

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
June 23, 2011

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, June 23, 2011 at the Lower Pottsgrove Township Municipal Building, 2199 Buchert Road, Pottstown, Pennsylvania. Meeting was called to order at 7:00 p.m. The following attended:

Board of Commissioners: Jonathan H. Spadt, President; Bruce L. Foltz, Vice President; Michael McGroarty and James D. Kaiser.

Solicitor R. Kurtz Holloway; Rodney P. Hawthorne, Township Manager and Michele Cappelletti, Secretary.

Commissioner James C. Phillips and Alyson Elliott, Assistant Manager, were absent.

COMMENTS FROM VISITORS:

Tony Doyle, 1745 Kepler Road, said he visited the Sanatoga Park ballfield and there was a game going on, with players in uniform. He said it was nice to see and hoped that they continue to utilize the field.

Mr. Doyle asked if the Township has made any agreements with the appropriate parties regarding how vegetation is controlled on the utility lines. Mr. Hawthorne checked with Verizon and Comcast and neither have tree crews. Maintenance is the responsibility of private ownership. PECO does have tree crews. Mr. Doyle felt that when the Township renegotiates the Comcast contract, maintenance of the lines should be part of the agreement. Commissioner Foltz advised that when Comcast came in, they did some tree trimming.

Mr. Doyle asked the individual Commissioners for their thoughts on posting the monthly warrant on the Township website. Commissioner Kaiser would consider the cost of posting it on the website, who would maintain it, etc. but he also felt the more information, the better. Commissioner Spadt said that the warrants are publicly available. Commissioner McGroarty said that the warrant is publicly available and it is a matter of how much we need or want to put on the website. Commissioner McGroarty said the Board is duly elected and part of its responsibility is to approve the warrant. He felt that the things that are important are on the website. Speaking as a resident, Commissioner McGroarty said he voted for 5 people on the Board to do the business of the Township. If he had a question, he could call or come in to the Township office and get an answer. Commissioner Foltz said he doesn't use the website, he gets hard copies of the warrant. He said he doesn't know how many people use it, as some senior citizens don't have computers. Commissioner Spadt was not necessarily opposed to it if it is not a lot of extra work. He said if you keep adding small tasks, it eventually adds up – and asked if this is a priority or not.

Mr. Doyle asked the Board what they could do to make it easier for him. He works and cannot get to the Township office between 8:00 a.m. and 4:00 p.m. Mr. Doyle said if you mail it to me, there's a charge, if you email it, it costs nothing. The Solicitor replied that the Township can still charge whether it's emailed or not. Mr. Hawthorne asked Mr. Doyle to submit a Right to Know request and, after it is approved, he will be provided with the warrant.

APPROVAL OF MINUTES:

The minutes of the June 6, 2011 Board of Commissioners meeting were not included in the Commissioners packet. Ms. Cappelletti will provide the Board with copies.

RESOLUTIONS AND ORDINANCES:

None.

CORRESPONDENCE AND INFORMATION:

The following information was included in the Commissioners' packets:

1. Email to Brian Jeter, Comcast. Re: Tree Trimming.
2. News Release: Exelon Community Information Night.

McMenamin Subdivision—Mr. Hawthorne reported that a few years ago, Mr. McMenamin and his wife subdivided their property located at 2039 N. Pleasant View Road into two (2) building lots. Mr. and Mrs. McMenamin sold one of the lots and intended to construct a new dwelling on the remaining acreage. For economic reasons, their plans changed and they no longer intend to build a new home. They are now looking to sell the remaining lot.

As part of the subdivision project, Mr. and Mrs. McMenamin were required to plant five (5) trees on the property. They hoped the installation of trees could have taken place when the new house was constructed. Since the house was never built, the trees were not installed.

In a letter to the Board of Commissioners, Mr. McMenamin requested that the Board relieve them of the tree installation requirement. Additionally, Mr. McMenamin requested that the \$1,000 balance that the Township is holding in escrow for the installation of the trees be applied to the outstanding balance of \$973.43 that is owed to the Township.

After discussion, Commissioner Kaiser made a motion to grant Mr. and Mrs. McMenamin a waiver from the tree planting requirement per Section 21-52 (formerly Section 515) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance (SALDO) and to apply the \$1,000 balance that the Township is holding in escrow for the installation of the trees to the outstanding balance of \$973.43 that is owed to the Township. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Armand Hammer Boulevard Sidewalk Maintenance Agreement with PennDOT— Mr. Hawthorne reported that PennDOT is requiring the Township to take ownership and maintain the sidewalk to be built along Armand Hammer Boulevard. As part of this maintenance agreement, the Township would have to clear the sidewalk within 48 hours after a snow storm. Mr. Hawthorne said that during severe weather, John Fogel and his crew is working full-time getting the roads, cul-de-sacs and drainage inlets open.

Commissioner Foltz said he knows from working with John that they are busy. He said that the Township would possibly have to subcontract it out. Commissioner Foltz asked what happens if the Township doesn't sign the agreement. Mr. Hawthorne will check into it.

Solicitor Holloway was disappointed that the agreement doesn't offer any warranty period upon completion of the sidewalk; as a result, any failure in the sidewalk would be the Township's responsibility. He felt there should be a guarantee for the quality of the construction for a reasonable period of time.

The Board discussed the responsibilities and funding involved with maintaining the sidewalk. Commissioner Foltz asked if any other townships have this type of agreement with PennDOT. Commissioner Spadt suggested that PennDOT give the Township the money instead of constructing the sidewalk. Mr. Hawthorne will look into the matter further and report back to the Board at a future meeting.

SUBDIVISION AND LAND DEVELOPMENT:

None.

OLD BUSINESS:

Non-Uniform Employees Pension Plan—Commissioner Kaiser referred to a letter from the Public Employees Retirement Commission regarding funding for the Non-Uniform Employees Pension Plan. He reported that the plan is in default, as the funding is under 70%. Commissioner Kaiser recommended putting \$200,000 from the Reserves Fund into the Non-Uniform Employees Pension Plan. The Non-Uniform Plan would then be 64% funded (currently it is 57% funded). With the additional funds, overall the Township's Uniform and Non-Uniform Pension Plans will be 74% funded.

Commissioner Spadt asked if this was a budget item for next year. Commissioner Kaiser's recommendation was that the money be taken from the Reserves now. Commissioner Foltz asked if we would have to take money out of the reserves again next year. Commissioner Kaiser felt that this transaction should be sufficient to keep the fund up.

Commissioner Kaiser made a motion to move \$200,000 from the Township's Reserves Fund into the Non-Uniform Pension Fund. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Mr. Hawthorne will contact Joe Duda and Conners Investments regarding this matter.

NEW BUSINESS:**None.**

Warrant #789— Commissioner Kaiser made a motion to approve Warrant #789 for the month of May 2011. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Acceptance of Treasurer's Report—Commissioner McGroarty made a motion to accept the Treasurer's Report for the month of May 2011, as presented by Jennifer Marsteller. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

COMMISSIONERS' COMMENTS:

Commissioner Kaiser—See **Old Business**.

Commissioner McGroarty—**No comments**.

Commissioner Foltz thanked Township staff for going over and above and doing a great job during the recent renovations to the Township Building.

Commissioner Spadt received a letter from James R. Matthews, Chairman and Joseph M. Hoeffel, Vice Chairman of the Montgomery County Commissioners regarding upgrading the public safety communications system. The police radios that are required for the upgraded system are estimated to cost \$7,000 each. Total cost of the project is \$48 million. These radios, which will cost Lower Pottsgrove Township \$119,000, can be purchased outright or the Township can lease them from the County for approximately \$850 each annually over a ten-year period.

Mr. Hawthorne advised there is a survey for the Manager and elected officials to sign and a draft resolution that the Solicitor has for review. Chief Shade has previously reported on the radio upgrade and will report on it again at the July 7, 2011 Board of Commissioners meeting.

The Commissioners decided they will complete one survey together and submit it to the County.

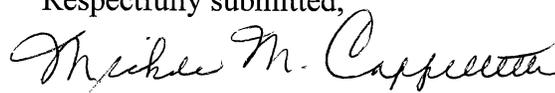
Commissioner Spadt said the major thing with this project, which is "the largest single capital investment in County history" (quoted from the letter), is that the County is putting it on the backs of the municipalities.

MANAGER'S COMMENTS:**None.**

There being no further business, the public meeting adjourned at 7:25 p.m.

Next meeting will be held on Thursday, July 7, 2011 at 7:00 p.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Michele M. Cappelletti". The signature is written in a cursive style with a large initial "M".

Michele M. Cappelletti
Township Secretary