

**LOWER POTTS GROVE TOWNSHIP    BOARD OF COMMISSIONERS**  
**September 6, 2011**

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Tuesday, September 6, 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 were in attendance:

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

R. Kurtz Holloway, Solicitor; Rodney P. Hawthorne, Manager; Alyson E. Elliott, Assistant Manager; Jennifer V. Marsteller, Treasurer; Michael Shade, Chief of Police; Lt. Michael Foltz, Emergency Management Coordinator; Chad Camburn, Township Engineer and Michele Cappelletti, Secretary.

Lew Babel, Fire Marshal was absent from the meeting.

**COMMENTS FROM VISITORS:**

**None.**

**APPROVAL OF MINUTES:**

Commissioner Phillips made a motion to approve the minutes of the August 18, 2011 Board of Commissioners meeting. Commissioner Kaiser seconded the motion and it was approved by a vote of 5-0 in favor.

**REPORTS:**

**Police**

**Communication System Upgrade (Montco Radio System)**—Upgrades to the Montgomery County radio system have been discussed by the Commissioners at previous meetings. It is Chief Shade's understanding that by the end of the month, the County Commissioners will be taking action on this matter.

Commissioner Spadt had concerns about the options available for the upcoming change. If the County Commissioners do not get the support of 80% of the municipalities to upgrade the system, they will go to Plan B or C. Commissioner Spadt pointed out that two of the County Commissioners who are pushing for this will no longer be County Commissioners in 2012. He is looking for another alternative, from a safety standpoint, that will be less of a financial burden on the Township. Commissioner Spadt stated that two of the County Commissioners have said the radio upgrade is "the largest single capital investment in County history" and, according to County Commissioner Hoeffel, municipal leaders need to bite the bullet. Commissioner Spadt said we don't need to if we don't have to.

An alternative to buying new radios is to reband (going to a different frequency). Chief Shade said this would be putting a band aid on the system. Commissioner Kaiser said that "band-aid" tells him something is broken. Chief Shade replied that the Department's current system is becoming outdated and sooner or later it will have to be upgraded.

Commissioner Foltz remembered that we upgraded our radio system not too long ago. Chief Shade said it was about five years ago. Commissioner Foltz asked if the officers will be able to communicate with the Fire Department if we go with a new system. Lt. Mike Foltz said right now we can communicate with the fire companies but it is not easy. Chief Shade there was a separate meeting with the fire companies on the radio upgrade.

Commissioner Phillips asked if the Fire Department's system would be compatible with the new system. Chief Shade said to a point they are compatible, but not completely. We would not have interoperability with everyone.

Commissioner Spadt stated that our Police Department and police services are one of the Board's highest priorities and our record has shown that. He said Chief Shade and Lt. Foltz are prime reasons why we have a quality Police Department. Commissioner Spadt said the Board's position on the radio upgrade is not a sign that they don't want to support the Police Department; they want to be smart about spending money. Commissioner Spadt thinks there is going to be a change at the County level and he would like to see this play out.

Commissioner McGroarty asked Chief Shade if a decision is made by the County to reband, are there any issues with the radios we currently have. Chief Shade said the radios are fine right now; however, if the County decides to reband, they would take the current radios and replace them temporarily with other equipment. Chief Shade did have some concerns with officer safety during the time they would be using the replacement equipment but there is no problem with the quality or safety of the equipment we currently have.

At Commissioner Spadt's recommendation, the Board agreed to table taking action on the communication system upgrade and to see if there are any other alternatives offered by the County. Resolution No. 907 was not approved.

Chief Shade highlighted the following from his July and August 2011 reports:

1. **Fleet:**

Chief Shade requested authorization to list the unmarked 2000 Ford Taurus SE on Municibid. The vehicle has a malfunctioning transmission and the cost to repair it is not viable for the year of the vehicle. Estimated value of the vehicle is \$1,000.00.

Commissioner Foltz made to a motion to authorize, by resolution, listing the unmarked 2000 Ford Taurus SE, estimated value \$1,000.00, for sale on Municibid. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

2. **Criminal Investigations/Arrests:** Chief Shade noted that there were some substantial arrests and asked the Board to please read over the reports.

Commissioner Foltz asked for the status of the Ford Expedition that is listed on Municibid. Chief Shade reported that the bidding is up to \$825.00 with 9 days remaining on the auction.

Commissioner Spadt commented that from August 1 to August 31, 2011 the police had 1,069 calls for service, from relatively minor incidents to some very serious ones. He felt that when people talk about diminishing the size of our Police Department, they should look at the reports.

All statistics and information are included in Chief Shade's written report. Chief Shade asked the Commissioners to contact him if they had any questions or comments.

#### **EXECUTIVE SESSION:**

Commissioner Spadt announced that at 6:30 p.m., an executive session was held to discuss a litigation matter regarding a water pipe issue with Township resident Charles Rife. Executive session adjourned at 6:55 p.m.

#### **Fire Marshal**

Mr. Babel was absent from the meeting. Commissioner Foltz reported the following statistics from Mr. Babel's September report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
	July 2011	July 2011	July 2011	July 2011	July 2011
<b>Sanatoga (Station 58)</b>	20	10	120	163	Not provided
<b>Ringing Hill (Station 59)</b>	18	17	106	35	294

(Hours are approximate)

**Highway—Public Works Department:** Commissioner Foltz read highlights from the Public Works Report for the month of August 2011. The report will be posted on the bulletin board.

**C.O.G.—**Commissioner Phillips reported that the next C.O.G. meeting will be held on September 13, 2011 at the Lower Pottsgrove Township Municipal Building.

**Engineering—**Mr. Camburn reported that Bursich has been working with PennDOT and they have come to a conclusion regarding the Sunnybrook Road Bridge guiderail. John Fogel is currently soliciting bids for that project.

**Treasurer—**Ms. Marsteller presented the Tax Collector's Monthly Report to Taxing Districts for the month of August 2011.

**Solicitor—**No report.

**Parks and Recreation—**Ms. Elliott reported that the specifications for the re-bid of the Spregel's Run Trail are ready. Bid opening is scheduled for October 19, 2011. She requested authorization to advertise the bid through PennBid, an electronic procurement program.

Commissioner Phillips made a motion to advertise the Spregel's Run Trail bid specifications on PennBid. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Pottstown Metropolitan Regional Planning Commission**—Ms. Elliott reported on the following:

1. **Market Impact Analysis**—Public meeting will be held on September 8, 2011 at 7:00 p.m. at Pottstown High School.
2. **Senate Bill 898**—Upper Frederick has petitioned the regional governments to oppose Senate Bill 898, which would allow state law to supersede municipal zoning practices. They are seeking support from each municipality in the region. Commissioner McGroarty made a motion to draft a letter in opposition to Senate Bill 898. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

### **Emergency Management**

The Emergency Management Report for the month of August 2011, prepared by Lt. Michael A. Foltz, Emergency Management Coordinator, was attached to Chief Shade's police report. Lt. Foltz highlighted the following:

1. **Hurricane Irene:** Lt. Foltz reported that the EOC (Emergency Operations Center) was activated due to Hurricane Irene. Staff responded mainly to power outages. He thanked Chris Wilcox, Deputy Emergency Management Coordinator and Keith Place for staffing the EOC throughout the night. He also thanked Mike Rightnour and Michele Cappelletti for helping out during the severe weather event.
2. **LGS Drill Training**—There will be a Limerick Generating Station (LGS) training drill on Friday, September 9 from 9:00 a.m. to 12:00 noon at the Lower Pottsgrove Township Municipal Building to review staff responsibilities. Lt. Foltz said if anyone can make it, he would appreciate it.

All statistics and information are included in Lt. Foltz's written report. Lt. Foltz asked the Commissioners to contact him if they had any questions or comments.

### **CORRESPONDENCE AND INFORMATION:**

**MCATO Convention**—Commissioner Spadt said it was a feather in Rod's cap that Lower Pottsgrove Township was invited to host the MCATO (Montgomery County Association of Township Officials) Fall Convention. Every year, a different municipality hosts the convention and it is a nice "tip of the hat" to Lower Pottsgrove. The Convention will be held at Presidential Caterers in East Norriton from 8:00 a.m. to 2:00 p.m. on Friday, September 30, 2011.

The following information was included in the Commissioners' packets:

1. Email from Joe Duda. Subject: Meeting.
2. Thank you from Bruce Foltz.

**SUBDIVISION AND LAND DEVELOPMENT:**

**Lower Pottsgrove Sportsmans Association**—Ms. Elliott presented the minor land development plan of the Lower Pottsgrove Sportsmans Association, 2121 Sanatoga Station Road, for preliminary/final plan approval. Township staff and the Lower Pottsgrove Township Planning Commission recommend approval of this plan.

Ms. Elliott said that Resolution No. 906 has not yet been signed by the applicant. Peter J. Dolan, attorney for the Lower Pottsgrove Sportsmans Association, said that the applicant intends to sign the Resolution but he (Mr. Dolan) has not had time to review it. Mr. Dolan asked the Board for time to review and sign the Agreement.

Solicitor Holloway asked Ms. Elliott where we stand on the time frame. Ms. Elliott said we are well within the 90-days. The Solicitor did not have an issue with Mr. Dolan's request; however, he recommended that if the Board decided to deviate from the traditional approval/denial process, they should place a stipulation that the executed resolution be returned within a certain number of days.

Commissioner Foltz made a motion to conditionally approve Resolution No. 906, granting preliminary/final plan approval of the minor land development plan of the Lower Pottsgrove Sportsmans Association with the stipulation that the executed resolution, unchanged from its current form, be returned to Lower Pottsgrove Township no later than the end of business on Wednesday, September 14, 2011. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**OLD BUSINESS:**

**Municipal Waste Contract**—Solicitor Holloway reported that at a previous meeting, Commissioner Kaiser presented some options to go into the municipal waste bid documents. These options have now been incorporated into the specifications.

One main thrust is to bid this contract identical to the last one. The Solicitor noted that one significant change is that we do not have the fully automated system in the specifications, due to the complexity of this option and because we did not plan for this in advance.

Regarding yard/leaf waste pick-up, Solicitor Holloway reported there is a very real possibility that the Township may use an organic composting facility, Arborganic Acres, as a drop-off location. The Township may then have the opportunity to not provide 12 curbside pickups per year for its residents. The bidders will provide the Township with a monthly cost for yard waste pickup, as this will provide flexibility as to how many months the Board would want yard waste collected curbside.

The specifications for the new contract also include bulk pickup options.

Solicitor Holloway advised that the Township will be looking for a basic 3-year contract, with options for a Year 4 and Year 5. He said if the Board was in agreement, the next step would be to move forward and advertise the bid specifications. The first advertisement would be published next week.

Commissioner Kaiser noted that on the outline provided by Solicitor Holloway, #2 holiday tree collection should be four times per year during the month of January. Commissioner Foltz asked if the Township would get a better price by not specifying Monday as the pickup day. Solicitor Holloway said there are specs written so the bidders will be able to select a collection day from Monday through Thursday, their choice. We will then see if giving them this flexibility will generate lower costs and/or more bidders.

Township resident Bill Wolfgang asked if there is going to be an option for people who generate very little trash. Commissioner Kaiser said this was discussed but the survey indicated that, overwhelmingly, residents were satisfied with the 4 container limit. Commissioner Spadt told Mr. Wolfgang we are not discounting your idea, but implementation of a low usage option would be very difficult from a bookkeeping standpoint.

Commissioner Phillips made a motion to advertise the 2012 Trash Collection Bidding Specifications. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Ford F-550 Truck**—Commissioner Phillips respectfully requested that the Board table taking action on the Ford F-550 truck until the next meeting. He said the spreadsheet provided to the Board is fundamentally a bid from Costars suppliers in the amount of \$77,772.00. At Mr. Hawthorne's suggestion, Commissioner Phillips will get one or two more quotes. Commissioner Phillips felt the Commissioners owed it to themselves and the residents to make sure the Township is getting the best deal possible on this piece of equipment. Commissioner Phillips said it is not a question of not doing the truck, it is a matter of getting the best price.

#### **NEW BUSINESS:**

None.

#### **RESOLUTIONS AND ORDINANCES:**

**Resolution No. 906**—See **SUBDIVISION AND LAND DEVELOPMENT: Lower Pottsgrove Sportsmans Association**

**Resolution No. 907**—See **REPORTS: Police--Communication System Upgrade (Montco Radio System).**

**Warrant**—Warrant No. 792 for August 2011 will be distributed tomorrow via email for the Commissioner review.

#### **COMMISSIONERS COMMENTS:**

**Commissioner Kaiser** had no comments.

**Commissioner McGroarty** tagged onto Lt. Foltz's comments and thanked Chris Wilcox, John Fogel, Tom Palatucci, the Road Crew and Michele Cappelletti for their efforts during Hurricane Irene. He also thanked the fire companies for their help with assisting residents, pumping out houses, etc. The Board agreed that everyone worked hard during the severe weather emergency.

**Commissioner Phillips** had no comments.

**Commissioner Foltz** said he and John Fogel discussed sending courtesy letters to residents of Welsh Drive and Sunnyslope Drive asking them to please trim their tree branches and limbs. He requested that Mr. Hawthorne send out the letters, as we have done in the past.

**Commissioner Spadt** asked Mr. Hawthorne if he had a chance to contact PennDOT. Mr. Hawthorne has not yet but he will.

**MANAGER'S COMMENTS:**

**Mr. Hawthorne** said as you know, the Township building has been upgraded with new carpet, paint and blinds. Mr. Hawthorne asked the non-uniformed employees what their involvement was in the process. All employees gave kudos to Keith Place, his name was mentioned in every memo. Mr. Hawthorne wanted to acknowledge Keith's hard work and diligence throughout the projects, which even involved coming in on weekends. He said Keith went above and beyond what was required of him and he wanted to publicly give him a pat on the back. Also, on his own time, Keith framed the large Township map hanging in the Board room. The map was printed and mounted by Township resident Phil Lang of Zap Digital.

There being no further business, the meeting was adjourned at 7:40 p.m.

Next meeting will be held on Thursday, September 22, 2011 at 7:00 p.m.

Respectfully submitted,



Michele M. Cappelletti  
Secretary