

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
May 7, 2012

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Monday, May 7, 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 were in attendance:

Board of Commissioners: Bruce L. Foltz, Vice President; Michael McGroarty; James D. Kaiser and Stephen M. Klotz.

R. Kurtz Holloway, Solicitor; Rodney P. Hawthorne, Manager; Alyson E. Elliott, Assistant Manager; Lt. Michael A. Foltz, Acting Chief of Police; Lew Babel, Fire Marshal; Jennifer Marsteller, Treasurer/Tax Collector; Scott Exley, Township Engineer, Chad Camburn, Township Engineer and Michele Cappelletti, Secretary.

Jonathan H. Spadt, President, was absent from the meeting.

COMMENTS FROM VISITORS:

Bill Wolfgang asked if a survey has been conducted to estimate the years of life on the Pruss Hill Road Bridge, if the weight limit is observed. He said the weight limit is still being abused and, in Mr. Wolfgang's opinion, the bridge is not going to hold up for long. He doesn't want to be burdened with a big tax increase in the future and hopes the Township is putting money aside for this bridge.

Pastor Bill Neitz of Berean Bible Church asked for explanation on the amount of time it has taken to get their gymnasium built. Chad Camburn explained that the Township is waiting for three things:

1. Conservation District approval, E&S and NPDES permit. Berean Bible Church's engineer, John McMenamin, said this information was in hand three or four months ago.
2. Finalization of the escrow. Escrow figures were submitted to the Township by John McMenamin. The escrow was reviewed and a marked up copy was sent back to Mr. McMenamin for additional information. The Township is still waiting for a response.
3. Landscaping buffer. This is a requirement of Lower Pottsgrove Township's Subdivision and Land Development Ordinance. Berean Bible Church is requesting a waiver from this requirement; the Township has asked Berean Bible Church to secure letters from the adjacent property owners.

Mr. Camburn noted that the three outstanding issues mentioned above have been stated in every letter to Berean Bible Church. Mr. Exley said if the Conservation District letter comes back and says something has to be changed, that could affect the progress of the project.

Commissioner Klotz expressed his concern about the perception that the Township is not business friendly. Commissioner Foltz agreed. Commissioner Klotz asked if the Township ever developed a checklist for applicants. Mr. Camburn said the first review letter is basically a

checklist; everything that is needed from the developer is listed in this letter. Once resolved, the items are taken off the list.

There was lengthy discussion about the landscape buffer and the letters that were sent to the adjacent property owners four years ago. Bill Wolfgang, who is a member of the Township's Planning Commission, recalled that the Planning Commission's approval was predicated on the idea that the current adjacent property owners were living there four years ago and received the letter.

After further discussion, Commissioner Foltz recommended that Pastor Neitz send certified letters, return receipt requested, to the two property owners who did not respond to the original letter, asking them to respond within 15 days. The Board supported Commissioner Foltz's recommendation. Commissioner McGroarty said the Township engineer, staff and Planning Commission are trying to protect both the applicant and Lower Pottsgrove Township from any future complaints.

Tony Doyle, 1745 Kepler Road, said that according to Mr. Hawthorne's MOU, there is a statement "unless authorized by the Board President." For example, the MOU states that Mr. Hawthorne cannot take his car further than a 25 mile radius without approval from the Board President. Mr. Doyle asked if this meant the Board President could go ahead and grant the approval, or does the Board President have to come to the full Board? Commissioner Kaiser said he was okay with approval at Commissioner Spadt's discretion. Commissioner McGroarty agreed. Commissioner Klotz also agreed and said that Commissioner Spadt would typically email all Board members. Commissioner Klotz also stated that Mr. Hawthorne does not abuse the use of his car. Mr. Doyle was not concerned about 25 miles; he was more concerned about Commissioner Spadt granting approval for trips more than 25 miles. Again, Commissioner Kaiser said he trusted the Board President's discretion.

Mr. Doyle also had questions about Mr. Hawthorne's vacation time. He referred to a provision in the MOU stating that approval for Mr. Hawthorne to flip vacation time to the next year must come from the Board President. He asked if the Board was okay with this. Commissioner Kaiser said he read the MOU and, again, he supported Commissioner Spadt's judgment.

Mr. Doyle said none of this wording he mentioned was included in Mr. Hawthorne's 2001 MOU. He was concerned that the current MOU wasn't legal because it was approved on and dated October 24, 2011 before Commissioner Klotz was on the Board of Commissioners. Mr. Doyle said the Board was supposed to reopen it in 2012. Solicitor Holloway said the Board did reopen the MOU and the Commissioners voted to reaffirm it in January of 2012. They did not need to rewrite Mr. Hawthorne's MOU, as it was reaffirmed by the current Board.

Mr. Doyle asked if Mr. Hawthorne needed to take his 25 days of vacation in weeks or if he could split it into days. He was advised that Mr. Hawthorne can split his vacation into days.

Mr. Doyle asked for the status of the rental property program. Commissioner Foltz advised Michele Cappelletti and Keith Place will be attending a seminar on this subject on May 29.

Mr. Doyle asked Ms. Elliott when the Lower Pottsgrove Legion Baseball team could start playing on the Sanatoga ballfield. She responded that they are signed up.

Mr. Doyle asked about the status of Pottsgrove Soccer submitting receipts to the Township. Ms. Elliott said we are still working on it.

APPROVAL OF MINUTES:

Commissioner McGroarty made a motion to approve the minutes of the April 2, 2012 Board of Commissioners meeting. Commissioner Klotz seconded the motion. Commissioner Kaiser recused himself from the vote because he was absent from the meeting. Motion carried by a vote of 3-0.

REPORTS:

Police

Acting Chief Foltz highlighted the following from his April 2012 report:

1. Calls for Service/Departmental Activities:

- a. Annual Fish Rodeo was held at Sunnybrook on April 21.
- b. The Police Department, Ringing Hill Fire Co., Goodwill Ambulance and Pottsgrove School District held a mock vehicle rescue on April 27.
- c. 6 of the 14 decommissioned portable radios were sold for \$800.
- d. A new Community Policing approach has been instituted employing the use of "Building Check" notification cards and "Crime Prevention Notice" door hangers to communicate patrol findings and activities to resident and business owners.
- e. The Bike Rodeo will be held on May 19 from 9:00 a.m. to 2:00 p.m. at Lower Pottsgrove Elementary School.
- f. There has been an increase in reports of scrap metal thefts. Acting Chief Foltz is working on crime prevention efforts to help address some of these issues.

2. Training:

- a. Det. Campbell and Ofc. Kienle attended "FBI Inter-County Detective School."
- b. The Department implemented a Child Abduction Response procedure and provided in-house training on the issue.

3. Traffic Enforcement:

- a. Total traffic enforcement was up overall, with a total of 175 citations issued. There were 204 traffic contacts, including verbal and written warnings for various offenses.
- b. A number of violations were addressed this month along Pruss Hill Road pertaining to the bridge weight restrictions and stop sign violations.

4. Criminal Investigations/Arrests:

- a. Investigation of a fatal accident that occurred on Yerger Road has been concluded. Findings indicate the accident was caused by mechanical failure of the vehicle and the resultant death was ruled accidental.
- b. Det. Campbell filed charges in a theft of motor parts from Lindley Motors. Parts were stolen for scrap metal value.

5. Fleet:

- a. New 2012 Chevrolet Tahoe arrived on April 14. The 2004 Ford Expedition will be decommissioned, with just over 124,000 miles.

- b. Delivery of new 2012 Dodge Charger police vehicle is anticipated within the next month.

6. Overtime:

- a. There was a marked increase in overtime expenditures, as a result of traffic enforcement details. These expenditures are reimbursed by the state.

Resolution No. 937—Acting Chief Foltz presented Resolution No. 937 for approval. Commissioner Klotz made a motion to approve **Resolution No. 937** confirming special fire police officer Avram Jacob Hammer of Sanatoga Fire Company. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

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

Emergency Management

1. **EOC Activations**—Acting Chief Foltz reported there were no EOC activations during April 2012.
2. **Act 147 Grant**—Acting Chief Foltz thanked Township employees Keith Place and Phil Anstey for volunteering to mount the plasma television and install the cordless phones in the Emergency Operations Center (EOC). These items were purchased with Act 147 grant funds.
3. **Resolution No. 938**—Acting Chief Foltz recommended approval of Resolution No. 938, recognizing Goodwill Ambulance Company as the primary service provider for Lower Pottsgrove Township for ALS and BLS ambulance services.

Commissioner Kaiser asked what's wrong with competition and asked about other service providers. Acting Chief Foltz said this resolution prevents other EMS services that may not be as qualified from coming into the Township and setting up services. Should Goodwill be unavailable or require additional assistance, other 911 EMS services would still be able to respond.

Mike Campeggio, EMS Chief of Goodwill Fire Company, explained that Goodwill is a 911 service and he has faith in other 911 services to provide ALS (Advanced Life Support and BLS (Basic Life Support). His concerns were with private ambulance services coming in that may not be qualified. Commissioner Kaiser asked if there is another qualified agency. Acting Chief Foltz said Goodwill is the closest qualified agency.

Commissioner Foltz stated that Goodwill provides excellent service and works directly with the fire companies and County 911. He would hate to see this changed. Commissioner Klotz agreed and stated that Goodwill has been in our community and is doing a fabulous job. He felt Goodwill was our best choice for a first responder. Commissioner McGroarty asked Acting Chief Foltz, who is also the Township's Emergency Management Coordinator, if it was his recommendation that the Board

approve Goodwill Ambulance and he said yes, it was. Commissioner McGroarty supported Acting Chief Foltz's recommendation.

Chief Campeggio further explained how the Montgomery County 911 system works. Bill Wolfgang asked how the private, outside entities get the calls. Chief Campeggio said that somehow they are hooking into the County's computer system or they might have a truck waiting and they show up first.

Joe Zlomek of the Sanatoga Post said he understood that there is a certain set of certifications to become ALS and BLS certified. He asked if there are any private companies that are not certified ALS and BLS. Chief Campeggio said most are BLS.

After further discussion, Commissioner Klotz made a motion to approve Resolution No. 938, recognizing Goodwill Ambulance Company of Pottstown as the primary service provider for Lower Pottsgrove Township for ALS and BLS ambulance services. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

4. **Resolution No. 939**—Acting Chief Foltz stated that every two years the Township's Emergency Operations Plan must be reviewed and re-promulgated. The plan was last approved in April 2010 and Deputy EMC Chris Wilcox reviewed and revised it. Acting Chief Foltz presented the revised plan to the Board for approval.

Commissioner Klotz made a motion to approve Resolution No. 939, approving the Emergency Operations Plan for Lower Pottsgrove Township. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

5. **Southeastern Pennsylvania Regional Task Force**—Lower Pottsgrove Township is on the list to receive a Variable Message Sign Trailer (VMST) for deployment in this region.

Fire Marshal

Mr. Babel reported the following statistics from his report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
	May 2012	May 2012	May 2012	May 2012	May 2012
Sanatoga (Station 58)	26	16	101	334	Not provided
Ringling Hill (Station 59)	32	34	167	66	941

(Hours are approximate)

Don Woodley, President of Sanatoga Fire Company, informed the Board that the Fire Academy is taking a new direction and requesting that all volunteers wear a Class B uniform to training classes, which will be an added expense for the student. Commissioner Foltz said the Board will

look into the matter. Commissioner Klotz agreed that there should not be any added expense for our volunteers. He supports appropriate dress but does not agree with forcing them to wear the uniform. He recommended that the Board write a letter to the County.

Highway—Public Works Department: Commissioner Foltz read highlights from the April 2012 Public Works Report. Report will be posted on the bulletin board.

Commissioner Foltz said there are problems with two residents, one on Welsh Drive and another on Hause Avenue, throwing grass in the streets. He said it takes a lot of manpower for the road crew to clean up the grass so it doesn't go into our storm sewer system. Mr. Hawthorne wrote letters and John Fogel spoke with the residents and they have agreed not to do it again.

C.O.G.—Commissioner Foltz will attend the next meeting on Tuesday, May 15, 2012.

Engineering—No report.

Treasurer—Ms. Marsteller presented the Tax Collector's Monthly Report to Taxing Districts for the month of April 2012 to the Commissioners for review.

Solicitor—No report.

Parks and Recreation—Ms. Elliott reported the following:

1. **Playground:** Equipment has been received and will be installed by Township staff. Estimated installation is June.
2. The Parks and Recreation Board is looking at capital improvements and long range planning to present in the near future.

Pottstown Metropolitan Regional Planning Commission—Ms. Elliott reported that Regional Planning formally presented the Strategy Report and Market Analysis and Fiscal Impact Study on April 3, 2012. Ms. Elliott highlighted the information in the report that pertains to Lower Pottsgrove Township. Ms. Elliott will be meeting with County Planning to see what recommendations they have and would like to arrange for the County to present an in-depth analysis to the Board.

Commissioner Klotz said that Regional Planning typically believes that retail is not great for growth and they shy away from it. He believes that retail may grow and we may have opportunities at the Sanatoga Interchange. Commissioner Klotz also feels that there aren't enough restaurants in Lower Pottsgrove and we should look at what we want to bring here. Commissioner Foltz agreed that we are trying to get more business into the Township and wanted to get the word out to Regional Planning that we are not totally against retail.

Ms. Elliott presented pamphlets from Dulcie Fluharty of the Montgomery County Lands Trust.

CORRESPONDENCE AND INFORMATION:

The following information was included in the Commissioners packets:

1. Letter from Chad E. Camburn, P.E., Bursich Associates. Re: Buchert Ridge Phase 2 – Amended, Land Development Status.

2. Letter of appreciation to James J. Granger, Jr., Exelon Power, regarding donation to Police Fish Rodeo.
3. Visiting Nurse Association of Pottstown Health Care Champion Breakfast.
4. Commissioner's Service Award/PSATC Annual Conference information.
5. Letter from Congressman Jim Gerlach to The Honorable Lisa Jackson, Administrator, Environmental Protection Agency regarding MS4 Stormwater Management.
6. Public Hearing Notice – Pottstown Area Rapid Transit Fare Increase and Route Changes.
7. Montgomery County Consortium of Communities 2012 Directory.

SUBDIVISION AND LAND DEVELOPMENT:

None.

OLD BUSINESS:

Municibid

Kohler Generator—Commissioner Klotz made a motion to accept the highest bid in the amount of \$2,050.00 for the Kohler Fast Response 2 Generator – Indoor Unit, Municibid Item #12565, submitted by William Schofield. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Onan Generator—Commissioner Klotz made a motion to accept the highest bid in the amount of \$2,700.00 for the Onan Generator – Outdoor Unit, Item #12564 submitted by Gregory Dunn. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Commissioner Foltz recommended that the \$4,750.00 received for the generators be earmarked and used towards the purchase of a generator. Commissioner Kaiser did not want to earmark but agreed to use the funds when the new generator is purchased. He recommended that the funds be put into reserves. Commissioner Foltz does not want the money used to purchase something else.

1997 GMC C6500 Dump Truck—Commissioner Klotz made a motion to accept the highest bid in the amount of \$11,100.00 for the 1997 GMC C6500 Dump Truck with plow and salt spreader, Municibid Item #12637, submitted by Robert Barton. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

NEW BUSINESS:

None.

RESOLUTIONS AND ORDINANCES:

Resolution No. 937—See **REPORTS: Police.**

Resolution No. 938 and 939—See **REPORTS: Emergency Management.**

Warrant—Commissioner Klotz made a motion to approve Warrant No. 799 for March 2012. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Warrant No. 800 was distributed via email for the Commissioners' review.

COMMISSIONERS COMMENTS:

Commissioner Klotz complemented Acting Chief Foltz for conducting a safety belt check right before prom season. He thought it was a great reminder and would like to see it done every year at the same time.

Commissioner Klotz said several kids told him they couldn't believe how real the mock vehicle rescue was. He said the exercise was an eye-opener and thanked Acting Chief Foltz for conducting it.

Commissioner Klotz said something to consider at budget time is funding of the School Resource Officer (SRO) at Pottsgrove High School. Commissioner Klotz said Methacton School District pays full salary and benefits for its SRO and there may be other school districts that do the same.

Commissioner Kaiser said he attended a Parks and Recreation Board meeting in March. The Parks Board would like to put together a plan to address the needs of the sports organizations.

Commissioner McGroarty thanked Acting Chief Mike Foltz for keeping the Board informed on the initiatives he is spearheading and the different actions he is taking to make our community better. He applauded him for his recommendations.

Commissioner Foltz said it has been busy in the Township. He said the Trout Rodeo was very nice and thanked everyone who helped out with it. He attended the firearm qualifications for our police officers and said how they qualify is very involved. Commissioner Foltz and Rod Hawthorne attended the mock vehicle rescue at Pottsgrove High School. Commissioner Foltz also attended a demonstration of the fire companies' power tools and new equipment.

MANAGER'S COMMENTS:

Mr. Hawthorne made the Board aware of the roads that are scheduled to be paved this year: Doris Drive, Mitch Road, Wendy Drive and Villa Drive. He will be coming back to the Board with the list of roads that will be paved in the 2012-2013. Commissioner Klotz asked when Kepler Road would be paved. Mr. Hawthorne said a full pave will be started no later than July or August.

Township resident Doris Soloman said Township office staff is very courteous and caring and she asked Mr. Hawthorne to pass her comments on to the Board. She complemented Michele Christman, Michele Cappelletti, Jen Corley, Kathy Kurtas, Jane Smale and Keith Place for helping her.

Scott Exley stated that the Township is doing what should be done during the land development process. He wants to make sure everyone is on the same page and offered to keep the Board posted on where the hold-ups are. Mr. Exley also wants to see business in the Township and said it has been done; the Salon Twenty-Two project was five months from plan to final. Mr. Exley offered his time when and if the Board needs it.

There being no further business, the meeting was adjourned at 8:35 p.m.

Next regularly scheduled meeting will be held on Thursday, May 24, 2012 at 7:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michele M. Cappelletti".

Michele M. Cappelletti
Secretary