LOWER POTTSGROVE TOWNSHIP BOARD OF COMMISSIONERS
March 22, 2012

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, March 22, 2012 at the Lower Pottsgrove Township Municipal Building, 2199 Buchert Road, Pottstown, Pennsylvania. Meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited. The following attended:

Board of Commissioners: Jonathan H. Spadt, President; Bruce L. Foltz, Vice President; Michael McGroarty; and Stephen M. Klotz.

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

Commissioner James Kaiser was absent from the meeting.

RUPERT ROAD BRIDGE:
Solicitor Holloway said that the there have been long-standing negotiations with Dewey DHLP—Limerick Golf Community, LP for payment of funds to Lower Pottsgrove Township for improvements to the Rupert Road Bridge. An agreement was reached almost a year ago but there was a problem with the lender releasing the funds. Through the diligent efforts of special counsel Mike Furey, DHLP and M&T Bank have now executed a second Agreement to secure the Bank's cooperation to issue the $375,000 from the loan funds. The Bank has delivered a check to the Township in that amount.

Commissioner Klotz made a motion to approve **Resolution No. 935** Approving Agreements for Payment of Funds to the Township for Improvements to Rupert Road Bridge. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

The Commissioners expressed their appreciation to Mr. Furey for his efforts.

Joe Zlomek of the Sanatoga Post asked if the Township earned any interest on the $375,000. Mr. Furey replied that $375,000 was the original commitment. Mr. Zlomek asked if the funds would be held in escrow for bridge improvements or if the money would be deposited into the general fund. Mr. Hawthorne said it would be deposited in a separate PLGIT account that will be set up by Michele Christman. Mr. Zlomek asked for the cost of the bridge repairs. Mr. Hawthorne said it will be considerably higher than $375,000.

COMMENTS FROM VISITORS:
Tony Doyle, 1745 Kepler Road, said he submitted a Right to Know request for the Manager's Memorandum of Understanding (MOU). He was provided with the old MOU. He asked for the Manager's current MOU that was recently approved by the Board. Mr. Hawthorne will provide the requested document.

Mr. Doyle referred to an article that was published in the Mercury stating that the Montgomery County commissioners promise shorter meetings. He said that Communications Director Frank X. Custer said the commissioners want to make meetings more efficient, while at the same time ensuring each issue receives proper attention and allows for citizen input. In the article, Custer said "The public will have a chance to comment before every vote." Mr. Doyle felt that Lower Pottsgrove's commissioners should take comments before every vote at their meetings.

Mr. Doyle asked about the Civil Service Rules and Regulations allowing for 2 or 3 polygraph tests. He asked if someone had 2 polygraph tests and was going for a 3rd. Solicitor Holloway did not recall an occasion when someone requested a 3rd polygraph test. He advised that the Civil Service Rules and Regulations provide that there could be a 3rd polygraph if a person fails twice, but the discretion to grant the 3rd is solely within the Civil Service Commission.

Mr. Doyle asked about a rental inspection program in the Township. Commissioner Foltz will be addressing that subject later in the meeting.

Mr. Doyle asked about a $3,600 bill listed on the Warrant for the sprinkling system at Sanatoga Park. Ms. Elliott had not seen the bill but said it was most likely for annual maintenance. Mr. Hawthorne confirmed that this maintenance is done once a year.

Mr. Doyle distributed Rep. Warren Kampf's article "PA Pension System Needs Reform" and asked the Commissioners to read it.

APPROVAL OF MINUTES:
Commissioner Klotz made a motion to approve the meeting minutes of the March 5, 2012 Board of Commissioners meeting. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

RESOLUTIONS AND ORDINANCES:
Resolution No. 932—Commissioner Klotz made a motion to approve Resolution No. 932, authorizing the auction of two generators, one (1) Onan Generator, Model No. OT-150 and one (1) Kohler Fast Response 2 Generator, Model No. 30RZ282, on Municibid.

Commissioner Foltz said there is a 1997 GMC dump truck with snow plow and spreader that he would also like to sell on Municibid. Mr. Hawthorne recommended that the Board approve the sale of the two generators at this meeting, and then authorize the sale of the dump truck at the next meeting.

Commissioner Foltz recommended that the Township keep the Kohler generator if it doesn't bring $2,000 to power the diesel fuel pump at the Pole Barn. When power is lost, the crew cannot pump diesel fuel from the tank.

Commissioner Klotz made an amended motion to approve Resolution No. 932, authorizing the auction of one (1) Onan Generator, Model No. OT-150 and one (1)

Kohler Fast Response 2 Generator, Model No. 30RZ282) on Municibid, with a reserve price of $2000 on the Kohler Fast Response 2 Generator, Model No. 30RZ282. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 933—Commissioner Spadt presented Resolution No. 933, amending the Personnel Policies Manual of Lower Pottsgrove Township. He explained that the new policy allows for the Manager to be treated separately than the rest of staff; for example, the Manager was given an additional five vacation days in accordance with his MOU.

Commissioner McGroarty made a motion to approve Resolution No. 933 Revising – Statement of Policy – Scope –By Adding Board's Reservation of Authority Regarding Manager to The Personnel Policies Manual of Lower Pottsgrove Township. Commissioner Spadt seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 934—Commissioner Klotz made a motion to reappoint Kenn Picardi to the Lower Pottsgrove Township Zoning Hearing Board. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 935—See **RUPERT ROAD BRIDGE.**

CORRESPONDENCE AND INFORMATION:
Letter from Ed Windrim—Ed Windrim, Pottsgrove Soccer's Field Manager, wrote a letter to the Township expressing the Soccer Association's concern about vandalism at Gerald Richards Park. Recently, there was a situation when rocks were thrown at the snack bar windows; unfortunately, the windows were open and people were working inside the snack bar. Mr. Windrim offered to have a security camera system installed at the Association's cost.

Commissioner Klotz said there is an ongoing issue with vandalism at this park and he doesn't have a problem with the Association installing the security cameras at their cost. The Board agreed with Commissioner Klotz and supported Mr. Windrim's offer to install the camera.

Commissioner Klotz also noted that Rolling Hills has a security camera system and wondered if the snack bar camera could be linked to it. Mr. Hawthorne said he is talking with Acting Chief Mike Foltz about security cameras for this building that could be viewed from the Township office.

SUBDIVISION AND LAND DEVELOPMENT:
None.

OLD BUSINESS:
Gerald Richards Park Playground Equipment—Ms. Elliott presented the final drawing and price quote for the Gerald Richards Park playground. Cost for the

equipment is $49,191, which includes play structures and support equipment for children ages 2 to 5 years and 5 to 12 years. The price does not include installation. Installation and excavating with be performed by the Township Road Crew. The Township has funds from two granting agencies for this project and it will be completely funded with grant money. The project is supported by the Parks and Recreation Board and the equipment is being purchased through a state contract.

Commissioner Foltz had concerns about the equipment's durability. Ms. Elliott said they tried to choose equipment that was durable and sturdy. Commissioner Klotz questioned the shipping charge of $3,398 and asked if it is being shipped from the vendor in Newtown Square. Ms. Elliott said it is not, the equipment is made to order directly from the supplier.

Commissioner Klotz made a motion to authorize Township staff to place the order for playground equipment for Gerald Richards Park from General Recreation, Inc. Newtown Square, PA in the amount of $49,191. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

NEW BUSINESS:
Equipment Rental Proposal and Contract—Commissioner McGroarty made a motion to authorize staff to advertise the equipment rental proposal and contract. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Warrant #798— Commissioner Klotz made a motion to approve Warrant #798 for the month of February 2012. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Acceptance of Treasurer's Report—Commissioner Foltz made a motion to accept the Treasurer's Report for the month of February 2012, as submitted by Jennifer Marsteller. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

COMMISSIONERS' COMMENTS:
Commissioner Klotz addressed Mr. Doyle's comment about allowing people to comment before every vote. He said Commissioner Spadt has been very good allowing people to comment and felt if you allow it all the time, it would result in a very long meeting. Commissioner Klotz likes the way the meetings are handled by Commissioner Spadt.

Commissioner Klotz said there is grumbling in the Township that we are going to charge people for the use of our fields. He said there was talk that West Pottsgrove and Upper Pottsgrove play and don't pay, but Commissioner Klotz feels that youth organizations based in Lower Pottsgrove Township should not pay for the use of the fields. He knows, personally, what the Soccer Association has given to the Township and the Township would not have been able to afford to purchase the equipment. He feels if Soccer leaves Lower Pottsgrove, we lose.

Ms. Elliott said we don't charge Pottsgrove Soccer and Pottsgrove Baseball. She said these organizations provide donations of equipment and supplies and we have asked them to start providing us with invoices so we have numbers. Ms. Elliott said we do charge outside schools and organizations and have been looking at some of the fees other organizations pay.

Commissioner Spadt said Commissioner Klotz raised some very good points. He was concerned about charging and a possible "price war." He asked Commissioner Klotz if he would be interested in working with Ms. Elliott on determining when to charge or not to charge. Commissioner Klotz agreed and Ms. Elliott will add this to the Parks and Recreation meeting agenda for Monday, March 26.

Commissioner McGroarty had no comments.

Commissioner Foltz said the Soccer Association pays its way and discussed some of the equipment they have donated to the Township.

Commissioner Foltz talked to Keith Place about a rental inspection program. He said it was discussed at C.O.G. and there are a lot of things to be considered. He said there is an evening seminar on May 29 on this topic but he will be in Florida. Michele Cappelletti volunteered to attend this seminar. Mr. Hawthorne said Keith Place should go because he will be the one enforcing the program.

Commissioner Foltz said there will be a Household Hazardous Waste Collection at Pottsgrove High School on Saturday, March 24, 2012.

Commissioner Foltz reported that he, Acting Chief Mike Foltz, Mr. Hawthorne and Keith Place met with the electrical engineer, Joe Guagno, about installation of a generator for the Township Municipal Building. Mr. Guagno discussed new code requirements, emissions, noise level, placement, etc. and he will provide Mr. Hawthorne with his fee proposal. Commissioner Foltz estimated that the entire generator project will cost well over $40,000. Commissioner Spadt appreciated Commissioner Foltz's work on this.

EXECUTIVE SESSION:

Commissioner Spadt announced that the Board continued to discuss contract details for Acting Chief Mike Foltz during an executive session that was held from 6:15 p.m. to 6:50 p.m. tonight. Commissioner Foltz recused himself from this session.

MANAGER'S COMMENTS:

Mr. Hawthorne referred to an article he provided in the Commissioners' packets entitled "Pa. tops nation in worst business climate." He said we are business-friendly but the climate in Pennsylvania makes it harder for us to attract businesses to Lower Pottsgrove.

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

Next meeting will be held on Monday, April 2, 2012 at 7:00 p.m.

Respectfully submitted,

Michele M. Cappelletti

Michele M. Cappelletti
Township Secretary