

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
August 18, 2011

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, August 18, 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; James C. Phillips, Michael McGroarty and James D. Kaiser.

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

Commissioner Bruce L. Foltz, Vice President was absent.

COMMENTS FROM VISITORS:

Tony Doyle, 1745 Kepler Road, said that when he addresses the Board, he will use "Mr." and the last name of the Commissioner instead of the Commissioner's first name.

Regarding the trash contract, **Mr. Doyle** felt it is time to cut the limit down from 4 containers to 2 containers.

Mr. Doyle asked if Officer Diesinger could take a look at Keim Street hill. He said there is a 35 mph speed limit sign before the former Saint Pius X High School, and then there is not another sign reminding people of the speed limit for $\frac{3}{4}$ mile. Mr. Doyle felt installing a 35 mph speed limit sign half-way down the hill would encourage people to obey the speed limit. Mr. Hawthorne will defer this matter to Chief Shade.

Mr. Doyle asked if the Township has a grant for the Sprogel's Run Trail and if we are still working on the Trail. Ms. Elliott replied "Yes" to both questions.

Mr. Doyle asked about the Streetscape Grant. He read in the newspaper that five or six other municipalities are getting this grant. Ms. Elliott explained that Lower Pottsgrove did receive money for the Streetscape Grant, but the County took it back. The Township did not reapply because we do not have the match money required for the grant. Mr. Doyle commented that we spent \$204,000 on studies but we can't spend it for a grant match.

Mr. Doyle asked the Commissioners how they feel about tolling on Route 422. Commissioner Spadt explained that it is early in the process and they are gathering information. He said there are too many uncertainties and it would be premature to take action now.

Mr. Doyle said six months after the Township finalized the 2011 budget, Commissioner Kaiser said he needed a \$200,000 adjustment for pension. Mr. Doyle said it was hard to

believe that six months into the budget, the Township was short on pension. He felt the actuary should have kept the Board abreast of the situation.

Commissioner Phillips said that pension has been an ongoing thing every year. The Board knew the pension was short and chose to put \$200,000 into the fund.

Commissioner Kaiser said the uniformed pension plan is fine but the non-uniformed plan was underfunded. This information came in after the budget was finalized. The Board decided to use money from the Reserves Fund to get the non-uniformed plan up to approximately 70%. The situation came up and an adjustment was made to bring the non-uniformed plan into compliance.

Commissioner Kaiser stated it is his goal to always come in under budget and he thinks that we've done a good job with that year in and year out.

Mr. Doyle asked if there are any ideas on the radios. Commissioner Spadt said the Board has not taken a position on it but it is in the works.

Mr. Doyle stated that Officer Al Edlund retired in 2010. He said he has lived in the Township for 40 years and he remembered when there were 6 officers, now there are 17. He felt that when Al retired, it was time to cut down and he should not have been replaced. This would have saved the Township \$100,000 to \$125,000. He commented that two non-uniformed employees were laid off in a heartbeat and felt that in the future, maybe it's time to start downsizing. Government is doing it.

APPROVAL OF MINUTES:

Commissioner Phillips made a motion to approve the minutes of the August 1, 2011 Board of Commissioners meeting. Commissioner Kaiser seconded the motion and it was approved by a vote of 4-0 in favor.

RESOLUTIONS AND ORDINANCES:

Ordinance No. 302—L. Gordon Walker, Managing Director of Public Financial Management, Inc. (PFM), delivered a Financing Report for the Lower Pottsgrove Township Board of Commissioners and Lower Pottsgrove Township Authority. Lucien Baker of Calhoun, Baker Inc. was also present at the meeting.

Mr. Walker explained that the Authority's earlier Bond issue in 2011 (\$9,930,000) refunded some of the variable rate 2005 Emmaus General Authority Note (\$1,575,000) but not all of it (\$1,915,000). The reason for this was to keep the \$9,930m issue under \$10mm so that it could be "bank qualified" and therefore, command a lower interest rate.

On August 8, 2011 the Authority adopted a Resolution to borrow funds to repay the outstanding balance of the Emmaus Note with a less expensive variable rate Note for DVRFA (DelVal). Ordinance No. 302 provides a Township guaranty of the Authority's proposed borrowing of \$1,740,000 from the Delaware Valley Regional Finance Authority (DVRFA).

After discussion by the Board, Commissioner Phillips made a motion to approve Ordinance No. 302, providing a guaranty by Lower Pottsgrove Township of the Lower Pottsgrove Township Authority's proposed borrowing of \$1,740,000 from the Delaware Valley Regional Finance Authority, the purpose of which is to prepare a 2005 note issued by the Emmaus General Authority. Motion was seconded by Commissioner McGroarty.

Vote was as follows:

Commissioner Spadt:	Aye
Commissioner Phillips:	Aye
Commissioner McGroarty:	Aye
Commissioner Kaiser	Aye

Motion carried by a unanimous vote of 4-0 in favor.

CORRESPONDENCE AND INFORMATION:

Pottstown Regional Public Library—Mike Packard, Executive Director of the Pottstown Regional Public Library updated the Board on the Library mission, services, programs and budget.

Commissioner Spadt thanked Mr. Packard for a great presentation and said the numbers were impressive. Commissioner Kaiser referred to the Library's annual budget and asked about the Library's other revenue streams. Mr. Packard provided a breakdown of funding in his report. He explained that according to the Pennsylvania Library Laws, there are some constituencies they cannot go after.

Joe Zlomek of the Sanatoga Post asked if the Library received any money at all from the School District. He also asked if the Library is going to make an appeal to receive money from the School District. Mr. Packard said the Library Board has been discussing it but not for this year.

After discussion, the Board thanked Mr. Packard for his presentation and time.

The following information was included in the Commissioners' packets:

1. Letter to Rita Mandik regarding the KenCrest greenhouse. (Commissioners only)
2. Letter from Lucille D. Gough of the Visiting Nurse Association (VNA) regarding 2012 budget allocation.
3. Pottstown Metropolitan Regional Planning Commission public meeting announcement.

Trash Lockbox—Mr. Hawthorne reported that he received a memo from Michele Christman, Finance Director, requesting that the Township use a different vendor for its trash lockbox service. There have been service issues with the current vendor, First Niagara.

Ms. Christman got the following proposals for lockbox service:

- M & T Bank \$3,400 per year
- Susquehanna \$5,210 per year
- National Penn Bank \$7,320 per year
- Victory Bank No Proposal Submitted

M & T Bank submitted the lowest proposal and Mr. Hawthorne recommended that the Board approve this vendor for the trash lockbox service.

Commissioner Kaiser made a motion to authorize Michele Christman to change the trash lockbox service vendor to M & T Bank at a cost of \$3,400 per year. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

SUBDIVISION AND LAND DEVELOPMENT:

None.

OLD BUSINESS:

Pruss Hill Road Bridge--Mr. Hawthorne reported that at the last meeting he provided a quote from Traffic Planning & Design (TPD) for the Board's consideration. He requested approval of that proposal.

Commissioner Kaiser made a motion to approve a two-part proposal provided by Traffic Planning and Design, which includes a structural assessment, traffic counts, speed studies and recommendations, for the Pruss Hill Road Bridge project, in the amount of \$7,500. Commissioner Phillips seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Trash Contract—Commissioner Kaiser said great work on the survey for trash. He addressed Mr. Doyle's comment about bringing down the limit; according to the survey, many residents want unlimited trash pick and the majority asking for more seemed to be older residents.

Commissioner Kaiser presented the following options for consideration:

1. Replace the exact same service that we have today.
2. Day of pickup could be Monday through Thursday.
3. A fully automated pick up system.
4. Include bulk items (a lot of requests for this).
5. Yard waste options.

Commissioner Kaiser explained that currently, the Township does not have a drop off facility and is required to have yard waste pick up once per month. A composting facility has approached the Township and offered to serve as a yard waste drop off location for our residents, free of charge. We are looking into this option. Commissioner Kaiser recommended that the Township begin the preparation of bids for the trash contract.

Solicitor Holloway said to get the bid out in a timely fashion, he will prepare the bid documents with the previously mentioned options in mind. He will try to have the specifications back to the Board by the September 6, 2011 meeting. To stay on schedule, the first advertisement will have to be published by September 17, 2011.

Commissioner Phillips made a motion to proceed with the preparation of the bid specifications for the trash contract. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

NEW BUSINESS:

Special Counsel to Civil Service Commission—Officer Matthew Meitzler has requested a hearing before the Civil Service Commission to appeal disciplinary action. Mr. Hawthorne requested approval of Chuck Garner of Garner & Bauer as Special Counsel to represent the Lower Pottsgrove Township Civil Service Commission. Ryan J. Cassidy of Eckert Seamans Cherin & Mellott, LLC will be representing Lower Pottsgrove Township in this matter.

Commissioner McGroarty made a motion to appoint Charles D. Garner, Jr., Esq. as Special Counsel to the Civil Service Commission. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Joe Zlomek asked the reason why the Civil Service Commission needs to be represented. The Solicitor explained that Officer Meitzler is appealing a suspension at the hearing and it is important that the Civil Service Commission have legal counsel. Mr. Zlomek asked if the hearing was open to the public and Mr. Hawthorne said it is, but no date has been set. Mr. Zlomek asked if the disciplinary action had taken hold. Mr. Hawthorne said Officer Meitzler was issued the suspension but he did not know if he served it.

Public Works Truck—Commissioner Phillips reported that for a long time, we have been dealing with a 1997 truck on its last legs. The truck is worth \$9,000 to \$12,000. The hydraulic system on the truck is shot and it would cost \$3,500 to \$5,000 to repair it.

Commissioner Phillips explained that a Costars state bid takes six months from start to finish. If a new truck is ordered now, the Township will not have it until the second or third week of February. The order would be for a dump body and plow.

Commissioner Phillips proposed having the specification sheet prepared for the new truck, then he (Commissioner Phillips) would review the specifications and subsequently place the order for the truck. The cost of the truck would be paid out of next year's budget. Commissioner Phillips commented that the truck is shot and we really should not let our equipment get this old in the future.

Commissioner Phillips made a motion to authorize the preparation of the specifications for a new truck to be paid for in 2012. Commissioner Kaiser seconded the motion. Commissioner McGroarty asked if the Commissioners are getting the specs to order the truck or getting the specs to review before the truck is ordered. Commissioner Phillips

did not know the approximate numbers and the motion would be giving him the ability to order the truck after he reviews the spec sheet. He would then bring it back to the Board of Commissioners and explain.

Commissioner McGroarty asked what the truck is going to cost and how are we going to pay for it. Commissioner Kaiser said this authorization is just for the specs. Commissioner Phillips did not have the specific cost of the new truck but estimated it would be \$75,000 to \$85,000. Commissioner Spadt said the Board will have an opportunity to review. Commissioner Kaiser asked which do we have planned – is John Fogel selling the truck or keeping it. He felt that for \$3,000, it would be a good back up.

Commissioner Phillips clarified that the specifications are for an F550 dump truck. We are replacing the old dump truck with a new equivalent.

Commissioner Phillips made a motion to authorize the preparation of specifications for a F550 dump truck for further review by the Board of Commissioners. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Warrant #791— Commissioner Kaiser made a motion to approve Warrant #791 for the month of July 2011. Commissioner Phillips seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

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

COMMISSIONERS' COMMENTS:

Commissioner Kaiser offered his best wishes to Commissioner Bruce Foltz.

Commissioners McGroarty, Phillips and Spadt echoed Commissioner Kaiser's well wishes to Commissioner Foltz.

Commissioner Spadt remarked that on July 30, PennDOT painted lines at Sanatoga and Bleim Roads. Ten days later, they tore up the road to resurface it. Commissioner Spadt felt PennDOT could manage better and requested that Mr. Hawthorne contact PennDOT regarding this matter.

Commissioner Phillips commented on PennDOT's poor paving jobs on Buchert, Kepler and Pleasant View Roads. He said there are potholes in areas they missed and he is annoyed by the lack of personal pride they take in doing their jobs right. He said they were the worst jobs he's seen in years.

Mr. Hawthorne said that sometime during the next two weeks, PennDOT will be paving North Sanatoga Road from East High Street to North Pleasant View Road, Bleim Road from North Pleasant View west to North Charlotte Street and Maugers Mill Road, from

North Charlotte Street to Gilbertsville Road. According to a representative of Allan A. Myers, it was a last minute let (within the last 15 days).

Commissioner Spadt said blame PennDOT, there is always a lack of communication there. The line painting was ten days before they ripped up the road. He requested that the Township open a dialogue with them.

MANAGER'S COMMENTS:

None.

There being no further business, the public meeting adjourned at 8:07 p.m.

Next meeting will be held on Tuesday, September 6, 2011 at 7:00 p.m. (Monday, September 5, 2011 is Labor Day).

Respectfully submitted,



Michele M. Cappelletti
Township Secretary