LOWER POTTSGROVE TOWNSHIP BOARD OF COMMISSIONERS
January 19, 2012

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, January 19, 2012 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; James D. Kaiser and Stephen M. Klotz

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

COMMENTS FROM VISITORS:
Donna Cleaver, 2278 Donna Lane, had questions about the Township's selection of candidates for vacant positions on the Planning Commission and the Zoning Hearing Board. She commented that B. Scott Fulmer is already Vice President of the Pottsgrove School Board and felt it would have been more appropriate to choose another community member. Since Mr. Fulmer will be serving as an alternate member of the Zoning Hearing Board, Mrs. Cleaver felt his position on the School Board could present a potential conflict of interest. Commissioner Spadt said if a situation arises, Mr. Fulmer would recuse himself. Mrs. Cleaver expressed her dissatisfaction with the Board's selections.

APPROVAL OF MINUTES:
Commissioner Kaiser made a motion to approve the minutes of the January 3, 2012 Board of Commissioners meeting. Motion was seconded by Commissioner McGroarty and unanimously approved. Vote was 5-0 in favor.

RESOLUTIONS AND ORDINANCES:
Resolution No. 929—Solicitor Holloway reported that there have been two legislative changes to the First Class Township Code dealing with the Civil Service hiring process. He prepared a summary of the proposed revisions and highlighted the most significant changes that would affect the Board of Commissioners from a hiring prospective.

Commissioner Klotz requested more time to review the information. He would also like to get the Acting Chief's input and asked if the Board could possibly table taking action until the next meeting.

Commissioner Spadt said the Acting Chief worked together with Solicitor Holloway and Chief Shade on the revisions. He said asking for more time was a fair request and the Board agreed to table taking action on Resolution No. 926, amending the Rules and Regulations of the Civil Service Commission of Lower Pottsgrove Township, until February 6, 2012.

Commissioner McGroarty asked if the Board decides to make changes on February 6, do the proposed recommendations go back to the Civil Service Commission. Solicitor Holloway said yes, both Boards must agree on the changes.

Resolution No. 927—Mr. Hawthorne advised that the CMERT Board of Chiefs accepted Lower Frederick Township as a CMERT participating agency. He recommended approval of Resolution No. 927, which is Lower Pottsgrove Township's acceptance of Lower Frederick Township as a CMERT participating agency.

Commissioner Klotz made a motion to approve Resolution No. 927, approving the Cooperative Agreement Addendum dated January 3, 2012, regarding the additional municipal membership of Lower Frederick Township, Montgomery County, PA in CMERT and authorizing the (Acting) Chief of Police to execute the Cooperative Agreement Addendum. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution No. 928 and No. 929—Commissioner Klotz stated that he agreed with the proposed candidates selected to fill the vacancies on the Planning Commission and the Zoning Hearing Board. He said that Mr. Hawthorne and Commissioner Spadt did the interviews and asked if this was standard practice, as he recalled two commissioners usually sat in on the interviews. Commissioner Spadt said the last full Board reviewed the applications and the top three candidates were interviewed. He could not say if there was a standard practice. Commissioner McGroarty said he agreed to take part in the interviews but was called away on business.

Commissioner McGroarty made a motion to approve **Resolution No. 928**, appointing Brian Brentzel to the Lower Pottsgrove Township Planning Commission, to fill the vacancy occasioned by the resignation of Nick Hiriak. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Commissioner Klotz made a motion to approve **Resolution No. 929**, appointing B. Scott Fulmer as an alternate member of the Lower Pottsgrove Township Zoning Hearing Board, to fill the vacancy occasioned by the resignation of Steve Klotz. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Mr. Brentzel and Mr. Fulmer were both present at the meeting. On behalf of the Board of Commissioners and the residents, Commissioner Spadt thanked them for serving the Township.

CORRESPONDENCE AND INFORMATION:

The following information was included in the Commissioners' packets:

1. Copy of approved Resolution No. 924 (Final) appointing board officers, board committees, conference groups, staff positions and professional advisors.
2. Portnoff Collection report.
3. Anonymous letter regarding Rupert Road.

SUBDIVISION AND LAND DEVELOPMENT:
None.

OLD BUSINESS:
Approval of Manager's Memorandum of Understanding (MOU)—Commissioner Spadt asked for re-affirmation of Mr. Hawthorne's MOU. This is the same agreement that was approved by the former Board of Commissioners in October 2011.

Commissioner Klotz noted that the new agreement provides for an increase in vacation time from 21 days to 25 days. Since the Township's Personnel Policy Manual lists 21 as the maximum number of vacation days, Commissioner Klotz asked if the Policy Manual would need to be amended.

Mr. Hawthorne said the Board could amend the Policy Manual to read 25 days for the Manager but he was not sure about other staff. Commissioner Foltz asked if there is a reason for the difference. Mr. Hawthorne said he asked for 4 extra vacation days.

Commissioner Spadt recommended that the Board take a look at amending the Manual. He said the Board could approve Mr. Hawthorne's MOU with the stipulation that the Board review the Personnel Policy Manual and make necessary changes.

Commissioner McGroarty asked if it is time that the Board looks at the Manual to update it, so the employees have an up-to-date human resource policy manual. Commissioner Kaiser said to do it right, and to make it correct and current, there will be a cost involved. He asked if now is the time to incur the cost to do this.

Commissioner Spadt felt that since the Board is looking at one possible change to the Manual, perhaps they should review the entire document. Mr. Hawthorne said the Manual was reviewed years ago and it involved Solicitor review time and an HR consultant. Commissioner Foltz's opinion was that the Board should look at the Policy Manual. Commissioner Klotz said the Board is approving a contract and they don't know how it pertains to the Personnel Policy Manual, and that raised a flag.

After discussion, Commissioner Foltz made a motion to approve the Memorandum of Understanding (MOU) for Township Manager Rod Hawthorne, pending personnel policy manual review and changes. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was ~~5-0~~ 4-0 in favor. Amended - see 2-6-12 Board meeting minutes mcapp

Retirement Agreement—Commissioner Spadt said there is a proposed amendment to Chief Shade's retirement agreement.

Mr. Hawthorne explained that Chief Shade would like to add an additional dependent on his health insurance, at his cost, when he reaches the age of 52. Commissioner Klotz said Chief Shade is going to work for Montgomery County and asked if he was still on the Township's health insurance plan. Mr. Hawthorne said Mike is entitled to his benefit (health insurance) paid by the Township and he has the option to add his family, wife or

child, at his cost. Commissioner Klotz asked if the Township would be paying for Chief Shade's insurance while he is working at the County. Solicitor Holloway said he would have to review Chief Shade's contract and the Bargaining Unit's contract. If it is required, the Township would have to do it.

After discussion, Commissioner Kaiser made a motion to approve Chief Michael Shade's amended retirement agreement, pending Chief Shade's signature. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was ~~5-0~~ 4-0 in favor. Amended - see 2-6-12 Board meeting minutes mCapp

NEW BUSINESS:

Municibid—Commissioner McGroarty made a motion to advertise the legal notice and list the 1997 Ford F-250 XL for sale on Municibid. Commissioner Klotz seconded the motion and it was unanimously approved.

Commissioner Foltz asked about the condition of the unit and repercussions to the Township. Commissioner Spadt said that is covered under Municibid and it is an "as is" sale.

New Police Contract—Commissioner Spadt stated that the current police contract expires at the end of 2012 and asked for authorization to start the negotiating process early.

Commissioner Klotz made a motion to authorize Mr. Hawthorne to send a letter to the Lower Pottsgrove Police Collective Bargaining Unit to start negotiations as soon as possible. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Warrant #794— Commissioner McGroarty made a motion to approve Warrant #794 for the month of December 2011. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Acceptance of Treasurer's Report—Commissioner Kaiser made a motion to accept the Treasurer's Report for the month of December 2011, as submitted by Jennifer Marsteller. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMISSIONERS' COMMENTS:

Commissioner Klotz had no comments.

Commissioner Kaiser thanked the 2 appointed candidates for helping out the Township.

Commissioner McGroarty had no comments.

Commissioner Foltz reported that the C.O.G. meeting went well and he will have a full report at a later meeting.

Commissioner Spadt again thanked Mr. Brentzel and Mr. Fulmer for serving the Township.

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

Next meeting will be held on Monday, February 6, 2012 at 7:00 p.m.

Respectfully submitted,

Michele M. Cappelletti

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Township Secretary