camburn did a study on and will give a presentation on at the meeting.

Correspondence and Information

Zoning Hearing 2020-08 2147 Buchert Road Variance from Section 250-21D(3) — Mr. Wagner explained applicant is proposing to place a 30x30 shed alongside his property which is currently black top. He exceeds the amount of building coverage that is allowed which is 20% and he will be at approximately 32% of impervious coverage. He also will need the side yard setback is supposed to be 20 feet and he is requesting for 16 feet.

The board decided to leave the decision to the Zoning Hearing Board.

Zoning Hearing 2020-09 2223 E High Street variance from Section 250-198(B). — Mr. Wagner explained that Fresenius is looking to obtain two signs, they are looking for more square feet than that is allowed for the size of the sign and also internal illumination. Mr. Wagner stated that he would be his recommendation to oppose the internally lit portion of the application.

Commissioner McGroarty stated that the sign at the fire house is considered internal illumination and so will the proposed new township building on High Street. He asked Mr. Wagner if there were any other signs that are internal illumination on High Street or anyone else that recently went through zoning to get an internal illuminated sign?

Mr. Wagner responded that yes, RJC Construction on East High Street just received variance for their sign to have internal illumination. Which Mr. Wagner stated that he recommended to the board to oppose that application which the board decided to allow the Zoning Hearing Board to make the decision.

Commissioner McGroarty stated that he feels that based on precedent they board should allow the Zoning Hearing Board to make the decision.

Commissioner Lopez made the motion to authorize the manager to appear at the Zoning Hearing and oppose the variance for the internal illumination of the sign at 2223 East High Street. Commissioner Mohollen seconded the motion. The motion passed with 3 in favor and 2 against.

Zoning Hearing 2020-10 2298 East High Street Variance from section 250-59B (1)— Mr. Wagner stated that RJN Contrition would like to pave his existing lot which will make his building coverage to 53% which he is allowed 25%. Mr. Wagner does not have any objections to the paving but does have an objection to the future area paving. The future area is right up on the property line and the resident has complained before about stormwater management.

Commissioner Mohollen made the motion to authorize the manager to appear at the Zoning Hearing and oppose the future paving area for 2298 East High Street. Commissioner Mohollen seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Firely Pediatric Service of 3082 Pruss Hill Road exemption from municipal trash service— Mr. Wagner explained that in the boards packet there was a letter addressed to President Foltz requesting the exemption to the municipal trash contract to allow them to obtain a dumpster instead of cans out each week due to the volume of trash that they have.

Commissioner Mohollen made a motion that Firely Pediatric Service Inc of 3082 Pruss Hill Road is exempted for the municipal trash service fee for residential properties, as long as this entity owns and operates it in this matter. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

OLD BUSINESS:

Letter of Engagement with PFM Advisors LLC— Commissioner Mohollen explained that the PFM is the advisory firm that they have considered to help the township with the financing for the new property and the finance committees recommendation is that the board executes the engagement letter to begin the process so we know when and where our financing will be available if and when we move ahead with the project.

Commissioner McGroarty made a motion to authorize President Foltz to execute Engagement Letter with PFM Financial Advisors LLC. Commissioner Mohollen seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

SUBDIVISION AND LAND DEVELOPMENT: None.

NEW BUSINESS:

Honorable Discharge of Officer Meitzler— Commissioner Swavely made the motion for honorable discharge of Officer Matthew Meitzler in accordance with the first-class township code effective midnight October 5, 2020 and to direct the manager to take all necessary steps to ensure that township complies with its obligations pursuant to the collective bargain agreement with the Lower Pottsgrove Township Police Association and applicable laws and township ordinances. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Officer Meitzler thanked the board for allowing him to speak this evening which will allow for some closure for him. He stated that he has had a fine career and unfortunately it has been cut short effecting an arrest and getting hurt. It has been an honor to serve the township, to serve the people in it, to serve with his brothers and sisters that he has served with over the years and he appreciates everything.

Commissioner Foltz stated that the township appreciated the service that he provided to the township and thankful to have had an outstanding officer work for the township.

Waiver from Section 215-18. A. Sidewalk for 2684 Pruss Hill Road— Commissioner Mohollen made the motion to grant a waiver from Section 215-18.A.(1) for the installation of sidewalk along Pruss Hill and Snell Rds. For the construction of a home at 2684 Pruss Hill Road. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Snow Removal 2020-2021 Winter Season— Commissioner Lopez made the motion to hire three contractors for Snow Removal for 2020-2021 Winter Season, Above Grade Landscaping Inc. of Barto, Haines & Kibblehouse Group Inc. of Pottstown and Sacks & Sons Inc. of Zeiglerville. Commissioner Mohollen seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Warrant #901- Warrant No. 901 for the month of September 2020 will be distributed via email for the Commissioners' review.

RESOLUTION AND ORDINANCE: None.

COMMISSIONERS COMMENTS:

Commissioner Mohollen – Commissioner Mohollen thanked Chief Foltz for all of his years of service for the township, he does not think that they could have asked for a finer Chief and that the township was very lucky to have him.

Commissioner Mohollen thanked Officer Meitzler for his service and wished him the best in his future.

Commissioner Swavely – Commissioner Swavely echoed Commissioner Mohollen’s comments wishing Officer Meitzler the best in his future and also thanked Chief Foltz.

Commission Lopez— Commissioner Lopez wish the best to former Chief Foltz and stated that he was a stellar employee and a wonderful friend to have. It is bitter sweet that he has left the township and will be hard to replace.

Commissioner Lopez also thanked Officer Meitzler for his dedication to the township and stated that it is a sad that he was not able to fully recovery from his injury and terrible to see him go but understands the circumstances.

Commissioner McGroarty – Commissioner McGroarty echoed all of the other Commissioners comments. He thanked Chief Foltz for his service and was glad that he was able to come to tonight’s meeting and receive the recognition that he deserves.

Commissioner McGroarty stated that he is sad to see Officer Meitzler go under the circumstances but apricate all that he has done for the township.

Commissioner Foltz—Commissioner Foltz thanked Officer Meitzler for the service he provided the township and wishes him well.

Commissioner Foltz thanked all of the police departments and all of the officers for the work that they have done especially in this day and age. He asked Acting Chief James to tell the officers that they have a board of commissioners that have their back and that they are behind them.

Mr. Wagner— Mr. Wagner had no comments.

Solicitor Garner – Solicitor Garner had no comments.

There being no further business, the public meeting adjourned at 7:57 p.m. The next meeting will be on Monday, October 24, 2020 at 7:00 p.m.

Respectfully submitted,



Kathryn Vlahos
Township Secretary